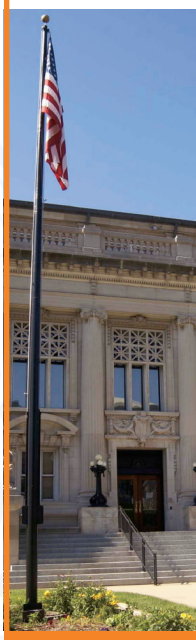
LETTER OF TRANSMITTAL

Michael J. Tardy
Director



I am pleased to offer the 2011 Annual Report of the Illinois Courts. The following pages provide a brief summary of the day-to-day operations of our court system and an overview of the Administrative Office of the Illinois Courts. Highlighted herein are some of the many initiatives undertaken and achieved by the Illinois Judicial Branch last year. In a time where resources are declining and change is constant, most notably in technology, the Supreme Court continues its strong and innovative leadership to meet myriad challenges. In 2011, the Court initiated multiple projects and policies to ensure the availability and delivery of critical judicial branch services.

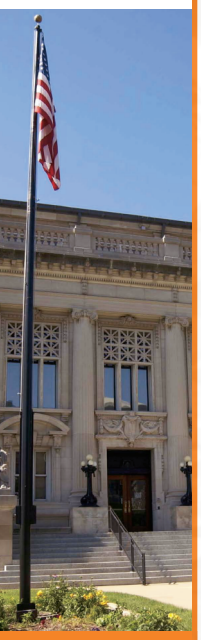
The Report, in two volumes, includes an Administrative Summary presenting a message from the Chief Justice and the 2011 Report to the Illinois General Assembly. The Administrative Summary also contains an overview of the shared state and local funding responsibilities for our court system, a daunting task during these continuing difficult economic times. Additionally, the Report includes a summary of the judicial officers and employees who ensure access to justice and maintain operations for our unified court system, and a brief overview of the six divisions that comprise the Administrative Office of the Illinois Courts. A second volume, the Statistical Summary, reports comprehensive data concerning court case loads at the Supreme, Appellate, and Circuit court levels.

The Administrative Office gratefully acknowledges the Clerks of the Supreme, Appellate, and Circuit Courts for their continued support, cooperation and commitment to provide the case statistical data published herein. I also wish to thank the Administrative Office staff whose efforts were instrumental in preparing this Report. The importance of providing Illinois' citizens with information to form an understanding and fundamental trust of our court system cannot be overstated, and it is a key component to achieving continued accountability and transparency. I also wish to express my strong appreciation for the efforts and dedication of the honorable men and women who comprise the Illinois judiciary, as well as the non-judicial and court personnel who make it their daily goal to deliver fair, impartial, efficient and affordable justice for all in Illinois.

I hope that you will find this report a valuable tool in understanding the work of our courts. I invite you to visit our website at www.state.il.us/court for current information concerning the Illinois court system and to learn more about the judicial branch of government. The website is continually enhanced and updated in order to remain an essential source of information and education for the citizens we serve.

Sincerely,

Michael J. Tardy, Director
Administrative Office of the Illinois Courts



A MESSAGE FROM CHIEF JUSTICE THOMAS L. KILBRIDE

On behalf of my fellow Justices, it is my honor to present the 2011 Annual Report of the Illinois Courts. I welcome this opportunity to inform the citizens of Illinois about the Supreme Court's many achievements and new initiatives during the past year, as well as our ongoing efforts to assure judicial integrity and deliver equal access to justice throughout our court system. I am pleased to report that the Supreme Court, with the assistance of the very capable and competent work of our Administrative Office and the more than 950 judges serving our unified court system, remains steadfast to upholding the core values of the judicial branch – protection of rights and liberties, impartial interpretation of the law, and efficient disposition of all matters.

This report is presented in two volumes. The Administrative Summary contains the Supreme Court's report to the General Assembly on Illinois Judicial Conference activities, explains state and local funding for the courts, and describes the operations of our unified court system. Especially important to those people who may have never encountered the justice system firsthand, the pictures and text of the Administrative Summary acquaint the public with the supreme, appellate, and circuit court officers and employees in the judicial branch of government, giving Illinois citizens a better understanding of who we are and what we do. A second volume of this report, the Statistical Summary, provides data on the number and types of cases filed and disposed of in our courts in the past year. Included are graphs presenting five-year trends in total caseloads, as well as specific types of cases.

During 2011, the Illinois Judicial Branch worked to ensure the delivery of justice despite diminished resources. The most difficult fiscal realities presented, and will continue to present, challenges to executing new court initiatives, as well as to maintaining current operations for Illinois' Third Branch of government. I am exceedingly proud of our careful fiscal stewardship in the face of continued financial hardship. The judicial branch has not only been able to maintain public access to court operations but has also progressed towards new technological achievements that typically yield operational efficiencies. We have continuously explored ways to champion the companion goals of efficiency and innovation.

During my first full year as Chief Justice, I made it a top priority to advance the modernization of our court system's day-to-day operations to reflect the

reality that the law is being practiced on the digital frontier and will continue on this trajectory. The year 2011 yielded tremendous achievement and progress in infusing technology within the Illinois court system. Still, more is to be done.

Similarly, I am committed to developing strategies to improve public confidence in the judiciary, and the legal system in general, by raising the standards of professional conduct among our state's judges and lawyers. To further that goal, the Supreme Court instituted programs aimed at raising the expectations of individual productivity and professionalism for the entire Illinois bench and bar.

Guided by these principles, the Supreme Court maintained undiminished access to justice in our courts' daily operations and, along the way, was able to shepherd other critical judicial branch initiatives. I am proud to highlight some of our major accomplishments in 2011. It has been a very productive year.

E-Business in the Illinois Courts

In line with the continuing goal of infusing 21st century technology into the day-to-day operations of Illinois courts, the Supreme Court formed the Special Supreme Court Committee on E-Business. Charged with analyzing existing court technology and developing upgraded e-Business methods and applications for use in the Illinois court system, the Committee works to create strategies for the expeditious implementation of those applications, with an eye toward making e-Business, and e-Filing in particular, routine in the judicial branch.

As the practice of law evolves toward a digital medium, the Committee is looking at the technology efforts and existing e-Business models already being used in court systems across the state with a goal of developing uniform user standards and guidelines. Once those methods and guidelines are put into practice, the result will be a statewide court system that provides administrative and economic benefits to both the legal profession and Illinois taxpayers.

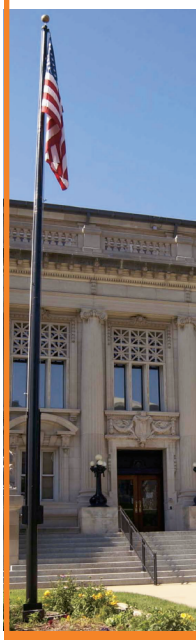
E-Filing pilot projects, allowing litigants to file briefs and other litigation-related documents online, already exist in select counties across the state. With the assistance of the E-Business Committee, the Supreme Court initiated plans to introduce the practice statewide, making electronic access to the courts a cost-effective reality that also reflects local trial court capabilities.

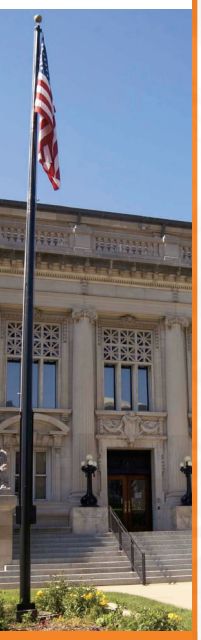
During 2011, the Supreme Court approved pilot projects in the Second District Appellate Court and the Fourth District Appellate Court, allowing attorneys, parties, and appellate judges to view, access, and work electronically from the official record of cases on appeal from certain counties. The Third District Appellate Court has also approved a proposal to allow access and sharing of electronic court records. Using electronic records will provide economy and improve record accessibility in appeals, as well as reduce the costs of transporting and storing voluminous court records.

These projects will continue to evolve and expand to keep pace with technological advances and future enhancements within the legal system.

Public Domain Citation

Committed to guiding the Illinois courts further into the digital age, the Supreme Court announced a new method of official citation to Illinois Supreme Court and Illinois Appellate Court dispositions. The new public domain citations enable legal writers to cite directly to Supreme Court and Appellate Court cases as they are listed within electronic databases, replacing the long-held tradition of citing to cases as they appeared within printed, hardbound books. Reliance on print volumes, published and purchased at taxpayer expense, has diminished greatly





with the advent of digital research. The new form of citation further lowers those associated print costs and recognizes yet another way that technology is changing the practice of law. Ushering in this new era of public domain citation, the Supreme Court and Appellate Court opinions are now available to all on the Supreme Court of Illinois website.

Illinois Pattern Jury Instructions Online

Considered vital instruments to all Illinois trial attorneys and judges, the Illinois Pattern Jury Instructions (IPI) – civil and criminal – are now publicly available on the Illinois Supreme Court website. Previously, practitioners were required to purchase expensive printed versions of the instructions in book form. Consistent with the Supreme Court's interest in employing technology to increase public access to the Illinois court system and to decrease the associated costs, the IPI instructions – providing concise statements of law and burdens of proof for use at trial – can now be accessed at no cost by litigants, judges, and the public.

Mandatory Judicial Evaluations

In 2008, the Supreme Court adopted a series of strategies aimed at improving the performance and accountability of the judiciary and bolstering public confidence in the Illinois courts. Among those initiatives was a plan to implement a mandatory judicial evaluation program. Furthering its commitment to those strategies, the Supreme Court has amended Supreme Court Rule 58 (Judicial Performance Evaluation), making previously voluntary judicial performance evaluations mandatory for all circuit and associate judges in the state.

Under this program, a database developed by the Administrative Office of the Illinois Courts randomly selects the names of circuit and associate judges throughout the state who have between 2 and 25 years' experience on the bench. The names are sent to the National Center for State Courts (NCSC) that has partnered with the Supreme Court to facilitate the evaluation process. The selected judges are evaluated by those who have appeared before them, as well as by their co-workers, on subjects ranging from the judges' legal ability and impartiality to their professionalism and management skills. Trained facilitators, who are either active or retired judges, discuss the results of the evaluations with the selected judges. Monitored by the Judicial Performance Evaluation Committee of the Supreme Court and administered by our Administrative Office, the program will provide the opportunity for judges to receive constructive feedback intended to foster continued professional development and improved performance, benefitting litigants and attorneys, as well as the judiciary.

Fairness in Mortgage Foreclosure Proceedings

The crisis faced by families and individuals in danger of losing their homes to foreclosure is a devastating plight endured in countless communities across the nation and by thousands of residents here in Illinois. To understand the difficulties of those facing the loss of their homes, and to improve the judicial process of mortgage foreclosures in Illinois, the Supreme Court formed the Special Supreme Court Committee on Mortgage Foreclosures to study the ongoing problems caused by foreclosure and the judicial implications of the mortgage foreclosure process.

Consisting of 14 judges, attorneys, and bankers with firsthand knowledge of the process and problems associated with mortgage foreclosure, the Committee is charged with analyzing the current procedures, addressing problems or issues within the system, and generating a uniform procedural structure that will ensure fairness and advance the appropriate use

of foreclosure proceedings throughout the state. The goal is to create a fair, uniform structure for mortgage foreclosure proceedings that will benefit homeowners, lenders, attorneys, and judges alike. By studying this crisis, the Committee seeks to promote best practices in foreclosure mediation to assist with, and ultimately sustain, community stabilization.

The Supreme Court also continued to expand its approved residential mortgage foreclosure mediation programs. In June 2011, the Peoria County Foreclosure Mediation Program and the Madison and Bond Counties' Foreclosure Mediation Programs were launched, joining the Will County program instituted in August 2010. Although foreclosure mediation programs vary according to local rules, their consistent central theme is to resolve loan delinquencies and work to reduce the financial and emotional burdens sustained by lenders, borrowers, and taxpayers from residential mortgage foreclosures.

Statewide Mentoring Program for New Attorneys

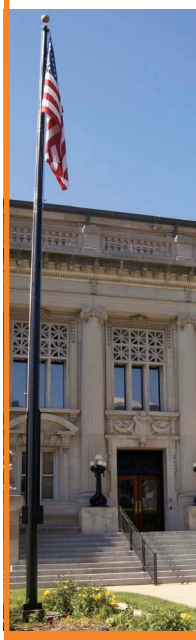
For recent law school graduates, the first years of legal practice are typically the most challenging, both professionally and personally. More than 2,000 new attorneys are admitted to practice law in Illinois each year, many with limited practical or clinical experience. In an effort to prepare new attorneys for the practical aspects of the legal profession and offer professional guidance, the Supreme Court Commission on Professionalism has partnered with law schools, seasoned attorneys, and legal associations throughout the state to provide a mentoring program for newly admitted Illinois attorneys.

Illinois is among a handful of states to adopt such a program. Through the mentoring program, experienced attorneys can provide invaluable assistance to new attorneys by offering meaningful insights into the actual practice of law, while at the same time promoting and instilling principles of professionalism. The Supreme Court anticipates that this new program will assist in preparing new attorneys for successful careers, while simultaneously enhancing the level of professionalism for attorneys throughout the state.

Updated Guidelines for Lawyer Trust Accounts

Underscoring the importance of a lawyer's duty to act as a professional fiduciary responsible for safeguarding client funds, a lawyer in Illinois has always been required to keep all client funds and property within the lawyer's possession separate from the lawyer's own personal property. In the spirit of its commitment to holding Illinois lawyers to the highest standards of ethics and professionalism, the Supreme Court amended Rule 1.15 of the Illinois Rules of Professional Conduct to clarify and heighten a lawyer's obligation to manage and protect client funds. The updated guidelines supplement the lawyer's existing duty to safeguard client funds and property and will augment the ethical obligation owed by all lawyers to protect the interests and funds entrusted to them by their clients.

Conclusion

These are just a few of the many activities undertaken and achieved during the past year. I invite your review of the 2011 Annual Report further detailing the workings of the Illinois Judicial Branch. Last, I would like to extend the Supreme Court's thanks and appreciation to all the individuals involved in making this year such a success for our court system. Ensuring readily attainable, fair, and equal access to justice requires the collective efforts of all our judicial branch officers and employees, and I am truly grateful for their dedication and talents.

Thomas L. Kilbride
Chief Justice
Illinois Supreme Court