

Proposal 04-09
(P.R. 0116)
Offered by the Alternative Dispute Resolution Coordinating Committee of the
Illinois Judicial Conference

Rule 222. Limited and Simplified Discovery in Certain Cases

(a) Applicability. (No changes.)

(b) Affidavit *re* Damages Sought. (No changes.)

(c) Time for Disclosure; Continuing Duty. The parties shall make the initial disclosure required by this rule as fully as then possible in accordance with the timelines set by local rule, provided however that if no local rule has been established pursuant to Rule 89 then within 120 days after the filing of a responsive pleading to the complaint, counter-complaint, third-party complaint, *etc.*, unless the parties otherwise agree, or for good cause shown, if the court shortens or extends the time. Upon service of a disclosure, a notice of disclosure shall be promptly filed with the court. The duty to provide disclosures as delineated in this rule and its subsections shall be a continuing duty, and each party shall seasonably supplement or amend disclosures whenever new or different information or documents become known to the disclosing party.

All disclosures shall include information and data in the possession, custody and control of the parties as well as that which can be ascertained, learned or acquired by reasonable inquiry and investigation.

(d) - (j) (No changes.)

Committee Comments

The proposed change is intended to require practitioners to follow the dictates of local rule. The Committee's intention is to refer practitioners to the rule(s) prescribed by local jurisdictions thereby eliminating confusion and the ability of non-complying counsel to state that they agreed to extend the time for disclosure without court approval.