

Supreme Court of Illinois

March Term 2025

Oral Arguments



March 18, 2025

Student Center

Southern Illinois University

Carbondale, Illinois

Supreme Court of Illinois Justices

Mary Jane Theis, Chief Justice
First District

P. Scott Neville Jr.
First District

David K. Overstreet
Fifth District

Lisa Holder White
Fourth District

Joy V. Cunningham
First District

Elizabeth M. Rochford
Second District

Mary K. O'Brien
Third District

Kwame Raoul, Attorney General
Cynthia A. Grant, Clerk of the Supreme Court
Jim Cimarossa, Marshal of the Supreme Court
Jacob H. Jost, Reporter of Decisions
Geoffrey P. Pelzek, Librarian

Program

10:00 am - Supreme Court of Illinois Convenes

Oral Arguments

No. 130344 - People State of Illinois, Appellant, v. Krystle L. Hoffman, Appellee. Appeal, Appellate Court, Second District.

No. 130931 - Viera Hulsh, Appellant, v. Maya Hulsh et al., Appellees. Appeal, Appellate Court, First District.

11:45 pm - Supreme Court of Illinois Adjourns

11:50 pm - Audience Questions

Courtroom Etiquette

Marshal's Announcement. As soon as members of the Court are ready to enter the Courtroom auditorium, the Marshal will announce their approach by rapping the gavel three times. Immediately all persons will rise to their feet and remain standing until all members of the Court are seated, and the Marshal raps the gavel one time.

Recess and Adjournment. When the Chief Justice announces a recess or adjournment, the Marshal will call all persons to their feet with three raps of the gavel, and they will continue to stand until all members of the Court have retired from the Courtroom auditorium. During this recessional, the audience should refrain from movement or conversation.

Courtesy to Speaker. Whenever members of the bar are addressing the Court, or members of the Court are speaking, all other persons in the Courtroom auditorium should remain silent. Persons wishing to retire from the Courtroom auditorium should wait until an oral argument has been completed.

Electronic Devices. Use of cell phones, cameras, and other electronic devices are prohibited and should be turned off prior to entering the Courtroom auditorium.

Case Summary

No. 130344, People v. Hoffman.

The defendant pleaded guilty to drug-induced homicide. The factual basis for the plea showed that the defendant sold heroin to the victim and that the victim's death resulted from the ingestion of the heroin which was laced with other drugs. The trial court imposed the mandatory minimum sentence of six years' imprisonment. Defendant had asked to be sentenced under a statute which permits a trial court to impose a sentence below the mandatory minimum if certain conditions are met, including that "the offense involves the use or possession of drugs[.]" (730 ILCS 5/5-4-1(c-1.5).) The trial court found this statute inapplicable to drug-induced homicide.

The appellate court vacated defendant's sentence, finding that drug-induced homicide is an offense that "involves the use or possession of drugs." (emphasis added)(730 ILCS 5/5-4.1(c-1.5).) Thus, the appellate court ordered the trial court to consider whether to impose a sentence below the mandatory minimum.

The State is appealing to the Illinois Supreme Court.

Case Summary

No. 130931, Hulsh v. Hulsh.

A father abducted his two children, who were living with their mother in Slovakia, and brought them to the Chicago area. A federal court ordered the father to return the children to the mother, and the mother was awarded attorney fees and costs she incurred to get the children back. The mother then sued the father's mother and brother in Illinois for tortious interference with custodial rights. Specifically, the mother alleged that the father's mother and brother directly participated in the abduction. The trial court dismissed the lawsuit, and the appellate court affirmed. The appellate court explained that Illinois does not recognize a cause of action for tortious interference with custodial rights and that it is the prerogative of the Illinois Supreme Court or the legislature to create such a cause of action.

The mother is appealing to the Illinois Supreme Court.

Supreme Court of Illinois

The Supreme Court of Illinois is the state's highest court and its final court of review over decisions of the circuit and appellate courts. The Supreme Court has general supervisory authority over all Illinois courts. Additional duties include the licensure and regulation of attorneys and the operation of the Illinois probation system. These powers and responsibilities are derived from Article VI of the Illinois Constitution.

Operation of the Supreme Court

The Court decides which appeals it will hear, and the Court must be selective about the cases it hears. About 2,000 cases are filed at the Supreme Court annually, and the Court chooses to review only a small percentage of those cases on the merits. In deciding whether to accept a case for appeal, the Court weighs the general importance of the question, the existence of a conflict between the decision sought to be reviewed and a previous decision of the Court or the appellate court, the need to exercise the Court's supervisory authority, or the interpretation of the Illinois Constitution as well as the constitutionality of acts of the General Assembly.

After oral arguments, the work of authoring opinions is divided among the seven Justices. The assigned author will draft an opinion, which will then be circulated among the Justices. Adoption of the opinion requires the vote of four members of the Court. In some cases, Justices choose to file a specially concurring opinion, which agrees with the decision of the Court but for different reasons, or a dissenting opinion, which disagrees with the decision of the Court. The majority opinion, however, determines the law of the case.

History of the Supreme Court

The Supreme Court of Illinois was established by the Illinois Constitution of 1818. It consisted of four justices who were appointed by the Illinois legislature. In 1840, the legislature

increased the Court to nine members. The Second Constitution of 1848 reduced the Court to three members with each justice popularly elected from three grand divisions roughly equal in geography to southern, central, and northern Illinois. Mt. Vernon, Springfield, and Ottawa in each grand division served as a venue for one term of court annually.

The Third Constitution of 1870 increased the number of justices to seven and created seven judicial districts from which justices were popularly elected. An intermediate appellate court was created in 1876 to alleviate the growing number of appealed cases in Illinois. The Court continued to rotate among the three divisions until 1897, when it only held terms in the state capitol building in Springfield. In 1908, the Supreme Court Building was completed, becoming the permanent home of the Court.

The judicial article of 1964 completely reorganized the judiciary. It kept the number of justices at seven, but reduced the number of districts from seven to five, with three justices elected from Cook County (the first district). Justices remained elected positions, but the new article called for retention votes every ten years after initial election rather than standing for re-election every nine years under the previous system. The Fourth Constitution of 1970 adopted the judicial article nearly in its entirety.

In recent years, the Supreme Court has held oral arguments in other locations in Illinois to raise awareness of the judicial branch and of the important role the court system has in interpreting state laws. This outreach into various communities in Illinois has been a tremendous success, particularly with students who gain a better understanding of state civics. The Court met in Mt. Vernon 2008, Ottawa 2014, Lisle 2016, Champaign 2018, Godfrey 2019, Chicago 2023, and DeKalb 2024.

Despite its many structural changes, the Supreme Court of Illinois has always had the same important role in Illinois as the supreme judicial body within the state. For more information on the Supreme Court, visit <http://illinoiscourts.gov/SupremeCourt>.



The Supreme Court of Illinois wishes to thank the following for their support in “Riding the Circuit:”

Southern Illinois University Simmons Law School
Southern Illinois University
Administrative Office of the Illinois Courts
Supreme Court Historic Preservation Commission