



# Supreme Court of Illinois

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**October 14, 2014**

## **SUPREME COURT AMENDS ITS ELECTRONIC FILING STANDARDS TO ALLOW E-FILING IN CRIMINAL AND TRAFFIC CASES**

The Illinois Supreme Court announced on Tuesday that its standards and principles on electronic filing have been amended and expanded to allow trial courts in Illinois to begin electronic filing of court documents in criminal and traffic cases.

"I wholeheartedly support the increased use of technology in our courthouses and courtrooms," Chief Justice Rita B. Garman said. "Amending our electronic filing standards will streamline the system and increase its efficiency by expanding the types of cases that can be e-filed, generating savings to the taxpayer and conserving environmental resources."

This e-filing expansion also will greatly benefit counties that would implement an e-Traffic Citation program along with e-filing, allowing participating counties to eliminate the need to transmit the paper copy of the e-Citation, which makes up the highest volume of filed documents.

Originally, electronic filing in Illinois circuit courts began in September 2002, when the Supreme Court approved e-filing of civil case court documents as a pilot program. That program took effect January 1, 2003. During that time, a total of five counties were approved to operate e-filing pilots: Cook, DuPage, Madison, St. Clair, and Will.

In October 2012, the Supreme Court announced new statewide standards and principles that completed the pilot stage of civil case e-filing in Illinois' circuit courts. The new standards and principles permit and encourage all circuit court clerks, in partnership with the chief circuit judge, to apply for approval for permanent and on-going e-filing procedures.

To date, 11 Illinois counties have been approved by the Supreme Court to electronically file civil cases: Cook, DeKalb, DuPage, Kendall, Lake, Madison, McHenry, Montgomery, Moultrie, St. Clair, and Sangamon.

DuPage County submitted a request to expand the current electronic filing standards to include criminal proceedings. The Administrative Office of the Illinois Courts, under Director Michael J. Tardy, has been working with DuPage County to develop suggested modifications and updates to the

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standards to include criminal cases. Subsequently, those proposed modifications were reviewed by the Illinois Judicial Conference Committee on Automation and Technology.

"The Court continues to move forward aggressively in the digital age," Mr. Tardy said. "Expanding electronic filing to include criminal and traffic cases gives the opportunity for greater savings for the courts and ultimately for the taxpayers. Based on the proven track record of e-filing in Illinois' courts of civil jurisdiction, the Court's expansion of e-filing to criminal and traffic cases affords the entire justice system the cost-savings and other benefits of e-filing."

The amended standards require court review of documents filed by *pro se* or incarcerated defendants that do not comply with the specified format prior to its rejection. The amended standards now govern civil, criminal and traffic cases and, unlike matters in the civil justice arena, there are no charges, filing fees or vendor fees applied to anyone with pending criminal or traffic cases. The revised standards, thus identify that since these are filings and motions initiated by the state's attorney, public defender, attorney general, law enforcement, and other court partner agencies, all are exempt from payment of vendor fees.

According to DuPage County Clerk Chris Kachiroubas, traffic and criminal cases represent the greatest volume of their daily court operations, approximately 78% of all cases filed in DuPage County. E-filing of those types of cases would increase cost benefits and encourage more counties to implement e-filing for their circuits.

E-filing is well underway as a pilot project in the Supreme Court; in addition, several Illinois counties are participating in pilot projects that allow attorneys, parties, and appellate justices to electronically view, access, and work from the official record of cases on appeal.

The Supreme Court Special E-Business Committee was created by the Court in 2011 upon the recommendation of Justice Thomas L. Kilbride. The Committee is charged with the development and implementation of e-business applications in the Illinois court system with an eye toward making it friendly, efficient and cost-effective for the users -- lawyers, judges, litigants representing themselves, and others with a need for access. Chaired by Chicago attorney Bruce Pfaff, the Committee members are: Sterling attorney Trent L. Bush; Chicago attorney David M. Hundley; Edwardsville attorney Rebecca R. Jackson; Chicago attorney Vanessa G. Jacobsen; Northbrook attorney Alan Pearlman; Wheaton attorney Edward J. Walsh; and Springfield attorney Thomas H. Wilson. Supreme Court Clerk Carolyn Taft Grosboll and Fourth District Appellate Court Clerk Carla Bender serve as *ex-officio* members.

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