



Supreme Court of Illinois

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APPELLATE RECORD TO BE ACCESSIBLE ELECTRONICALLY FROM LAKE COUNTY IN THE SECOND JUDICIAL DISTRICT

Illinois Supreme Court Chief Justice Thomas L. Kilbride announced Monday that Lake County will participate in the pilot project that allows attorneys, parties and appellate justices to view, access, and work electronically from the official record of cases on appeal in the Second Judicial District.

The Order is effective immediately and allows the electronic transfer of the official record of cases on appeal filed after October 1, 2013 in Lake County.

"Lake County is the Second Judicial District's most populous county; the appeals process will be greatly streamlined with the trial record being filed electronically," Chief Justice Kilbride said. "Since the project's launch in 2011, cost savings and greater efficiencies in the Illinois court system have been demonstrated through the increased use of technology.

"The Court is grateful for the continued cooperation between the courts and the circuit clerks in this endeavor."

Since he became Chief Justice in October 2010, Justice Kilbride has pledged to make the Illinois courts more user friendly by implementing improvements in technology. Since then, the Supreme Court has opened avenues for e-filing, creating a special E-Business Committee in June 2011; announcing statewide standards and new and amended Supreme Court rules that will allow all courts in Illinois to begin electronic filing of civil cases in October 2012; and greatly expanding the pilot project that allows the e-filing of the trial record in the Appellate courts.

First announced by the Supreme Court in August 2011, this pilot project allows for greater efficiency in how documents are handled by removing the cost of physically transporting the trial record back and forth from the appellate clerk's office. By eliminating the physical transfer of the trial record, this improvement benefits not only the lawyers and the court, but the clients being served and taxpayers who fund the courts.

The project is a joint effort between the Second District Appellate Court under Presiding Justice Michael J. Burke, Appellate Clerk Robert Mangan, and Lake County Circuit Court Clerk Keith S. Brin.

MORE

Second District E-Filing Project in Lake County Add One

"I am pleased that Appellate justices, clerks, and judicial staff in the Second Judicial District have embraced the e-filing program," said Supreme Court Justice Robert R. Thomas, who represents the Second Judicial District. "The cost savings through reducing inefficiencies in handling documents in the appeals process ensures that the justice system would operate more effectively for the people of Illinois."

In 2005, DuPage County was the first pilot project selected for e-filing in Illinois under former Presiding Appellate Justice Ann Jorgensen, who had also served as Chief Circuit Judge in DuPage County. The Supreme Court's pilot project was the fruit of DuPage County's lead in e-filing and the systems developed to implement that goal.

Presiding Appellate Justice Michael J. Burke of the Second Judicial District welcomes Lake County's enthusiasm for, and participation in, the program.

"Our Court is pleased to welcome Lake County into our pilot program concerning the filing of electronic records on appeal in the Second District," Presiding Justice Burke said. "Circuit Court Clerk Keith Brin is a strong proponent of technological advancement and we anticipate a smooth transition for his office's involvement in this program."

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

"Our e-delivery pilot has been operating for nearly two years, and is working well," Mr. Mangan said. "I am glad to see the project expanded to include 12 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."

Lake County Circuit Clerk Keith Brin said that electronic filing of the trial record will allow the Circuit Clerk's office to process the trial record on appeal more efficiently.

"The E-Appeals Program is yet another way in which the Lake County Circuit Clerk's office will operate more efficiently," said Mr. Brin. "Through the use of technology we are able to streamline our processes, reduce operational costs, improve security, and deliver files to the Appellate Court on demand. In essence, through the implementation of this program, we continue to institute a number of unprecedented successes across the board, not the least of which is improving the way we serve the tax-paying public – without spending a cent of their hard earned money to do so."

"I am grateful to the Illinois Supreme Court for approving our application and giving us this opportunity."

With today's announcement, 12 of the 13 counties in the Second Judicial District participate in the electronic filing pilot project. The other participating counties are: Boone, Carroll, DeKalb, DuPage, Jo Daviess, Kendall, Lee, McHenry, Ogle, Stephenson and Winnebago.

Throughout Illinois, a total of 18 counties in four judicial districts already participate in the pilot project. Along with the 12 counties in the Second Judicial District, the other Illinois counties are: Clinton County in the Fifth Judicial District; Adams, Logan and Moultrie counties in the Fourth Judicial District; plus Rock Island and Will counties in the Third Judicial District.

MORE

Second District E-Filing Project in Lake County Add Two

In January 2012, the Supreme Court announced a pilot project for the electronic filing of motions, briefs and related documents with the Illinois Supreme Court Clerk's office. That project involved the Illinois Attorney General, the State Appellate Defender's Office and the Office of the Illinois State's Attorneys Appellate Prosecutor.

That program was expanded by the Court in January 2013 to include the option for all documents in cases on the Court's general docket to be filed with the Supreme Court electronically, including documents concerning attorney disciplinary matters before the Court. The expanded pilot project also gives the option for persons registered with the third-party vendor, including *pro se* litigants and attorneys licensed in other jurisdictions appearing in a specific case, to file documents electronically.

The accessible electronic record filed in the Appellate Court 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, after a notice of appeal is filed in the Second District Appellate Court, the official record on appeal is forwarded on paper from the Circuit Court Clerk to the Appellate Clerk. After it is filed, it is physically transported to the attorney of record on one side of the case. When that attorney files his or her brief with the appellate court, the record is then physically transported to the attorney on the other side of the case for use in preparation of the brief.

After briefing is completed, the record is returned to the court, the case is assigned to an authoring appellate court justice, and the record must be forwarded to the judge's office where it resides with the justice assigned to write the decision until the conclusion of the case. It is then, finally, returned to the Circuit Court Clerk.

If, during the process of the court's consideration of the appeal, the two other Appellate justices assigned to the case wish to review the record, it must be physically transported from the justice in possession to the justice who requests possession.

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.

With the electronic filing of the trial record, 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 is issued in an appellate case, access to the electronic record will be terminated.