

IN THE
SUPREME COURT OF ILLINOIS

In re: Electronic Transfer of the Record on)	
Appeal Originating in Rock Island)	M.R. 18368
County to the Appellate Court,)	
Third District)	
)	

ORDER

Until further order of the Court and pursuant to the Court's general administrative and supervisory authority over all courts, the Supreme Court of Illinois deems it appropriate to authorize the electronic transfer of the record on appeal originating in the Circuit Court of Rock Island County to the Appellate Court, Third District. Therefore, IT IS ORDERED:

The electronic transfer of the record on appeal originating in the Circuit Court of Rock Island County to the Appellate Court, Third District, shall begin on a pilot basis pursuant to the "Policy for Implementation of the Electronic Transfer of the Record on Appeal Originating in the Circuit Court of Rock Island County to the Appellate Court, Third District," attached and approved by the Court on this date. In the event this order creates a conflict with any statute or Supreme Court Rule, this order shall control.

The "Policy for Implementation of the Electronic Transfer of the Record on Appeal Originating in the Circuit Court of Rock Island County to the Appellate Court, Third District," is effective immediately.

Order entered by the Court.

FILED
MAR - 5 2012
SUPREME COURT
CLERK

**POLICY FOR IMPLEMENTATION OF THE ELECTRONIC TRANSFER OF THE
RECORD ON APPEAL ORIGINATING IN THE CIRCUIT COURT OF ROCK ISLAND
COUNTY TO THE APPELLATE COURT, THIRD DISTRICT**

The record on appeal generally contains the common law record, reports of proceedings and exhibits. Because of the unique characteristics of original documents or physical items which are admitted as exhibits, exhibits are exempt from this policy and shall continue to be transferred in the current manual method.

The Circuit Clerk of Rock Island County and the Appellate Court, Third District, ("Third District") are authorized to establish a pilot program for the electronic transfer of the record on appeal to the Third District pursuant to terms of the "Proposal-Pilot Project for Implementation of Electronic Transfer of the Record on Appeal by the Rock Island County Circuit Court Clerk and the Third District Appellate Court," as approved by the Supreme Court on January 9, 2012.

The Circuit Clerk of Rock Island County shall electronically transfer the record on appeal to the Third District Clerk via the approved electronic method. With the exception of exhibits that are not part of the common law record, the same content that currently makes up the paper copy of the record on appeal shall be compiled and transferred electronically to the Third District Clerk. Initially, no change shall be made to the current manual record on appeal transfer process and the Circuit Clerk of Rock Island County shall continue to transport the paper copy of the record on appeal to the Third District Clerk in compliance with all Supreme Court Rules. At its discretion, the Third District may enter an order which no longer requires the Circuit Clerk of Rock Island County to transport the paper copy of the record on appeal to the Third District Clerk.

The Third District Clerk shall retain both the paper and the electronic copy of the record on appeal. If at any time the Third District enters an order that does not require the transmittal of the paper copy record, and the paper copy record is not sent to the Third District Clerk, the Circuit Clerk of Rock Island County shall retain the paper copy record in compliance with all Supreme Court Rules.

When the appellant or the appellee requests the record on appeal from the Third District Clerk, they may request to take possession of the paper copy record or to receive access to the electronic record, or both. When access to the electronic record is requested, the Third District Clerk shall authorize the requesting party or attorney of record for a party, each Justice of the Third District, and approved Third District court personnel to download the record on appeal via the approved method. The Third District Clerk shall have the sole authority to grant secure access to download the electronic record. The Third District Clerk shall maintain the ability to deny or revoke future access to the electronic record.

The parties, attorneys for a party, approved court personnel and Justices of the Third District shall 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 shall be secure and shall be unique to that user's copy. When a user deletes their copy, all marking on their respective copy shall be destroyed. No user shall be able to view or access another user's copy of the reports of proceedings as each shall be secure only to that user. The Third District Clerk shall retain an unmodified copy of the electronic record at all times.

At a minimum, the index of the electronic reports of proceedings shall be in a format that supports searchable text, both word and phrase.

Subsequent to the issuance of the mandate in a case on appeal in the Third District, the paper copy of the record on appeal, if transported to the Third District Clerk, and exhibits shall be transported to the Circuit Clerk of Rock Island County.

Prior to full implementation, exercises shall be conducted to test the approved transfer method of the electronic record between the Circuit Clerk of Rock Island County and the Third District Clerk. Test exercises shall include at a minimum, but not be limited to:

- a. creating the electronic record by the Circuit Clerk of Rock Island County;
- b. secure storage of the electronic record at the Circuit Clerk level prior to transfer;
- c. secure electronic transfer of the record by the Circuit Clerk of Rock Island County to the Third District Clerk via the approved electronic method;
- d. receipt of the electronic record by the Third District Clerk;
- e. the Third District Clerk's process of allowing secure download of the record on appeal;
- f. retrieval of the electronic record by password;
- g. post-appeal storage of the electronic record by the Third District Clerk to ensure the retention of an unmodified electronic record on appeal;
- h. revocation of passwords by the Third District Clerk.

Effective: March 5, 2012