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**CHIEF JUSTICE KILBRIDE ANNOUNCES NEW E-BUSINESS COMMITTEE  
FOR ILLINOIS COURTS**

Illinois Supreme Court Chief Justice Thomas L. Kilbride announced Wednesday the formation of a special Supreme Court committee to propose new ways of doing court business through electronic means.

Recommended by the Chief Justice and approved by the entire Supreme Court, the committee will be known as the Illinois Supreme Court Special E-Business Committee.

It is charged with the development and implementation of e-business applications in the Illinois court system with an eye toward making it friendly, efficient and cost-effective for the users -- lawyers, judges, litigants representing themselves, and others with a need for access.

“E-filing and E-business have become frequently used terms throughout the court system,” said Chief Justice Kilbride. “We have several pilot projects going on in Illinois and the federal courts have a system that is widely used and lauded. The goal of the committee is to accelerate the study of existing e-business in the courts, to develop user standards, system guidelines and reasonably expeditious implementation plans, and to turn discussion into practice.

“Simply stated, we want the committee to kick start existing ideas and make e-business and especially e-filing a matter of course, not just a matter of talk, in our Illinois courts.”

Chief Justice Kilbride said he is hopeful that e-filing can be instituted soon in the Illinois Supreme Court and, following that, in the Illinois Appellate Court. As a precursor toward the latter goal, the Illinois Supreme Court approved a pilot project by DuPage and Ogle counties to transfer electronically the lower court record of cases before the Second District Appellate Court, the Chief Justice said.

Because of the nature of both state and county funding of Illinois Circuit Courts, the Chief Justice said he understands that complete migration to e-business in courts throughout the state will take more time.

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“This is part of the continuing goal by the Supreme Court to bring 21<sup>st</sup> century efficiencies to the way courts do business in an age when the practice of law, and just about everything else, has changed because of new technologies,” said Chief Justice Kilbride. “The Committee is being asked to take a look at all the various efforts across the state—by courts and court clerks, bar groups, and judges—and to move toward a system of harnessing the new technologies and helping us launch new applications and management systems that will benefit not only the legal profession, but also individual litigants and Illinois taxpayers through the increased efficiencies.”

Bruce Pfaff, a Chicago lawyer with a practice that emphasizes representing plaintiffs in product liability, medical malpractice and other types of personal injury cases, will chair the committee.

“This is an extremely important project that the Chief Justice and the Supreme Court has asked us to undertake,” said Pfaff. “We plan to develop solutions to make using the court system consistent with the way lawyers actually work these days with an emphasis on increased efficiency through the use of electronic technologies.”

Pfaff runs an office that is essentially paperless even while the bulk of his work is in Illinois state courts, which lack a uniform system of e-filing.

“Everytime someone files pleadings in a case we are involved in, one of our legal assistants scans the documents even before one of our lawyers sees them,” said Pfaff. “The assistant electronically inserts them into our case management system and then e-mails it to our lawyers. It is a system that allows us to be terrifically organized.”

The Supreme Court appointed seven other lawyers to the committee. In addition, representatives from bar groups, appellate lawyers and the Illinois Judicial Conference will be consulted. To help speed implementation, Illinois Supreme Court Clerk Carolyn Taft Grosboll and a staff person from Judicial Management Information Services of the Administrative Office will serve as ex-officio members of the committee.

Solicitor General Michael A. Scodro of Attorney General Lisa Madigan’s office also will consult with members of the committee. No single lawyer or entity appears more frequently before the Supreme Court.

“As a frequent litigant before the Court, our office is extremely enthusiastic about the Chief Justice’s electronic filing initiative, and we are eager to assist the committee in any way we can,” said Scodro.

There are several jurisdictions, in addition to the PACER system in the federal courts, which use e-technologies, including e-filing. But there are special challenges in Illinois associated with a statewide, uniform system of e-filing and other e-business.

These challenges stem from the fact that Illinois lacks a unified court system. The state is comprised of 102 counties which are contained in 23 Circuit Court jurisdictions and five Appellate districts. Both the state and the counties provide financial resources for the operation of the courts.

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Complicating the matter further in Illinois is the fact that there are at least 12 different Circuit Court management software systems operating in the various court jurisdictions.

“Not many counties have the funds right now, but in order for there to be a viable e-filing system in state courts, we have to get together to set up a framework so that all of the 102 counties in this state know when they invest and upgrade in technology, that it will work well for both lawyers and litigants including those not represented by attorneys, and be compatible throughout the state,” said Circuit Court Judge Adrienne W. Albrecht of Kankakee in the 21<sup>st</sup> Circuit.

“Many of our case management systems are based on old technology. All the systems are in need of upgrading. We have to get ahead of the curve. We need to have standards in effect so that every jurisdiction can interface with another. Court clerks, administrators, judges, lawyers and county and state officials need to feel confident that when the funds are available for updating systems, they are getting something that will work for the next generation.”

Judge Albrecht serves as chair of the Automation and Technology Committee to the Illinois Judicial Conference. While she is not a member of the new committee, the charge of the new committee includes working with Judge Albrecht’s committee in coordinating the work of various committees of groups who are studying the same issues, including a working committee designated by the Illinois Association of Court Clerks.

The specific charge of the new committee is to “serve as representatives from the users’ standpoint for the development and implementation of e-business applications in the Illinois court system, including but not limited to e-filing.” It is charged with developing general guidelines on the use of e-business in the trial courts, appellate courts and before the Illinois Supreme Court. It may also recommend protocols relating to security issues affecting e-business.

“The prospect of uniform e-filing has been something that we have discussed at length as a board for quite some time,” said Cook County Circuit Judge Jean Prendergast Rooney, head of the Appellate Lawyers Association and an experienced appellate lawyer before being appointed to the bench. “As a group, we are very excited about the idea of the new committee and the Supreme Court’s commitment to modernizing the method of filing records and briefs.

“We welcome e-filing and remain willing to assist the Court and any of its committees in moving toward that goal.”

Currently, there are five e-filing pilot projects underway in Illinois, previously approved by the Supreme Court. They are in Cook County, DuPage County, Madison County, St. Clair County and Will County.

DuPage County was the first pilot project for e-filing in Illinois, dating to 2005. Currently, about 8,000 cases are filed each month in electronic format, representing about 89 percent of all civil filings in the county, according to DuPage County Circuit Court Clerk Chris Kachiroubas. The figures reflect the high interest and high user satisfaction of the project.

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“When the project was started five years ago, I have to say that acceptance was slow,” said Kachiroubas. “It was looked upon with a suspicious eye by the legal community. It became accepted more and more, particularly among the young attorneys, and now it has become the standard way of filing as opposed to the exception.”

Another e-filing project growing out of the DuPage experience is a collaborative effort between DuPage County and Ogle County and the 2<sup>nd</sup> District Appellate Court. Its goal is to file in electronic format the lower court record of cases brought to appeal, identify problems and protocols that may be unique to populated courts like DuPage vis a vis those in more rural environments like Ogle County.

The committee will report directly to the Supreme Court. The Administrative Office under Director Cynthia Y. Cobbs will provide support to the committee as necessary.

“Illinois has taken a deliberate approach to the electronic filing and service of documents in the court system and in making court documents available on the Internet,” said Pfaff, the chair of the committee. “It is our hope that an effective e-filing system will reduce administrative and legal costs and make the court system more efficient. Our committee plans to make recommendations to the Court about the strengths and weaknesses of different e-filing systems and to help set guidelines for an e-filing system that will work best and most economically for all litigants, lawyers, judges court personnel and members of the public.”

Other members of the committee are:

Trent L. Bush, attorney with the law firm of Ward, Murray, Pace & Johnson, P.C. in Sterling. Mr. Bush was appointed to the Illinois State Bar Association’s Committee on Legal Technology in 2002 and was appointed co-editor of the committee’s newsletter in 2004;

Chicago attorney David M. Hundley, founding member of the Hundley Law Group. He has engaged in the general practice of law, focusing on complex personal injury, medical malpractice litigation, civil appeals and motor vehicle/railroad injury cases;

Edwardsville attorney Rebecca R. Jackson, partner with the law firm of BryanCave LLP. She is a trial lawyer who represents businesses in general business and commercial litigation, including class action and antitrust litigation, environmental and contractual disputes, as well as employment and personal injury litigation;

Chicago attorney Vanessa G. Jacobsen, partner with the law firm of Eimer Stahl Klevorn & Solberg LLP. She has engaged in a wide variety of commercial litigation matters before state and federal courts, including contract, fraud, and business tort cases, antitrust lawsuits and counseling, class action defense and corporate criminal matters;

Alan Pearlman, principal attorney with the firm of Alan Pearlman Ltd. in Northbrook. In addition to his trial practice, Mr. Pearlman is the author of the nationally syndicated and trademarked

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column titled “The Electronic Lawyer”. Mr. Pearlman is also active as a computer consultant to several law firms in Chicago as well as others throughout the United States;

Edward J. Walsh, founding member and president of the Wheaton law firm of Walsh, Knippen, Knight & Pollock, Chartered. For the past 38 years, Mr. Walsh has engaged in the practice of law in the areas of personal injury and medical malpractice. In 1998, Mr. Walsh pioneered the implementation of network computer technology at the firm, using computerized case management, deposition and trial transcript management and digital trial evidence presentation graphics;

Thomas H. Wilson, partner with the firm of HeplerBroom, LLC in Springfield. Mr. Wilson is a trial attorney with primary emphasis in litigation, including public utility, banking, insurance, construction, civil rights and employment, intellectual property, as well as the defense of personal injury claims including malpractice and general tort liability lawsuits.

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