



## Illinois Supreme Court Rules Committee

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### NOTICE OF PUBLIC HEARING – October 5, 2022

In accordance with Supreme Court Rule 3 (Rulemaking Procedures), you are hereby notified that the Supreme Court Rules Committee will hold a public hearing on **Wednesday, October 5, 2022**, beginning at **10:30 a.m.**, in Room C-500 at the Michael A. Bilandic Building, 160 N. LaSalle Street, in Chicago. Clerks of court are requested to post a hard copy of this notice in a conspicuous place.

The public hearing agenda includes the following items:

**Proposal 21-04 (P.R. 0297) Amends Supreme Court Rules 23 (Disposition of Cases in the Appellate Court) and 361 (Motions in Reviewing Court);** The Rules Committee seeks comments on a proposal to give the Appellate Court authority to issue partial summary orders on sentencing issues in criminal and juvenile appeals while retaining jurisdiction to address the merits at a later date. The proposal also amends Rule 361(b) to provide 7 days (currently 5) to respond to motions filed in the Appellate or Supreme Court.

**Proposal 21-06 (P.R. 0299) Amends Supreme Court Rule 207 (Signing and Filing Depositions);** The Rules Committee seeks comments on a proposal to amend Rule 207 to require that a deponent be allowed to examine/review a transcribed deposition at no charge, and that the transcript be made available to a deponent in person or provided by mail or email at (i) the location where the deponent was located when the deposition was taken, (ii) the deponent's residence or business address, (iii) a location acceptable to the deponent in the county where the deposition was taken, or (iv) electronically, if the deponent is able to receive it in that manner. It further provides that the cost of providing the transcribed deposition should be the responsibility of the party seeking the deposition, and not the deponent.

**Proposal 22-01 (P.R. 0304) Amends Supreme Court Rule 706 (Filing Deadlines and Fees of Registrants and Applicants);** The Rules Committee seeks comments on a proposal to increase the fees for applications for admission on motion under Rule 705, applications for admission by transferred uniform bar examination score under Rule 704A, and applications for limited admission as house counsel. All three fees would be increased from \$1,250 to \$1,500.

**Proposal 22-02 (P.R. 0305) Amends Supreme Court Rule 9 (Electronic Filing of Documents);** The Rules Committee seeks comments on a proposal to amend Supreme Court Rule 9 to implement an automated "pending correction" process within the statewide e-Filing system for any e-filed

documents not accepted by the clerk. The proposal further provides that if the filer corrects the errors identified by the clerk and re-submits within 48 hours, the filing would be accepted and the acceptance date would relate back to the date of the original submission.

**Proposal 22-03 (P.R. 0306) Amends Rule of Professional Conduct 1.5 (Fees);** The Rules Committee seeks comments on a proposal to add a Comment clarifying that Rule 1.5 allows fee agreements that are not on an hourly rate, for example, fixed fee arrangements, so long as the fee charged or collected is reasonable for the services performed. The proposed Comment would also urge lawyers to consider alternative arrangements to deliver affordable representation in a transparent and predictable manner, with the goal of reducing misunderstandings and avoiding fee disputes.

**Proposal 22-08 (P.R. 0311) Amends Supreme Court Rule 434 (Jury Selection);** The Rules Committee seeks comments on a proposal to amend Rule 434 to (i) reallocate the burden of justifying a peremptory strike to the striking party instead of the objecting party as the burden now rests; and (ii) account for unconscious bias instead of requiring proof of intentional discrimination.

The full text versions of all proposals are available on the Supreme Court's website at: [www.illinoiscourts.gov/SupremeCourt/Public\\_Hearings/Rules/](http://www.illinoiscourts.gov/SupremeCourt/Public_Hearings/Rules/)

The Supreme Court Rules Committee invites public comments on the proposals. Written comments should be submitted no later than **Wednesday, September 28, 2022**, to [RulesCommittee@illinoiscourts.gov](mailto:RulesCommittee@illinoiscourts.gov) or via mail to: Committee Secretary, Supreme Court Rules Committee, 222 N. LaSalle Street, 13<sup>th</sup> Floor, Chicago, Illinois 60601. **\*\*\*PLEASE NOTE: All written comments submitted will also be published and accessible on the Supreme Court's website.\*\*\***

To be scheduled to testify at the public hearing, please send an e-mail or written request to the Rules Committee Secretary, as noted above, no later than **Wednesday, September 28, 2022**.