

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
STATE OF ILLINOIS  
ADMINISTRATIVE ORDER 13-7-8

FILED

JUL 08 2013

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In the matter of the Surrender  
of Firearms and FOID Cards

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*Stuart Hall*  
CLERK OF THE CIRCUIT COURT

THE UNDERSIGNED CHIEF JUDGE OF THE FIRST JUDICIAL CIRCUIT, STATE OF ILLINOIS, HAVING NOTED THE FOLLOWING STATUTES OF THE STATE OF ILLINOIS:

730 ILCS 5/5-6-3(a)(9):

- (a) The conditions of probation and of conditional discharge shall be that the person:
  - (9) If convicted of a felony, physically surrender **at a time and place designated by the court**, his or her Firearm Owner's Identification Card and any and all firearms in his or her possession. (Emphasis Added)

730 ILCS 5/5-6-4(f):

- (f) The conditions of probation, of conditional discharge, of supervision, or of a sentence of county impact incarceration may be modified by the court on motion of the supervising agency or on its own motion or at the request of the offender after notice and a hearing.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The Presiding Judge of each county in the First Judicial Circuit shall coordinate with the Sheriff of their respective county for purposes of developing a protocol and administrative procedure for the surrender of FOID cards and the surrender of any and all firearms pursuant to 730 ILCS 5/5-6-3(a)(9).

2. The Circuit Clerk of each county in the First Judicial Circuit shall coordinate with the Sheriff of their respective county for the purpose of developing a protocol and procedure to facilitate that Circuit Clerk's Office's collection of surrendered FOID cards from the sheriff's department and the submission of those cards to the Illinois State Police.

3. All new court orders or judgments reflecting a conviction for a felony shall contain the pertinent mandate of 730 ILCS 5/5-6-3(a)(9).

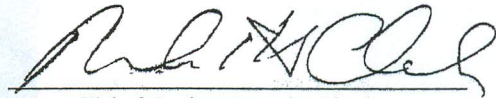
4. All Probation Officers in the First Judicial Circuit shall secure compliance in all current and active probation cases, in regard to 730 ILCS 5/5-6-3(a)(9) by informing the probationer at the next scheduled visit of his or her obligations under that statute to surrender his or her firearm owner's identification card and any and all firearms in his or her possession to the county sheriff's department within 7 days of the visit. In order to effectuate this process and to formally modify probation orders the probation officer shall read 730 ILCS 5/5-6-3(a)(9) to the probationer advising him or her of the responsibility and submitting a waiver of hearing and consent to the immediate modification of the probation order to include the requirements of

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paragraph (9) of that statute. Should the probationer refuse to execute the Waiver and Consent, the Probation Officer shall tender a Petition to Modify to the State's Attorney for requested filing, with notice to the probationer, and a request for a prompt hearing.

4. All Probation Officers in the First Judicial Circuit shall add to all new pre-sentence investigations information on the front page related to the serial number of FOID cards held by the defendant as well as a section indicating the number and type of firearms in his or her possession.

Entered this 8<sup>th</sup> day of July, 2013.

A handwritten signature in black ink, appearing to read 'Mark Clarke', written over a horizontal line.

Chief Judge Mark Clarke