



OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

April 21, 2017

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 revised 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 pursuant to *General Administrative Order No. 2017-02 – Electronic Access to Court Records*, effective June 1, 2017.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Dorothy Brown", is written over a horizontal line.

Dorothy Brown
Clerk of the Circuit Court of Cook County

DB:ks:mmf

Enclosure

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

April 21, 2017

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 Electronic Remote 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 attorneys in good standing with the ARDC, who would also be required to register with the Clerk's Office, and their approved administrative staff, access to all unrestricted court record images. Attorneys have contacted our offices to express a need for access to unrestricted court record images for all court cases, and not just the ones for which they are the attorney of record. In order to permit this access, the Circuit Court of Cook County would require special permission, similar to that already in place for the DuPage County Circuit Court system.

Currently, the *Electronic Access Policy for Circuit Court Records of the Illinois Courts* ("Policy"), requires that every member of the public has 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). Pursuant to *General Administrative Order No. 2017-02 – Electronic Access to Court Records*, effective June 1, 2017, the Cook County Circuit Court will offer a subscription service by which registered attorneys and parties may remotely access court record images for cases in which they are the attorney of record or a party.

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 website that we will provide on June 1st for the subscription service is capable of ensuring the security of court record images. 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 the "Notice Of Confidential Information Within Court Filing" form that contains 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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