



# ILLINOIS SUPREME COURT COMMISSION ON ACCESS TO JUSTICE QUARTERLY NEWSLETTER

April 2020

## Access to Justice during the COVID-19 Pandemic

The foremost concern of the Judicial Branch is the health and safety of our staff and patrons. As a court community, we want to make sure that everyone is following the proper precautions for themselves and the community.



**Considerations for everyone.** Individuals, including judges, court staff, parties, lawyers, jurors and witnesses, should NOT enter any courthouse if they:

- Have traveled, within the last 21 days, to any country designated by the United States Centers for Disease Control (CDC) as high-risk locations for transmission of COVID-19;
- Reside or have close contact with anyone who has traveled to any country designated by the CDC as high-risk locations for transmission of COVID-19;
- Have been directed to quarantine, isolate or self-monitor at home by any medical provider;
- Have been diagnosed with, or have had close contact with anyone diagnosed with, COVID-19; or
- Have flu-like symptoms including fever, cough or shortness of breath.

**Considerations for court staff.** Watch this [webinar](#) put on by the Illinois Judicial College on March 19, 2020. If litigants are requesting continuances or not appearing in court during this time, consider the following:

•Make sure the plans for your courthouse are made easily available to the public and justice partners. Although court plans are being posted on the Illinois Courts and local court websites, please consider also utilizing social media, local news (TV and newspapers), mailings, and posting signs outside the courthouse.

•If you are at a court that has closed, reduced hours, or plans to reschedule many cases, make sure you have a plan to widely communicate the changes to avoid litigants and others from coming to the courthouse. In addition to the strategies listed above, consider calling litigants with cases scheduled during the closure or limited service time period.

•If you are not closing or rescheduling cases, be lenient if litigants are not in court. Consider not entering any dismissals for want of prosecution or default judgments during this period, instead continue cases for at least a month from now.

•Have a plan for how to deal with litigants calling circuit clerks or the court about court dates (inquiring if still going on or asking to change dates), but don't make such changes only for those who have called. Grant continuances liberally.

•Also, offer remote appearances by telephone or video conferencing so that cases may move forward, but case participants are not risking exposure. Supreme Court Rules 185 and 241 allow for remote appearances in civil matters and 725 ILCS 5/106D-1 allows for video appearances for civil or criminal matters, for certain types of court dates, when the litigant is incarcerated.

•While remote appearances may be necessary to prevent the spread of the coronavirus, no additional cost should be placed on parties, lawyers, or witnesses unless those appearing agree to pay the cost in advance.

•Many telephone or video conferencing services are free including, but not limited to, freeconferencecall.com, freeconferencecall.com, freeconferencecalling.com, uberconference.com, or freeconference.com. Other conference call vendors may honor fee waivers during this time, such as CourtCall. Some video conferencing vendors offer free versions of their systems including, but not limited to, VSee, Google Hangouts, Zoom, WebEx, GoToMeeting, and Skype.

•Cases with interpreters

•Courts are encouraged to utilize interpreters remotely over phone or video.

•Interpreters providing services in person should be given simultaneous interpreting equipment, if available in the courthouse, to maintain distance between interpreters and litigants. Equipment should be disinfected before and after use. If equipment is not available in your courthouse, contact Sophia Akbar at [sakbar@illinoiscourts.gov](mailto:sakbar@illinoiscourts.gov).

•If simultaneous interpreting equipment is not available, courts should allow interpreters to use the consecutive mode of interpretation so that interpreters and litigants can maintain distance between one another. The simultaneous mode of interpretation requires parties to be physically proximate, which is currently not advised.

•When possible, courts should hear interpreter cases first so that interpreters can provide services in other courtrooms and areas of the courthouse.

•Extended one-on-one services in circuit clerk's offices, law libraries, and self-help centers, like assisting with e-filing or filing out forms, should be minimized. For e-filing, consider liberal use of the e-filing exemption option. For other one-on-one assistance, consider phone or email assistance.

### Considerations for court patrons or litigants.

•Stay informed about what is happening in your court by checking the local court's website or <http://illinoiscourts.gov/Administrative/covid-19.asp>

•Communicate with your local court. If you have an upcoming court date, call your local court and see if that case has been continued to another date or ask if it can be.

•Ask if your case could be heard by telephone or video conference instead of in person.

•Do not go to any courthouse in the state if you meet any of the criteria above.



## Illinois Judicial Conference Access to Justice Initiatives

The newly reconstituted Illinois Judicial Conference (IJC) convened from November 2018 to October 2019 and devised an ambitious [strategic agenda](#) for the future of the judicial branch. The chair of the ATJ Commission, currently Justice Mary K. Rochford, maintains a seat on the IJC. The IJC established five Strategic Goals to fulfill its mission and vision. The first Strategic Goal is *Accessible Justice & Equal Protection Under the Law*.

For the first year of implementation of the Strategic Agenda, three initiatives are assigned to the ATJ Commission.

### (1) Remote Appearances in Civil Cases.

The purpose of this initiative is to promote the increased use of remote appearances in civil cases through improved rules, policy, and education. The Remote Appearance Committee of the ATJ Commission is working diligently on drafting a remote appearance policy as well as reviewing the current Illinois Supreme Court Rules and other states' rules on the topic. The committee will also develop educational materials for remote appearances.

### (2) Self-Represented Litigant Coordinators.

This initiative will enhance personal services provided to self-represented litigants in courts across Illinois to make the court system more understandable, user-friendly, and accessible. The ATJ Commission already supports two navigator projects, Illinois JusticeCorps and the SRL Coordinator Grant Program which will designate people in courthouses to assist court patrons without lawyers. The IJC recognized the value that these programs bring to the jurisdictions they are in and encourage other jurisdictions to similarly have designated individuals in their courthouses to offer this assistance. A working group is considering the creation of a new network which would include the existing programs as well as the additional network members.

### (3) Plain Language Legal Forms.

This initiative will make the courts more understandable and accessible for litigants in small claims and eviction cases with the creation of plain language, legally sufficient court forms with procedural instructions. The Forms Committee of the ATJ Commission approved the Eviction Complaint forms suite for public comment which was completed on March 23. The Small Claims Complaint forms suite is now posted for public comment until May 1. Please submit your comments on the draft forms either through our website [here](#) or directly to Kathleen Callahan, Senior Program Manager, Forms at [kcallahan@illinoiscourts.gov](mailto:kcallahan@illinoiscourts.gov). Comments from throughout the community allow the best forms possible.



Lee County Courthouse

## Community Trust Meeting in Lee County

The ATJ Commission's Community Trust Committee seeks to increase public trust and confidence in the courts by bridging the gap between the courts and the communities they serve. The Committee is currently in the exploratory phases of work in its newest site, Lee County. On February 21, 2020 members of the ATJ Commission's Community Trust Committee met with Lee County Presiding Judge Ackert, the Trial Court Administrator, Probation Director, Sheriff, Chief of Police, Public Defender, Assistant Regional Superintendent of Schools, Prairie State Legal Services attorney, and an SRL Coordinator. In partnership with the Lee County Circuit Court, the Committee will be scheduling a town hall meeting with key organizations in the area to establish a dialogue between representatives from the courts, legal service providers, and the providers of social services, human services, health services, and religious and community organizations in Lee County. The town hall will give providers an opportunity to discuss issues affecting the communities they serve with court representatives and legal service providers and learn more about available services. It will also help court representatives and legal service providers understand how to improve their services and communications to greater benefit the community.

## Upcoming Events

- April 14**  
ATJ Commission Meeting
- June 1**  
New ATJ Strategic Plan The ATJ Commission will seek approval from the Illinois Supreme Court of its new 2020-2023 strategic plan in May. This plan will guide the Commission's work for the coming three years.

## Criminal Pro Bono Program Appellate Court

On February 11, 2020 the Illinois Supreme Court launched a pilot program utilizing volunteer *pro bono* attorneys to reduce the backlog of criminal appeals across the state that are currently pending with the Office of the State Appellate Defender. In this six-month pilot program, *pro bono* attorneys will assist with reducing the backlog by substituting for Office of the State Appellate Defender in certain criminal appeals. The pilot program commenced in the Illinois Appellate Court's First and Second Districts and is administered by the Administrative Office of the Illinois Courts. Upon completion and assessment of the pilot program, it will be expanded to include the Third, Fourth, and Fifth Appellate Districts. The Court's press release can be read [here](#).

Attorneys interested in volunteering for the initiative should complete a "Volunteer *Pro Bono* Program Attorney Application" available [here](#). To participate, attorneys must have experience as appellate counsel or prior experience clerking for the Supreme or Appellate Court. Additional criteria includes a valid license to practice law in Illinois for a minimum of five years or admission to practice law in Illinois *pro hac vice* under Illinois Supreme Court Rule 707, up-to-date malpractice insurance, and no ARDC disciplinary actions.

This could be a great time to take on appellate *pro bono* cases. For more information, please contact Kathryn Hensley, Senior Program Manager at [khensley@illinoiscourts.gov](mailto:khensley@illinoiscourts.gov).

## Kane County Language Access Meeting



Chief Judge Hull welcomes the group.

The ATJ Commission's Language Access Committee is conducting statewide stakeholder meetings to discuss how to improve language access services and utilize available resources. The first meeting was in Kane County on February 19, 2020. The meeting brought together Kane County Chief Judge Hull and a multitude of court stakeholders. The meeting generated discussion highlighting the need for education about the importance of using certified interpreters, the proper role of the interpreter, the availability of statewide reimbursement for using interpreters on the AOIC Registry, and the availability of translated signs, forms, and resources. The meeting is part of a larger effort to create a statewide Language Access Plan, which will address existing gaps and chart a path forward.



Sophia Akbar and Judge Sandra Parga welcome the group.

## Presentations and Trainings

The AOIC, ATJ Commission, Illinois Bar Foundation, and The Chicago Bar Foundation joined forces to develop an interactive simulation designed to educate judges, clerks, court stakeholders, and the broader legal community about the challenges faced by self-represented litigants in court, and how they can make a difference. During this simulation, participants step into the shoes of a litigant trying to navigate the court and legal aid system alone. Participants must navigate the courthouse and other interrelated systems to defend themselves in court and preserve their housing. A second component of this simulation is a debrief discussion where participants discuss key takeaways from the experience. So far, the simulation has been presented to Illinois JusticeCorps; Self-Represented Litigant Coordinators; judges, clerks, and court staff at the Judicial Education Conference, a national audience at the Self-Represented Litigant Network Conference, and as a CLE for the Chicago Bar Association. If you are interested in participating in this training, please reach out to Jill Roberts, Supervising Senior Program Manager at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov)



The SRL Experience Simulation in action

For more information, please contact Alison Spanner at [aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov)

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