



Supreme Court of Illinois

Joseph R. Tybor
Director of Communications

222 North LaSalle Street, 13th Floor
Chicago, Illinois 60601
Telephone (312) 793-2323
Mobile (312) 636-0479
Fax (312) 793-0871

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GOVERNOR SIGNS SUPREME COURT INITIATIVE INTO LAW

Under the leadership of Chief Justice Thomas L. Kilbride, the Illinois Supreme Court established the Access to Justice Commission in June 2012 with the goal of removing barriers and increasing the ease of interacting with courts by persons who can't afford lawyers to represent their interests and needs.

As a signature piece of the Commission's continuing efforts to increase access to justice for all Illinoisans, Governor Patrick Quinn signed into law House Bill 3111, the "Access to Justice Act" Thursday afternoon during a ceremony at the George Leighton Criminal Court Building. The new law establishes two pilot projects: one creating a statewide military personnel and veterans' legal assistance hotline and a program to provide court-based legal assistance within a circuit court in each of the five Appellate Court districts in the state.

"On behalf of the Illinois Supreme Court, I thank Governor Quinn and the General Assembly for enacting our proposal into law," Chief Justice Kilbride said. "This law will make the Illinois court system more accessible to veterans and active duty service members and will help citizens in all walks of life.

"Additionally, it provides funding for self-help centers in law libraries, creates a task force to review the statutory fees imposed on litigation and will establish a pilot project to test how best to provide legal representation in certain civil cases to those who can't afford an attorney."

Illinois will become the second state in the nation to establish a pilot program to provide court-based legal counsel for those who can't afford a lawyer in civil cases. Known as a "civil Gideon pilot", the program is named after Clarence Earl Gideon, who appealed his criminal conviction in a Florida court on his own behalf. The case ultimately ended at the U.S. Supreme Court, resulting in the 1963 landmark ruling in "Gideon v. Wainwright" that says the guarantee of counsel for felony defendants those who cannot afford it is a fundamental right essential to a fair trial.

The legislation provides that both of the pilot projects are provided at no cost to the taxpayer and will be funded by a \$10 filing fee in all civil cases. No additional fee is required for multiple party filings.

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The Supreme Court made the legislation a priority and initiative after the recommendation by the Access to Justice Commission, which had a key policy role in drafting its provisions. The Court had asked members of the General Assembly for its consideration; Chief Justice Kilbride personally visited the Senate floor to speak to lawmakers about House Bill 3111, and was on the floor when it passed. The chief sponsors of HB 3111 were State Rep. Emily McAsey (D-Lockport) and State Sen. John Mulroe (D-Chicago). Sen. Kirk Dillard (R-Hinsdale) also gave important support. Legislators from both political parties served as co-sponsors, making this a truly bipartisan bill.

Jeffrey D. Colman, partner at the Chicago firm of Jenner & Block, serves as the Commission's chair. He lauded efforts of the legislative and executive branches to help Illinoisans increase its access to justice.

“This landmark legislation—passed with significant bipartisan support-- will assist veterans and military personnel with their pressing legal problems,” Mr. Colman said. “This is a great example of how all three branches of our government can work together to make the promise of equal access to justice more of a reality.”

Angela Allen, an attorney at Jenner & Block whose husband serves in the Illinois National Guard, will aid the implementation of the "Access to Justice Act." “Illinois will now lead the charge of a nationwide effort to improve the lives of our military by enhancing the availability of legal information and assistance,” Mrs. Allen said. “The need here is critical, and we know the legal sector recognizes this need and will extend its hand to our veterans who have sacrificed so much for our nation.”

The Access to Justice Commission is comprised of 11 persons, seven of whom are appointed by the Supreme Court. The Illinois Bar Foundation, the Chicago Bar Foundation, the Lawyers Trust Fund of Illinois and the Illinois Equal Justice Foundation appoint one member each. The Commission is designed to complement and collaborate with other entities in Illinois already addressing access to justice issues.

In addition to Mr. Colman, other members of the Commission are: First District Illinois Appellate Justice Mary K. Rochford; Chief Judge Michael J. Sullivan of the 22nd Judicial Circuit; Cook County Circuit Judge Daniel J. Pierce; Cook County Circuit Judge Debra B. Walker; Cook County Associate Judge Leonard Murray; Knox County Circuit Court Clerk Kelly Cheesman; Carbondale attorney Michael A. Fiello, managing attorney, Land of Lincoln Legal Assistance Foundation; Bloomington attorney Timothy W. Kelly, founder and partner, Kelly Law Offices; Chicago attorney Jennifer T. Nijman, partner, Nijman Franzetti LLP; and Chicago attorney Michael A. Pope, partner, McDermott Will and Emery. Danielle E. Hirsch serves as the Commission's executive director.

Commission members serve as volunteers and no taxpayer money is used to fund the salary of the commission's executive director.

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FOR MORE INFORMATION, CONTACT: Joseph Tybor, director of communications to the Illinois Supreme Court, at 312.793.2323 or Dawn Frison Cook, senior communications specialist to the Illinois Supreme Court, at 312.793.0870)