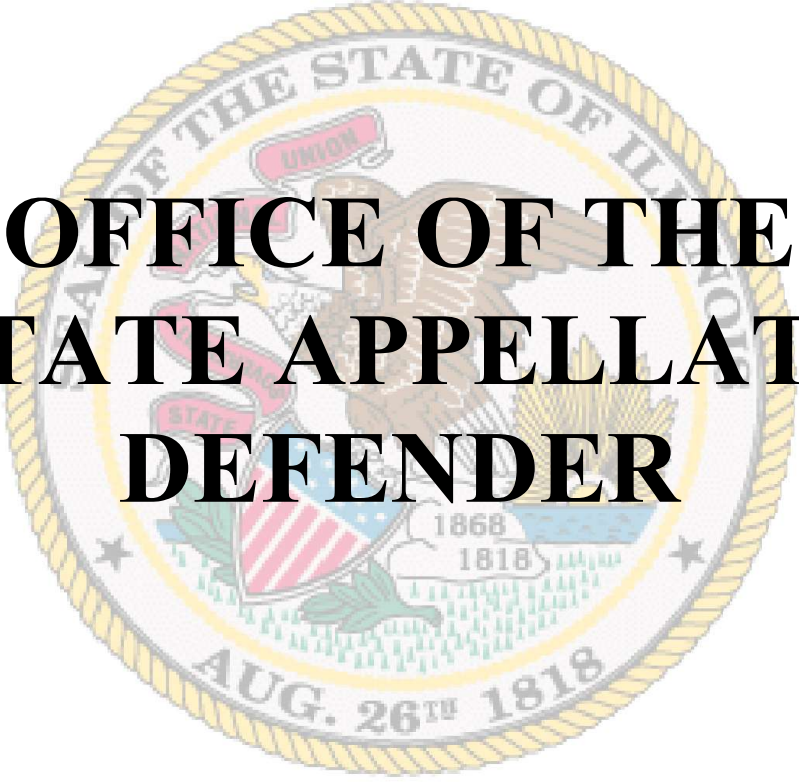


Annual Report Fiscal Year - 2025

The seal of the Office of the State Appellate Defender, State of Illinois, is a circular emblem. It features a central shield with a red and white striped field, a blue chief, and a green base. Above the shield is a banner with the word "UNION". The shield is flanked by two stars. The outer ring of the seal contains the text "OFFICE OF THE STATE APPPELLATE DEFENDER" at the top and "AUG. 26TH 1818" at the bottom. The years "1868" and "1818" are also inscribed on the seal.

OFFICE OF THE STATE APPELLATE DEFENDER

JAMES E. CHADD

STATE APPELLATE DEFENDER

ANNUAL REPORT FISCAL YEAR-2025

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I. FISCAL YEAR-2025 ACTIVITIES

Agency Activities

During Fiscal Year 2025, the period between July 1, 2024 and June 30, 2025, our agency was appointed to 1807 new appellate court cases. We filed original dispositions in 1938 cases. Our office was also appointed to 540 cases under the Pre-Trial Fairness Act. We filed original dispositions in 591 cases.

After many years of service to our agency, Jaqueline Bullard, the Director of our Juvenile Defender Resource Center retired on May 31, 2025. Scott Main, the Assistant Director of the Juvenile Defender Resource Center, was appointed as the new Director.

On June 12, 2025, Ginger Odom, the Director of Expungement, was appointed as a Judge in the Circuit Court of Cook County. Effective, September 1, 2025, Assistant Appellate Defender Tiffany Boye Green will be appointed as the new Director of Expungement.

Board of Commissioners

The term of Judge James Brusatte expired on May 31, 2024. The Third District Appellate Court appointed Will County Chief Felony Defender Jaya Varghese to the Board of Commissioners as Judge Brusatte's replacement on July 30, 2024. Jaya joined the Will County Public Defender's Office in 2005, was promoted to the Felony Division in 2007, became the Misdemeanor Chief in 2012, and the Felony Chief in 2018.

The term of Carol Brook expired on December 14, 2024. The Illinois Supreme Court appointed Judge Lester Finkle to the Board of Commissioners as Carol Brook's replacement on January 31, 2025. Prior to becoming a judge, Lester served 37 years with the Law Office of the Cook County Public Defender. Lester filled many roles in the Public Defender's Office: a trial attorney in Juvenile Court, a felony trial attorney in the Criminal Court's building, and an appellate attorney in the appeals division. Lester became a member of management in 2003, ultimately becoming Chief of Staff in 2015.

The term of Macon County Public Defender Michelle Sanders expired on June 1, 2025. The Fourth District Appellate Court appointed Peoria County Chief Public Defender Kevin Lowe to the Board of Commissioners as Michelle Sander's replacement on June 1, 2025. Kevin joined the Peoria County Public Defender's Office as a part-time Assistant Public Defender in 2001. He became the First Assistant Public Defender in 2018, and was appointed as the Chief Public Defender in 2023.

The Board of Commissioners held two semi-annual meetings on December 6, 2024, and June 6, 2025.

FY 2025 Budget

At the Board of Commissioner's meeting held on December 6, 2024, the board approved OSAD's proposed budget submission. OSAD then submitted the budget to the Governor's office and the General Assembly. State Appellate Defender Jim Chadd and Chief Fiscal Officer Jana Bergschneider presented budget testimony before the Illinois House of Representatives on April 12, 2025, and before the Illinois Senate on April 26, 2025.

The budget was approved as submitted and signed into law by the Governor on June 16, 2025. The FY2026 budget is in the amount of \$38,275,200 and represents a decrease of \$2,415,560 (or 6.31%) over the fiscal year 2025 operating budget. This budget provides for the following:

- Full Staffing for the agency
- Headcount of 305, no change from FY2025
- An increase in the pay plan
- Decreasing the PFA Contract Attorney Program
- Continuation of Expungement Program
- Continuation of Public Defender Training Program
- Continuation of Juvenile Defender Resource Center

Training Seminars

In July, the Training Department held a monthly in-house CLE on Cert Petitions. We also co-sponsored a CLE with the Cook County Public Defender's Office on recent United States Supreme Court decisions. That program was made available to all trial and appellate Public Defenders in Illinois and was attended by over 230 individuals. We had more Public Defenders take the online/on-demand specialty court training. We had one Chief Defender training. We continued new attorney trainings with programs on reply briefs, oral arguments, prh/plas, and post-conviction petitions. Finally, we continued with the summer intern training program.

In August, we presented Winning Jury Selection, an all-day workshop for trial attorneys held in Springfield, Illinois. We continued new attorney training with one-on-one or small-group trainings on the topics of guilty pleas, reply briefs, oral arguments, PRH/PLA's, and post-conviction petitions. Finally, we made the July trainings on the recent U.S. Supreme Court Term and on filing Petitions for Certiorari available via OSAD's Learning Management Site.

In September, OSAD had 18 new attorneys start, and so we had many new attorney training programs. We also continue to train attorneys who started last May and late last year on topics of oral argument, reply briefs, and rehearing petitions and petitions for leave to appeal. We held the OSAD/IPDA workshop "Winning Jury Selection" at Loyola on September 6th. We had our monthly

in-house CLE on the topic of federal habeas petitions. We had our monthly Chief Defender meeting, which was a knowledge share/Q&A. Finally, we had a supervisor training presented by the Lawyer's Assistance Program on the topic of Identifying and Supporting Colleagues in Need.

In October, OSAD continued New Attorney training for those who started in September and also those who started last year but were having their first oral arguments, PRHs/PLAs, etc. We had an in-house CLE on the topic of raising issues under the Illinois Constitution. Finally, we had a Chief Defenders training that was a knowledge-share format.

In November, OSAD held an in-house CLE program entitled "Maladaptive Perfectionism," which was offered for the mental health professionalism credit and was presented by the Lawyer's Assistance Program. We also assisted the IPDA in their Fall 2024 Seminar, which was held November 1-2 in Bloomington, IL, and attended by over 175 attorneys from around the state. We continued to provide training to attorneys who started in September 2024, as well as attorneys just completing their first year at OSAD. We also had one Chief Defenders meeting.

In December, OSAD continued with new attorney training. At our monthly in-house CLE, the executive director of the John Howard Association spoke to OSADers about prison conditions their clients face. The monthly Chief Defender training was canceled due to the holiday. Planning began in earnest for March's Trial Advocacy Program as well as the Appellate Lawyer's Association's Criminal Law Year in Review.

In January, OSAD hosted a conversation between Chief Defenders and an Illinois Association of Criminal Defense Lawyers representative to foster more opportunities for collaboration. We continued training new attorneys on reply briefs, guilty pleas, post-conviction petitions, and oral arguments. Our Director of Training presented at Appellate Lawyers' Association Illinois Supreme Court Year in Review: Criminal Law. We also trained new supervisors at OSAD and provided a two-part training on challenging ballistic evidence on appeal.

OSAD had three new attorneys start in February, and so began a new round of training programs for them. We continued to provide training on oral arguments, reply briefs, PCs, and Guilty Pleas for attorneys who are in their first 18 months. We began planning for the IPDA Spring Seminar, the annual Oral Argument Training, and for a daylong cross-examination seminar featuring Larry Pozner. We continued to plan for March's Trial Advocacy Program. And we held a Chief Defenders meeting.

In March, OSAD held our annual weeklong Jamie Kunz Trial Advocacy Program for Public Defenders. It was a great success, having expanded the program this year to accommodate 42 defenders from 22 counties in Illinois. We also continued our new attorney training. We held our monthly in-house CLE program, which this month focused on issues related to DNA evidence. Finally, we had a Chief Defenders meeting.

In April, the Training Department put on the program "Elevate and Excel," a 2-day oral argument workshop focused on improving presentation and communication skills during oral arguments. Attorneys from every district came to Chicago as participants and coaches, and we brought in professional communication coaches to supplement the training. It was a great success. We also had two new attorneys begin their training, and continued new attorney training for the attorneys who started in February. We also continued training for "older" new attorneys on topics like oral arguments. Our monthly in-house CLE program was an "Update on the Courts," where a representative from each district updated the rest of the agency on practices and procedures unique to their district, so that attorneys can be up-to-date should they receive a case from outside of their home district office. We held our monthly Chief Defender Meeting where we discussed, among other things, the new Karina's Law, the FAIR Act, and the availability of a consulting attorney fluent in forensic sciences. Finally, attorneys attended the Public Defense in Illinois Summit hosted by Northwestern, the ABA's National Public Defense Summit, which was also held at Northwestern, and the NAPD's Leadership Institute in Indianapolis.

In May, OSAD had a new attorney start and so we began the new attorney training program. We continued training the new attorneys who started earlier in the year and last fall. We also worked with the IPDA to host the 2025 Spring Seminar, which was held virtually and attended by over 200 attorneys. We held our monthly Chief Defender meeting. Finally, we began training the summer interns who started on May 27th.

In June, we were thrilled to bring in nationally-recognized speaker Larry Pozner, who presented a daylong seminar on cross-examination skills. He presented to a live audience in Chicago at Kent Law School, and criminal defense attorneys around the state were able to attend via zoom. It was a great success. We also had our monthly in-house CLE, and the topic was "Advanced Legal Research with Westlaw Edge." We continued our new attorney training and our summer intern training. We had our monthly Chief Defender meeting. Finally, we launched an online/on-demand CLE for problem-solving court attorneys focused on integrating employment specialists into the problem-solving court system.

Internet Web Site

The agency continues to provide the public with information regarding training programs and publications, including a Criminal Law Handbook and monthly Criminal Law Digest, both of which contain up-to-date caselaw information. The agency also provides an updated Summary of Issues Pending in the Illinois Supreme Court and annual reports from prior years.

The agency also continues to provide extensive, timely information regarding the state's record-clearing process. The site includes easy to follow instructions which allow anyone to determine whether or not a record is eligible for expungement or sealing, plus the forms necessary to file for relief. The site also includes information and instructions on other forms of record-clearing

relief, such as health worker waivers, certificates of good conduct and relief from disabilities, and executive clemency. New this year, the expungement unit has added a webpage of state-wide resources for returning citizens, listing organizations that help those coming out of incarceration to find housing, job training and employment, as well as recovery services, support for family reunification, and other means of successfully reintegrating into life outside of incarceration.

As part of our commitment to provide public defenders with resources for sharing information, the agency established the “Public Defender Resource Center,” a place where public defenders can discuss issues, ask questions and share documents.

Additionally, through its Juvenile Defender Resource Center, OSAD now provides a wide range of information for attorneys who represent juveniles in conflict with the law including publications and organizations by subject matter, legislative updates, sample pleadings, and case law summaries. The JDRC also publishes a monthly email newsletter, The Juvenile Defender, with updates on news, cases, legislation, and trainings affecting attorneys who represent youth in conflict with the law.

The State Appellate Defender site is located at:
<https://www2.illinois.gov/osad/pages/default.aspx>

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II. THE AGENCY

A. Introduction

The Office of the State Appellate Defender is a State of Illinois agency created by the State Appellate Defender Act (725 ILCS 105). The primary function of the agency is stated in §105/10 of the Act:

"The State Appellate Defender shall represent indigent persons on appeal in criminal and delinquent minor proceedings, when appointed to do so by a court under a Supreme Court Rule or law of this State."

The Office of the State Appellate Defender does not initiate or generate the criminal appeals it handles. Criminal appeals are brought by defendants convicted of crimes and the Agency does not appear as counsel on an appeal until appointed to do so by a court, which makes the determination that the defendant is indigent and qualifies for the agency's services.

Pursuant to the State Appellate Defender Act (§105/9), the agency maintains an office in each of the five Judicial, or Appellate Court, Districts in Illinois. There is an Appellate Court and an Appellate Defender District Office in Chicago, Elgin, Ottawa, Springfield and Mt. Vernon. The agency has its Administrative Office in Springfield. Each District Office has a Deputy Defender who is responsible for the administration and supervision of that office.

In 1986, the Office of the State Appellate Defender was nominated to receive the Clara Shortridge Foltz Award. This award is given jointly by the American Bar Association and the National Legal Aid and Defender Association for outstanding achievements in providing criminal defense services by a defender office. The award is named for the founder of the nation's public defender system. In October 1986, the Office of the State Appellate Defender was presented the Clara Shortridge Foltz Award for "dedicated service and outstanding achievements in the delivery of criminal defense services." The Agency received numerous letters in support of its nomination.

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B. Historical Background

In 1956, the United States Supreme Court held that the State of Illinois had the constitutional obligation to provide a trial court transcript, without cost, to indigent defendants for criminal appeals (*Griffin v. Illinois*, 351 U.S. 12). In 1963, the Court held that indigent defendants had the constitutional right to have an attorney appointed to represent them in their criminal appeals. (*Douglas v. California*, 372 U.S. 353; *Milani v. Illinois*, 386 U.S. 12) In 1985, the Court further held that there is a constitutional right to the effective assistance of counsel in a criminal appeal. (*Evitts v. Lucey*, 469 U.S. 387).

The Illinois Constitution provides for the right to appeal (Art. VI, §6) and this right has been implemented by both legislation (725 ILCS 5/121-13, 725 ILCS 105/1) and Illinois Supreme Court Rules (Rules 607 and 605).

In the late 1960's, a statewide survey funded by the Illinois Law Enforcement Commission was conducted by the Illinois Public Defender Association to ascertain the needs of indigent criminal defendants in Illinois. This study, which included personal interviews with judges, State's Attorneys and defense lawyers, found that there was an urgent need for experienced, qualified lawyers in criminal appeals, including a need to change the manner in which lawyers for indigent criminal appeals were provided. In an attempt to meet some of the needs disclosed by the study, the Illinois Law Enforcement Commission awarded a grant, effective January 1, 1970, to create the Illinois Defender Project. This grant provided for regional appellate defender offices in the Second, Third, Fourth, and Fifth Judicial, or the Appellate Court, Districts. During its three years of existence, the Illinois Defender Project was appointed in about 2,000 criminal appeals and maintained a consistently excellent record of performance.

In an attempt to continue the work of the Illinois Defender Project and meet the need for appellate counsel in criminal appeals, a bill was introduced in the Illinois Legislature to create a state-wide Appellate Defender Office. This bill, the "State Appellate Defender Act," was signed into law by Governor Ogilvie on August 18, 1972, and became effective on October 1, 1972. The Illinois Supreme Court appointed Theodore A. Gottfried as the first State Appellate Defender in December 1972, and he had been reappointed every four years thereafter. He retired after 35 years on December 31, 2007.

The Office of the State Appellate Defender presently represents virtually all indigent criminal appellants in Illinois. If the Office of the State Appellate Defender is not appointed to represent an indigent defendant in a criminal appeal, the respective counties are required to pay the cost for appointed counsel on appeal.

In a criminal appeal, the Office of the State Appellate Defender serves on the defense side of the case, as the counterpart of the Illinois Attorney General's Office (which represents the prosecution in the Illinois Supreme Court), the State's Attorney's Appellate Prosecutor, and the various State's Attorneys.

Capital Cases

From June 21, 1977, to June 30, 2011, a statute allowing the imposition of the death penalty was in effect in Illinois. This statute, as well as the Illinois Constitution and Illinois Supreme Court Rules, required an automatic appeal to the Illinois Supreme Court in all cases in which a person was sentenced to death. The representation of a person sentenced to death was an awesome responsibility, requiring extraordinary legal knowledge and meticulous preparation. The consequences of less than the highest quality of legal representation were obvious and irreversible.

The United States Supreme Court pointed out that the death penalty is not merely a more severe sentence, but it is an entirely different kind of sentence, requiring special procedures. For example, Chief Justice Burger, in *Lockett v. Ohio*, 438 U.S. 586 (1978), stated: "We are satisfied that this qualitative difference between death and other penalties calls for a greater degree of reliability when the death sentence is imposed."

The Illinois Legislature also recognized the substantial difference between the death penalty and other criminal penalties. The death penalty statutes required unique sentencing procedures, including a hearing before a jury, an eligibility phase at which a statutory aggravating factor must be proved beyond a reasonable doubt, an aggravation-mitigation phase at which the jury is required to weigh all aggravating evidence and all mitigating evidence, and the imposition of the death sentence only by a unanimous jury verdict. Additionally, the Illinois Supreme Court treated death penalty cases differently by providing for automatic perfection of such appeals, allowing appointment of two lawyers giving priority to death penalty cases over all others, and by permitting a death sentence to be carried out only by final order of the Supreme Court.

Appeals in death penalty cases were more difficult and time consuming than non-capital appeals. Capital cases usually consisted of records which were extremely large, frequently containing thousands of pages. Most capital cases involved lengthy jury trials, with many motions, objections and evidentiary disputes. The jury selection procedure in most capital cases was much longer because the prospective jurors were "death penalty qualified," and the parties were entitled to twice as many peremptory challenges.

The sentencing hearing in capital cases was similar to a trial itself. It was usually held before a jury (whereas sentencing hearings in other cases are not) and generally involved the calling of numerous witnesses and lengthy testimony pertaining to the entire background of the defendant. Additionally, capital sentencing hearings contained many motions and arguments concerning the interpretation and application of the death penalty statute, constitutional issues, and questions concerning the type of aggravation and mitigation evidence that may have been introduced.

In non-capital appeals there is rarely an issue pertaining to the selection of the jury and seldom more than a single issue concerning sentencing; however, in capital cases there were numerous issues involving the selection of the jury and the sentencing hearing.

The difference in difficulty between capital and non-capital appeals can be illustrated by the written decisions of the Illinois Supreme Court. In capital cases, unless the Court reversed the case on a single issue or two, the opinions were normally twenty pages or more -- sometimes thirty or forty pages. In non-capital cases, the Supreme Court opinions were usually less than ten pages. For example, in non-capital criminal cases decided by the Court in 1986, only two opinions were more than ten pages and twelve opinions were six pages or less. Additionally, the Supreme Court generally issues opinions in non-capital cases in the term of court immediately following the term in which the case was orally argued. In capital cases, due to their difficulty, the opinions were usually issued at least three or four terms later.

The Office of the State Appellate Defender recognized and confronted the difficult and unique responsibility of representing individuals sentenced to death. In 1977 the agency initiated a procedure to assure the highest quality of representation for all clients sentenced to death. A group of six experienced agency lawyers was organized to become thoroughly knowledgeable of all aspects of the death penalty. This death penalty group engaged in extensive research, kept abreast of court decisions and legislation dealing with the death penalty, prepared numerous detailed memorandums, and organized a large amount of materials. The materials prepared and assembled by the death penalty group proved to be extremely valuable in assisting lawyers and saving them many hours of research time in the handling of death penalty cases at both the trial and appeal level.

It was originally envisioned that the death penalty group of lawyers would handle, quickly and effectively, all death penalty appeals to which the agency was appointed. However, due to the time and difficulty involved in such appeals and the increase in agency appointments, it became clear that this group of lawyers could not handle all of the death penalty cases. Thus, death penalty appeals were assigned to various experienced lawyers in the agency's district offices, with two lawyers assigned to each case.

Supreme Court Unit

In Fiscal Year-1983, the agency received funding to establish a Supreme Court Unit. This Unit, a separate office similar to a District Office, was located in Springfield and was assigned to and had the primary responsibility for death penalty cases. The lawyers in the Supreme Court Unit

handled death penalty appeals and maintained a thorough knowledge of death penalty matters as well as assisted other Agency lawyers who were assigned to death penalty appeals.

On March 9, 2011, Governor Pat Quinn signed legislation to abolish the death penalty effective July 1, 2011. As a result of the abolition of the death penalty, the Supreme Court Unit closed its doors on April 15, 2011.

Capital Trial Assistance Unit

The Capital Trial Assistance Unit (formerly known as the Death Penalty Trial Assistance Unit) came into existence on January 1, 2000. It was created by an amendment to the State Appellate Defender Act, providing that the State Appellate Defender may in cases where a death sentence was an authorized disposition, provide trial counsel with the assistance of legal counsel, expert witnesses, investigators and mitigation specialists from funds appropriated to the State Appellate Defender specifically for that purpose by the General Assembly 725 ILCS 105/10(c)(5). The mission of this office was to ensure that indigent defendants facing the death penalty received the assistance of zealous, dedicated attorneys armed with resources adequate to properly investigate and defend their cases at trial and at sentencing. As a result of the abolition of the death penalty, the Capital Trial Assistance Unit, with offices in Chicago, Springfield, and Belleville, also closed its doors on April 15, 2011.

Capital Post-Conviction Unit

The Supreme Court Committee on Post-Conviction Representation in Death Penalty Cases presented its final report to the Supreme Court in November 1988. The report recommended a new division of the State Appellate Defender to coordinate and provide support to appointed lawyers who provide representation in these cases.

In the Fall Session of 1989, legislation was passed and funds were appropriated by the State of Illinois and the Federal Government to establish the Capital Resource Center. The Capital Resource Center recruited and maintained a panel of private attorneys willing to represent death row inmates in post-conviction proceedings. Illinois attorneys responded enthusiastically to participating on the Panel of Attorneys. Federal funding for the Capital Resource Center ceased in Fiscal Year-1996. As a result, the office was renamed the Capital Litigation Division of the Office of the State Appellate Defender. Effective January 1, 2005, the Capital Litigation Division was renamed the Post Conviction Unit, and on May 1, 2008, the Post Conviction Unit was renamed the Capital Post-Conviction Unit. Although the death penalty was abolished effective July 1, 2011, and the governor commuted the sentences of the 15 individuals sentenced to death, the Office of the State Appellate Defender received state funds for FY-2012 to complete work on what were then non-capital post-conviction cases. On June 30, 2012, at the conclusion of FY-2012, the Capital Post-Conviction Unit was closed.

C. Work of the Agency

Generally

Any indigent defendant convicted of a felony or a Class A misdemeanor or other offense in which imprisonment is imposed, and any minor adjudicated as delinquent, is entitled to the services of the Office of the State Appellate Defender upon appointment by a court. The appeal process normally commences when the defendant files a notice of appeal in the Circuit Court. The Record on Appeal is then prepared. The Record on Appeal includes a verbatim transcript of the proceedings (such as testimony of witnesses, arguments of counsel, rulings by the judges, etc.) and all documents filed in the case (such as indictments or information, written motions, jury instructions and verdicts, etc.).

After the agency is appointed as appellate counsel, the appeal is assigned to an Assistant Appellate Defender. This lawyer must then read the entire Record on Appeal in order to become totally familiar with all of the proceedings which occurred in the Circuit Court - ranging from pre-trial matters, the trial itself, post-trial motions, and the sentencing stage. Occasionally, certain portions of the record are missing and the lawyer must obtain such missing portions. In order to ensure that no possible legal issue is overlooked, the lawyer interviews the client and communicates with the trial lawyer.

After a complete and careful reading of the Record on Appeal, the lawyer must note and research every potential legal issue which might be raised on appeal. Once the issues, along with the authority in support of the issues, are decided upon, the lawyer begins the preparation of the appellant's opening brief. The brief must include several specific sections, which are required by Ill.Sup.Ct. Rules 341 and 342 - Points and Authorities, Nature of the Case, Issues Presented for Review, Jurisdiction, Statutes Involved, Statement of Facts, Argument, Conclusion and Appendix. The preparation of the brief requires a thorough understanding of the Circuit Court proceedings - pleadings, motions, objections, rulings, testimony, exhibits, and arguments, contained in the Record on Appeal (the transcript is often lengthy because about 200 typewritten pages are required for each day of trial). The appellant's brief is required to contain a complete and accurate description of all facts relevant to the appeal. Additionally, legal arguments in the brief must be supported by the citation and discussion of authority, such as statutes, decisions of the Illinois Supreme and Appellate Courts, decisions of the United States Supreme Court, or decisions of courts in other jurisdictions.

When a draft of the brief is completed, it is reviewed by the Deputy Defender or a Supervisor. The reviewing lawyer reads the draft brief to ensure that it contains all relevant facts and covers every possible legal argument and legal authority accurately and in proper form. The reviewer may suggest that changes be made. Upon final review and approval by the reviewer, the brief is prepared in final form and filed in the reviewing court.

When a conscientious examination of the Record on Appeal and thorough research reveal that any issues that could be raised on appeal are wholly frivolous and without merit, the agency files an *Anders* brief. Such a brief, named after the decision in *Anders v. California*, 386 U.S. 738 (1967), requests permission to withdraw from the appeal and includes a supporting document explaining the

facts and legal authorities concerning why there are no arguable appellate issues. Before an *Anders* brief is filed, the appeal is subjected to intensive review to ensure that it is, in fact, meritless. Every year, there are *Anders* briefs filed by the agency.

After the agency's opening appellant brief is filed, the prosecution then prepares an appellee's brief. Following the filing of the appellee's brief, the agency lawyer may file a reply brief, which responds to the arguments and authorities presented by the prosecution in the appellee's brief.

Once the briefs have been filed, an appeal may then be scheduled for oral argument. After oral argument, the appeal is then taken under advisement and a written opinion or order is prepared by the court.

Following the decision of the Appellate Court, either party may file a Petition for Rehearing and may ultimately seek review in the Illinois Supreme Court by filing a Petition for Leave to Appeal. When the Supreme Court grants a Petition for Leave to Appeal, additional briefs are usually required and oral argument is presented. After oral argument, the case is taken under advisement and a written opinion or order is prepared. A Petition for Rehearing may then be filed by either party.

Expungement Unit

Created by statutes 20 ILCS 2630/11 and 725 ILCS 105/10.6, the Expungement Unit provides information on the expungement and sealing process in Illinois. General instructions, all necessary court forms and links to other useful information are all available on the agency web site: <https://www2.illinois.gov/osad/Expungement/Pages/default.aspx>. Every effort is made to ensure the forms and instructions are current with Illinois law. The Expungement Unit also maintains a toll-free hotline, (866) 787-1776, as well as email availability for those seeking information on expungement and sealing. The email address is expungement@osad.state.il.us and the mailing address is 400 W. Monroe Street, Suite 202, Springfield, IL 62704.

Juvenile Defender Resource Center

The Illinois Juvenile Defender Resource Center was created by the Illinois General Assembly to support the work of attorneys representing youth in delinquency and criminal court and to study and implement model systems for the delivery of juvenile defender services in Illinois. (725 ILCS 105/10(c)(6)) The Center maintains a website and monthly newsletter for attorneys with up-to-date information on case law, trainings, news items, and legislative changes affecting juvenile defense. Through the website, attorneys can access the JDRC Case Law Summaries, links to expert materials and resources, sample pleadings and free on-demand CLE courses for Illinois juvenile defenders. The Center also provides advice and assistance to attorneys on individual cases, sponsors free live CLE training to juvenile defenders, and provides need-based funding for expert witnesses, evaluations, and investigators for attorneys representing youth in delinquency and criminal court.

The Center's staff continues to represent the interests of juvenile defenders on the Illinois Juvenile Justice Commission and Racial and Ethnic Disparities Subcommittee, the Illinois State Bar Association Standing Committee on Corrections and Sentencing and Child Law Section Council, the Illinois Sex Offender Management Board, the Illinois Sentencing Policy Advisory Council, the Illinois Juvenile Justice Leadership Council, and the Gault Great Lakes Regional Center.

Pretrial Fairness Unit

On September 18, 2023, Public Act 101-652, commonly known as the SAFE-T Act or the Pretrial Fairness Act, went into effect and abolished monetary bail and established a new set of procedures governing the trial court's decision whether to detain a criminal defendant awaiting trial. As a general rule, courts now presume that a defendant is entitled to release on personal recognizance on the condition that the defendant attend all required court proceedings, not commit any criminal offense and comply with all terms of pretrial release. The decision to detain or release the defendant is an appealable order and indigent defendants are entitled to the appointment of counsel by our agency on appeal.

Once our agency is appointed as counsel, an attorney from our Pretrial Fairness Unit is assigned the case, reads the record on appeal and makes a determination of whether to file a memorandum, not to exceed 4500 words, or elect not to file a memorandum as permitted under Supreme Court Rule 604(h). If the attorney writes a memorandum, it must contain a statement of facts and argument section and must be filed within 21 days of when the record is filed in the Appellate Court. A case that is resolved in the trial court during the pendency of the appellate proceedings will be dismissed as moot. Alternatively, if the Appellate Court issues a decision in the case, the attorney will determine whether to close the case or file a petition for rehearing or petition for leave to appeal.

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III. OFFICES OF THE AGENCY

A. Administrative Office

The Administrative Office of the agency is located at 400 West Monroe, Suite 202, in Springfield. The Administrative Office provides supervision and assistance to the agency's offices and maintains the agency records, such as payroll, purchasing, inventory and employee personnel files. An Employee Manual and detailed case management reports promote the efficient running of the agency. To assist Agency attorneys in providing quality representation to our clients, the Administrative Office provides ongoing Continuing Legal Education and maintains an extensive brief bank to assist with the attorneys' legal research.

In addition, the Administrative Office prepares and distributes a variety of materials designed to assist agency attorneys, public defenders and criminal attorneys throughout the state. Materials include: the *Criminal Law Digest* (a summary of significant court decisions available as they are

issued); the *Handbook of Criminal Law Decisions* (a summary of hundreds of court decisions arranged under more than 400 topics, newest edition released in 2019); and the *Handbook on Briefs and Oral Arguments*; as well as other educational and training materials.

B. First District Office

The First District Office of the Agency is located at 203 North LaSalle, 24th Floor in Chicago. Douglas R. Hoff is the Deputy Defender.

During Fiscal Year-2025, the First District Office received appointment to 660 cases and filed 616 Appellate Court briefs, 164 Petitions for Leave to Appeal to the Illinois Supreme Court, 5 Illinois Supreme Court briefs, 53 Anders briefs, 201 Finley Motions, 43 Motions to Withdraw, 121 Motions to Dismiss and 50 Summary Motions. Oral argument was held in 104 Appellate Court cases and 14 Illinois Supreme Court cases.

C. Second District Office

The Second District Office is located at One Douglas Avenue, 2nd Floor in Elgin. Christopher M. McCoy is the Deputy Defender.

During Fiscal Year-2025, the Second District Office received appointment to 161 cases and filed 156 Appellate Court briefs, 26 Petitions for Leave to Appeal to the Illinois Supreme Court, 4 Illinois Supreme Court briefs, 14 Anders briefs, 23 Finley Motions, 14 Motions to Withdraw, 27 Motions to Dismiss and 5 Summary Motions. Oral argument was held in 17 Appellate Court cases, and 5 Illinois Supreme Court cases.

D. Third District Office

The Third District Office is located at 770 E. Etna Road in Ottawa. Santiago A. Durango is the Deputy Defender.

During Fiscal Year-2025, the Third District Office received appointment to 171 cases and filed 118 Appellate Court briefs, 38 Petitions for Leave to Appeal to the Illinois Supreme Court, 1 Illinois Supreme Court brief, 1 Petition for Writ of Certiorari to the United States Supreme Court, 8 Anders briefs, 26 Finley Motions, 15 Motions to Withdraw, 42 Motions to Dismiss and 8 Summary Motions. Oral argument was held in 10 Appellate Court cases and 1 Illinois Supreme Court cases.

E. Fourth District Office

The Fourth District Office is located at 400 West Monroe Street, Suite 303, in Springfield. Catherine K. Hart is the Deputy Defender.

During Fiscal Year-2025, the Fourth District Office received appointment to 484 cases and filed 135 Appellate Court briefs, 45 Petitions for Leave to Appeal to the Illinois Supreme Court, 1 Illinois Supreme Court briefs, 6 Anders briefs, 19 Finley Motions, 23 Motions to Withdraw, 55

Motions to Dismiss and 17 Summary Motions. Oral argument was held in 30 Appellate Court cases.

F. Fifth District Office

The Fifth District Office is located at 909 Water Tower Circle in Mt. Vernon. Amanda R. Horner is the Deputy Defender.

During Fiscal Year-2025, the Fifth District Office received appointment to 331 cases and filed 29 Appellate Court briefs, 5 Petitions for Leave to Appeal to the Illinois Supreme Court, 30 Anders briefs, 19 Finley Motions, 5 Motions to Withdraw, 22 Motions to Dismiss and 21 Summary Motions. Oral argument was held in 19 Appellate Court cases and 1 Illinois Supreme Court case.

G. Pretrial Fairness Unit

The Pretrial Fairness Unit of the Agency is located at 203 North LaSalle, 24th Floor in Chicago. Carolyn R. Klarquist is the Director.

During Fiscal Year-2025, the Pretrial Fairness Unit received appointment to 540 cases and filed 178 Memorandums, 8 Response Memorandums, 224 Notice in Lieu of Memorandum, 121 Motions to Dismiss, 27 Petitions for Rehearing and 33 Petitions for Leave of Appeal.

H. Expungement Unit

In Fiscal Year 2025, OSAD's expungement unit received 2,878 emails and 2,618 phone calls requesting information about expungement and sealing of records. A total of 6,288 packets were sent to prisons for those still incarcerated, sent to IDHS, and provided at community events to those who requested additional information. OSAD staff attorneys participate in community events to promote public awareness of expungement and sealing availability. In FY2025, OSAD participated in 36 Zoom events, plus 44 in-person events. In addition, as web presence continues to grow, there were 45,943 individual downloads of expungement-related forms from the OSAD site during the Fiscal Year.

I. Juvenile Defender Resource Center

In Fiscal Year 2025, the Juvenile Defender Resource Center continued to maintain its website, which provides attorneys with information on trainings, news items, client-related resources, and legislative changes affecting youth defense. The website also provides access to the JDRC Case Law Summaries, links to expert materials and resources, and free on-demand continuing legal education (CLE) courses. The JDRC provided time-sensitive information on trainings, legislation, news, and case law updates to over 900 defenders via its monthly e-mail newsletter, The Juvenile Defender.

The JDRC added four new on-line, on-demand CLE courses to its Fundamentals of Youth Defense curriculum this year, raising its on-demand course total to thirteen. Topics included dispositional advocacy, new developments in youth sentencing, and navigating new resources for attorneys and clients. In collaboration with the Illinois Public Defender Association, the Illinois Association of Criminal Defense Lawyers, and Northwestern Law School, JDRC attorneys presented at, and facilitated, trainings related to emerging adult neuroscience, juvenile expungement, the history of Illinois' juvenile court system, and the sentencing of youth in adult court. The year culminated in a day-long, in-person summit in Peoria where youth defenders were able to connect, share their expertise and challenges, and take courses focused on better outcomes for children in the delinquency system. The JDRC also connected youth defenders with 66 additional online trainings relevant to youth defense. All JDRC CLE trainings are free for attorneys.

The JDRC's three attorneys also provided advice and support to trial attorneys representing youth in 78 individual cases. And they provided research and expertise to youth-related stakeholders on a variety of issues, including fitness to stand trial, accountability, firearm offenses, transfer to adult court, fees and assessments, secure detention, sentencing, youthful parole, and youth diversion programs. JDRC staff also represented the interests of youth defenders and their clients on several boards and committees, including the Illinois Juvenile Justice Commission, the Illinois Racial Justice & Equity Committee, the Illinois State Bar Association Child Law Committee, the Illinois Juvenile Justice Leadership Council, the Gault Center Great Lakes Regional Board, the Illinois Criminal Justice Information Authority, the Illinois Sex Offender Management Board, the Illinois Redeploy Oversight Board, the Illinois Sentencing Policy Advisory Council, and the Illinois Judicial Conference Juvenile Detention Practices Task Force.

In May, Director Jacqueline Bullard retired after seven years of leadership of the JDRC and 28 years of service with the Office of the State Appellate Defender. Director Bullard shepherded the JDRC since its founding and we are grateful for her stewardship and dedication to improving outcomes for Illinois youth in conflict with the law.

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IV. PERSONNEL

ADMINISTRATIVE OFFICE

Office of the State Appellate Defender
400 West Monroe, Suite 202
Springfield, IL 62704
Telephone: 217/782-7203
FAX: 217/782-5385
Email: osad@osad.state.il.us

JAMES E. CHADD
State Appellate Defender

Mr. Chadd received his Juris Doctor from the University of Illinois in 1984 and was admitted to the Illinois bar that same year. Mr. Chadd began work with the Supreme Court Unit as an Assistant Appellate Defender in 1984. He transferred to the First District Office in 1989. He became a Supervisor in 2002 and the Assistant Deputy Defender for the First District Office in 2010. On January 1, 2014, Mr. Chadd was appointed Deputy State Appellate Defender. The Illinois Supreme Court appointed Mr. Chadd as the State Appellate Defender effective January 1, 2018, for a four-year term. On January 1, 2022, Mr. Chadd was reappointed as State Appellate Defender for another four-year term expiring on December 31, 2025.

KERRY J. BRYSON
Deputy State Appellate Defender

Ms. Bryson received her Juris Doctor from DePaul University College of Law in 1998 and was admitted to the Illinois Bar that same year. She was employed as an associate with the firm of Paulsen and Malec, Ltd., from August 1998 until September 1999, when she joined the Third District Office of the State Appellate Defender as an Assistant Defender. Ms. Bryson became a Supervisor in 2015, and the Assistant Deputy Defender for the Third District Office in 2016. On February 1, 2018, Ms. Bryson was appointed Deputy State Appellate Defender.

SHAWN O'TOOLE
Deputy State Appellate Defender

Mr. O'Toole graduated from the University of Illinois College of Law in 2002 and joined the Office of the State Appellate Defender First District office in 2003. He was an Assistant Appellate Defender for 11 years, and became a Supervisor in 2014. In 2016 he was named the Assistant Deputy Defender of the First District, and in 2018 he was named Deputy State Appellate Defender.

JANA BERGSCHNEIDER, CPA
Chief Fiscal Officer/Human Resource Director

Ms. Bergschneider joined the Office of the State Appellate Defender in September 2020. Ms. Bergschneider is responsible for the preparation and filing of required fiscal and budgetary reports. She is also responsible for the coordination of all expenditures, contracts and the vouchering process. As Human Resource Director, Ms. Bergschneider oversees the HR Department in the preparation of payroll, salary administration, hiring for the agency, and providing benefit information to agency employees.

LAURA A. WEILER
Director of Training

Ms. Weiler is the Director of Training at the Office of the State Appellate Defender, where she has worked for over 20 years. Ms. Weiler was an Assistant Appellate Defender for 11 years in the First District Office prior to her work as the Director of Training. She has appeared before the Illinois Supreme Court, the Seventh Circuit Court of Appeals, the Illinois Appellate Court, and the Circuit Court of Cook County.

Ms. Weiler has given over 50 presentations on the topics of appellate advocacy and criminal law. She has developed and helmed multiple Trial Advocacy programs and Public Defender Seminars. She also works closely with Chief Public Defenders seeking training and collaboration. Ms. Weiler is the Secretary of the Illinois Public Defender Association and the State Appellate Defender's liaison with the Illinois Council of Chief Defenders.

In 2012, Ms. Weiler received the James B. Haddad Award in recognition of her consistent high quality work and advocacy and her significant contributions to the improvement of the justice system. Ms. Weiler received both her bachelor's degree and her law degree from the University of Notre Dame.

At the end of FY-2025, the Administrative Office was staffed by 18 persons including the State Appellate Defender, 2 Deputy State Appellate Defenders, a Chief Fiscal Officer/Human Resource Director, a Director of Training, an Assistant Director of Training, a Director of Support Services, a Systems Administrator, an Assistant to the Director of Support Services, an IT Director, a Network and Systems Manager, 2 Support Specialists, a Fiscal Manager, 2 Senior Human Resource Assistants, a Senior Fiscal Assistant, and a Fiscal Assistant.

FIRST DISTRICT OFFICE

Office of the State Appellate Defender
203 North LaSalle, 24th Floor
Chicago, IL 60601
Telephone: 312/814-5472
FAX: 312/814-1447
Email: 1stDistrict@osad.state.il.us

DOUGLAS R. HOFF
Deputy Defender

Mr. Hoff received his Juris Doctor from St. Louis University in 1993 and was admitted to the Illinois Bar that same year. He worked in the Appellate/Postconviction Division of the Missouri State Public Defender System as an Assistant Public Defender from 1994 to 1998, and as a District Defender from 1998 to 2002. He joined the First District office as an Assistant Appellate Defender in 2003, became a Supervisor in 2008, and became Assistant Deputy in 2018. He was appointed Deputy of the First District in 2020.

Mr. Hoff is admitted to practice in the State of Illinois, the State of Missouri, the United States Supreme Court, the United States Court of Appeals for the Seventh Circuit, and the United States District Court for the Northern District of Illinois.

At the end of FY-2025, the First District Office was staffed by 138 persons including the Deputy Defender, an Assistant Deputy Defender, 14 Supervisors, 101 Assistant Appellate Defenders, a Director of the Paralegal Department, 4 Paralegals, an Office Administrator, an Assistant Office Administrator, 9 Legal Secretaries, 4 Docket Clerks, and 1 Office Clerk.

SECOND DISTRICT OFFICE

Office of the State Appellate Defender
One Douglas Avenue, 2nd Floor
Elgin, IL 60120
Telephone: 847/695-8822
FAX 847/695-8959
Email: 2ndDistrict@osad.state.il.us

CHRISTOPHER M. MCCOY
Deputy Defender

Mr. McCoy graduated from the University of Nebraska-Lincoln (B.A., History) in 2007 and University of Virginia School of Law (J.D.) in 2010. He was admitted to the Illinois Bar in 2010. That same year, he joined the Office of the State Appellate Defender as an Assistant Appellate Defender in the Second District Office. At the Second District, Mr. McCoy served as an Assistant Appellate Defender, Supervisor, and Assistant Deputy Defender until he assumed the Deputy Defender position as of January 1, 2024. Mr. McCoy is admitted to practice in the Illinois Supreme Court and United States Supreme Court. He has presented at various Continuing Legal Education programs for the Office of the State Appellate Defender and the Kane County Bar Association.

At the end of FY-2025, the Second District Office was staffed by 29 persons, including the Deputy Defender, an Assistant Deputy Defender, 2 Supervisors, 19 Assistant Appellate Defenders, an Office Administrator, a Paralegal, a Docket Clerk, and 3 Legal Secretaries.

THIRD DISTRICT OFFICE

Office of the State Appellate Defender
770 E. Etna Road
Ottawa, IL 61350
Telephone: 815/434-5531
FAX 815/434-2920
Email: 3rdDistrict@osad.state.il.us

SANTIAGO A. DURANGO
Deputy Defender

Mr. Durango received his Juris Doctor from DePaul University College of Law in 1990, and joined the law firm of Bell & McGurk in Chicago as an associate. While there, Mr. Durango represented clients in RICO, class action, and commodities fraud litigation.

Mr. Durango joined the Third District Office of the State Appellate Defender in 1999 as an Assistant Appellate Defender. He was appointed Deputy Defender of the Third District in 2023. Mr. Durango has made presentations on topics such as unconstitutional searches after traffic stops, and preserving issues for review. He has also contributed to the Defending Illinois Criminal Cases publication of the Illinois Institute for Continuing Legal Education.

Mr. Durango is admitted to practice in the Illinois Supreme Court and United States Supreme Court. He is also a member of the bar of the Seventh Circuit Court of Appeals, and the trial bar of the United States District Court for the Northern District of Illinois. He has litigated trials in Illinois and California.

At the end of FY-2025, the Third District Office was staffed by 20 persons, including the Deputy Defender, an Assistant Deputy Defender, a Supervisor, 13 Assistant Appellate Defenders, an Office Administrator, a Paralegal, a Docket Clerk, and a Legal Secretary.

FOURTH DISTRICT OFFICE

Office of the State Appellate Defender
400 West Monroe, Suite 303
Springfield, IL 62704
Telephone: 217/782-3654
FAX 217/524-2472
Email: 4thDistrict@osad.state.il.us

CATHERINE K. HART
Deputy Defender

Catherine Hart received her Juris Doctor from Northwestern University School of Law in 1995, and went to work for the Legal Aid Society in New York City; first as an intern in the Juvenile Rights Division and then as a staff attorney for the Criminal Defense Division of the Brooklyn Legal Aid Society. In 1996 she was admitted to the Illinois Bar and in 1997 became an assistant appellate defender in the Fourth District of the Office of the State Appellate Defender. She became a supervisor in March 2015, and then the Assistant Director of the newly formed Juvenile Defender Resource Center in September of 2018. In December 2019, she was appointed as Deputy Defender of the Fourth District.

Ms. Hart is admitted to practice in the Illinois Supreme Court, the United States Supreme Court, and the United States District Court for the Central District of Illinois. Ms. Hart is a former board member of the Illinois Public Defender Association, Illinois Juvenile Justice Initiative and the Midwest Juvenile Defender Center. Ms. Hart has made many legal presentations on topics such as the improper shackling of youth, trends in juvenile law, client communication, and criminal cases on appeal.

At the end of FY-2025, the Fourth District Office was staffed by 29 persons, including the Deputy Defender, an Assistant Deputy Defender, 2 Supervisors, 18 Assistant Appellate Defenders, a Paralegal Administrator, an Office Administrator, a Docket Clerk, and 4 Legal Secretaries.

FIFTH DISTRICT OFFICE

Office of the State Appellate Defender
909 Water Tower Circle
Mt. Vernon, IL 62864
Telephone: 618/244-3466
FAX 618/244-8471
Email: 5thDistrict@osad.state.il.us

AMANDA R. HORNER
Deputy Defender

Ms. Horner received her Juris Doctor from Southern Illinois University College of Law in 2009 and was admitted to the bar in 2010. She was employed as an attorney advisor at the United

States Department of Labor and the Office of Special Counsel from 2009 until 2011. She joined the Fifth District Office of the State Appellate Defender as an Assistant Appellate Defender in 2011, and became the Assistant Deputy Defender in November 2014. On January 1, 2025, she became the Deputy Defender for the Fifth District.

At the end of FY-2025, the Fifth District Office was staffed by 19 persons, including the Deputy Defender, Assistant Deputy Defender, Supervisor, 9 Assistant Appellate Defenders, an Office Administrator, a Docket Clerk, 2 Paralegals, and 3 Legal Secretaries.

PRETRIAL FAIRNESS UNIT

Office of the State Appellate Defender
203 North LaSalle, 24th Floor
Chicago, IL 60601
Telephone: 312/814-5472
Email: PFA@osad.state.il.us

CAROLYN R. KLARQUIST
Director

Carolyn Klarquist graduated from the George Mason University School of Law in 2001, and was subsequently admitted to practice in Maryland and Illinois. She is also a member of the U.S. Supreme Court Bar. Ms. Klarquist joined the Office of the State Appellate Defender as an Assistant Appellate Defender in the First District Office in 2004 after working at a law firm. She served as the Intern Coordinator for several years and became a Supervisor in 2018. Ms. Klarquist was appointed as the Director of the Pretrial Fairness Unit in 2024.

As *pro bono* counsel, Ms. Klarquist has appeared before the Illinois Prisoner Review Board and successfully obtained parole for several men who were incarcerated prior to 1978 and serving indeterminate sentences. In 2023, Ms. Klarquist received a unanimous vote for parole for the first applicant under the Youthful Offender Parole Act and obtained parole for a second client later that year. Finally, in addition to training *pro bono* counsel to appear at parole and clemency hearings, Ms. Klarquist is a member of Parole Illinois and The Chicago Appleseed Center for Fair Courts, and is on the Board of Directors of the Chicago Council of Lawyers.

At the end of FY-2025, the Pretrial Fairness Unit was staffed by 26 persons, including the Director, an Assistant Deputy Defender, 2 Supervisors, 15 Assistant Appellate Defenders, an Office Administrator, 3 Paralegals, and 3 Docket Clerks.

EXPUNGEMENT UNIT

Office of the State Appellate Defender
400 West Monroe, Suite 303
Springfield, IL 62704
Telephone: 866/787-1776
Email: expungement@osad.state.il.us

GINGER ODOM

Director

Ginger Odom received a BA from Adelphi University in New York, where she graduated summa cum laude. She earned her JD from Chicago-Kent College of Law at Illinois Institute of Technology in 2003. She worked as a contract attorney on a death penalty case in her native Texas before joining the Office of the State Appellate Defender as an Assistant Appellate Defender in 2004. She was named the Director of Expungement in August 2020. Ms. Odom also is an adjunct professor at DePaul University College of Law where she teaches advanced criminal procedure.

At the end of FY2025, the Expungement Unit was staffed by two persons including the Director and the Expungement Program Coordinator.

JUVENILE DEFENDER RESOURCE CENTER

Juvenile Defender Resource Center
400 W. Monroe, Suite 202
Springfield, IL 62704
Telephone: 217/558-4606
Email: jdrc@osad.state.il.us

SCOTT F. MAIN

Director

Scott Main is the Director of the Illinois Juvenile Defender Resource Center (JDRC), a division of the Office of the State Appellate Defender (OSAD). Scott's work includes advising and supporting attorneys throughout Illinois who are representing children and youth in delinquency and adult criminal proceedings. He helps organize trainings for attorneys on core competencies as well as developing areas of the law. He also participates in stakeholder conversations to help guide and shape policy efforts aimed at children and young adults. In 2021, Scott was appointed to the state's Resentencing Task Force, which advised the governor and legislators on innovative ways to reduce the state's prison population through resentencing. In 2025, Scott was appointed to the Illinois Judicial Conference Juvenile Detention Practices Task Force. He is a board member of the Juvenile Justice Initiative and Restore Justice. Scott serves as a Council Member on the Illinois Sentencing Policy Advisory Council and as the State Appellate Defender's designee for the Illinois Criminal

Justice Information Authority Board, the Illinois Sex Offender Management Board, the Illinois Juvenile Justice Leadership Council, and the Adult Redeploy Illinois Board.

Scott began his legal career as an Assistant Appellate Defender in OSAD's First District Office in 2002, where he represented youth and adults on direct and collateral appeal. From 2012 through 2019, he was a Clinical Fellow in the Children and Family Justice Center, Northwestern Pritzker School of Law focusing on policy and litigation strategy for youth in adult court facing or serving lengthy sentences. As a Fellow, his work primarily focused on youth serving life without parole sentences, but also included reform and litigation efforts surrounding transfer, parole, and enhanced sentencing discretion for juveniles. He has taught legal writing and the Criminal Appeals Clinic at DePaul University College of Law and currently teaches the Criminal Law Practicum at Northwestern Pritzker School of Law. Scott holds an A.B. from the University of Chicago and a J.D. from Loyola University Chicago.

At the end of FY-2025, the Juvenile Defender Resource Center was staffed by 3 persons, including the Director, a Staff Attorney, and an Office Associate.

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V. BOARD OF COMMISSIONERS

CHAIR - HONORABLE JAMES R. EPSTEIN -

Employment

JAMS, independent contractor, mediator and arbitrator 2015-present. Part-owner, 2019-present.
Judge, Elected Justice of the Illinois Appellate Court. 2010-2015.

Circuit Judge, Cook County, 1999-2010. Appointed by the Illinois Supreme Court, 1999; elected 2000, retained 2006.

Criminal Division and Second Municipal District, 1999-2006.

Chancery Division, 2006-2010.

Partner, Epstein, Zaideman & Esrig, P.C., 1985-1999.

Civil and criminal trial lawyer

Assistant Public Defender, Cook County Public Defender's Office, 1979-1984.

Murder Task Force, 1982-1984.

Associate, Dorfman, De Koven, Cohen & Laner, 1978-1979.

Education

Northwestern University School of Law, J.D., 1978.

Northwestern University, B.A., 1975.

University of Michigan, 1970-1971.

Teaching Experience

Member, Committee on Education (appointed by the Illinois Supreme Court) 2003-2012

-Planned and taught education courses for all Illinois judges.

-Planned the first state-wide series of bench books for Illinois judges.

-Bench book editorial board.

-Editor in chief of the first two editions of the civil law bench book.

Northwestern University School of Law

-Taught Trial Advocacy as an adjunct faculty member, 1984-1998.

-Coached Northwestern's Mock Trial Team, 1986-1992.

-National Champion, 1992.

Appellate Lawyers Association

- Panelist for annual review of Illinois Supreme Court criminal law decisions, 2014-present.

National Institute for Trial Advocacy (NITA)

- Faculty Member, Midwest Regional, 1984-1998, including many years as a section leader.
- Faculty, NITA national teacher's course.
- Trained Faculty for teaching NITA courses.

De Paul University Law School, 1984-1986

- Taught Criminal Litigation Course.

Cook County Public Defenders Office

- Faculty, teaching various subjects to assistant public defenders.

Illinois Institute of Continuing Legal Education (IICLE)

- Faculty, teaching seminar on sentencing.

National Association of Criminal Defense Lawyers (NACDL)

- Lectured on defending statement cases to the national convention.

Illinois Judges Association

- Lectured on civil procedure to members of the Illinois State Bar Association, Chicago Bar Association, and the Women's Bar Association of Illinois.

Honors

Past President, Illinois Judges Association, 2007-08.

Decalogue Society Award, 2009.

Judge of the Year, North Suburban Bar Association, 2009.

American College of Trial Lawyers, fellow.

International Society of Barristers, fellow.

VICE-CHAIR - JAYA VARGHESE - Jaya Varghese is a graduate of the University Of Toledo College Of Law. She received her Bachelor of Science degree and Masters of Science Degree from Wayne State University. She joined the Will County Public Defender's Office in 2005 and was assigned to the aggravated traffic and Misdemeanor Division. In 2007, Jaya was promoted to the Felony Division where she handled several Felony jury and bench trials. She was also assigned to work in many of the diversionary programs through the Problem Solving Courts. As a result she has extensive experience working in Drug Court, Veteran's Court and ARI Court.

In 2012, Jaya was promoted to the position of Misdemeanor Chief where she supervised and trained seventeen (17) Assistant Public Defenders.

Serving the community has been a high priority and goal for Jaya. It is this sense of commitment to the community that has led her to volunteer at Big Brothers Big Sisters for Will and Grundy Counties, serve as President of the Will County Women's Bar Association for two years and serve as the Immediate Past President for the Will County Bar Association. Jaya also coaches new attorneys at OSAD's Jamie Kunz Trial Advocacy Program.

Since 2018 Jaya has been the Felony Chief at the Will County Public Defender's Office.

HONORABLE BERTINA E. LAMPKIN - Bertina E. Lampkin was born in Chicago, IL. She attended Hendricks Elementary School and graduated as valedictorian of DuSable High School. She received her B.A. degree from Roosevelt University and her J.D. degree from DePaul University College of Law. She was an Assistant State's Attorney (1974-1985) and an Assistant Corporation Counsel (1985-1987) before her appointment as an associate judge. She served as an Associate Judge from 1987 to 1992, serving as Assistant Supervisor of the Traffic Division, and as a Circuit Court Judge from 1992 to 2009, serving as supervisor of the Domestic Violence Courts, acting supervisor of Night Narcotics Court, and as a supervisor in the Criminal Division. She was appointed to the

Appellate Court in 2009. She currently serves in the Fourth Division of the Illinois Appellate Court as the Presiding Justice.

In November 2016, she was elected to the Illinois Appellate Court. She has served as a Presiding Justice and as Chair of the Executive Committee for the Appellate Court. She has served as a member of five different Illinois Supreme Court committees and has served as Chair of three of them, the Criminal Law and Probation Administration Committee, the Illinois Pattern Jury Instructions in Criminal Cases Committee, and she currently chairs the Illinois Appellate Court Administrative Committee. She has also been a contributing topic editor to the Illinois Judicial Benchbook on Criminal Law and Procedure.

Additionally, she currently serves on the Appellate Lawyers Association Rules Committee and as Chair of the Appellate Court Administrative Committee, where she oversees the Illinois Supreme Court's Volunteer *Pro Bono* Program for Criminal Appeals. She has taught judges in various aspects of the law for 24 years, including death penalty litigation, proper handling of guilty pleas, jury selection and appellate practice. In the past, she served as Secretary and Vice-President of the Cook County Bar Association and Vice-Chair of the Judicial Evaluation Hearing Committee for the Chicago Bar Association.

She is a member of the Illinois Judges' Association, The Illinois Judicial Council, The Illinois State Bar Association, The Women's Bar Association of Illinois, and the American, Chicago, Cook County and Black Women Lawyers' Association of Greater Chicago, Inc.

She has won numerous awards including the Cook County Bar Association's Judicial Award, the Cook County State's Attorney's Office C.F. Stradford Award, the National Black Prosecutors Award, the DePaul University College of Law Distinguished Service to the Profession Award, and the Women's Bar Association of Illinois' Mary Heftel Hooten Award for Service to the Profession.

She is an honorary member of Alpha Kappa Alpha Sorority. She is a member of the Dean's Council for DePaul University College of Law. She was very active in her church locally and nationally and has served as a foster parent, as the President of the Steward Board, a choir member, Director of the Matte E. Coleman Circle of the Missionary Society (working with youths 12-17) and as coordinator of the Adopt a Grandparent Program. Her motto is "Only what you do for Christ will last!"

Prior to her election to the Appellate Court, she was rated highly qualified by the Chicago Bar Association, the Illinois State Bar Association, the Chicago Council of Lawyers, the Hispanic Lawyers Association of Illinois and the Lesbian and Gay Bar Association of Chicago for her position. In 2016 all but one of the bar associations that rated her for the Illinois Appellate Court gave her their highest rating.

She is very proud of the work she has done with young African Americans. She has obtained summer employment for over 25 years for high school and college students in law firms, including Duane Morris LLP, Cooney & Conway, Cogan & Power, P.C., Power Rogers LLP, Clifford Law Offices PC, Romanucci & Blandin, LLC, and several others. She has also hired four female African American law clerks and helped others obtain legal employment. She continues to work for diversity, equity, and inclusion of African Americans in the legal profession and is a mentor to many.

JEFF YORK - Jeff York has been the Chief Public Defender in DuPage County since 2010. Prior to being selected for that position, he held positions as Assistant, Senior Assistant, and Deputy Chief Public Defender with that office since 1997. He began his career as an Assistant Public Defender in Winnebago County in 1997. Jeff graduated from the University of Illinois (B.S. 1993 and J.D. 1996).

Currently Jeff serves on the board of directors for DuPage Legal Aid and Illinois Public Defender Association. He is an active member of the DuPage County Bar Association and Illinois Council of Chief Defenders. He also coaches at OSAD's Jamie Kunz Trial Advocacy Program.

KEVIN LOWE - Kevin Lowe has served as Peoria County's Chief Public Defender since his appointment in 2023. Admitted to the Illinois bar in 1995, Kevin joined the Peoria County Public Defender's Office as a part-time Assistant Public Defender in 2001, a position he maintained alongside his private practice for 17 years. He transitioned to the role of First Assistant Public Defender in 2018 before his eventual appointment as Peoria's Chief Public Defender.

A magna cum laude graduate of the University of Illinois at Urbana-Champaign, Kevin graduated with highest departmental distinction in economics in 1992. He earned his juris doctor from the University of Illinois College of Law in 1995.

HONORABLE MILTON S. WHARTON - Milton S. Wharton was appointed an Associate Circuit Judge of the 20th Judicial Circuit in 1976 and served many years as the presiding judge of the St. Clair County Juvenile Court. He was elected a Circuit Judge in 1988 and served as presiding judge of the St. Clair County Criminal Court until his retirement in 2012. In 2019, he was appointed to the Fifth District Appellate Court by Illinois Supreme Court Justice Lloyd A. Karmeier for a one-year term and reappointed by Justice David K. Overstreet in 2020 to a two-year term.

He is a graduate of Lincoln Sr. High School in East St. Louis, IL, Southern Illinois University at Edwardsville, and DePaul University College of Law- 1974.

Justice Wharton has served as an elected Representative to the Illinois State Bar Association Assembly and Chairperson of the ISBA Standing Committees on Juvenile Justice, Judicial Advisory Bar Polls, and Bylaws. He has served as a judicial education lecturer on high volume courts, evidence, and diversity and inclusion. He is a recipient of the Special Recognition Award for Access to Justice from the ISBA.

Justice Wharton has a long record of service in civic and community betterment endeavors; most notably he is a founder of the Court Appointed Special Advocates program (CASA) of Southwestern Illinois, which protects the rights of abused and neglected children, and Racial Harmony. His contributions have been recognized by numerous awards and accolades including the (National) Whitney M. Young, Jr. Service Award of the Boy Scouts of America, Pro Ecclesia Et Pontifice from then Pope now Saint John Paul II, Alumni Hall of Fame-S.I.U.E., and he has been named a Legend in the Legal Community by the St. Louis Argus Newspaper.

He is married to Attorney and M.B.A Patricia Wharton, and they have one daughter, Bernadette Wharton-Hawthorne, M.D., an intern at Johns Hopkins Hospital.

HONORABLE LESTER W. FINKLE - Lester W. Finkle served 37 years with the Law Office of the Cook County Public Defender, first as a front-line trial attorney at Juvenile Court and then as a felony trial attorney at the George N. Leighton Criminal Courts Building, before moving to the Public Defender's appeals division, where he handled more than 600 indigent appeals over the course of 25 years. Lester joined the Public Defender's management in 2003, ultimately rising to be Chief of Staff for the Cook County Public Defender from 2015 to 2021.

Since 1997, Lester has served and continues to serve as an adjunct professor at the University of Illinois Chicago School of Law (formerly known as John Marshall Law School), where he teaches legal writing and appellate advocacy, and also coaches numerous moot court teams. From 2007 to 2014, Lester also taught appellate advocacy and legal writing as an adjunct professor at Loyola University Chicago School of Law.

Since 2022, Lester has been Of Counsel to the Chicago office of Quintairos, Prieto, Wood & Boyer, focusing his area of practice on appellate law.

In addition to dedicating a majority of his life to public defense, Lester continues to act as mentor, supporter, and friend to the more than 1,000 students he has taught over the years. In law, Lester believes that clients must always come first. In life, Lester subscribes to the philosophy that we learn by teaching, and that by helping others, we help ourselves. Lester is a lifelong resident of Illinois.

EVAN S. BRUNO - Evan S. Bruno is a managing partner at Bruno Law Offices, LLC, in Urbana, where he practices criminal defense. Evan grew up in Champaign and received his undergraduate degree from the University of Illinois in 2009. After graduating from Indiana University Maurer School of Law in 2012, he worked as a Research Attorney for the Illinois Fourth District Appellate Court in Springfield. From 2014 to 2015, Evan served as elbow clerk for Justice Robert J. Steigmann of the Fourth District. In 2015, he joined his brother, Anthony, and father, Tom, in private practice at Bruno Law Offices. He currently serves as President of the Champaign County Criminal Defense Lawyers Association.

SHARONE R. MITCHELL JR. - Cook County Public Defender Sharone R. Mitchell, Jr., is a passionate advocate for the rights of everyone represented by the Public Defender's office and for reform to increase justice in the legal system and to keep communities safe. His six-year appointment began in April 2021.

The Cook County Public Defender is one of the largest unified public defender offices in the nation with nearly 700 employees, and 23 divisions and units.

Mitchell began his legal career as an assistant public defender in Cook County, including assignments in the Civil, First Municipal, and Felony Trial Divisions. He later joined the Illinois Justice Project (ILJP), one of the state's leading criminal justice reform non-profits, becoming that organization's director in 2019.

During his tenure as Director, ILJP helped lead the Coalition to End Money Bond's successful effort to outlaw wealth-based pretrial incarceration in Illinois. An advocate of alternative approaches to public safety and helping men and women re-enter their communities, Mitchell has fought against proposals to make the Illinois sentencing system more barbaric and ineffective.

Mitchell has a bachelor's degree from the University of Illinois at Urbana-Champaign and law degree from DePaul University. A lifelong resident of Chicago, he grew up and resides on the south side of Chicago.

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VI.
STATISTICS
FOR
FISCAL YEAR-2025

Office of the State Appellate Defender
Agency Activity Statistics
For The Period Of: 7/1/2024 To 6/30/2025

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	1st Dist	2nd Dist	3rd Dist	4th Dist	5th Dist	Contract	TOTAL
<u>APPOINTMENTS</u>	660	161	171	484	331		1807
Adjusted Appointments	(29)	(6)	(3)	(67)	(35)		(140)*
Total Appointments	631	155	168	417	296		1667
<u>COMPLETE RECORDS</u>							
Trial	285	66	59	159	159		671
Non-Trial	453	69	79	287	249		1137
<u>AC BRIEFS & PETITIONS</u>							
Appellate Court Briefs	616	156	118	135	29	0	1054
Appellate Court Resp Briefs	4	4	2	4	3	0	17
Reply Briefs	558	140	100	133	27	0	958
Supplemental Briefs	20	4	3	1	0	0	28
Petitions for Rehearing	84	6	8	13	3	0	114
<u>ISC BRIEFS & PETITIONS</u>							
Petitions for Leave to Appeal	164	26	38	45	5	0	278
ISC Briefs	5	4	1	1	0	0	11
ISC Response Briefs	4	1	1	0	2	0	8
ISC Reply Briefs	8	5	0	0	1	0	14
ISC Cross Reply Briefs	0	0	0	0	0	0	0
ISC Supplemental Briefs	0	0	0	0	0	0	0
ISC Petitions for Rehearing	3	1	1	0	0	0	5
<u>FED CRTS BRIEFS & PETITIONS</u>							
7th Circuit Briefs	0	0	0	0	0	0	0
7th Circuit Response Brief	0	0	0	0	0	0	0
7th Circuit Reply Brief	0	0	0	0	0	0	0
USSC Certiorari Petitions	0	0	1	0	0	0	1
USSC Brief	0	0	0	0	0	0	0
USSC Response Brief	0	0	0	0	0	0	0
USSC Reply Brief	0	0	0	0	0	0	0
USSC Supplemental Brief	0	0	0	0	0	0	0
USSC Petition for Rehearing	0	0	0	0	0	0	0
<u>ANDERS BRIEFS</u>							
Filed	53	14	8	6	30	0	111
Denied	1	2	1	0	0	0	4
<u>FINLEY MOTIONS</u>							
Filed	201	23	26	19	19	0	288
Denied	5	1	1	1	0	0	8

MOTIONS TO WITHDRAW

Filed	43	14	15	23	5	0	100
Denied	2	3	0	0	0	0	5

MOTIONS TO DISMISS

Filed	121	27	42	55	22	0	267
Denied	4	0	1	0	0	0	5

SUMMARY MOTIONS

50	5	8	17	21	0	101
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ORAL ARGUMENTS

Appellate Court	104	17	10	30	19	0	180
ISC Court	14	5	1	0	1	0	21
7th Circuit Court	0	0	0	0	0	0	0
US Supreme Court	0	0	0	0	0	0	0

CLOSED CASES

902	222	225	309	123	0	1781
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DECISION TYPE

1st Dist	2nd Dist	3rd Dist	4th Dist	5th Dist	Contract	TOTAL
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DEFENSE APPEALS

Affirmed	364	110	80	95	12	0	661
Consolidated	27	12	7	26	1	0	73
Dismissed	129	11	47	68	28	0	283
Mitt Corrected (other than sent credit)	3	0	0	0	0	0	3
Remanded	11	2	13	22	10	0	58
Remanded in Part	9	3	1	5	3	0	21
Remanded Sentence Only	1	0	2	2	0	0	5
Reversed	12	4	2	2	1	0	21
Reversed in Part	6	1	9	8	0	0	24
Reversed/Remanded	72	15	8	22	6	0	123
Sentence Credit (pre-trial)	1	0	0	0	0	0	1
Sentence Reduction	0	0	0	0	0	0	0
State Relief/Deft Appeal	0	0	0	0	0	0	0
Vacated	10	1	0	0	0	0	11
Vacated in Part	13	4	12	4	1	0	34
Vacated/Remanded	44	8	6	10	14	0	82
WD Anders All/Aff	32	7	8	2	16	0	65
WD Finley All/Aff	134	16	26	17	14	0	207
WD Misc.	62	9	10	31	7	0	119

STATE APPEALS

SA Affirmed	0	0	0	0	0	0	0
SA Remanded	0	0	0	0	0	0	0
SA Reversed	0	0	0	0	0	0	0

DECISION TOTALS

930	203	231	314	113	0	1791
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* Adjusted appointments represent cases closed where no brief or disposition motion was filed.

Office of the State Appellate Defender
Annual Report - Appts By County
7/1/2024 through 6/30/2025

Total Appointments: 1,807

Appellate Court District	Total Appointment By AC District	County Name	Total Appointment By County
1st District	660		
		Cook	659
		Madison	1
2nd District	161		
		DeKalb	11
		Kane	81
		Kendall	13
		Lake	42
		McHenry	14
3rd District	171		
		Bureau	3
		DuPage	77
		Iroquois	4
		Kankakee	24
		LaSalle	10
		Will	53
4th District	484		
		Adams	11
		Boone	6
		Calhoun	1
		Carroll	2
		Cass	3
		Ford	4
		Fulton	2
		Greene	3
		Hancock	3
		Henderson	3
		Henry	31
		Jersey	6
		Knox	4
		Lee	6

Office of the State Appellate Defender
Annual Report - Appts By County
7/1/2024 through 6/30/2025

Total Appointments: 1,807

Appellate Court District	Total Appointment By AC District	County Name	Total Appointment By County
5th District	331	Livingston	29
		Logan	9
		Macoupin	3
		Mason	5
		McDonough	2
		McLean	67
		Menard	1
		Mercer	9
		Morgan	2
		Ogle	12
		Peoria	70
		Pike	5
		Rock Island	23
		Sangamon	22
		Stephenson	20
		Tazewell	33
		Warren	6
		Whiteside	8
		Winnebago	63
		Woodford	10
		Alexander	1
		Bond	2
		Champaign	66
		Christian	5
		Clark	2
		Clay	3
		Clinton	6
		Coles	10
		Crawford	6
		DeWitt	6

**Office of the State Appellate Defender
Annual Report - Appts By County
7/1/2024 through 6/30/2025**

Total Appointments: 1,807

Appellate Court District	Total Appointment By AC District	County Name	Total Appointment By County
		Douglas	2
		Edgar	2
		Effingham	4
		Fayette	7
		Franklin	6
		Gallatin	2
		Hamilton	2
		Jackson	22
		Jefferson	11
		Lawrence	4
		Macon	36
		Madison	24
		Marion	3
		Massac	2
		Montgomery	3
		Perry	1
		Piatt	3
		Pulaski	2
		Randolph	2
		Richland	1
		Saline	4
		Shelby	1
		St. Clair	28
		Union	2
		Vermilion	21
		Wabash	5
		Washington	1
		Wayne	6
		White	9
		Williamson	8

Caseload Comparison Statistics
FY 2024 - FY 2025
No. of Appointments & Dispositions

Appointments	FY 24	FY 25
Cases Opened	2032	1807

Dispositions	FY 24	FY 25
Appellate Court Briefs	920	1054
Appellate Court Response Briefs (State Appeal)	20	17
Anders Filed	73	111
Finley Filed	219	288
Motions to Withdraw Filed	104	100
Motions to Dismiss Filed	219	267
Summary Motions Filed	75	101
Total Dispositions	1630	1938

Office of the State Appellate Defender

Caseload Information

Statistics for Fiscal Year 2025

Agency Offices

	1st	2nd	3rd	4th	5th	Contract Attys	Total
Ending FY 24 Cases Pending	1477	206	192	320	237	0	2432
FY 2025 Appointments	660	161	171	484	331	0	1807
FY 2025 Closed Case	(902)	(222)	(225)	(309)	(123)	0	(1781)
FY 2025 Incoming Transfers	264	82	56	6	6	0	414
FY 2025 Outgoing Transfers	(11)	(22)	(13)	(167)	(201)	0	(414)
FY 2025 Total Cases Pending	1488	205	181	334	250	0	2458

Decisions Information

AC Decisions	930	203	231	314	113	0	1791
AC Relief Granted	181	38	53	75	35	0	382
AC Percent Relief	19%	19%	23%	24%	31%		21%
Leave to Appeal Granted	3	3	1	1	0	0	8

SC Decisions	12	5	3	1	3	0	24
SC Relief Granted	3	2	2	0	0	0	7
SC Percent Relief	25%	40%	67%	0%	0%		

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