UNIFORM RULES OF PRACTICE
CIRCUIT COURT OF ILLINOIS
EIGHTH JUDICIAL CIRCUIT

The following rules are adopted as rules of practice of the Circuit Court of Illinois, Eighth Judicial Circuit.

PART 1. ORGANIZATION

1.1 RULES OF COURT

(a) Power of Court to adopt Rules. These rules are established pursuant to Section 1-104(b) of the Code of Civil Procedure providing that the Circuit Court may make rules regulating their dockets, calendars and business, and pursuant to Supreme Court Rule 21(a) providing that a majority of the Circuit Judges in each circuit may adopt rules governing civil and criminal cases consistent with rules and statutes.

(b) Existing Rules repealed. These rules shall become effective on March 25, 2026. All prior rules of the Circuit Court of the Eighth Judicial Circuit, State of Illinois, are hereby repealed.

(c) Amendment of the Rules. Any amendment of these rules shall be passed by a majority vote of all Circuit Judges of the Eighth Judicial Circuit, with each voting judge being mailed a copy of the proposed amendment at least ten days prior to the vote thereon.

(d) Copy of Rules to be filed with the Director of the Administrative Office. All rules of this court and amendments thereto shall be filed with the director of the Administrative Office of the Illinois Courts, Springfield, Illinois, within ten days after the adoption thereof pursuant to Supreme Court Rule 21(a).

(e) Construction of these Rules. In the construction of these rules, the law governing the construction of Statutes (5 ILCS 70/1—70/7) shall apply.

1.2 CHIEF JUDGE

(a) Selection of the Chief Judge. Subject to the overriding authority of paragraph 7(c) of Article VI of the 1970 Illinois Constitution, a majority of the Circuit Judges of the Eighth Judicial Circuit shall select one of their number to serve as Chief Judge for a two-year term commencing the first Monday in December, 1979, and every two years thereafter. The election shall be held at the November Judges' Meeting immediately preceding the end of each two year term. At said meeting, names shall be placed in nomination and the Circuit Judges shall then vote by secret ballot. A majority vote of the Circuit Judges is required for election, and the Chief Judge of the Circuit shall provide the

ballot. Any of the Circuit Judges who are absent from said meeting may designate in writing another of the Circuit Judges to vote for him as designated in said written proxy. In the event that the election process as described above has not been completed, the Chief Judge shall continue in office until his successor is elected. Nothing in these rules shall prevent a Chief Judge from succeeding himself in office.

(b) Acting Chief Judge. The Chief Judge shall designate one of the Circuit Judges to serve as Acting Chief Judge in her absence or when the Chief Judge is unable to serve. The Acting Chief Judge shall have the same powers and duties as the Chief Judge.

(c) Vacancy in the Office of Chief Judge. Whenever a vacancy in the Office of Chief Judge occurs, any two Circuit Judges may call, in writing, a meeting of the Circuit Judges to elect a Chief Judge to fill the unexpired term of office. The election shall be within four weeks of the vacancy occurring and at least seven days' notice shall be given to all Circuit Judges.

1.3 PRESIDING JUDGE

(a) Designation of Presiding Judge. The Chief Judge may appoint one Circuit Judge within each county of the circuit as Presiding Judge of that county. The Presiding Judge shall sit at the pleasure of the Chief Judge and nothing in these rules shall prevent the Chief Judge from serving as Presiding Judge of the county in which he sits. Whenever the term "Presiding Judge" is used in these rules, it refers to the Presiding Judge of a county, appointed by the Chief Judge of the Eighth Judicial Circuit.

(b) Duties of the Presiding Judge. The Presiding Judge or her designate shall call and impanel grand and petit juries, administer the judicial department of the county in which she is presiding, oversee the operation of the county probation department and perform such other duties as may be required for the proper administration of justice. She may adopt administrative orders within her county consistent with these rules and the administrative order of the Chief Judge, if so authorized by General Administrative Order from the Chief Judge.

1.4 JUDICIAL ASSIGNMENTS

(a) Assignments by the Chief Judge. The Chief Judge may assign Circuit Judges and Associate Judges to the various counties within the circuit, and may further assign all judges on a case by case basis.

1.5 COURT PERSONNEL

(a) Court complement. A full court complement consists of the judge, court reporter or electronic recording, courtroom clerk, and bailiff when court is in

session. A full complement shall be maintained at all times unless waived by the court for good cause.

(b) Courtroom Clerk. The courtroom clerk shall be the Circuit Clerk or a Deputy Circuit Clerk authorized to swear witnesses. The clerk shall attend court when in session unless excused on a case by case basis by the judge presiding in the particular courtroom. The clerk shall obtain all necessary files and documents for cases to be heard that day, swear witnesses, maintain custody of all exhibits which have been marked for identification until further order of court, and perform such other duties as may be directed by the court.

(c) Bailiff. The bailiff shall open and close court, preserve order in the courtroom, attend upon the jury when placed in her custody, and perform such other duties as may be directed by the court.

1.6 JUDICIAL MEETINGS

(a) Regular meetings. All judges of the Eighth Judicial Circuit shall meet and confer at specific times and places to be designated by the Chief Judge for the exchange of information, discussion, and for the accomplishment of the business of the court. Remote attendance is allowed in the discretion of the Chief Judge.

(b) Special meetings. Special meetings may be called at any time by the Chief Judge or by a majority of the Circuit Judges within the Eighth Judicial Circuit upon seven days' written notice to all judges.

1.7 DOCUMENTS AND COURT FILES

(a) Filing of pleadings and documents. All documents shall be filed with the Clerk of the Court pursuant to Supreme Court Rule 10 prior to their presentment to the court with the exception of proposed orders. The Clerk shall not file a pleading unless accompanied by the proper filing fee, if any. The size and physical arrangement of pleadings shall be done pursuant to Supreme Court Rules, only one side of each page shall be used, and on each page a margin of at least one and one-half inches shall be left at the top to permit legibility after binding that sheet into the Clerk's file. This rule does not apply to exhibits or other documents which are not pleadings as defined in the Supreme Court Rules.

(b) Removal of files. Original files, documents or exhibits shall not be removed from the Office of the Circuit Clerk or courtroom except by leave of court or the Clerk of the Court without first filing a receipt therefore. Such files, documents or exhibits shall not be retained by the party removing the same for more than two days without further leave of court or the Clerk of the Court.

1.8 COUNTY PROBATION OFFICE AND COURT SERVICES DEPARTMENT

(a) General rules and appointments. A majority of the Circuit Judges permanently assigned to a county of the Eighth Judicial Circuit may, with the consent of the Chief Judge, establish general rules for the county probation office or court services department, as the case may be, and appoint a Chief Probation Officer and/or Director of Court Services. These rules and general administrative orders of the Eighth Judicial Circuit relating to county probation offices and court services departments are established subject to applicable statutes, case law and Supreme Court Rules. The inclusion of certain duties of probation officers shall not be construed to exclude any duties which are not listed, but which are otherwise required.

(b) Duties of the Chief Probation Officer and Director of Court Services. The Chief Probation Officer and/or Director of Court Services shall supervise probation officers and employees on his staff, administer the probation office or court services department of his county, and carry out the direction of the Presiding Judge and Chief Judge and the general rules and policy as established by a majority of the Circuit Judges within the county. The Chief Probation Officer and/or Director of Court Services may issue regulations upon the approval thereof by the Presiding Judge or Chief Judge, which are consistent with the general rules governing the probation office or court services department.

(c) Reports. The Chief Probation Officer and/or Director of Court Services shall prepare and submit to the Chief Judge a report at least annually relating to the prior year's operation of the probation office or court services department. The date for furnishing this report shall be determined by the Chief Judge, along with any other specific information which is requested by the Chief Judge.

(d) Maintenance and destruction of probation files. Files of the probation office or court services department may be destroyed only upon petition and court order. All files may be destroyed ten years after said files have been opened, or a lesser number of years for good cause shown. In all counties of the Eighth Judicial Circuit, except Adams County, an order shall be obtained from the Resident Circuit Judge authorizing the destruction of files. In Adams County, an order shall be obtained from a majority of the Circuit Judges permanently assigned to Adams County, authorizing the destruction of files. In Adams County, an order to destroy files affecting juveniles shall not be sought without first having obtained the written consent of the judge assigned to the Juvenile Division, which consent shall be attached to the petition. Prior to the destruction of files, a card containing the information or substantially all of the information as provided on the previously established form shall be prepared by the probation department or court services department and made a part of the permanent records of the department.

1.9 COUNTY LAW LIBRARY

(a) Law Library Committee. Each county within the Eighth Judicial Circuit shall have a Law Library Committee of which the Presiding Judge of that county or her designate shall serve as Chairman. The members of the committee shall be named by the Presiding Judge. The committee shall oversee the operation of the County Law Library and shall establish rules for the operation of the library, which shall be in writing and posted within the library.

(b) Law Library Fund. Disbursements of the County Law Library Fund shall be on order of a majority of the judges of the Circuit Court of the county pursuant to 55 ILCS 5/5-39001; except however, that a majority of said judges may authorize the Presiding Judge or his designate to make lawful disbursements from the fund.

(c) Law Library Budget. The annual budget for the County Law Library shall be included in the budget of the judicial department of that county.

1.10 COURT FACILITIES.

(a) Designation of Court Facilities. The Chief Judge of the Eighth Judicial Circuit shall designate when and where court shall be held within the Eighth Judicial Circuit pursuant to Article VI, Section 7(c) of the Constitution of the State of Illinois (1970).

(b) Review of Court Facilities. The Chief Judge shall, from time to time, appoint a committee of judges to inspect the court facilities within the circuit, and to determine if the personnel and resource needs of the court are being met. The committee shall report to the Circuit Judges as to whether each courtroom, jury room and chambers meet minimum standards as provided by the Supreme Court, and whether the personnel and resources presently being provided to the courts are adequate. The committee may prepare and submit proposals and recommendations to the appropriate County Board for its consideration and action. If appropriate action is not taken within a reasonable time as may be designated by the committee, the provisions of sub-section(c) of this rule shall apply.

(c) Enforcement. Upon the failure of the County Board to act pursuant to sub-section(b) of this rule, the committee shall so report to the Chief Judge and submit to the Chief Judge its proposals and recommendations together with the response and action taken by the County Board. If the Chief Judge deems appropriate, she shall set the matter of the proposals and recommendations of the committee for administrative hearing over which she shall preside.The hearing shall be held in the county where the alleged deficiencies exist and the Clerk of the Court of that county shall give notice of the hearing to the Chairman

of the County Board of that county and to any other person whom the Chief Judge deems to be an interested party.The notice shall be by regular U.S. mail, state the time, date and place of the hearing, the matter to be reviewed, and include a copy of the proposals of the committee. The Clerk's Certificate of Mailing shall be made part of the record. The hearing shall not be held until after 30 days from the date of mailing notice.

(d) Deficiencies. If, after hearing, the Chief Judge finds that deficiencies exist, he shall specify the particular deficiencies and the corrective action to be taken by the County Board, and the time by which the corrective action is to be completed. If the County Board fails or refuses to comply, a proceeding to enforce the Chief Judge's directive may be filed pursuant to Article XIV of the Code of Civil Procedure or in a matter as may be provided by the Supreme Court. The Chief Judge may appoint any such experts deemed necessary to examine the facilities and to present evidence at the hearing.

(e) Photography, broadcasting, and recording within the courthouse. In order to maintain decorum, dignity, security, and privacy within the courthouse, all photography, broadcasting, and recording within any courthouse of the Eighth Judicial Circuit is prohibited except as authorized by Illinois Supreme Court Rules.

(f) Access to recordings. As stated in Administrative Order 2026-CA-4, attached to these Rules as Attachment 2, all recordings from security cameras installed and monitoring the courthouse facilities of any courthouse in the Eighth Judicial Circuit are the property of the Eighth Judicial Circuit, are deemed to be in the possession of the Eighth Judicial Circuit regardless of their physical custody, and are not subject to disclosure under the Illinois Freedom of Information Act. Any request for access to video surveillance footage shall be directed to the Office of the Chief Judge of the Eighth Judicial Circuit.

1.11 COURTROOM DECORUM

(a) Judicial Responsibility. It shall be the responsibility of each judge sitting within the Eighth Judicial Circuit to enforce proper courtroom decorum of all court staff, attorneys and persons within the courtroom in which she is presiding. Each judge should be attired in a judicial robe whenever she presides in a courtroom.

(b) Opening of Court. All persons who are able should stand when court is opened and recessed, reconvened or adjourned. There should be no talking by anyone other than the bailiff when court is opened or closed.

(c) Court attire.

1. Male attorneys should wear coat and tie and female attorneys

appropriate business attire for courtroom proceedings.

2. Court clerks and probation officers should wear uniforms or appropriate business casual attire. No jeans or T-shirts.
3. Court reporters should wear appropriate business attire.
4. Bailiffs should wear attire to identify themselves as court security personnel.
5. No caps or hats may be worn by males or females while court is in session except for religious or medical purposes except that females may wear traditional formal hats.
6. When entering a courtroom, all participants including litigants, witnesses, jurors and spectators must be dressed in a manner that is respectful and appropriate for the dignity of court proceedings. Attire should not be overly revealing or distracting.
7. Clothing with offensive language, images or symbols is not permitted.
8. No outerwear such as overcoats should be worn in the courtroom.

(d) Food, drink and tobacco products.

1. No food should be consumed during court proceedings except with leave of court for medical reasons such as diabetes.
2. No coffee or soft drinks should be consumed in the courtroom during jury trials and during other occasions only with leave of court.
3. No gum or ice should be chewed within the well of the courtroom.
4. No tobacco products of any kind should be used within the courtroom.

(e) Conduct during court proceedings.

1. Counsel should stand when addressing the court unless medically unable to do so.
2. Counsel should not engage opposing counsel in a colloquy. All comments or arguments should be addressed to the court.
3. Counsel should not approach the bench, court reporter or a witness without leave of court nor should they request the reporter to go off the record or read back a portion of the proceedings. Such request should be made to the judge.
4. No one should possess or use cell phones or pagers in the audible mode nor should they receive or make cell phone calls in the courtroom while court is in session, except for counsel if given leave by the judge.
5. No one should read newspapers or magazines in the courtroom while court is in session.
6. Counsel should maintain a reasonable distance from the jury box during jury trials, avoiding physical contact with the jury box and jurors.
7. Counsel should not personalize argument to a jury.
8. Attorneys and court personnel should avoid casual conversation among themselves or with clients while waiting for a case to be called when court is in session.

1.12 COURT SCHEDULE.

(a) Court hours. The Presiding Judge of each county within the Eighth Judicial Circuit shall provide for the regular court hours Monday through Friday of each week, except when court is closed in observance of a legal holiday pursuant to an order of the Chief Judge. Dates upon which court will be closed in observance of holidays shall be posted in the courthouse of the individual counties within the Eighth Judicial Circuit.

(b) Prompt attendance required. Judges shall begin court promptly at the designated time. All attorneys and parties shall appear promptly before the court. In the event that a party or attorney fails to appear promptly, the court may impose such sanction or take such remedial action, as it deems appropriate. In the event that the failure of a party or attorney to appear promptly renders it impossible to proceed, the court may order the party or attorney failing to appear promptly to pay the reasonable costs and expenses, including attorney's fees, to the opposing party or attorney.

1.13 JURORS

(a) Grand Jurors. The Grand Jury in each county of the Eighth Judicial Circuit shall be called to serve for a twelve-month period beginning on the first day of each calendar year, or for any term consistent with 725 ILCS 5/112-3. In all counties other than Adams County, all orders for selection of a Grand Jury shall be submitted to the County Board or Jury Commission prior to their regular meeting immediately preceding January 1 of each year; such orders shall be made by the Presiding Judge of each county.

In Adams County, the selection and call of the Grand Jury shall be done by the Jury Commission pursuant to the Statutes of the State of Illinois. Such orders for selection of a Grand Jury shall be submitted to the Jury Commission prior to its regular meeting immediately preceding January 1 of each year; such orders shall be made by the Presiding Judge of Adams County or his designate.

The Grand Jurors, although selected and served with notice, shall not be ordered to report until a Grand Jury is needed. When a Grand Jury is needed to report on a date certain, the Presiding Judge shall prepare a short order directing the Clerk of the Circuit Court to notify the Grand Jurors to report.

(b) Petit Jurors. Petit jurors shall be called by the Presiding Judge or the Jury Commission, as the case may be, for a period of time to be designated by the Presiding Judge. The Presiding Judge or Jury Commission shall certify to the Clerk of the Circuit Court the number of petit jurors required, together with the date, time and place of reporting and period of service.

(c) Jury Summons. Each prospective Grand Juror and Petit Juror shall be summoned by the delivery of a jury summons by U.S. mail at least 15 days prior to the first day of service. Each such summons shall be sent with postage prepaid to the address as listed in the voter registration files.

(d) Jury Excuses. The Presiding Judge of each county may excuse summoned jurors for good cause, may continue their service, and may regulate their assignments to the various courtrooms within the county.

(e) Rules Applicable. The Grand Jury and Petit Jury are subject to the Rules of the County Jury Commission if such commission has been established within the county.

PART 2. MOTIONS

2.1 MOTION PRACTICE

(a) Filing. All motions shall be filed with the Clerk of the Court before their presentment to the court. In any cause of action, the court may designate a date by which all motions must be filed. A motion may not be filed after that date, except by leave of court. The title to each motion shall indicate the relief sought.

(b) Date for Hearing. With the exception of emergency matters, no motion shall be heard unless previously set for hearing on a specific date on the court's calendar.

(c) Notice. Written notice of hearing on all motions shall be given by the party requesting the hearing to all parties who have appeared and have not previously been defaulted for failure to plead and to all parties whose time to appear has not expired on the date of notice. Notice shall be given in the manner described in Supreme Court Rule 11.

(d) Content of Notice. The Notice of Hearing shall contain the title and number of the cause of action, date and time when the motion will be heard and designated courtroom, and shall include a short statement of the nature of the motion. A copy of any written motion and of all papers presented as a part of said motion, or a statement that they have been previously served shall be served with the notice.

(e) Time of Notice. Unless otherwise ordered by the court, and except where the Illinois Rights of Crime Victims and Witnesses Act, 725 ILCS 120/1 *et seq.*, requires 7 days' notice, notice by personal service shall be delivered before 4 p.m. of the second (2^{nd}) court day preceding the hearing of the motion. If notice is given by mail, the notice shall be deposited in a United States Post Office or Post Office Box on or before the seventh (7^{th}) court day preceding the hearing

of the motion. Proof of service or mailing shall be made part of the record. This section shall be construed to comply with 725 ILCS 120/4.5(b)(2).

(f) Summary Judgment. A Motion for Summary Judgment shall not be heard until ten days after service of the notice of motion pursuant to Supreme Court Rule 11.

(g) Ex parte and Emergency Motions. Every complaint or petition requesting an ex parte order for the appointment of a receiver, temporary restraint, preliminary injunction, or any other emergency relief, shall be filed with the Clerk of the Court, if during court hours before application to the court for the order. Emergency motions and motions which, by law, may be made ex parte, may at the discretion of the court, be heard without giving notice. Motions for temporary relief shall, if practical, be given preference over other matters before the court.

If a motion is heard without prior notice under this rule, written notice of the hearing shall be served personally or by U.S. mail upon all parties not previously found by the court to be in default for failure to plead, and proof of service thereof shall be filed with the Clerk of the Court within two court days of the hearing thereon. The notice shall state the title and number of the cause of action, name of the judge who heard the motion, date of hearing, and the order of the court.

(h) Motion to Continue. No Motion to Continue shall be allowed for other than good cause shown. Agreements of counsel as to a Motion to Continue shall not be binding on the court. The court may require affidavits of the parties and counsel.

(i) Renewal of Motions. Motions presented upon and ruled upon before one judge shall not be renewed before another judge without leave of court and a statement in the notice of hearing that the motion has previously been ruled upon, naming the judge who ruled on the motion.

(j) Failure to call Motions for Hearing.The burden of obtaining a date for hearing on any motion previously filed is on the party making the motion. If a date for hearing is not obtained by the moving party within ninety days from the date of filing, the court may deem the motion withdrawn and deny the relief requested, with, or without, prejudice.

PART 3. PROCEEDINGS BEFORE TRIAL

3.1 PLEADINGS TO BE COMPREHENSIBLE

(a) Multiple counts. If a pleading contains multiple counts or affirmative defenses, each count or defense shall bear a short title stating the theory of liability or

defense. If a pleading is filed on behalf of or against multiple parties and all such parties are not asserting the same claims or defenses as to all opposing parties, the title of each count or defense shall also designate the subgroup of parties to whom it pertains.

(b) Incorporation by reference. If the incorporation of facts by reference to another pleading or to another part of the same pleading will cause a pleading not to be readily comprehensible, such facts shall be re-alleged verbatim. This rule does not prohibit the incorporation of facts as permitted by Supreme Court Rule 134 provided that the pleading remains readily comprehensible.

(c) Artificial Intelligence. All pleadings shall fully comply with the provisions of Illinois Supreme Court Rule 137 and the Illinois Supreme Court Policy on Artificial Intelligence. By signing a pleading, motion, or other document, an attorney or self-represented litigant certifies that, if a generative artificial intelligence program was used in drafting the document presented for filing, all generated text, including all citations and legal analysis, has been reviewed for accuracy and approved by a human.

3.2 PRETRIAL CONFERENCES

(a) Requirement of pretrial conference. At least one pretrial conference shall be held in all civil jury actions and the attorneys who expect to try the case shall attend said conference. The court shall set the time, date and place of said conference and direct that notice be given to all interested parties. Upon motion of any party, or on its motion, the court may order additional pretrial conferences.

(b) Statement of points and authorities. Unless waived by the court, at least five days prior to a contested trial, the parties shall submit to the court and opposing counsel a statement of points and authorities citing all cases and statutes which they expect to rely upon or argue. The statement may be in summary form similar to that provided in Supreme Court Rule 341(e)(1). Unless otherwise directed by the court, this rule shall not apply to traffic, ordinance, or small claims cases.

(c) Criminal and Traffic cases. In all criminal and traffic cases where there has been a demand for jury trial, the court may schedule a pretrial conference and direct that notice be given to all parties and attorneys of record. The notice shall be given by the Clerk of the Court by regular U.S. mail at least 10 days before the pretrial conference. Counsel of record who will try the case, and all defendants, are required to be present at the pretrial conference.

3.3 MARKING OF EXHIBITS

At the pretrial conference or at any other time designated by the court, the court

may direct that the parties produce all the exhibits they expect to offer into evidence. Each of the exhibits shall at that time be marked for identification either by the court reporter, clerk or attorneys as the court may direct. The parties shall then stipulate as to the exhibits to which there are no objections, and such exhibits shall be admitted into evidence without the necessity of further foundation. Any exhibit identified before or during the course of a trial shall thereafter be kept in the custody of the Clerk of the Court unless otherwise directed by the court.

3.4 DISMISSAL FOR WANT OF PROSECUTION

In all civil cases where no appeal is pending and there has been no action of record for a period of one year, the court may summarily dismiss the cause of action and it shall not thereafter be re-docketed without both good cause shown and leave of court. Upon dismissal of any cause for want of prosecution, the Clerk of the Court shall give notice of said dismissal to all counsel of record and pro se parties by regular U.S. mail within 10 days of said dismissal. A copy of the notice with the Clerk's Certificate of Mailing shall be made of record. Such case shall not be re- docketed if a motion to reinstate is not filed within 30 days from the date of dismissal.

3.5 PENDING CASE CALLS

(a) Schedule. Pending case calls shall be scheduled yearly in all counties of the Eighth Judicial Circuit. These case calls shall be scheduled by the Administrative Assistant on the master calendar for each year, shall be conducted by the judge assigned by the Chief Judge, and shall include a review by the judge assigned of all cases pending in the county in all divisions of the court, except cases filed within the last nine months prior to the pending case call in the categories of L, LM, D, DN, DC, F, FA, P, CH, MR, MX, MC, TX, ED, and SC. In Adams County, there shall be a separate pending case call for all the pending cases in the Probate and Small Claims divisions. The clerk shall give notice of each pending case call at least 14 days before the date scheduled to all of the attorneys regularly practicing in the respective county.

(b) Substitution of Judge. For the purposes of substitution of judge under 725 ILCS 5/114-5(a) or (c), a case shall be considered placed on the trial call of a judge either: 1) on the date of the first appearance as part of a pending case call for that type of case, i.e., on a regularly scheduled felony or misdemeanor docket with a specific judge assigned to that docket; or 2) on the date the order is signed setting the case for jury trial, including the assignment of a specific judge to preside over that jury trial. Nothing in this rule shall allow for more than one substitution under these sections except as otherwise provided by statute.

(c) Ready for Trial. By announcing "ready for trial" the parties indicate that all

required motions have been filed and resolved, all discovery has been tendered to opposing party (understanding the continued obligation to provide discovery as it is received), all witnesses are available for the trial date or served with a subpoena, and that any offer made has been communicated to the client and rejected.

After announcing "ready for trial", any request to remove the case for any reason (without an unconditional jury waiver or a dismissal with prejudice), including negotiated plea, general continuance, or dismissal without prejudice **MUST** be made by written motion detailing good cause for the request or by otherwise presenting such cause to the Court. In absence of a written motion and/or good cause presented, the Court may, in its discretion, deny the request.

After a party has announced "ready for trial", if the Court finds that the party has not complied with the requirements, the Court may adopt appropriate penalties against the party and/or a delay of the trial setting attributable to the noncompliant party.

The Judge on a jury trial docket, in his or her discretion, may adopt and incorporate orders consistent with the Adams County Standing Order on All Felony Cases and the Prosecution and Defense Felony Pre-Trial Checklist documents, attached to these Rules as Attachment 1.

(d) Procedure. The court shall examine each of the files on the pending case call and enter appropriate orders and rules, if necessary in each file. A hearing shall be scheduled no less than 42 days after the pending case call to review all action and dispose of all rules. Any rules entered shall be specific and shall describe in detail the action required stating the time allowed for such action. Any rules entered, as a result of the pending case call shall be acted upon and disposed of by the judge entering the rule or by agreement, by the Presiding Judge or Resident Judge of the county.

PART 4. TRIALS

4.1 JURY TRIALS

(a) Statement of the nature of the case. In all civil jury cases, the plaintiff's attorney shall prepare and submit to the court and opposing counsel a statement of the nature of the case to be read by the court to the venire prior to voir dire examination. The statement shall include the time, date, and place of the alleged occurrence and a brief description thereof, the name of the parties involved and their counsel, and, when requested by the court, a list of witnesses whom the parties expect to call. Opposing counsel may suggest amendments to the statement prior to it being read to the venire. In all criminal jury cases, the court shall read the information or indictment to the venire prior to voir dire

examination, along with a list of witnesses whom the parties expect to call.

(b) Voir Dire examination. If the court does not permit direct examination of prospective jurors by counsel pursuant to Supreme Court Rule 234, counsel may submit written questions to the court for its consideration for use in voir dire examination. If the court does allow counsel to supplement its voir dire examination, counsel may also submit questions to the court and request the court to ask those questions of the prospective jurors during the court's examination.

PART 5. JUDGMENTS AND ORDERS

5.1 WRITTEN DRAFT ORDERS

When the court enters a final judgment of record in any cause of action, it may direct that a written order be submitted. All orders shall be tendered to opposing counsel for approval as to form before being signed by the court. If a dispute as to form arises, the court shall decide the dispute after hearing from all counsel. Approval of form shall not be construed as approval of substance and the court may sign the order even though approval is withheld.

5.2 POST-JUDGMENT NOTICES

Notices of hearings to discover assets, petitions for adjudication of contempt, and any other hearing where a warrant for arrest may issue for a party's failure to appear after receipt of notice shall, in addition to the time, date, and place of hearing, include the following words in bold type or underlined: "Your failure to appear at this hearing may result in the issuance of a warrant for your arrest."

PART 6. [RESERVED]

PART 7. DOMESTIC RELATIONS

7.1 MATRIMONIAL CASES

(a) Definition. For purposes of this rule, matrimonial cases are defined as any proceedings for an order or judgment, relating to dissolution of marriage, legal separation, or declaration of invalidity of marriage, including proceedings regarding such matters as maintenance, temporary support and maintenance, allocation of parental responsibilities or support, or other writs.

(b) Transcripts. In any proceeding upon default or without contest for the entry of a judgment of dissolution of marriage, legal separation or declaration of invalidity of marriage, the testimony shall be recorded on tape or by court

reporter, but not transcribed.

(c) Motions. All motions, petitions, and applications made after entry of a final order or judgment in matrimonial cases shall be in writing and shall be presented to the judge hearing dissolution motions.

(d) Affidavits. In all proceedings involving petitions for attorney's fees, court costs, maintenance, support, or allocation of parental responsibilities, and modification of any previous orders relating thereto, the moving party shall file an affidavit with proof of service, pursuant to Supreme Court Rule 11, not less than 3 court days before setting said application for hearing, unless for good cause shown the court directs otherwise. The party responding to said petition shall file, prior to or on the day of hearing, a written response and affidavit.

(e) Orders of Support. Under all judgments of dissolution of marriage or legal separation, all support payments shall be made to the State Disbursement Unit, pursuant to 750 ILCS 5/507.1, except that the court may, pursuant to 750 ILCS 5/507 and 5/705, order payments to be made to the Illinois Department of Public Aid or an assignment may be made as provided below.

When such a written assignment has been filed, and if the circuit clerk is receiving such support payments pursuant to 750 ILCS 5/507, the circuit clerk shall forward child support and/or maintenance payments to the Illinois Department of Public Aid pursuant to the instructions on the assignment form. The clerk shall continue to forward those payments to the department until a written release of assignment is filed in the case or until otherwise ordered by the court. Upon the filing of the release, the clerk shall forward the payments pursuant to procedures otherwise established for support payments.

(f) Certificate required. Pursuant to 750 ILCS 5/707, the clerk shall not accept for filing any petition for dissolution of marriage or declaration of invalidity of marriage, and the court shall not enter any judgment of dissolution of marriage or declaration of invalidity of marriage unless and until the certificate required by said Statute has been filed.

(g) Waiting period. No proceedings for dissolution of marriage, based on an entry of appearance consenting to immediate entry of judgment, shall be held within 24 hours of the filing of the petition for dissolution of marriage. This waiting period may be waived by the court upon a showing of good cause.

(h) Impoundment of documents. In any proceeding where any document containing a social security number, or a medical, psychiatric, psychological or mediator's report, or the report of any child representative appointed by the court, or any financial affidavit, parenting plan, pretrial affidavit, uniform order of support or marital settlement agreement, is filed with the court, the clerk shall impound such document(s) so that, without leave of court first

given, only the parties and attorneys of record in the case shall have access to them and the right to make copies of them.

7.2 MEDIATION PROGRAM FOR DOMESTIC RELATIONS AND FAMILY LAW CASES

I. DEFINITIONS

(a) Mediation. When the word "mediation" is used herein, it means a cooperative process for resolving conflict with the assistance of a trained, court-appointed, neutral third party, whose role is to facilitate communication, to help define issues, and to assist the parties in identifying and negotiating fair solutions that are mutually agreeable. Fundamental to the mediation process described herein are principles of safety, self-determination, procedural informality, privacy, confidentiality, and full disclosure of relevant information between the parties.

(b) Impediment. When the word "impediment" is used herein, it means any condition including, but not limited to, domestic violence or intimidation, substance abuse, or mental illness, the existence of which, in an individual or in a relationship, hinders the ability of any party to negotiate safely, competently, and in good faith. The identification of forms of impediment is designed not to require treatment, but to ensure that only parties having a present, undiminished ability to negotiate are directed by court order to mediate. Mediation is based on a full disclosure of all facts related to the dispute so that a fair and equitable agreement can be achieved by the parties.

II. QUALIFICATION OF MEDIATORS

(a) Requirements. Mediators must meet all of the following requirements:

1. Formal education: Possess a degree in law or master's or other advanced degree in a field that includes the study of psychiatry, psychology, social work, human development, family counseling or other behavioral science substantially related to marriage and family, interpersonal relationships or a related field, or other degree program approved by the Chief Judge or his/her designee. If engaged in a licensed discipline, the mediator must maintain said license in full force and effect.

2. Experience: All mediators must have a minimum of 3 years of work experience as a professional in dissolution or family counseling matters.

3. Training: Complete a specialized training in family mediation consisting of a circuit-approved course of study or certification, to consist of at least 40 hours in the following areas:

a. Conflict resolution
b. Psychological issues in separation, dissolution and family dynamics
c. Issues and needs of children in dissolution
d. Mediation process, skills and techniques
e. Screening for and addressing domestic violence, child abuse, substance abuse and mental illness.

(b) Continuing education. Mediators must satisfy all continuing legal education requirements established by the Supreme Court with at least 25% of the hours required devoted to dissolution or family law matters. Evidence of completion must be provided to the Chief Judge every two years.

(c) Establishment of list. The Judicial Circuit shall establish a list of court-approved mediators. All applicants for inclusion on the list shall possess the minimum qualifications set out in this Circuit Rule. The Chief Judge or his/her designee in his/her discretion may require any biographical or other relevant information from an applicant in order to determine the applicant's qualifications for inclusion on the list. For good cause shown, the Chief Judge or his/her designee reserves the right to reject the application of any person who applies and to remove any mediator from the list. Inclusion on the list by the court shall not be considered a warranty that such mediator can successfully mediate any specific dispute.

(d) Denial/Removal from list. An applicant denied inclusion on or mediator removed from the court-approved list may appeal the decision in writing within 10 days to the Chief Judge or his/her designee. The Chief Judge or his/her designee shall decide the appeal after an opportunity for the applicant or mediator to be heard.

(e) Pro Bono requirement. Each court-approved mediator shall agree to mediate reduced fee or pro bono cases as assigned by the court, with reduced fees set by the court when appropriate on a case by case basis.

III. MEDIATION MANDATORY

(a) Matters subject to mediation. The designated judge shall order mediation (pursuant to the court-approved order form) of any contested issue of parental responsibility, custody, visitation, removal or access to children arising in any action not otherwise determined to be ineligible pursuant to this program, as well as any other issues the parties agree to mediate. The parties may not proceed to a judicial hearing on contested issues arising in that case without leave of court, or until the mediation process has been concluded and its outcome has been reported to the court.

(b) Commencement of mediation. Within 30 days after service upon the respondent, or in family law cases within 30 days after paternity is established, the parties must appear and advise the court on the record as to whether or not they have an agreed parenting plan as required by Supreme Court Rule 923(a)(2).

If there is no agreed parenting plan, the court shall order mediation pursuant to Supreme Court Rule 905. The court shall provide parties and counsel with a list of approved mediators from which they may select a mediator and shall set a mediation status conference no less than 30 days after the initial case management conference to assure the mediation is progressing. Within 10 days after the court orders mediation, the parties or, if represented by counsel, their counsel shall file with the Circuit Clerk a letter stating the mediator selected.

At the mediation status conference the parties or counsel shall advise the judge of whether or not the mediation was successful or may be successful if additional time is allowed. Extensions may be granted for good cause shown.

A full case management conference must be held within 30 days after the mediation has been completed or is determined to be unsuccessful pursuant to Supreme Court Rule 923.

The parties are to show proof of completion of an approved parenting education program as required by Supreme Court Rule 924 within 60 days after the respondent has been served. The Circuit Clerk shall provide notice to both parties of this requirement upon filing the dissolution and with the service of summons on the respondent. Failure to comply with these rules may result in the imposition of sanctions on any party willfully failing to comply. Discovery pursuant to Supreme Court Rules and applicable statues may continue throughout the mediation, and any information resulting therefrom considered by the mediator. Any judge may alter the time periods under this Circuit Rule to best serve the litigants and the docket.

IV. CONFLICT OF INTEREST AND ETHICAL CONDUCT

(a) Conflict. If the mediator appointed has or had any possible conflict of interest including, but not limited to, a current or previous therapeutic, personal or economic relationship with mother, father, child, sibling, step-parent, grandparent, household member, counsel or anyone else directly involved in the case, he or she shall decline the appointment or disclose that relationship to the attorneys and may be removed for that reason. If there is a conflict, the parties may select or the court shall appoint another mediator.

(b) Conduct. Inclusion of a mediator in the 8th Judicial Circuit approved mediators list indicates explicit agreement by that mediator to maintain high standards of

ethical practice. Failure to comply may result in removal of the mediator's name from the approved list.

V. COSTS OF MEDIATION

The parties are to divide costs of mediation, unless, in the judge's discretion, the cost should be allocated on an unequal basis due to the respective finances of either party. All mediators who are hired by parties ordered to attend mediation will be required to take a certain percentage of cases on a pro bono basis, or for a reduced fee as set by the court on a case by case basis.

The judges of the 8th Circuit are mindful of the fact that the parties will incur substantial cost with the cost for the Parenting Education Requirement under Supreme Court Rule 924, cost for retaining counsel, and the cost for mediation. However, it appears that the cost of these programs will be less than the cost of protracted custody litigation.

The Chief Judge shall maintain a record of the number of mediations conducted by each mediator, the cost incurred by the parties, and whether or not the mediation resolved the issues between the parties.

VI. MEDIATION PROCESS

(a) Commencement. At or prior to the initial session, the mediator shall:

1. Determine the issues to be mediated;
2. Explain that no legal advice, therapy or counseling will be provided;
3. Disclose the nature and extent of any existing relationships with the parties or their attorneys, and any personal, financial, or other interests that could result in bias or conflict of interest on the part of the mediator;
4. Inform each party of his/her right to obtain independent legal counsel;
5. Inform the parties that:
   a. mediation can be suspended or terminated at the request of either party after 3 hours of mediation, or in the discretion of the mediator, or
   b. the mediator may suspend or terminate the mediation if an impediment exists, if either party is acting in bad faith or appears not to understand the negotiation, if the prospects of achieving a responsible agreement appear unlikely, or if the needs and interests of the minor children are not being considered. In the event of a suspension or termination, the mediator may suggest a referral for outside professional services;
6. Explain the mediation process is confidential as outlined under Article VIII of this Circuit Rule;
7. Confirm the parties' understanding regarding the fee for services and any reduced fee arrangements for eligible parties with financial hardship;
8. Reach an understanding with the parties as to whether the mediator may communicate with either party or their legal counsel or with other persons to discuss the issues in mediation in the absence of the parties. Any separate

communication which does occur shall be disclosed to the parties at the first opportunity;

9. Advise each party that legal counsel, advocates, or other persons may be present only if both parties and the mediator agree in advance. Such individuals may be available for consultation for each participant while mediation is in progress;
10. Advise each party that children may be allowed to participate in mediation so long as all parties and the mediator consent to said participation in writing, and that each parent or the child's representative or guardian ad litem, if applicable, has the right to withhold consent.

(b) Reporting risk of bodily harm. While mediation is in progress, the mediator may report to an appropriate law enforcement agency any information revealed in mediation necessary to prevent an individual from committing an act that is likely to result in imminent, serious bodily harm to another. When the identity of an endangered person is known to the mediator, the mediator may warn that person and his/her attorney of the threat of such harm; such notification shall not be considered a breach of confidentiality mandated by this Circuit Rule.

VII. APPLICATION OF SAFEGUARDS IN CASE OF IMPEDIMENT

(a) Duty to assess. While mediation is in progress, the mediator shall assess continuously whether the parties manifest any impediments affecting their ability to mediate safely, competently and in good faith.

(b) Safety. If an impediment affecting safety arises during the course of mediation, the mediator shall adjourn the session to confer separately with the parties, may implement appropriate referrals to community service providers, shall advise the parties of their right to terminate, and either shall:

1. Terminate mediation when circumstances indicate that protective measures are inadequate to maintain safety; or
2. Proceed with mediation after consulting separately with each party to ascertain whether mediation in any format should continue.

(c) Competency or good faith. If an impediment affecting competency or good faith, but not safety, arises during the course of mediation, the mediator may make any appropriate referrals to community service providers and either:

1. Suspend mediation when there is a reasonable likelihood the impaired condition of an affected party is only temporary; or
2. Terminate mediation when circumstances indicate an affected party's ability to negotiate cannot be adequately restored.

(d) Effect of termination. No mediation terminated shall proceed further unless ordered by the court upon motion of a party. In the absence of such an order,

the case shall be returned to the docket for adjudication in the manner prescribed by law.

VIII. CONFIDENTIALITY

(a) Privacy of sessions. Mediation sessions shall be private. The mediator shall have authority to exclude all persons other than the parties from sessions at which negotiations are to occur.

(b) Confidentiality. Except as otherwise provided by law, all written and verbal communications made in a mediation session conducted pursuant to these rules are confidential and may not be disclosed by the mediator or any other participant or observer of the mediation, except that the parties may report these communications to their attorneys or counselors. Prior to the commencement of mediation, all participants in the mediation shall sign the confidentiality agreement prescribed by these Circuit Rules.

1. Limitation of disclosure: Admissions, representations, statements and other communications made or disclosed in confidence by any participant in the course of a mediation session shall not be admissible as evidence in any court proceeding. Except as identified herein, a mediator may not be called as a witness in any proceeding by any party or by the court to testify regarding matters disclosed in a mediation session, nor may a party be compelled to testify regarding matters disclosed during a mediation session as to privileged communications. Should a mediator receive a subpoena for their appearance or production of records for any issues regarding the mediation, the mediator shall immediately notify the participants, counsel for the participants, the Chief Judge of the Eighth Judicial Circuit and the judge to whom the case was assigned so that an appropriate response may be made to ensure confidentiality.
2. Exceptions: Admissions, representations, statements and other communications are not confidential if:
    a. all parties consent in writing to the disclosure or the communication reveals either an act of violence committed against another during mediation, or an intent to commit an act that may result in bodily harm to another; or
    b. the communication reveals evidence of abuse or neglect of a child; or
    c. non-identifying information is made available for research or evaluation purposes approved by the court; or
    d. the communication is probative evidence in a pending action alleging negligence or willful misconduct of the mediator.
3. Maintenance of files: All mediators must develop a maintenance system for all mediation files and confidential information derived from the mediation to ensure that the files and information remain confidential and are not accessible to other members of the mediator's firm/practice for any reason.

IX. ATTENDANCE AND TERMINATION OF MEDIATION

(a) Attendance. The parties shall attend the mediation session(s) and shall attend a minimum of 3 hours of mediation. Further participation may be extended by order of court or agreement of the parties. Mediation may be terminated or suspended prior to completion of the 3 hours upon resolution of all mediated issues.

(b) Termination or suspension. The mediation may be terminated or suspended at the option of the mediator or the court.

(c) Notice to court. The mediator shall immediately advise the court within 10 days in writing if he or she suspends or terminates mediation or in the event that either or both parties fail to comply with the terms of this Circuit Rule.

(d) Sanctions for failure to appear. If a party fails to appear without good cause at a previously agreed upon mediation conference or a mediation conference ordered by the court, the court upon motion, may impose sanctions, including an award of mediator and attorney fees and other costs, against the party failing to appear.

(e) Termination with agreement. When agreements or partial agreements are reached by the parties during mediation, the mediator shall provide a written account of the agreement to the parties and their attorneys (if any), within 10 days, but the mediator shall not provide this written account to the court. The mediator shall advise each party to obtain legal assistance in drafting or reviewing any final agreement. The mediator shall advise the parties that an agreement reached during mediation will not be legally binding until it is reviewed by the court and signed by the judge.

(f) Termination without an agreement. Upon termination without agreement, the mediator shall file with the court within 10 days, a final report stating that the mediation has concluded without disclosing any reasons for the parties' failure to reach an agreement.

(g) Reporting procedures.

1. Mediator's Report: The mediator shall prepare the "Mediator's Report" on the form prescribed by the Chief Judge within ten (10) days of the termination of the last mediation session, and file such with the Circuit Clerk.
2. Statistical Report: The mediator shall prepare a statistical report for each case on the form prescribed by the Chief Judge and file such not less than quarterly with the Trial Court Administrator.
3. Reporting to the Supreme Court: The Trial Court Administrator shall maintain records of the mediations conducted pursuant to these Rules.

From these records, the Trial Court Administrator shall compile information which shall include, but is not limited to, the total number of mediations conducted, the number of mediations which result in an agreement, and the number of mediations which fail to result in an agreement. This information, as well as any additional information requested by the Supreme Court, shall be furnished on an annual basis or at such other intervals as directed.

X. ENTRY OF JUDGMENT OR ORDER

(a) Presentation of order. Each mediated agreement shall be presented by the parties or their attorneys (if any) to the court within 15 days after the agreement has been reached.

(b) Approval by the court. The court shall examine the parties as to the content and intent of the agreement and shall reject the agreement if any of its provisions are found by the court to be unconscionable or contrary to the best interests of a minor child. Unless the agreement is rejected, the court shall enter an appropriate judgment or order stating its findings and shall incorporate, either explicitly or by reference, the agreement so the terms of such agreement are also the terms of the judgment or order.

7.3 ASSIGNMENT OF CHILD CUSTODY PROCEEDINGS

In accordance with Supreme Court Rule 903, whenever possible and appropriate, all child custody proceedings relating to an individual child shall be conducted by a single judge. Whenever a child custody proceeding (as defined by Rule 900 of the Supreme Court Rules) is filed, and there is a child custody matter already pending before another judge involving the same child, the judges involved shall confer as often as needed and jointly determine which court(s) shall control and hear said issues and shall consider the impact of such orders on siblings, relatives and parties in each case as well as whether consolidation of such cases may be impracticable because of the arrangement of courtrooms, facilities and assignment of auxiliary court personnel.

PART 8. PROBATE PROCEEDINGS

8.1 CONDUCT OF PROCEEDINGS

(a) The responsibility for giving proper notice, filing proof of notice, presenting evidence, and conducting probate proceedings, is that of the legal representative of the estate or her attorney, except where such responsibility is placed on the court or the clerk by law.

(b) Pursuant to Section 27-9 of the Probate Act, a direction shall be given to the clerk by the legal representative or his attorney specifying the newspaper in which notices shall be published or the date letters of office are issued where the clerk is required to publish.

(c) Proof of heirship. On Petition of Letters of Administration to Collect, proof of heirship shall be given before letters of office are issued, unless such procedure is waived by the court. Testimony as to heirship shall be given in any of the methods recognized in the Probate Act. The court in its discretion may allow a person not related to the decedent to give evidence regarding heirship.

8.2 BONDS AND SURETIES

(a) Individuals. When an individual is offered as security on a bond of a legal representative, he shall state his residence address below his signature, and when requested by the court, shall furnish a verified affidavit of assets and liabilities and shall agree in writing he will notify the court before he conveys or encumbers the real estate described in said affidavit, until he is discharged by order of the court.

(b) Upon the request of the Surety of a Bond of a legal representative or upon the court's own motion, access to a safe deposit box containing assets of the estate or withdrawal from a bank or financial account shall be subject to written approval of the surety or approval of the court, and the proceeds of settlement of a cause of action for the death of a decedent or for personal injuries to a minor or incompetent shall be paid to the joint order of the legal representative and the surety, subject to order of the court.

8.3 INVENTORY AND APPRAISAL

(a) Where supervised administration is involved, the inventory must describe the real estate and the improvements thereon, any indebtedness on the real estate, and also the amount of money on hand and list all the personal estate. Each item shall be given an inventory number and the same number shall be used in the final accounting in the estate to show the disposition or distribution of each item.

(b) Under independent administration, the representative is not required to file the inventory with the court.

8.4 CLAIMS AGAINST THE ESTATE

(a) Each claim based on a written instrument shall be accompanied by a copy of said instrument. Unless the original is lost or destroyed, it shall be presented to the court at the hearing. If the claim is allowed a notation shall show the allowance on the original instrument. When a claim is based on a cause of action for personal injury, wrongful death, or other tort, the statement of the claim and the proceedings shall conform to the provisions of the Civil Practice Act.

(b) The legal representative may file a general denial of a claim subject to further pleadings as ordered by the court.

(c) When the legal representative or her attorney files a claim against the estate she is administering, she shall apply to the court for the appointment of a guardian ad litem or special administrator to appear and defend for the estate unless the claim is consented to by each interested person. When the legal representative or her attorney waives the mailing or delivery of the copy of the claim, the time for filing pleadings pursuant to Section 18-5 of the Probate Act shall be 28 days after the waiver or the filing of the claim, whichever is later. If pleadings are filed pursuant to Section 18-5 of the Probate Act, the clerk shall set the claim for hearing.

8.5 GUARDIAN AD LITEM

(a) Unless the court waives the appointment, a guardian ad litem shall appear on behalf of a minor or incompetent in the following cases:
- (1) When a petition has been filed for admission of a will to probate or for letters of administration, and it appears that not all of the names and addresses of the heirs are known;
- (2) On the hearing of a final account of an executor or administrator;
- (3) On the hearing of a final account of a guardian, if at the time of the hearing the minor has not attained majority age, or the incompetent has not been declared competent by order of court.

(b) Unless waived by the court, a guardian ad litem shall be appointed on the hearing of a final account or of a current account on which a partial or complete distribution of the estate is made, or all or any part of the estate is received from, or is to be distributed to, the same person, or corporation in a fiduciary capacity serving as legal representative of the estate, except when said legal representative is a duly qualified trust department of a financial institution or trust company.

8.6 ATTORNEYS-IN-FACT AND REPRESENTATIVE OF FOREIGN COUNTRIES

(a) The distributive share of a citizen and resident of a foreign country may be paid to the official representative of that foreign country (hereafter referred to as "representative"), attorney-in-fact, or assignee if a resident of the State of Illinois, in the following manner:
- (1) Such representative shall present evidence to the court that his principal is in fact the person entitled to receive the distribution, and that such representative has been authorized to receive the distribution.
- (2) Such representative shall present his petition for leave to receive in the form required by the court and furnished by the clerk. When such petition is allowed by the court, an appropriate order shall be entered.

(3) Unless waived by the court, such representative shall furnish bond with surety as required by the court, in an amount set by the court and on a form furnished by the clerk and shall be conditioned upon the payment and delivery of the distribution to the principal. Upon final distribution and proof of same, the bond shall be discharged.

(4) Such representatives shall acknowledge receipt in writing of the distribution received from the legal representative, and he shall certify on the receipt that his authority to receive the distribution has not been revoked. The legal representative shall file that receipt and certificate with his vouchers.

(5) Such representative shall within 90 days, or any extension thereof allowed by the court, present his report of compliance, together with the receipt or voucher of the principal showing payment and delivery of the distribution to the principal lawfully entitled thereto.

(6) In the event of the failure, refusal or inability of such representative to pay and deliver the distribution to the principal lawfully entitled thereto within the time allowed by the court, said distribution shall be deposited with the treasurer of Adams County subject to further order of the court, and the receipt of the county treasurer showing deposit of said distribution shall be filed with the court by such representative, whereupon he shall be discharged and the distribution shall be held by the county treasurer until further order of court.

8.7 SETTLEMENT OF PERSONAL INJURY AND WRONGFUL DEATH CASES

(a) Each petition for leave to settle a cause of action for personal injuries sustained by a ward or a cause of action for the wrongful death of a decedent shall be executed by the legal representative or any other interested person. The attorney for the representative shall certify in writing as a part of the petition that in her opinion, the proposed settlement is fair and proper based upon the facts and law which apply.

(b) If no attorney is employed by the representative the court on its own motion may appoint a guardian ad litem to investigate the merits of the proposed settlement.

(c) No settlement on behalf of a minor, disabled adult or incompetent will be authorized unless a certificate of the attending physician is filed with the petition stating the nature and extent of the injury and in the case of a minor, unless the minor appears in open court, or the requirement is waived by the court.

8.8 TERMINATION OF SMALL ESTATES OF WARDS

(a) If the value of a ward's estate being administered becomes less than the "small estate" amount specified in the Probate Act, and no part of the estate consists

of real estate or a pending cause of action for personal injuries, a petition may be filed requesting the distribution of the estate without further administration. In the case of a disabled adult, application shall be made by his guardian or spouse, and if he has no spouse, by a relative having responsibility for his support. In the case of a minor application shall be made by his guardian, or by parent, or by a person standing in loco parentis. If it appears that there is no unpaid creditor and that it is for the best interest of the estate and the ward, the court may order the guardian to file his final account and make distribution as the court directs.

(b) If a distribute is a minor or a person with a disability, an independent representative without further order of court may make distribution to the ward's representative, if any, to a custodian for the ward under the Illinois Uniform Transfers to Minors Act or the corresponding statute of any other state in which the ward or other custodian resides, by deposit or investment of the ward's property subject to court order under Section 24-21, or in any other manner authorized by law.

8.9 ACCOUNTS

(a) Notice of hearing on a final account of an executor or administrator, or on a current account that is intended to be binding pursuant to Section 24-1 of the Probate Act shall be given to the persons described in that Section. Such notice shall be in writing accompanied by a copy of the account, except where notice is given by publication. The notice shall contain the date, time, place and nature of the hearing and substantially the following sentence: "If the account is approved by the court, in the absence of fraud, accident or mistake, the account as approved is binding upon persons to whom this notice is given." Proof of notice shall be filed with the clerk on or before the date of the hearing, except that no notice need be given to any person from whom a receipt in full is filed with the court, or who enters his appearance in writing and waives notice.

(b) Notice of hearing on a final account of a guardian, conservator, or guardian of a disabled adult or a current account that is intended to be binding, pursuant to Section 24-11(b) of the Probate Act shall be given to the ward, if living, to each claimant whose claim has been filed and remains unpaid, to the heirs or legal representative of a deceased ward, and any other person entitled to notice pursuant to the Probate Act. Each current account shall state the status of any claim, suit, or proceeding, by or against the estate or representative of the estate and, in the estates of deceased persons, any other reason which prevents final distribution and termination of the estate. No final report or account of any estate shall be approved unless there is filed with the court the receipt of the clerk for final court costs, a statement or copies of documents showing that any and all applicable taxes, executors or administrators fees, and attorneys fees have been paid, and the certificate of the clerk showing that all claims have been allowed or dismissed and listing those claims allowed and not yet

shown paid of record.

8.10 FINAL SETTLEMENT OF GUARDIAN OR GUARDIAN FOR DISABLED ADULT

(a) Upon the final settlement of a ward's estate, the guardian or guardian for disabled adult will not be discharged unless the ward appears before the court and acknowledges the settlement in open court and gives her written receipt for all items received. The personal attendance of the ward may be waived by the court whenever the court is satisfied by affidavit, or other evidence, that the final settlement is fair and proper, that the ward is in possession of all her estate, and that personal attendance of the ward is not practical.

(b) The guardian or guardian for disabled adult seeking to be discharged shall give notice at least 10 days before the date of her intended application to all unpaid claimants, and to the heirs of a deceased ward or to any known acting administrator or executor of her estate.

8.11 FEES

(a) No fees in estates of deceased persons shall be allowed by the court without a written petition or statement in a report or account briefly listing all matters in support of such fees including, but not limited to, the value of the estate for tax purposes, a summary of services performed and the number of hours spent on those services, the hourly charge for those services and the fee being requested, and the costs advanced for which reimbursement is requested, unless all parties in interest enter their appearance and agree that the fees are to be allowed.

(b) Fees shall be allowed in estates of incompetents, disabled adults and minors only when current or final reports are presented for approval, and a petition or statement is presented as in estates of deceased persons.

(c) The order closing an estate and discharging the legal representative shall be in writing and may be prepared in draft form and submitted by the legal representative of the estate or her attorney.

8.12 ALL OTHER PROCEEDINGS

(a) All other probate proceedings not specifically provided for in the above rules shall be performed pursuant to the provisions of the Probate Act of the State of Illinois.

PART 9. TECHNOLOGY

9.1 AUTHORITY

On January 22, 2016, the Supreme Court amended M.R. 18368, mandating electronic filing

in civil case types effective January 1, 2018, through the utilization of a centralized electronic filing manager (EFM) authorized by the Supreme Court.

9.2 EFFECTIVE DATE

These rules shall become effective on March 25, 2026, and remain in effect until further order of this Court.

9.3 DESIGNATION OF ELECTRONIC FILING

(a) This Court hereby authorizes electronic filing in all civil case types as authorized by the Supreme Court, specifically Supreme Court Rule 9.

(b) Wills or other testamentary documents shall not be accepted for filing electronically. Any unapproved case or document type filed electronically by a filer may be rejected by the Clerk of the Court.

(c) Incarcerated self-represented litigants are exempt from mandatory e-filing requirements.

9.4 DEFINITIONS

The following terms in these rules are defined as follows:

(a) *Conventional Filing* - The filing of paper documents or information with the Clerk of the Circuit Court.

(b) *Electronic Document (E-document)* – An electronic file containing informational text.

(c) *Electronic Filing (E-filing)* – An electronic transmission of information or documents between the Clerk of the Circuit Court and an EFSP for the purposes of case processing.

(d) *Electronic Filing Manager (EFM)* - The service approved by the Supreme Court and used by circuit courts to manage the flow of documents and data among registered filers, court clerks & personnel, and the judiciary. (http://efile.illinoiscourts.gov)

(e) *Electronic Filing Service Provider (EFSP)* – Web portals operated by independent companies that collect filings from filers and transmit them to the EFM.

(f) *Electronic Image (E-image)* – An electronic representation of a document or information that has been transformed to a graphical or image format.

(g) *Electronic Service (E-service)* – An electronic transmission of documents to a party, attorney or representative in a case. However, E-service is not capable of conferring jurisdiction under circumstances where personal service is required as a matter of law.

(h) *Electronic Signature (E-signature)* – Symbols or other data form attached to an electronically transmitted document as authentication of the sender's intent to sign the document.

(i) *Filer* – An individual who has registered a username and password with the Electronic Filing Manager.

(j) *Portable Document Format (PDF)* – A file format that preserves all fonts, formatting, colors, and graphics of any source document regardless of the application platform used.

(k) *Rejection* – The court clerk may reject any electronic filing for any procedural or technical nonconformance and may identify the deficiency to be corrected.

9.5 AUTHORIZED USERS

(a) All filers shall register with the EFM through an authorized EFSP, prior to filing any document electronically.

(b) By January 1, 2018, to facilitate electronic filing, the Clerk of the Circuit Court shall provide a computer workstation for use for any filer to register and file electronic documents.

9.6 METHOD OF FILING

(a) *[If mandatory filing is required for litigants or attorneys, this section should be amended as needed]*

(b) The method of filing shall not affect the right of access to court documents. The Clerk shall maintain public access viewing terminals to allow electronic records and electronic documents to be displayed to the public. Electronic access and dissemination of court records shall be in accordance with the *Electronic Access Policy for Circuit Court Records of the Illinois Courts*.

9.7 FILING OF EXHIBITS

Physical items for which a photograph may be substituted may be electronically imaged and E-filed. Items not conducive to electronic filing, such as physical exhibits for which an image will not suffice shall be filed in their physical form at the Clerk's office or in the courtroom, as directed by order of court and in conformity with the Supreme Court's Order M.R. 18368 filed January 22, 2016. The Motion and Notice of Motion for permission to file any of these physical items may be done electronically.

9.8 MAINTENANCE OF ORIGINAL DOCUMENTS

(a) Anyone filing an electronic document that requires an original signature certifies

by so filing, that the original signed document exists in the filing person's possession. Unless otherwise ordered by the Court, the filing party shall maintain and preserve all documents containing original signatures that are filed electronically. The filing party shall make those signed originals available for inspection by the Court, the Clerk of the Court or by other counsel in the case, upon notice, within 3 business days, unless extended by the Court. At any time, the Clerk of the Court may request from the filing party a hard copy of an electronically filed document, upon notice, which shall be provided within 3 business days unless extended by the Court.

(b) All documents that are required to be maintained and preserved must be kept for one year after the Appellate process period has been completed.

9.9 PRIVACY ISSUE

It is the responsibility of the filing party or counsel to ensure that documents or exhibits filed electronically do not disclose previously or statutorily impounded or sealed information or private information as defined in Supreme Court Rules 15 and 138. The Clerk is not responsible for the content of filed documents and has no obligation to review, redact or screen any expunged, sealed or impounded information.

9.10 FORMAT OF DOCUMENTS

(a) All electronically filed pleadings shall, to the extent practicable, be formatted in accordance with the requirements set by the EFM.

(b) If a document exceeds the maximum size allowed, the filer will file multiple documents, each under the maximum file size. In such case, the filer will be responsible for dividing the document into appropriately sized parts.

(c) Documents filed by attorneys that do not comply with the format specified by the applicable order, statute, or rule may be rejected. Documents filed by pro se parties that do not comply with the format specified by the applicable order, statute, or rule shall be reviewed for acceptance by the court prior to rejection.

9.11 SIGNATURES AND AUTHENTICATION

Any document electronically signed pursuant to any Standards, Rule or Order satisfies Supreme Court Rules and statutes regarding original signatures on court documents.

9.12 TIME OF FILING, ACCEPTANCE BY THE CLERK AND ELECTRONIC FILING STAMP

(a) Any document filed electronically shall be considered as filed with the Clerk of the Circuit Court upon review and acceptance, and the transmission has been completed with the Clerk's electronic filing stamp.

(b) The transmission date and time of transfer shall govern the electronic filing mark. Pleadings received by the Clerk before midnight on a day the Circuit Clerk's office is open shall be deemed filed that day. If filed on a day the Circuit Clerk's office is not open for business, the document will be deemed filed the next business day.

(c) The EFM shall provide notification of a receipt, acceptance, or rejection of electronically filed documents.

(d) Upon acceptance by the clerk, the EFM shall apply the file stamp to the electronic document. Filings so endorsed shall have the same force and effect as documents file stamped in the conventional manner.

9.13 ELECTRONIC SERVICE AND FILING PROOF OF SERVICE

(a) Electronic service is not capable of conferring jurisdiction. Therefore, regarding electronically filed cases, documents that require personal service to confer jurisdiction as a matter of law may not be served electronically, but must be served in the conventional manner.

(b) E-service shall be made in accordance with Supreme Court Rule 12, and shall be deemed complete at the posted date and time of transmission listed by the E-service vendor. The electronic service of a pleading or other document shall be considered as valid and effective service on all parties and shall have the same legal effect as personal service of an original paper document.

(c) All filers must immediately notify other parties, the Clerk and the EFM of any change of name, address, phone or fax number, or e- mail address.

(d) Courtesy copies of documents customarily required to be provided to the Court shall continue to be required in E-file cases, absent a specific court order to the contrary.

(e) Service of documents on parties not registered as an E-filing or E-service participant shall be made as otherwise provided by order, rule, or statute.

9.14 COLLECTION OF FEES

(a) The payment of statutory filing fees to the Clerk of the Court in order to achieve valid filing status, unless otherwise waived, shall be as authorized through the EFM.

(b) When the electronic filing includes a request for waiver of court fees pursuant to Supreme Court Rule 298, payment of the requisite fees shall be stayed until the court rules on the petition.

9.15 SYSTEM OR USER ERRORS

In the case of a filing error, absent extraordinary circumstances, anyone prejudiced by the Court's order to accept a subsequent filing effective as of the date filing was first attempted, shall be entitled to an Order extending the date for any response, or the period within which any right, duty or other act must be performed.

9.16 REMOTE APPEARANCES AND PROCEDURES

All appearances under this rule shall comply with Supreme Court Rule 45 and 241 as amended.

(a) General Rules.

1. Any judge in the 8th Judicial Circuit has the discretion to create and maintain a remote hearing or docket to address safety or health concerns, provide cost or time savings to the court or parties, or improve efficiency of court operations. In the creation and scheduling of such hearings, judges and court personnel should strive to utilize technology which is readily available to the public and attorneys and is available at either no cost or low cost to participants.

2. Throughout the proceedings of whatever type, the judge may require in-person attendance for reasons particular to a specific case. With respect to civil matters, the judge in those cases will allow for remote appearances consistent with Illinois Supreme Court Rule 45.

3. Case participants appearing remotely shall conduct themselves in the same manner and in accordance with the same standards as the Illinois Code of Civil Procedure, Illinois Supreme Court rules. The same rules regarding dress, conduct, demeanor, language and respect for the Court and staff apply as if the participants were physically present in the courtroom.

a. Participants must mute when not speaking.

b. When it's the turn of the participant to speak, unmute, and identify yourself by stating your full name.

c. Participants appearing remotely through a video conferencing software must enter their full legal name.

d. Speak slowly and pause before and after responses. Verbal responses are essential.

e. To maintain civility, listen carefully to and follow any instructions the judge provides.

(b) Proceeding types exempted from remote proceedings.

In certain case types, the resources are most readily available to those participants who appear in person, including but not limited to the following: Public Defender, Resources from Land of Lincoln Legal Services, Mediators, Guardian ad Litems, and Self-Help Resources.

1. The Defendant must appear in person in the following cases on the First Appearance to maximize their access to resources:
    a. All Criminal matters punishable by jail or prison
    b. Juvenile Abuse and Neglect, Juvenile Delinquency, and Juvenile Detention
    c. Evictions
    d. Mortgage Foreclosure
    e. Divorce and Family Cases
    f. Guardianships
2. At the discretion of the judge presiding over the matter, case participants may appear remotely for exempted proceedings if resources can be made available through the use of technology.

(c) Proceeding types exempted from remote proceedings by case category.
1. Criminal Felony and Criminal Misdemeanor
    a. Hearings on release from detention
    b. Recall of warrant (unless represented by an attorney)
    c. Evidentiary hearings
    d. Plea of guilty (unless the defendant has properly executed a waiver)
    e. Sentencing
    f. Jury or bench trial
    g. Hearing to revoke probation
    h. Hearings conducted under the Sexually Dangerous Persons Act
    i. All specialty court proceedings (unless waived by the Court)
    j. All contempt of court proceedings
2. Civil (all subcategories)
    a. Evidentiary hearings
    b. Settlement conferences
    c. Jury or bench trial
    d. All contempt of court proceedings
3. Family
    a. Evidentiary hearings
    b. Settlement conferences
    c. Bench trials
    d. Recall of warrant (unless represented by an attorney)
    e. All contempt of court proceedings
4. Juvenile Delinquency
    a. Hearings on release from detention
    b. Recall of warrant (unless represented by an attorney)
    c. Evidentiary hearings
    d. Plea of guilty (unless the juvenile has properly executed a waiver)

e. Sentencing
f. Jury or bench trial
g. Hearing to revoke probation
h. Hearings conducted under the Sexually Dangerous Persons Act
i. All contempt of court proceedings

5. Juvenile Abuse & Neglect Hearing
a. Evidentiary hearings
b. Adjudication hearings
c. Permanency hearings
d. Disposition hearings
e. Termination of Parental Rights
f. All specialty court proceedings
g. All contempt of court proceedings

6. Major Traffic, Minor Traffic, DUI, Ordinance Violations
a. Hearings on release from detention
b. Recall of warrant (unless represented by an attorney)
c. Evidentiary hearings
d. Plea of guilty (unless the defendant has properly executed a waiver)
e. Sentencing (unless waived by the Court)
f. Jury or bench trial
g. Hearing to revoke probation
h. All specialty court proceedings
i. All contempt of court proceedings

(d) How to join a remote proceeding.

1. Go to the website for the County where you have Court. (See the list of Circuit Clerk websites below).

2. If you know the courtroom where your case is being heard, use the Zoom Meeting ID and Passcode for that courtroom. If you do not know the courtroom where your case is being heard, or if the Zoom Meeting ID and Passcode are not listed on the Circuit Clerk website, call the Circuit Clerk's office of that county. (See the list of Circuit Clerk phone numbers below).

(e) Where to find information and assistance for remote proceedings.

1. The 8th Judicial Circuit's website along with each county's website will provide information and assistance for remote proceedings.

a. 8th Judicial Circuit:
https://www.adamscountyil.gov/government/departments/judicial

b. Adams County Circuit Clerk:

i. Website:
https://www.adamscountyil.gov/government/departments/circuit-clerk
ii. Phone: (217) 277-2100
iii. Zoom Information:
https://www.adamscountyil.gov/government/departments/circuit-clerk/zoom-information

c. Brown County Circuit Clerk:
i. Website: https://www.browncoil.org/officials/circuit-clerk/
ii. Phone: (217) 773-2713, Ext. 2

d. Calhoun County Circuit Clerk:
i. Website : https://www.calhouncountyil.gov/departments/circuit-clerk/
ii. Phone: (618) 576-2451, Ext. 1

e. Cass County Circuit Clerk:
i. Website: https://co.cass.il.us/elected-officials/circuit-court-clerk
ii. Phone: (217) 452-7225

f. Mason County Circuit Clerk:
i. Website: https://masoncountyil.gov/circuit-clerk/
ii. Phone: (309) 543-6619, Option 2

g. Menard County Circuit Clerk:
i. Website: https://menardcountyil.com/elected-officials/circuit-court-clerk/
ii. Phone: (217) 632-2615

h. Pike County Circuit Clerk:
i. Website: https://www.pikecountyil.org/circuit-court/
ii. Phone: (217) 285-6612

i. Schuyler County Circuit Clerk:
i. Website: https://www.schuylercounty.org/officials/circuit-court-clerk/
ii. Phone: (217) 322-4633

2. Remote hearing information and instructions will be posted in public areas in the eight county courthouses of the circuit.

(f) How to request a remote proceeding.

1. Case participants who wish to appear remotely for a future court appearance where the proceeding is otherwise scheduled to be in-person shall make such a request to the Court in writing or in-person. The requirement of "in writing" may include email correspondence if allowed by the Court. Said request must be made at least three business days prior to the court proceeding. It is at the discretion of the Court whether to grant any request where an in-person appearance is otherwise required.

2. Attorneys who wish to appear remotely must follow the steps outlined in section (f)1. above and must notify their client of any such request. If the party is required to attend

the proceeding in person, the attorney shall be so required unless their appearance is waived by the Court.

3. In its discretion, the Court may convert an in-person proceeding to a remote proceeding for the health, safety or welfare of the parties or attorneys, or efficiency of the Court. The decision of the Court to switch to a remote proceeding is not determinative for future court hearings.

ATTACHMENT 1

IN THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT
ADAMS COUNTY, IL
)
)

STANDING ORDER ON ALL FELONY CASES

This standing order pertains to all felony cases awaiting trial in Adams County, Illinois effective _____.

1. The attached felony trial checklist must be completed and signed by both attorneys at every court date after arraignment. The Court will review the checklist at the time of arraignment with the parties to determine if a trial date is appropriate and what trial date is most efficient. At every court date after setting the case for trial the Court will review an updated and signed checklist with the attorneys.

2. At the omnibus, the trial court will again review an updated and signed checklist to ensure substantial compliance with the requirements. If, at the omnibus hearing, one or both parties have not substantially complied with requirements, the Court may allow the case to proceed to final pretrial if the parties and the Court believe all requirements can be completed before the final pretrial. If the parties or the Court do not believe the requirements can be completed by the final pretrial, the Court may adopt appropriate penalties against the parties and/or a delay of the trial setting attributable to the noncompliant party.

3. After the omnibus hearing, if a case remains on the trial docket, any request to remove the case for any reason (without an unconditional jury waiver or a dismissal with prejudice), including negotiated plea, general continuance, or dismissal without prejudice **MUST** be made by written motion detailing good cause for the request or by otherwise presenting such cause to the Court. In absence of a written motion and/or good cause presented, the Court may, in its discretion, deny the request.

4. At the final pretrial date, all requirements must be completed for the case to remain on the trial docket.

5. Failure to complete the requirements by either party may result in penalties against the parties and/or a delay of the trial setting attributable to the noncompliant party.

Prosecution Felony Pre-Trial Checklist
Adams County, Illinois

People v. _____ **_ CF** _____

Assigned Prosecutor: _____**Trial Date:** _____

Defense Attorney: _____

- ☐ Victim served (If applicable)?
- ☐ Witnesses available/served?
  - ☐ Law enforcement available
  - ☐ Expert witnesses
  - ☐ Lay witnesses
  - ☐ Witnesses provided to defense for possible conflicts
- ☐ All discovery tendered?
  - ☐ Lab reports
  - ☐ DNA
  - ☐ Any new police reports
- ☐ Body camera footage tendered?
- ☐ All motions filed?
  - ☐ Motions in limine
  - ☐ Prior Bad Acts
  - ☐ Propensity evidence in DV and Sex Offenses
  - ☐ Any other motions
- ☐ Offer made?

Other issues for the court to be aware of:

_____
_____
_____
_____
_____
_____
_____
_____

_____
State's Attorney

_____
Date

Defense Felony Pre-Trial Checklist
Adams County, Illinois

People v. _____ **___ CF** _____

Assigned Prosecutor: _____**Trial Date:** _____

Defense Attorney: _____

- ☐ Received and reviewed discovery? Anything missing?
  - ☐ Possible conflicts
- ☐ Met with client and reviewed and discussed discovery?
- ☐ Witnesses available/served?
  - ☐ Expert witnesses
  - ☐ Lay witnesses
  - ☐ Law enforcement
- ☐ All discovery tendered to prosecution?
  - ☐ Notice of any affirmative defense
  - ☐ Notice of any witnesses not listed in reports
  - ☐ Any other evidence
- ☐ Affirmative defenses filed?
- ☐ All motions filed?
  - ☐ Fitness
  - ☐ Motion to Suppress
  - ☐ Motion to Dismiss
  - ☐ Motion for Speedy Trial
  - ☐ Motions in limine
  - ☐ Any other motions
- ☐ Offer discussed and rejected?
  - ☐ Problem Solving Court Referral

Other issues for the court to be aware of:

_____
_____
_____
_____
_____
_____
_____

_____
Defense Attorney

_____
Date

ATTACHMENT 2

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
ADAMS COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 2026-CA-4

ACCESS TO ELECTRONIC VIDEO SURVEILLANCE ADAMS COUNTY COURTHOUSE FACILITIES

WHEREAS, the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 et seq., does not apply to the judiciary, as explicitly established by statutory definitions and case law, including the Second Appellate Court decision in *Copley Press v. Administrative Office of the Courts*, 271 Ill. App. 3d 548 (1995); and

WHEREAS, the Illinois Supreme Court has determined that recordings from security cameras monitoring court facilities are the property of the local circuit courts, pursuant to Illinois Supreme Court Rule 63 and its Appendix, as amended February 2, 2017, and such recordings are deemed to be in the possession of the local circuit courts notwithstanding their physical custody by other parties; and

WHEREAS, the Illinois Attorney General has affirmed that Illinois Supreme Court rules take precedence over FOIA provisions where conflicts arise, particularly regarding the classification of security footage from court facilities; and

WHEREAS, the Eighth Judicial Circuit Local Court Rules prohibit photography, broadcasting, and recording within the Courthouse except as permitted by Illinois Supreme Court and Local Rules, to maintain decorum, dignity, security, and privacy within the courthouse; and

WHEREAS, the Court recognizes the necessity of clarifying the treatment and handling of video surveillance footage of the Adams County Courthouse facilities, in accordance with Illinois law and Supreme Court Rules;

THEREFORE, IT IS HEREBY ORDERED as follows:

1. **Ownership and Custody of Video Surveillance Footage:** All recordings from security cameras installed and monitoring the Adams County Courthouse facilities are the property of the Eighth Judicial Circuit of Adams County. These recordings are deemed to be in the possession of the Eighth Judicial Circuit of Adams County regardless of their physical custody.

2. **Exclusion from FOIA:** Video surveillance footage from the Adams County Courthouse facilities is not subject to disclosure under the Illinois Freedom of Information Act. The judiciary, including the courts of the Eighth Judicial Circuit of Adams County, is not classified as a "public body" under FOIA and is therefore beyond its reach.

3. **Requests for Access to Footage:** Any request for access to video surveillance footage shall be directed to the Office of the Chief Judge of the

Eighth Judicial Circuit. Such requests shall be reviewed to ensure compliance with applicable laws, Supreme Court Rules, and local court policies. Requests not authorized by court rules or law will be denied.

4. **Use of Video Surveillance Footage:** Security footage shall be used exclusively for purposes related to the safety, security, and operational integrity of the Adams County Courthouse facilities. Unauthorized use, distribution, or disclosure of such footage is strictly prohibited.

5. **Exceptions for Law Enforcement and Judicial Purposes:** Nothing in this Administrative Order shall impede the statutory obligations of the Adams County Sheriff, including the investigation of alleged violations of the Illinois Compiled Statutes. The Court recognizes the authority to Adams County Sheriff's Department to monitor, record, review and use video security in accordance with the duties of the Sheriff. Security footage may be provided to the Adams County Sheriff's Department or other law enforcement agency as designated by the Adams County Sheriff solely for purposes consistent with ensuring the safety and security of the Adams County Courthouse facilities, compliance with judicial orders, or for investigative purposes.

6. **Retention and Preservation of Footage:** The retention and preservation of video surveillance footage shall be governed by applicable laws, Supreme Court Rules, and local policies. Footage shall be maintained for a period deemed appropriate to meet security and operational needs, unless otherwise required by court order.

7. **Portable Electronic Devices in the Judicial Center:** As stated in Local Court Rules, all portable electronic devices within the Adams County Courthouse facilities must remain in silent mode, and photography, broadcasting, and recording are prohibited, except as authorized by Illinois Supreme Court and Local Rules.

8. **Superseding Authority of Supreme Court Rules:** In the event of any conflict between the Illinois Supreme Court Rules, this Administrative Order or provisions of Illinois state statutes, Illinois Supreme Court Rules shall prevail.

This Administrative Order is effective immediately upon entry and shall remain in effect until modified or rescinded by the Court.

IT IS SO ORDERED.

Entered: 5/26/2026

/s (original signed)
Roger B. Thomson
Chief Judge, Eighth Judicial Circuit