

FOX VALLEY COURT WATCH

QUARTERLY REPORT



FIRST QUARTER REPORT
JANUARY 1 TO MARCH 31, 2019

KANE/KENDALL COUNTY

Board Members;

Josephine Budilovsky

President

Diane Brown

Jim Kintz

1st Vice President

Norm Turner

Steve O'Brien

2nd Vice President

Tom Raitt

Bill Roth

Treasurer

Lorna Marquis

Secretary

EXECUTIVE SUMMARY

KENDALL COUNTY:

Court Watch encourages the County Court system to educate judges hearing domestic violence cases in the dynamics of domestic violence.

We continue to receive monthly updates of domestic trials from the Kendall County states attorney's office. At times these updates are not timely. Kendall County case continuation dates are reported by observers, so these cases can be tracked and observed.

Kendall County bond call is now held at 1:00 PM in room 114. Court watch will be observing this process and reporting on domestic violence cases.

We urge the use of the sound system and tables in room 114 for domestic violence case proceedings. When victims and family members are sitting in the gallery, they simply cannot hear the proceedings when they are conducted at the bench. This should include the presentation of plea agreements by attorneys.

During this quarter an experienced Court Watch observer decided to take a break from attending court. She noted that: "I feel like most of my time on Judge Voiland's courtroom is wasted time as I struggle to hear what is happening. It often has a club atmosphere with all the whispering among the many attorneys usually present on the front of the courtroom, and attorneys going back and forth, in and out, with little regard for the distractions they create."

KANE COUNTY:

We urge the County court system to return to a designated court room for felony domestic violence cases. We are hopeful to hear that the Kane County Sherriff is working to partially reinstate the GPS monitoring program by September 2019. Unfortunately, there will not be enough funding to include domestic violence offenders until the middle of 2020. Many others in the domestic violence field recommend both of these practices because this is a specialized crime unlike most crimes.

We are still waiting for a real education program for judges on domestic violence. We hope this situation can be addressed very soon for the sake of the victims of domestic violence. They are the ones who suffer. They are the ones you are committed to protect.

We continue to receive a download of information from Kane County regarding domestic cases.

During the quarter several comments were made by the observers that we wanted to share. Those are as follows:

- It would be helpful if the signage outside each courtroom could be kept current for the morning and afternoon sessions.
- When new judges are assigned in room 209 there should be training conducted to help them understand DB case proceedings.
- Would it be possible to have a handout for attendees on courtroom 101 that explains basic courtroom terminology and procedures to assist them in understanding how to proceed.
- Courtroom 101 always seems to be crowded, seating is very limited.

QUARTERLY RESULTS:

During first quarter of 2019 a total of 93 observations were reported. (Kane County: 42 reports; Kendall County: 51 reports) Several cases were observed and reported on by multiple observers. Court Watch encourages this practice because it provides differing opinions on these cases. Observation outcomes breakdown as follows:

| |
|--------------|
| Kane County: |
|--------------|

- | |
|--|
| <ul style="list-style-type: none">• 25 - cases were continued.• 2 - cases were dismissed.• 6 - cases resulted in a guilty verdict.• 2 - cases resulted in a guilty plea.• 0 - cases resulted in a not guilty verdict.• 1 - OP request was granted.• 5 - OP requests were denied.• 1 - mistrial. |
|--|

Kendall County:

- 12 - cases were continued.
- 5 - cases were dismissed.
- 4 - cases resulted in a guilty verdict.
- 1 - case resulted in plea to common battery.
- 12- cases resulted in a not guilty verdict.
- 1 - sentencing hearing was observed.
- 13 - DB bond call cases were observed.
- 1 - order of protection was granted.
- 1 - one case was not DB.
- 1 - case was closed.

The following pages display the scores given to the Judges observed and supporting comments. Note: Judges that were observed and reported on only one time during the quarter are not included in this report.

The attached files display the details taken from the observation reports for Kane and Kendall Counties.

| 1ST Q - 2019 | AUDIBILITY | EYE CONTACT | EXPLAIN CHARGES | CASE DETAILS | LISTENING SKILLS | COURT PROCEEDINGS | VOICE TONE | TIME MANAGEMENT | | | | | | | | | | | | |
|--------------|---|--|-----------------|--------------|------------------|-------------------|------------|-----------------|----------|-------|-------|-----|-----------|-----|--------------|-----|------------|-----|-------|-----|
| DALTON | 3 | 4 | 4 | 4 | 4 | 4 | 4 | 5 | | | | | | | | | | | | |
| DALTON | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 5 | | | | | | | | | | | | |
| DALTON | 4 | 4 | 5 | 4 | 4 | 4 | 3 | | | | | | | | | | | | | |
| DALTON | 3 | 3 | 4 | 4 | 4 | 4 | 4 | 5 | | | | | | | | | | | | |
| Average | 3.5 | 3.8 | 4.3 | 4.0 | 4.0 | 4.0 | 3.8 | 5.0 | | | | | | | | | | | | |
| AUDIBILITY | 3.5 | <p style="text-align: center;">JUDGE DALTON - 1ST Q - 2019</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>VOICE</td> <td>5.0</td> </tr> <tr> <td>LISTENING</td> <td>4.0</td> </tr> <tr> <td>EXP. CHARGES</td> <td>4.3</td> </tr> <tr> <td>AUDIBILITY</td> <td>3.5</td> </tr> <tr> <td>VOICE</td> <td>3.8</td> </tr> </tbody> </table> | | | | | | | Category | Score | VOICE | 5.0 | LISTENING | 4.0 | EXP. CHARGES | 4.3 | AUDIBILITY | 3.5 | VOICE | 3.8 |
| Category | Score | | | | | | | | | | | | | | | | | | | |
| VOICE | 5.0 | | | | | | | | | | | | | | | | | | | |
| LISTENING | 4.0 | | | | | | | | | | | | | | | | | | | |
| EXP. CHARGES | 4.3 | | | | | | | | | | | | | | | | | | | |
| AUDIBILITY | 3.5 | | | | | | | | | | | | | | | | | | | |
| VOICE | 3.8 | | | | | | | | | | | | | | | | | | | |
| EYE CONTACT | 3.8 | | | | | | | | | | | | | | | | | | | |
| EXP. CHARGES | 4.3 | | | | | | | | | | | | | | | | | | | |
| CASE DETAILS | 4.0 | | | | | | | | | | | | | | | | | | | |
| LISTENING | 4.0 | | | | | | | | | | | | | | | | | | | |
| PROCEEDINGS | 4.0 | | | | | | | | | | | | | | | | | | | |
| VOICE | 3.8 | | | | | | | | | | | | | | | | | | | |
| TIME MGT | 5.0 | | | | | | | | | | | | | | | | | | | |
| COMMENTS: | <p>24 cases on docket, 9 OPs approved, 5 continued, 4 withdrawn.</p> <p>Judge encouraged all parties to ask appropriate questions.</p> <p>Judge did not encourage parties to speak up.</p> <p>Judge could be heard but participants could not.</p> <p>Judge often sounds abrupt and short.</p> <p>Observer listened to 25 cases, most OPs were granted.</p> | | | | | | | | | | | | | | | | | | | |

| 1ST Q - 2019 | AUDIBILITY | EYE CONTACT | EXPLAIN CHARGES | CASE DETAILS | LISTENING SKILLS | COURT PROCEEDINGS | VOICE TONE | TIME MANAGEMENT | | | | | | | | | | | | | | | | | | |
|---|------------|--|-----------------|--------------|------------------|-------------------|------------|-----------------|----------|-------|----------|-----|-------|-----|-------------|-----|-----------|-----|--------------|-----|--------------|-----|-------------|-----|------------|-----|
| MCCANN | 4 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | | | | | | | | | | | | | | | | | | |
| MCCANN | 3 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | | | | | | | | | | | | | | | | | | |
| Average | 3.5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | | | | | | | | | | | | | | | | | | |
| AUDIBILITY | 4.5 | <table border="1"> <caption>JUDGE MCCANN - 1ST Q - 2019</caption> <thead> <tr> <th>Category</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>TIME MGT</td> <td>5.0</td> </tr> <tr> <td>VOICE</td> <td>5.0</td> </tr> <tr> <td>PROCEEDINGS</td> <td>5.0</td> </tr> <tr> <td>LISTENING</td> <td>5.0</td> </tr> <tr> <td>CASE DETAILS</td> <td>5.0</td> </tr> <tr> <td>EXP. CHARGES</td> <td>5.0</td> </tr> <tr> <td>EYE CONTACT</td> <td>5.0</td> </tr> <tr> <td>AUDIBILITY</td> <td>4.5</td> </tr> </tbody> </table> | | | | | | | Category | Score | TIME MGT | 5.0 | VOICE | 5.0 | PROCEEDINGS | 5.0 | LISTENING | 5.0 | CASE DETAILS | 5.0 | EXP. CHARGES | 5.0 | EYE CONTACT | 5.0 | AUDIBILITY | 4.5 |
| Category | Score | | | | | | | | | | | | | | | | | | | | | | | | | |
| TIME MGT | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| VOICE | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROCEEDINGS | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| LISTENING | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| CASE DETAILS | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| EXP. CHARGES | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| EYE CONTACT | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| AUDIBILITY | 4.5 | | | | | | | | | | | | | | | | | | | | | | | | | |
| EYE CONTACT | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| EXP. CHARGES | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| CASE DETAILS | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| LISTENING | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROCEEDINGS | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| VOICE | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| TIME MGT | 5.0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| COMMENTS: | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Judge spoke loud enough to hear him most of the time. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Meghan and Teresa were both difficult to hear. | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Could no hear Judge or attorneys for a majority of proceedings. | | | | | | | | | | | | | | | | | | | | | | | | | | |

Kane County Observations

| CASE NO | ROOM NO | TRIAL TYPE | JUDGE | STATE | DEFENSE | COMMENTS | OUTCOME |
|----------|---------|--------------|---------|------------|----------|--|------------------------------|
| 20CF0327 | 305 | JT | HULL | GERDING | MCCLURE | New evidence from the police surfaced after opening statements were made. The jury was sent out while arguments were made regarding a mistrial. Judge reviewed case law. He ruled that a mistrial would be granted, but that there was grounds for a new trial. | mistrial, new trial date TBD |
| 18CF1509 | 217 | JT | KLIMENT | MATEKAITIS | PRO SE | State requested continuance due to served witness not being present. Defense did not object even though he is confined. Judge verified that speedy trial dates were still available, then granted request. New date is 2/19/19. | cont |
| 18CF0228 | 305 | BT | HULL | MERKEL | ZINK | This was a mother and young daughter situation. Defense used an affirmative defense, claiming that mother was just disciplining daughter. Former officer's testimony was not considered by judge. Judge ruled state had proven the charge. | guilty |
| 18CM2884 | 209 | BT | TRACY | | COOK | Defendant was in jail for missing prior trial date. Has not completed an evaluation, needs to work to support child. Defendant released and given time to complete evaluation. Cannot miss next court date for any reason. | cont |
| 18CM1064 | 209 | BT | TRACY | HILLARY | GONZALEZ | Stae police enroute with defendant, state asked for delay until he arrives. Defense will be in library until his client arrives. Police later advised that defendant could not be located. Continued until 4/8/19. | cont |
| 18CM0049 | 209 | BT | TRACY | O'BRIEN | VALDEZ | State asked for continuance. No objection. New date is 3/29/19. | cont |
| 18CM1920 | 209 | BT | TRACY | O'BRIEN | COOK | Defense asked for Veterans Court for his client. Has completed nearly all of his drug and alcohol and domestic violence counseling. No objection from state. Judge granted closing the case but explained ramifications of not complying. | dismiss |
| 17CM0203 | 209 | BT | TRACY | | | Defendant in custody for failure to appear. Defense said failure was due to notice not being legible. Man is homeless, asked for him to be released on recog. Judge disagreed, did not reduce bond due to previous failure. 30 day continuance then allowed. | cont |
| | 101 | OOP HEARINGS | DAWKINS | | | Observer did not provide case numbers but did report details on two OP requests. Both requests were denied by the judge. He gave specific reasons for each denial that seemed appropriate to the observer. | denied |
| 17CM1009 | 209 | BT | TRACY | SADLER | GONZALEZ | Judge seemd lost during this trial. Asked both attorneys several questions about how to proceed. No case details reported. Sentencing date set for 4-22-19. | guilty |
| 18CM3042 | 209 | BT | TRACY | SADLER | VALDEZ | Plea agreement reached that both victims and both attorneys agreed with. Judge explained in detail. Plead quilty to 2 of 4 charges. Tracking device placed, anger mgt. and drug and alcohol counseling, no abusive contact with victims, fines, 12 months probation. | Plea agreement |
| 18CM2022 | 209 | BT | TRACY | SADLER | VALDEZ | State had two of three witnesses present, but he asked for a continuance. Defense did not object so request granted. New date is 4-5-19. | cont |
| 18CM0933 | 209 | BT | TRACY | SADLER | VALDEZ | First setting for this case. States request for continuance granted. New date is 4-5-19, | cont |
| 18CM1970 | 209 | BT | TRACY | SHAPIRO | | State not ready. Quickly continued. No new date heard. | cont |
| 17CM3095 | 209 | BT | TRACY | SHAPIRO | | State not ready. Quickly continued. No new date heard. | cont |
| 18CM2562 | 209 | BT | TRACY | SHAPIRO | | State not ready. Quickly continued. No new date heard. | cont |
| 18CM1142 | 209 | BT | TRACY | SHAPIRO | | State not ready. Quickly continued. No new date heard. | cont |
| 17CM1009 | 209 | BT | TRACY | SADLER | GONZALEZ | Second observer report for this case. Defense was ready to go, has arranged for a translator. Judge was lost in what the attorneys were proceeding with. Left the bench several times. | guilty |
| 18CM2422 | 209 | JT | TRACY | O'BRIEN | RAMIREZ | Observer attended court for selection of jury and opening statements. Both sides cooperated during jury selection. Judge kept the process moving. Opening statements were brief. Defense laid foundation for self defense. | TBD |
| | 101 | OP HEARING | DALTON | PRO SE | PRO SE | Both sides explained there position. Petitioner provided two witnesses. | OP granted |
| | 101 | OP HEARING | DALTON | PRO SE | PRO SE | Petitioner is ex-wife of respondent. Judge brusck and short with petitioner. Lectured both on not bringing all disagreements about child rearing to court. Respondent wanted more flexibility with visitations. | Not granted |

Kane County Observations

| CASE NO | ROOM NO | TRIAL TYPE | JUDGE | STATE | DEFENSE | COMMENTS | OUTCOME |
|------------------------|---------|------------|------------|----------|-------------|---|----------------|
| 17CF0735 | 311 | BT | TIEGLER | GIRDY | VANDERSNICK | Husband-wife situation. Aggravated battery. Both sides testified, plus officer. Testimony contradicted each other. Doctor was served but was a no show. After a 504 conference it was agreed that case would be continued and Dr. could answer questions in writing. No new date set. | cont |
| 18CM2562 | 209 | BT | TRACY | GASPARRO | PRIVATE | Second observation. State requested first continuance. Unable to serve witness. Judge granted. Next date is 4-1-19. | cont |
| 18CM2022 | 209 | BT | TRACY | STADLER | VALDEZ | Two of three state witnesses present. State asked for continuance. Judge granted over defense objection. New date is 4-5-19. | cont |
| 18CM1970 | 209 | BT | TRACY | GASPARRO | DIJOHN | State not able to produce witnesses. Second setting. Case dismissed with nolle pros motion. | dismiss |
| 18CM1626 | 111 | BT | PARGA | O'BRIEN | PRIVATE | Defense requested continuance. Could not hear reason. Judge granted over state's objection. Next date is 3-18-19. | cont |
| 18CM0933 | 209 | BT | TRACY | STADLER | SANCHEZ | State asked for first continuance. Judge granted. Difficult to hear because of translator. Next date is 4-3-19. | cont |
| 18CM0374, 0375, & 0889 | 1 | BT | ABRAHAMSON | MARSHALL | DOWNS | State struggled to get 911 tape admitted as evidence. Several defense objections were sustained. Judge did admit after coaching ASA. Aurora officer and victim testified. At 4:30 case was continued until 3-13-19 @1:30. | cont |
| 17CM1489 | 209 | BT | TRACY | | | History of victim not showing. Judge granted another continuance. No date provided. | cont |
| 18CM3243 | 209 | BT | TRACY | | | Defendant was taken into custody because of two prior no shows. Case continued. No new date provided. | cont |
| 17CM3399 | 209 | PRE TRIAL | TRACY | | | Defense said he would be pro se. Judge asked several questions. Jury trial set for 5-21-19. | cont |
| 18CM0726 | 209 | JT | TRACY | | PUBLIC | Judge tolerated defendant's defiant behavior. Victim was mother. State called two Aurora officers. Observer needed to leave before trial concluded. Found verdict on line. | guilty |
| 17CM1726 | 209 | BT | TRACY | | GIL | Plea agreement reached earlier in the day per ASA. Guilty of physical contact charge and nolle pros on bodily harm charge. | guilty plea |
| 18CM0633 | 209 | BT | TRACY | | BECHTOLD | Observer was directed to wrong courtroom, so arrived after this case was continued. Next date is 6-5-19 @ 1:30 per court records. | cont |
| | 101 | OP HEARING | DALTON | DATING | JOHNSON | Petitioner claimed she had received several harassing phone calls, but could not prove who made the calls. Defense called Naperville officer who said he did not hear the calls. | OP not granted |
| | 101 | OP HEARING | DALTON | PRO SE | PRO SE | Judge told petitioner that she should call the police if respondent tries to come home. Both parties needed an interpreter. Placed responsibility on petitioner. | OP not granted |
| | 101 | OP HEARING | DALTON | PRO SE | PRO SE | Parties were young girls. Mother of petitioner was present. Judge talked to parents about parenting. He advised respondent to avoid a court record by avoiding any further contact. | Not granted |
| 18CM2146 | 209 | BT | TRACY | SADLER | SHEEN | Could not hear either attorney. Judge quickly continued matter until 4-3-19 at 1:30. | cont |
| 17CM2750 & 18CM1301 | 209 | BT | TRACY | | | No details reported. Judge thorough in explaining decision of guilty. Sentenced to 100 days in jail less time served, 18 months probation, DV counseling, \$1,610 in fines and no contact. | guilty |
| 18CM2490 | 209 | BT | TRACY | | | Daughter and parent relationship. No details reported. Judge explained her decision of guilty. Sentenced to 12 months probation, \$385.00 in fines, and no contact. | guilty |
| 18CM1703 | 209 | BT | TRACY | | REED | No details reported. Case continued until 4-1-19. | cont |
| 18CM0867 | 209 | BT | TRACY | | RODOLPHO | No details reported. Observer could not hear. Continued until 4-5-19. | cont |

Kendall County Observations

| CASE NO | ROOM NO | TRIAL TYPE | JUDGE | STATE | DEFENSE | COMMENTS | OUTCOME |
|-------------------------|---------|------------|---------|---------|------------|---|----------------|
| 17CM0701 | 114 | BT | VOILAND | PHELPS | RAZUI | No comments provided | guilty |
| 17CM0632 | 114 | BT | VOILAND | PHELPS | SWAGGERT | State asked for continuance due to officer being on medical leave. Judge granted. New date is 2-5-19 at 1:00. | cont |
| 16CM0412 | 114 | BT | VOILAND | V'DIGG | NICKEL | No details provided. New date for BT is 3-5-19. | cont |
| 18CM0151 | 114 | BT | MCADAMS | PHELPS | WICKEL | Both sides well prepared. Oswego officer called by state. Victim also called. Judge listened carefully and asked questions. Ruled that based on credibility, defense was more credible. | not guilty |
| 17CM0691 | 114 | BT | VOILAND | PHELPS | KOLAAH | Guilty Plea entered by State. Pre-sentence investigation will be done. Next court date is 4-3-19 @1:00. | guilty |
| 18CM0201 | 114 | BT | VOILAND | JIRASEK | LACHANSKI | Case continued. New BT date is 3-5-19 at 1:00 | cont |
| 17CM0284 | 114 | BT | VOILAND | PHELPS | LACHANSKI | Victim and defendant both testified as did a Joliet officer. Officer very confident in his answers. He took photos which were presented by state. Judge thought both victim and defendant were credible. Stated that the lack of phone records prevented state from proving without a reasonable doubt. | not guilty |
| 18CM0339 | 114 | BT | VOILAND | PHELPS | STAVRI | Second setting for this BT. State advised that second subpoena could not be delivered to address on record. Asked for second continuance. Judge denied request and dismissed case. | dismiss |
| 18CM0339 | 114 | BT | VOILAND | PHELPS | STAVRI | Second observer report for this case. State could not locate either witness. | dismiss |
| 17CCM0038 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | This was a bond call case. Previous record, including a DB case. Current charge was not for DB. | n/a |
| 18CM0433 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Several cases, including DB, escape from jail, failure to appear. Status date set for 2/11/19. | cont |
| 18CM0433 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Second observer report. Charge was violation of probation for DB charge. | cont |
| 19CM0055 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Charge was DB. Defendant allowed to post a \$5,000 recog. Allowed to return to her home which she owns. Status date set for 3/6/19. | cont |
| 19CM0055 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Second observer report. Not new details. | cont |
| 19CM0014 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Next status date set for 1-28-19. | cont |
| 17CM0698 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Original charge was interfering with the reporting of domestic violence. Failed to appear on 1-2-19. \$3,000 bond set, appointed PD. Status date set for 3/13/19. | cont |
| 16CM0350 | 114 | BOND CALL | VOILAND | KRAUSE | CHUFFO | Previously guilty of two DB charges. Today is about failing to appear at sentencing hearing. PD appointed. \$3,000 bond set. Next date is 3/20/19 at 8:30 in rm 114. | cont |
| 18CM0339 | 114 | BT | VOILAND | PHELPS | STAVRI | Third observer report on this case. No additional details reported. | dismiss |
| 18CM0264 | 114 | STATUS | VOILAND | JIRASEK | MAJER | Bond remains at 5,000. Next date is 3/12/19. | cont |
| 18CM0472 | 114 | BT | VOILAND | V'DIGG | FANDERT | Oswego officer called. He referred to his report during testimony. At one point ASA was coached by judge and sought assistance from another ASA. | not guilty |
| 19CM0006 | 114 | BT | VOILAND | V'DIGG | DETZ | Witness was not present. ASA stated that they could not locate her. | dismiss |
| 18CM0350 | 114 | SENT. HEAR | VOILAND | PHELPS | INGEMUSSON | State asked for 30 days jail time. Not eligible for court supervision due to two DB priors. Sentenced to 12 months probation, fines, 100 hours of public service, anger mgt classes. No contact with victim. | sentence given |
| 19CM0066, 19CF0055 | 114 | BOND CALL | VOILAND | | | Numerous DB, several felonies. Remains in custody. Next date is 3-5-19. | bail denied |
| 19CM0062 | 114 | BOND CALL | VOILAND | | | Defendant has medical issues. Will go to Mercyville upon release. Recog bond of 2,000. Next date is 2/20/19 unless still in hospital. | cont |
| 19CM0061 | 114 | BOND CALL | VOILAND | | | Next date is 4/23/19. | cont |
| 17CM0632 | 114 | BT | VOILAND | PHELPS | SWAGGERT | State called officer to testify. Defense called victim. Judge ruled that state failed to meet it's burden of proof. | not guilty |
| 19CF0066 & 19CF 0055 | 114 | BOND CALL | VOILAND | DOOR | CHUFFO | This was a bond call that will be merged with two felony cases shown. \$50,000 bond, due two several DB charges. Including use of a deadly weapon. Next date is 2-19-19 in rm115 @9:00. | cont |
| 18CM0350 | 114 | BT | VOILAND | PHELPS | INGEMUNSON | Plea agreement accepted. Not guilty in this case but merged with another offense of DB with physical contact. 12 months reporting probation, \$850 in fines. 150 hours of public service. Return to court 2-11-20. | plea agreement |

Kendall County Observations

| CASE NO | ROOM NO | TRIAL TYPE | JUDGE | STATE | DEFENSE | COMMENTS | OUTCOME |
|---------------------|---------|--------------|---------|----------|-----------|---|------------|
| 18CM0264 | 114 | BT | VOILAND | COLBURN | MAJER | Granted leave to travel. Did not hear reason continuance was granted. Next date is 4/10/19 in rm 114A @ 8:30 am. | cont |
| 18CM0472 | 114 | BT | VOILAND | V'DIGG | FENBERT | Girlfriend was victim. Hard to hear proceedings. ASA didn't seem to be well prepared. Kept going back to state table for assistance. Defense very knowledgeable, made several objections, most of which were sustained. Ruled charges were not proven. | not guilty |
| 17CM0006 | 114 | BT | VOILAND | V'DIGG | | Due to poor audibility not able to report reasons for dismissal, other than state not ready to proceed. | dismiss |
| 18CM0412 | 114 | BT | VOILAND | PHELPS | MOCKAITIS | Victim has been served but did not appear. State asked for more time to contact victim. Judge granted over defense objection. New date is 4-22-19. | cont |
| 17CM0254 | 114 | JT | VOILAND | | | This is DB and violation of an OP that was continued until 5-15-19 in rm 115 at 9:00 with Judge Pilmer. | cont |
| 18CM0240 & 0362 | 114 | BT | VOILAND | PHELPS | SANTORRE | The state called a Yorkville officer and victim as witnesses. The doctor who treated the victim was present but not called. Photos of both parties were taken by officer. Defense called victim. Attorney was well prepared and asked excellent questions. Judge listened carefully and indicated he felt state had met its burden of proof on both counts. Sentencing set for 5-1-19. | guilty |
| 18CM0647 | 114 | BOND CALL | VOILAND | | | This is a DB case up for a bond call. Next status date is 3/21/19 @ 8:30. | cont |
| 18CM0206 | 114 | BT | VOILAND | JIRASEK | LACHANSKI | This was a mother and daughter argument that escalated into kicking and finger pointing. Defendant, victim, sister, and Osewego officer testified. Both sides were well prepared. In the end, the judge felt that the finger pointing was more insulting and provoking than kicking. He felt the state had not proven case beyond reasonable doubt. Trial took 2 hours. | not guilty |
| 18CM0205 | 114 | BT | VOILAND | JIRASEK | LACHANSKI | Second observer report. This case was called at 2:40 pm. It was the last case of the day. No additional details to first report. | not guilty |
| 18CM0584 | 114 | BT | VOILAND | PHELPS | PRIVATE | Could not hear much. State said that both witnesses were served. Officers were present. Over defense objection Judge granted continuance. Next date is 4-2-19 at 1:00. | cont |
| 19CM0100 & 19CF0070 | 114 | BOND CALL | VOILAND | SCHLIPKA | CHUFFO | This was a bond call hearing. Matter continued until 4-10-19 in rm 115. | cont |
| 19OP0040 | 114 | POP | VOILAND | | | ASA advised observer that this Plenary OP hearing was held at 8:30. The order was approved by judge as written. | granted |
| 16CM0640 | 114 | STATE MOTION | VOILAND | V'DIGG | COOK | The state filed a petition to revoke the original plea agreement. Plead to common battery, fines, 12 months reporting probation. Per court records this case was closed after the hearing on 3-7-19. | closed |
| 18CM0345 | 114 | BT | VOILAND | PHELPS | MORELLI | Problem with service. First setting so case continued. Next date is 4-4-19 in rm 114 @ 8:30. | cont |
| 18CM0575 | 114 | BT | VOILAND | JIRASEK | MAJER | Judge asked witnesses to speak up so bench could hear. Wife told state that she did not want anything to happen to her husband. She testified that she was lying to protect husband. Judge said victim's testimony was inconsistent. Judge commended officer on his investigation, also said state had met the burden of proof standard. Victim told officer and two paramedics that husband had pushed her causing her to break her leg. Observer could not believe the verdict. | not guilty |
| 18CM0527 | 113 | BT | MCCANN | JIRASEK | MCADAMS | Husband was defendant. Both sides testified, along with son and reporting officer. Husband did not want anything to happen to his wife. Defendant and son's testimony were consistent but contrary to written statements made to police. Judge ruled that state did not meet beyond reasonable doubt standard. | not guilty |
| 17CM0716 | 114 | SENT. HEAR | VOILAND | PHELPS | PENSON | Sentencing quickly continued until 4-11-19 @ 1:00. | cont |
| 19CM0105 | 114 | BOND CALL | VOILAND | V'DIGG | PUH | Turned himself in to Dekalb police. Issues in two other counties. Next court date 4-1-19 in rm 114. | cont |
| 17CM0415 & 0437 | 114 | BT | VOILAND | | | This case was on docket but not called. Court records search indicates next date is 4-11-19 at 1:00. | cont |

Kendall County Observations

| CASE NO | ROOM NO | TRIAL TYPE | JUDGE | STATE | DEFENSE | COMMENTS | OUTCOME |
|----------|---------|------------|---------|---------|---------|---|------------|
| 13CM0546 | 114 | BT | VOILAND | V'DIGG | DROZIER | This case was six years old. No reason given. Three witnesses and officer had trouble remembering the incident. No photos taken. Judge ruled no proof of crime. | not guilty |
| 13CM0546 | 114 | BT | VOILAND | V'DIGG | DROZIER | Second observer report of the case. No new details. | not guilty |
| 18CM0230 | 114 | BT | VOILAND | JIRASEK | FOSTER | Defendenat was a no show. Trial continued and a warrant was issued. Found guilty of one of two charges of DV. Next court date is 8-12-19 due to warrant. | guilty |
| 18CM0527 | 114 | BT | MCCANN | JIRASEK | MCADAMS | The inconsistency of the son's testimony compared to his written statement and the victim amending his complaint were the biggest issues leading to the not guilty verdict. Second observer report. | not guilty |