

**FOR IMMEDIATE RELEASE**  
**January 16, 2007**

## **HEARING ON PROPOSED AMENDMENT TO DISCOVERY RULES**

The Rules Committee of the Illinois Supreme Court will hear comments at a public hearing Monday, January 22 on a proposal amending the discovery process in civil trials involving money damages less than \$50,000.

The proposal, offered by the Illinois Judicial Conference Committee on Discovery Procedures, would amend Supreme Court Rule 216 in an attempt to clarify and simplify evidentiary issues at trial in high volume courtrooms.

Rule 216 relates to discovery requests for the admission of facts. The proposed amendment would require leave of court and proper notice to parties before requests may be served. It would also bar requests served more than 120 days after the filing of a pleading to the complaint, counter-complaint or third-party complaint unless the parties agree or the court shortens or extends the time.

The proposal is in response to complaints that numerous requests to admit documents were being buried among other discovery requests and were being overlooked until after the deadline for denying a request had passed. Under Rule 216, a request for the admission of fact is deemed admitted unless it is denied by the responding party within 28 days of service.

The Committee on Discovery Procedures has also proposed an amendment to Supreme Court Rule 214, which relates to the discovery of documents and other tangible things. The proposed amendment is designed to make it clear that answers to the request must be labeled to correspond with the specific categories in the request.

“The required labeling of documents produced must be sufficient to allow the requesting party to be able to reasonably identify to which specific category in the request each produced document is responsive,” according to a comment by the committee appended to the proposed amendment.

The Rules Committee also will seek comment on an amendment to Rule 103(b) relating to the dismissal of defendants who were not served summons for failure of reasonable diligence by the plaintiff.

**MORE**

**Rules Committee Public Hearing  
Add One**

The hearing will begin at 10 a.m. at 160 N. LaSalle Street, Room C-500, Chicago.

The text of the proposed rules is on the Illinois Supreme Court website at [www.state.il.us/court](http://www.state.il.us/court). To view the proposals, select the tab titled "Courts" on the home page and click on "Supreme." Next click on "Supreme Court Rules Committee Public Hearing" for January 22, 2007.

The chairman of the Rules Committee is John P. Nicoara of Nicoara & Steagall in Peoria.

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**(FOR MORE INFORMATION, contact: Joseph Tybor, press secretary to the Illinois Supreme Court at 312-793-2323)**