



OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

July 27, 2016

Honorable Timothy C. Evans
Chief Judge
Circuit Court of Cook County
2600 Richard J. Daley Center
50 W. Washington Street
Chicago, IL 60602

Dear Chief Judge Evans:

Enclosed please find for your review, a draft letter written to Michael Tardy, Director of the Administrative Office of the Illinois Courts, requesting authorization to permit registered attorneys and their administrative staff to have remote electronic access to all unrestricted court record images.

As you know, the Supreme Court's current *Electronic Access Policy for Circuit Court Records of the Illinois Courts* ("Policy"), authorizes the court to enter a local rule permitting parties and their attorneys to have remote electronic access to their own cases, for all areas of law. The Clerk's Office would like to request a special variance from the AOIC to permit registered attorneys and their administrative staff to have remote electronic access to all unrestricted images of court records. This access would be the same as has been permitted in DuPage County for some years. Please join with the Clerk's Office to request that the AOIC allow Cook County's registered attorneys and their administrative staff similar remote access to electronic images.

If you have questions regarding this matter, please contact me at (312) 603-5071.

Sincerely,


Dorothy Brown
Clerk of the Circuit Court of Cook County

DB:ks

Enclosure

cc: Michael Moore, Executive Clerk for Court Operations and Administration
Kelly Smeltzer, General Counsel

July 27, 2016

Mr. Michael Tardy, Director
Administrative Office of the Illinois Courts
222 North LaSalle Street, 13th Floor
Chicago, Illinois 60601

Re: Request for Authorization to Permit Registered Attorneys and their
Administrative Staff to Have Remote Electronic Access to All Unrestricted
Court Record Images

Dear Director Tardy:

This is a request from the Office of the Chief Judge and the Office of the Clerk of the Circuit Court of Cook County ("Clerk's Office") for authorization to permit registered attorneys and their administrative staff access to all unrestricted court record images through the Clerk's Office's secure website. Attorneys have contacted our offices to express a need for access to unrestricted court record images. This capability would enable attorneys to greatly improve how they represent clients and otherwise handle cases. In order to permit this access, the Circuit Court of Cook County would require a special variance from the *Electronic Access Policy for Circuit Court Records of the Illinois Courts* ("Policy"), similar to that already in place for the DuPage County Circuit Court system.

Currently, the Policy requires that every member of the public have the same electronic access to court records, but does not authorize the public to remotely access court record images. See Section 2.00 of the *Electronic Access Policy for Circuit Court Records of the Illinois Courts*, effective January 1, 2003 and revised April 1, 2004. However, the Policy does authorize the court to enter a local rule permitting parties, and their attorneys to have remote electronic access to their own cases because they are not considered to be members of the public for those cases. *Id.* at (h). Thus, attorneys who would like to conduct research on cases in which they are not the attorney of record in a case, would be considered members of the public and unable to have remote electronic access to those court records.

Registered attorneys and their administrative staff would benefit greatly from electronic remote access to court record images in Cook County because they would be able to conveniently research

cases outside of the Clerk's Office's business hours without spending valuable time and money travelling to the Clerk's Office. It is acknowledged that there are privacy and security concerns regarding access to electronic court record images, and that is why we propose allowing remote access, through a secure website, to registered attorneys and their administrative staff. The registration process through the Clerk's Office's secure website will enable our Office to trace the access of each member and identify any person that accesses information and uses it inappropriately.

Please also note that, in general, our e-Filing System and Case Management System have the capability to restrict documents not intended for public access, such as documents indicated by the litigant as containing unredacted personal identity information under Illinois Supreme Court Rules 15 and 138, and other documents indicated by the litigant at the time of filing as impounded, sealed or expunged.

Thank you in advance for your consideration of our request to grant the Cook County Circuit Court approval of a variance from the Policy, to permit registered attorneys and their administrative staff to have remote electronic access to all unrestricted court record images.

Respectfully submitted by,

Honorable Timothy Evans
Chief Judge, Circuit Court Cook County

Honorable Dorothy Brown
Clerk of the Circuit Court of Cook County

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