



Supreme Court of Illinois

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APPELLATE RECORD TO BE ACCESSIBLE ELECTRONICALLY FROM SEVEN COUNTIES IN THE SECOND JUDICIAL DISTRICT

Chief Justice Thomas L. Kilbride and the Illinois Supreme Court announced Monday that seven counties in the Second Judicial District will be added to a pilot project allowing the filing of the trial record on appeal electronically.

The Supreme Court Order authorized the Illinois Appellate Court in the Second Judicial District to begin an e-project that will allow attorneys, parties and appellate justices to view, access and work electronically from the official record of cases on appeal from Boone, Carroll, Jo Daviess, Kendall, Lee, Stephenson and Winnebago counties for appeals filed on or after January 1, 2013.

The Supreme Court also authorized on Monday the e-project to be expanded to Will County in the Third Judicial District and to Moultrie County in the Fourth Judicial District for appeals filed after October 1, 2012.

Chief Justice Kilbride has said making the records on appeal available electronically will bring the courts closer to eventually making e-business universal throughout the Illinois court system. Justice Kilbride has pledged to make Illinois court operations more efficient by implementing improvements in technology since becoming Chief Justice in October 2010.

"This expansion more than doubles the number of counties participating in the e-record pilot project, demonstrating the determined cooperation between the courts and the circuit clerks to bring digital technology's convenience and cost-saving efficiencies to the Illinois court system," Chief Justice Kilbride said.

"The Court is grateful for the DuPage and Ogle County Circuit Clerks' leadership in this pilot project in the Second Judicial District. They were instrumental in assisting the other seven clerks in setting up this project."

Seven counties in four Judicial Districts have already implemented the pilot project. They are: Clinton County in the Fifth Judicial District, Adams County in the Fourth Judicial District, Rock Island County in the Third Judicial District and DeKalb, DuPage, McHenry and Ogle counties in the Second Judicial District.

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Second District E-Filing Project Add One

In addition, the Court announced in January a pilot project for the electronic filing of motions, briefs and related documents with the Illinois Supreme Court Clerk's office. That project involves the Illinois Attorney General, the State Appellate Defender's Office and the Office of the Illinois State's Attorneys Appellate Prosecutor.

The pilot project in the Appellate Court is effective immediately. It is a joint effort between the Appellate Court, the Clerk of the Second Judicial District, and the Boone, Carroll, Jo Daviess, Kendall, Lee, Stephenson and Winnebago county circuit clerks.

"The Supreme Court continues to move quickly and effectively toward the development and implementation of e-filing," said Justice Robert R. Thomas of the Second Judicial District. "Today's announcement paves the way forward for e-filing across the state, and will help ensure that the justice system operates more efficiently for all the people of Illinois."

DuPage County was the first pilot project selected for e-filing in Illinois in 2005 and the vast majority of all civil filings in the county are made electronically, said Appellate Justice Ann Jorgensen, formerly Chief Circuit Judge in DuPage County and now presiding justice of the Second District Appellate Court.

"As presiding justice of the Second District, I am delighted that the Illinois Supreme Court has granted permission to expand our e-record project," Appellate Justice Jorgensen said. "This expansion will mean greater ease in the delivery of the record on appeal to the parties, increased simultaneous access to the record by members of the bar and our court, and enhanced preservation of the original record's integrity."

Appellate Court Clerk Robert Mangan of the Second Judicial District said the expansion of the electronic filing of the trial record in the Second District has been working well for many counties in the Second District.

"Our e-delivery pilot has been operating for the past 15 months, and is working well," Clerk Mangan said. "I am glad to see it expanded to include 11 of the 13 counties in the Second District.

"We look forward to the continued assistance that e-records afford to the practicing bar and our court."

The pilot programs allow attorneys, parties and appellate justices to electronically view, access and work from the official record of cases on appeal. However, the paper record will continue to be available to parties who would rather use it.

The accessible electronic record will include transcripts of the trial and associated hearings, motions, other pleadings and documents. It will exclude exhibits: i.e. photos and physical evidence such as weapons, clothing and the like.

Currently, once a notice of appeal is filed, the official record of the case is physically transported to the attorney of record on one side of the case. When that attorney concludes the filing of the necessary motions and brief, the record is then physically transported to the attorney on the other side of the case. If additional briefs are required, the record is transported back and forth between the attorneys.

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Second District E-Filing Project Add Two

After the case is argued in the Appellate Court, the record resides with the Appellate justice assigned to write the opinion.

The two other justices hearing the case may request the record as well, but it must be physically transported from the justice in possession to the justice who requests possession.

The pilot projects make the physical transfer of the record unnecessary, and removes the cost of repeatedly transporting the record back and forth from the District clerk's office. They provide a stream of efficiency in preparing and working on appeals that benefit not only the lawyers and the court, but the clients being served and taxpayers who fund the courts.

Under the Second District pilot project, a paper record pursuant to Supreme Court rules will remain with the Clerk and be accessible from the Clerk, but a mirror record will be produced electronically with identical pagination.

Attorneys who file appearances in the case will receive a password providing access to the record, as well as all the justices in the Second District and the parties.

The parties, attorneys for a party, approved court personnel and justices of the Second District will have the ability to search, bookmark and make notes on their individual copy of the electronic record. Any markings or notations made by a user on the electronic record are secure and are unique to that user's copy. No user will be able to view or access another user's copy. The Second District Clerk will retain an unmodified copy of the electronic record at all times.

The electronic record will be in a format that supports searchable text, both word and phrase. Once a mandate issues in an appellate case, access to the electronic record will be terminated.

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(FOR MORE INFORMATION, CONTACT: Joseph Tybor, director of communications to the Illinois Supreme Court, at 312.793.2323)