



Supreme Court of Illinois

April 25, 2016

ILLINOIS SUPREME COURT TO HEAR ORAL ARGUMENTS AT BENEDICTINE UNIVERSITY IN LISLE

The Illinois Supreme Court will take its work on the road in May, when it will hear oral arguments at Benedictine University in Lisle.

The one-day change of venue is part of the Court's and Chief Justice Rita B. Garman's initiative to bring the Court to the people it serves and its continuing goal for greater transparency in the judicial process.

The Supreme Court will hear arguments in two cases starting at 10:30 a.m. on Thursday, May 19, 2016, in Benedictine University's Daniel L. Goodwin Hall of Business, located at 5700 College Road in Lisle.

"We are very much looking forward to our visit to Benedictine University. Such visits serve not only the purpose of making the work of the judicial branch more accessible and transparent, but also an educational purpose," Chief Justice Garman said. "I am delighted that the Illinois Supreme Court has the opportunity to bring the work of the court to the students and faculty of Benedictine University and other schools and to the people of DuPage County and the surrounding area."

The upcoming arguments at Benedictine University will be one of the rare times the Court has heard oral arguments outside of Springfield or Chicago and will be the first time that Illinois Supreme Court arguments have been held at an educational institution.

Students and teachers from more than three dozen schools in DuPage County have been invited to participate in the May 19 program either by attending the arguments live, or watching them on a live stream provided by Advanced Digital Media/Blueroomstream.com at <https://livestream.com/blueroomstream>.

The public is also invited to watch the arguments at Benedictine University, though seating will be limited. Those wishing to attend are asked to arrive early as doors to the auditorium will be closed at 10 a.m.

The Court on May 19 will hear arguments in the cases of *People v. Mark Minnis* and *Randall W. Moon, etc., v. Clarissa F. Rhode, etc., et al.* Legal briefs in both cases and a link to the live stream have been posted to the Court's website at <http://www.illinoiscourts.gov/Media/video/Events/2016/lisle516.asp>.

People v. Minnis involves the First Amendment to the United States Constitution. The defendant was charged with violating the Sex Offender Registration Act, when he failed to disclose his Facebook page to which he had made posts, including uploading an updated profile photo, just before registering. The Act requires that a sex offender register all "Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information," among other things.

The trial court ruled that the statute is unconstitutional, determining the statutory requirement is overly broad as it has no limitations on the type of speech or communication that the offender is required to report and register, regardless of whether that speech is in any way related to the legitimate purpose of the statute.

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SC to Hear Oral Arguments in Lisle Add One

The State is appealing the trial court's ruling in *People v. Minnis* to the Illinois Supreme Court. Usually, an appeal from a trial court decision goes to the appellate court, but in cases where the trial court rules that a state statute is unconstitutional, the appeal is taken directly to the Supreme Court.

Randall W. Moon, etc., v. Clarissa F. Rhode, etc., et al. involves the statute of limitations in wrongful death cases. Statutes of limitation set a deadline by which a plaintiff must bring his or her claim. In certain situations, that deadline may be extended by what is known as the "discovery rule." When the discovery rule applies, the statute of limitations period does not begin to run until the plaintiff knows, or should know, that he or she has an actionable claim.

At issue in this case is whether the discovery rule applies to claims brought under the Wrongful Death Act, to which a two-year statute of limitations applies. The lower courts ruled in favor of the defendant, concluding that the discovery rule does not apply to actions brought under the Wrongful Death Act and, thus, the plaintiff's action was barred by the statute of limitations.

The plaintiff in *Moon v. Rhode* is appealing to the Illinois Supreme Court, arguing that the discovery rule applies to a wrongful death action and he, therefore, had two years from the date on which he discovered defendant's allegedly negligent conduct to file the wrongful death complaint.

The May 19 program at Benedictine University is only the third time in recent years the Supreme Court has heard oral arguments outside of Springfield and Chicago.

The last time the Supreme Court heard arguments outside of its courtroom in Springfield was in May 2014, when it held arguments in the Third District Appellate Courthouse in Ottawa. Prior to the Ottawa program, the Supreme Court heard oral arguments in the historic Mount Vernon courthouse, which houses the Fifth District Appellate Courthouse, in September 2008 as part of events honoring Abraham Lincoln.

In addition to those occasions, the Court heard oral arguments in its Chicago courtroom for five Court Terms, starting in September 2013 and ending in May 2014, while its now 110-year-old building in Springfield underwent a restoration. The Supreme Court building in Springfield reopened in September 2014.

The upcoming program is sponsored by the Illinois Supreme Court, the Administrative Office of the Illinois Courts, the DuPage County Circuit Court, the Supreme Court Historic Preservation Commission, Benedictine University, and the DuPage County Bar Association. Members of the DuPage County Bar Association have volunteered to visit participating schools prior to the arguments to educate students about the court process and discuss the two cases that will be argued.

*** Media wishing to attend must contact Bethany Krajelis, senior communications specialist to the Supreme Court, at 312.793.0870 or bkrajelis@illinoiscourts.gov by **3 p.m. on Monday, May 16, 2016**.

*** Media wishing to audio or video record the arguments must follow normal Supreme Court protocol and request permission to record **at least seven days** in advance by writing to Supreme Court Marshal Jim Cimarossa at the Supreme Court Building, 200 E. Capitol Ave., Springfield IL 62701.