



Supreme Court of Illinois

February 22, 2018

ILLINOIS SUPREME COURT TO HEAR ORAL ARGUMENTS AT THE UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

The Illinois Supreme Court will leave the Illinois Supreme Court Building in Springfield behind for a day to hear oral arguments at the University of Illinois at Urbana-Champaign.

The Supreme Court will hear arguments in two cases starting at 10:30 a.m., on Thursday, March 15, 2018, in the Krannert Center for the Performing Arts at the University of Illinois at Urbana-Champaign, located at 500 S Goodwin Ave, Urbana, IL.

“Since I first joined the court over a decade ago, we have made an effort to better inform the public on the work we do by ‘riding circuit,’ that is, by holding oral argument at various locations throughout the state. I am very excited that the court will be continuing this tradition during its upcoming March Term when it convenes at my alma mater, the University of Illinois,” Illinois Supreme Court Chief Justice Lloyd A. Karmeier said. “Normal arguments at the Supreme Court Building in Springfield rarely attract the interest of anyone but the specific parties and attorneys involved in the particular cases we are hearing. When we ride circuit, as the court routinely did in its earliest days, the local community and the public at large have a much better opportunity to observe, first hand, the work we do and how we do it. The appellate process is poorly understood, sometimes even by lawyers. Holding court at different locations and inviting area students and residents to attend helps demystify the process. At the same time, it also serves as an important reminder to the members of the court that our rulings are never merely an exercise in legal reasoning, but rather have a direct impact on our fellow citizens in real, significant, and often life-altering ways.”

The upcoming arguments at the University of Illinois at Urbana-Champaign will be the Court's first road trip since 2016 when arguments were heard at Benedictine University in Lisle.

Students and teachers from 18 schools have been invited to participate in the March 15 program either by attending the arguments live, or watching them on a live stream provided by the University of Illinois College of Law at <https://livestream.com/accounts/23585776/events/8065118>

All public tickets for the event have been reserved. Those who have reserved tickets are asked to arrive early as doors will open at 9 a.m. and guests must be seated by 9:50 a.m. A question and answer session will follow the oral arguments.

The Supreme Court on March 15 will hear arguments in the cases of *People v. John W. Plank* and *Institute for Justice et al. v. The Department of Financial and Professional Regulation*. 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/SupremeCourt/Docket/default.asp>.

People v. John W. Plank is a direct appeal from a trial court order finding an Illinois statute unconstitutional. The defendant was charged with driving a motor vehicle while his license was revoked. At the time, the defendant was riding a bicycle powered by a gasoline motor. Under Illinois law, "low-speed gas bicycles" are not considered to be a "motor vehicle."

The trial court ruled that this statute is unconstitutionally vague and the State is appealing the trial court's ruling. In cases such as this where the trial court finds that a statute is unconstitutional, the appeal goes directly to the Illinois Supreme Court.

Institute for Justice et al. v. The Department of Financial and Professional Regulation are consolidated cases involving the Illinois Freedom of Information Act (FOIA). In both cases, the plaintiff filed a FOIA request seeking copies of complaints filed with the Department of Financial and Professional Regulation against licensed professionals, cosmetologists and hair braiders in one case and a structural engineer in the other case. In both cases, the Department denied the FOIA request. The plaintiffs filed complaints in the trial court, seeking to compel the Department to release the complaints.

While the lawsuits were pending, the Illinois General Assembly amended the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act and the Civil Administrative Code to provide that complaints against licensees on file with the Department are "for the confidential use of the Department and shall not be disclosed."

The issue in this case is whether the amended versions of the Act and the Code apply to requests made before their enactment but which were not fulfilled. The appellate court ruled that the amended version of the statutes applies to such requests. Plaintiffs are appealing that decision to the Illinois Supreme Court.

The upcoming program is sponsored by the Illinois Supreme Court, the Administrative Office of the Illinois Courts, the Supreme Court Historic Preservation Commission, the Champaign County Bar Association, and the University of Illinois College of Law.

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