IN THE
SUPREME COURT OF ILLINOIS

In re:	)
	)
Access to Sealed Information for the	) M.R. 32028
Court-Based Rental Assistance Program	)

Order

The U.S. Congress passed, and the President of the United States signed into law, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") (P.L. 116- 136) in 2020 and the American Rescue Plan Act (P.L. 117-2) in 2021. These acts cumulatively deployed over one billion dollars to Illinois renters and landlords in the forms of rental assistance, housing counseling, legal aid, and mediation services to prevent evictions and provide financial relief to landlords.

The Illinois Department of Human Services ("IDHS"), in partnership with the Illinois Housing Development Authority ("IHDA"), created and launched a rental assistance program only available to parties who are in the court process for eviction and not living in Cook County (the "Court-Based Rental Assistance Program"). This original program has evolved since its inception. IDHS has handed over the administration of the Court-Based Rental Assistance Program to IHDA, and the program now serves the entire state of Illinois.

For the proper and expedited processing and distribution of federal public dollars through the Court-Based Rental Assistance Program, IHDA must verify that applicants have an active eviction case in an Illinois Circuit Court and that no court order has been entered disposing of the applicant's case.

Courts may order that a court file in an eviction case be placed under seal if certain conditions are met. 735 ILCS 5/9-121. Supreme Court Rule 8 defines the term "sealed," but the preface to this definition states "[u]nless otherwise specified by Rule, statute or order of court . . . ."

In furtherance of the Court-Based Rental Assistance Program currently administered by IHDA to distribute significant rental assistance resources to litigants in eviction court; and in the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16) and the authority granted to this Court under Supreme Court Rule 8, IT IS HEREBY ORDERED that:

1. IHDA, a body politic and corporate of the State of Illinois created by the Illinois Housing Development Act (20 ILCS 3805/1 *et seq.*), and its limited designated contractors shall have access to information contained in sealed court files to verify

that there is an eviction action currently pending against the applicant and that no eviction order has been entered against the applicant.

2. Each circuit clerk will assign an individual or individuals to respond to inquiries from IHDA and its limited designated contractors in a timely manner pursuant to Paragraph 1 of this order and will provide to the Administrative Office of Illinois Courts ("AOIC") the name, contact information, and preferred method of communication of such assigned individual(s) and any updates to this contact information as needed in a timely manner. The AOIC will provide each circuit clerk with a list of representatives from IHDA and its designated contractors who will submit inquiries for the purpose of administering the Court-Based Rental Assistance Program, including their names and contact information.

3. Nothing in this order permits the release of a sealed court file or the information contained therein for a commercial purpose.

4. This order shall remain in effect until further order of the Court.

Order entered by the Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 21st day of December, 2023.

Cynthia A. Grant

Clerk,
Supreme Court of the State of Illinois

FILED
December 21, 2023
SUPREME COURT
CLERK