



OFFICE OF THE CHIEF JUDGE
Ninth Judicial Circuit
State of Illinois

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Counties of Fulton, Hancock, Henderson, Knox, McDonough and Warren

ADMINISTRATIVE ORDER NO. 2023-03

REMOTE HEARINGS IN THE NINTH
JUDICIAL CIRCUIT

The Illinois Supreme Court has promoted the use of video conferencing to enhance the access to the judicial system. Supreme Court rules 45 and 241 allow for the use of video conferencing so long as constitutional guarantees are afforded. Pursuant to the authority vested in the undersigned as Chief Judge of the Ninth Judicial Circuit Court by Section 7, Article 6 of the Constitution of the State of Illinois (1970), and by Part 1.10A of the Circuit Court Rules of the Ninth Judicial Circuit Court. The Ninth Judicial Circuit Court Rules, amended October 22, 2021, Part 1.80 – Remote Hearings, is hereby replaced with the following:

PART 1.80 – REMOTE HEARINGS

All appearances under this rule shall comply with SCR 45 and 241 as amended.

A. General Rules

1. Any judge in the Ninth Judicial Circuit has the discretion to create and maintain a remote hearing or docket to address safety or health concerns, provide cost or time savings to the court or parties, or improve efficiency of court operations. In the creation and scheduling of such hearings, judges and courthouse personnel should strive to utilize technology which is readily available to the public and attorneys and is available at either no cost or low cost to participants.
2. Nothing in this rule requires a judge to hold either a remote hearing in any proceeding unless otherwise mandated by law or other established court procedure – see Section D below. Those proceedings allowed to be conducted by video or telephone under SCR 45(c) - 45(e) may be required to be in person if the judge determines the nature of the hearing, the conduct of the parties or attorneys in the case or the need to allow parties and their attorneys to communicate and negotiate effectively requires it.
3. When a remote hearing involves a defendant in custody, the judge shall provide a reasonable opportunity for counsel to communicate privately with said defendant prior to, during and immediately after the proceeding.
4. A judge may direct an attorney to initiate a remote hearing in an individual case as necessary, if that order does not place an undue burden on any one party or attorney.

5. Persons who appear in a remote hearing must conduct themselves in the same manner and in accordance with the same standards as the Illinois Code of Civil Procedure, Illinois Supreme Court rules, and Ninth Judicial Circuit Court Rules. The same rules regarding dress, conduct, demeanor, language and respect for the Court and staff apply as if the participants were physically present in the courtroom.
6. Judges should make reasonable efforts to allow public viewing of any public court proceeding conducted by video.
7. In addition to paragraph C below, remote hearing instructions and information will be made available to the bar associations of the Ninth Judicial Circuit.

B. How to join a remote proceeding in the Ninth Judicial Circuit

1. Go to <http://www.9thjudicial.org/index.html>.
2. In the Latest News section click: 9th judicial zoom courtrooms – Click here for listings.
3. Click on the hyperlink for the appropriate courtroom.

C. Where to find information and assistance for remote proceedings

1. In Fulton, Hancock, Henderson, Knox, McDonough and Warren Counties, contact the office of the judge assigned to the case or the Circuit Clerk's office:
 - a. Fulton County Circuit Clerk 309-547-3041
 - b. Hancock County Circuit Clerk 217-357-2616
 - c. Henderson County Circuit Clerk 309-867-3121
 - d. Knox County Circuit Clerk 309-345-3859
 - e. McDonough County Circuit Clerk 309-837-4889
 - f. Warren County Circuit Clerk 309-734-5179
2. Remote hearing information and instructions will be posted in public areas in the six county courthouses of the circuit.

D. Proceeding types exempted from remote proceedings by case category

1. Criminal Felony and Criminal Misdemeanor
 - a. Hearings on release from detention
 - b. Recall of a warrant (unless represented by an attorney)
 - c. Evidentiary hearings
 - d. Plea of guilty
 - e. Sentencing
 - f. Jury or bench trial
 - g. Hearing to revoke probation
 - h. Hearings conducted under the Sexually Dangerous Persons Act
 - i. All specialty court proceedings (unless waived by the Court)
 - j. All contempt of court proceedings

2. Civil (all subcategories)
 - a. Evidentiary hearings
 - b. Settlement conferences
 - c. Jury or bench trial
 - d. All contempt of court proceedings

3. Family
 - a. Evidentiary hearings
 - b. Settlement conferences
 - c. Bench trials
 - d. Recall of a warrant (unless represented by an attorney)
 - e. All contempt of court proceedings

4. Juvenile Delinquency
 - a. Hearings on release from detention
 - b. Recall of a warrant (unless represented by an attorney)
 - c. Evidentiary hearings
 - d. Plea of guilty
 - e. Sentencing
 - f. Jury or bench trial
 - g. Hearing to revoke probation
 - h. Hearings conducted under the Sexually Dangerous Persons Act
 - i. All contempt of court proceedings

5. Juvenile Abuse & Neglect Hearing
 - a. Evidentiary hearings
 - b. Adjudication hearings
 - c. Permanency hearings
 - d. Disposition hearings
 - e. Termination of Parental Rights
 - f. All specialty court proceedings
 - g. All contempt of court proceedings

6. Major Traffic, Minor Traffic, DUI, Ordinance Violations
 - a. Hearings on release from detention
 - b. Recall of a warrant (unless represented by an attorney)
 - c. Evidentiary hearings
 - d. Plea of guilty (unless waived by the Court)
 - e. Sentencing (unless waived by the Court)
 - f. Jury or bench trial
 - g. Hearing to revoke probation
 - h. All specialty court proceedings
 - i. All contempt of court proceedings

E. How to request a remote proceeding

1. Parties who wish to appear remotely for a future court appearance where the proceeding is otherwise scheduled to be in-person shall make such request to the Court in writing or in-person. The requirement of "in writing" may include email correspondence if allowed by the Court. Any said request shall be sent to the other party or attorney for a party in the case. Said request must be made at least three business days prior to the court proceeding. The other party or attorney may make written objection to the Court of said request. It is within the discretion of the Court whether to grant any request where an in-person appearance is otherwise required.
2. Attorneys who wish to appear remotely must follow the steps outlined in section E (1) above and must notify their client of any such request. If the party is required to attend the proceeding in person, the attorney shall be so required unless their appearance is waived by the Court. The other party or their attorney may make written objection to the Court of said request. It is within the discretion of the Court whether to grant any request where an in-person appearance is otherwise required.
3. In its discretion, the Court may convert an in-person proceeding to a remote proceeding for the health, safety or welfare of the parties or attorneys, or efficiency of the Court. The decision of the Court to switch to a remote proceeding is not determinative for future court hearings.

IT IS THEREFORE ORDERED AND ADJUDGED that the above Ninth Judicial Circuit Court Rule Part 1.80 – Remote Hearings is adopted on a temporary basis until such time as the Judges of the Ninth Judicial Circuit serving on the Rules Committee have reviewed the rule and the Judges of the Ninth Judicial Circuit have approved it.

Dated this 28th day of March, 2023.


David L. Vancil, Jr., Chief Judge
Ninth Judicial Circuit

cc: Judges
Circuit Clerks