Illinois Supreme Court History:
Supreme Court Consolidation

John A. Lupton
Supreme Court Historic Preservation Commission

The 1848 Illinois Constitution required the Illinois Supreme Court to meet at three locations in Illinois—Mt.Vernon, Springfield, and Ottawa. The purpose for meeting at different locations was to bring the Supreme Court closer to the people and to allow for more convenient travel for the parties involved in an appeal. By the late 1850s, the logistics of holding Court in three locations for only three justices became more difficult because of the rapidly increasing caseload.

The 1870 Illinois Constitution, while increasing the number of justices to seven, again required the Court to meet in Mt. Vernon, Springfield, and Ottawa, but also provided an opportunity to change the system. The burden of a huge caseload and frequent travel caused two Supreme Court justices to resign. Justice Benjamin Magruder calculated that justices annually made 126 trips around the state to travel among the three grand divisions with two terms in each division. Plus, the continuous transportation of records and files along with storage in three facilities raised questions about security and convenient access.

In 1874, the General Assembly made its first attempt to consolidate the Court. Representative James Bradwell (husband of Myra Bradwell) assumed the bill would pass easily, but a concerted lobbying effort from several southern Illinois senators successfully killed the bill. In almost every legislative session between 1874 and 1897, legislators introduced new consolidation bills with the argument that having the Court meet in one location was necessary to improve the system of justice in Illinois.

Consolidation had vocal opponents with legislators from Ottawa and Mt. Vernon but also even with members of the Supreme Court. Justice Simeon Swope of Peoria denied that travel was a problem, claiming that justices benefited from the "recreation and refreshment" that travel provided. Swope also argued that the Court's inefficiencies were not due to travel but the lack of stenographers and typewriters.

By the 1890s, the opposition to consolidation began to wane as a statewide poll showed "overwhelming" support for the Court meeting in one location. The *Chicago Tribune* published an editorial before the 1893 legislative session that "the evils of the current situation are so bad, the bill ought to pass this time." It failed again. Representative F. G. Blood of Jefferson County, noted that Springfield was "not the proper place for the Supreme Court to meet" because it is a "hotbed of politics" and a "hotbed of iniquity."

In 1897, Representative George Miller of Cook County introduced a bill to consolidate the Supreme Court, and anti-consolidation and anti-Springfield forces attempted to derail the bill once again. One method opponents used frequently in the past was to support consolidation but

to locate the Court at someplace other than Springfield. However, this time, Miller supported the amendment to place the Court solely at Ottawa, and the bill passed the House. In the Senate, Oliver Berry of Adams County introduced an amendment to place the court in Springfield, and senators spoke to support Springfield because of the city's accessibility, availability of resources to support the Court, and simply because Springfield was the state capital. Senator Patrick Fitzpatrick of Cook County joked in reference to Rep. Blood's comments, that perhaps having the Court in Springfield "would have a good influence on the morals of the people there."

The amended bill passed the Senate and returned to the House, where it passed by a hefty margin. The 20-year battle to have the Court in one location finally ended. While newspapers in Ottawa lamented the result, newspapers in Mt. Vernon recognized that relocating the Court was inevitable, and it was best to have the Court permanently in Springfield. The erection of the Supreme Court Building in Springfield in less than a decade after consolidation cemented the idea of a permanent home for the Court in the state's capital.