



## Supreme Court of Illinois

August 5, 2022

### SUPREME COURT RULES COMMITTEE TO HOST VIRTUAL HEARING ON OCTOBER 5

The Illinois Supreme Court Rules Committee will hear comments on October 5, 2022, at a virtual public hearing on six proposals.

All the proposals, which must be approved by the Illinois Supreme Court before they could take effect, will be aired at a hearing before the Rules Committee at 10:30 a.m., Wednesday, October 5, 2022. The hearing will be held via Zoom and livestreamed [here](#).

The Supreme Court Rules Committee invites public comments on the proposals. Written comments should be submitted no later than **Wednesday, September 28, 2022**, to [RulesCommittee@illinoiscourts.gov](mailto:RulesCommittee@illinoiscourts.gov) or via mail to: Committee Secretary, Supreme Court Rules Committee, 222 N. LaSalle Street, 13<sup>th</sup> Floor, Chicago, Illinois 60601.

To be scheduled to testify at the public hearing, please register by sending an e-mail to the Rules Committee Secretary, as noted above, no later than **Wednesday, September 28, 2022**.

More information is available at the Rules Committee Public Hearing page of the Supreme Court's website [here](#). Full-text versions of all proposals are on the website as well with summaries available below.

James A. Hansen of Schmiedeskamp Robertson Neu & Mitchell, LLP, serves as chair of the Rules Committee.

The following are the proposals which the Rules Committee seeks comment on:

**Proposal 21-04**, which would amend Supreme Court Rule 23 to give the Appellate Court authority to issue partial summary orders on sentencing issues in criminal and juvenile appeals while retaining jurisdiction to address the merits at a later date. The proposal also amends Rule 361(b) to provide 7 days (currently 5) to respond to motions filed in the Appellate or Supreme Court.

**Proposal 21-06**, which would amend Supreme Court Rule 207 to require that a deponent be allowed to examine/review a transcribed deposition at no charge, and that the transcript be made available to a deponent in person or provided by mail or email at (i) the location where the deponent was located when the deposition was taken, (ii) the deponent's residence or business address, (iii) a location acceptable to the deponent in the county where the deposition was taken, or (iv) electronically, if the

deponent is able to receive it in that manner. It further provides that the cost of providing the transcribed deposition should be the responsibility of the party seeking the deposition, and not the deponent.

**Proposal 22-01**, which would amend Supreme Court Rule 706 to increase the fees for applications for admission on motion under Rule 705, applications for admission by transferred uniform bar examination score under Rule 704A, and applications for limited admission as house counsel. All three fees would be increased from \$1,250 to \$1,500.

**Proposal 22-02**, which would amend Supreme Court Rule 9 to implement an automated “pending correction” process within the statewide e-Filing system for any e-filed documents not accepted by the clerk. The proposal further provides that if the filer corrects the errors identified by the clerk and re-submits within 48 hours, the filing would be accepted and the acceptance date would relate back to the date of the original submission.

**Proposal 22-03**, which would amend Rule of Professional Conduct 1.5 (Fees) to add a Comment clarifying that Rule 1.5 allows fee agreements that are not on an hourly rate, for example, fixed fee arrangements, so long as the fee charged or collected is reasonable for the services performed. The proposed Comment would also urge lawyers to consider alternative arrangements to deliver affordable representation in a transparent and predictable manner, with the goal of reducing misunderstandings and avoiding fee disputes.

**Proposal 22-08**, which would amend Supreme Court Rule 434 (Jury Selection) to (i) reallocate the burden of justifying a peremptory strike to the striking party instead of the objecting party as the burden now rests; and (ii) account for unconscious bias instead of requiring proof of intentional discrimination.

**(FOR MORE INFORMATION, CONTACT: Chris Bonjean, Communications Director to the Illinois Supreme Court at 312.793.2323 or [cbonjean@illinoiscourts.gov](mailto:cbonjean@illinoiscourts.gov).)**