

**In the Appellate Court of Illinois
First Judicial District**

ORDER

The Appellate Court of Illinois, First Judicial District, by action of a majority of the judges thereof, hereby ORDERS that the Rules of the First Judicial District, adopted May 5, 2021, and thereafter amended, are further amended as follows, pursuant to Illinois Supreme Court Rule 22(h). This amendment shall be effective immediately upon its approval by a majority of the justices of the First Judicial District and filing with the clerk.

(Additions indicated by underline; deletions indicated by ~~strikeout~~)

Proposal 1 –	Rule 2. Assignment of Cases.
Amend Rules 2(a), 2(c), 3(a), and 5 to require prompt assignment and randomization of appeals from orders involving pretrial detention or release of a criminal defendant and appeals from orders involving temporary restraining orders.	<p>(a) Ready Cases. <u>A case becomes “ready” when the reply brief of the appellant is filed or is overdue. However: (i) an appeal from an order involving a temporary restraining order governed by Illinois Supreme Court Rule 307(d) is ready when the petition is filed in this court; and (ii) an appeal from an order involving pretrial release or detention of a criminal defendant is ready when the supporting record is filed or is overdue.</u></p>
Requires that successive appeals from bail appeals shall not be automatically assigned to the original author but will be randomized.	<p>When a case becomes ready, (1) <u>except for cases listed in Rule 2(a)(i), 2(a)(ii), and cases placed on an accelerated docket,</u> the Director of Research shall review the case to determine if it should be assigned to the Research Department (except for cases placed on an accelerated docket), and (2) the case shall be randomly assigned by electronic process to an authoring judge and a panel of two additional judges from the authoring judge’s division. Random assignment of cases shall be balanced for an annual equalization among judges.</p> <p>If the authoring judge fails to secure a majority of the panel for any reason (either as to the judgment or the rationale), the presiding judge (if the presiding judge is in the majority) or, otherwise, the senior judge in the majority shall reassign a new author from among the judges in the majority.</p> <p>If the authoring judge recuses himself or herself, the chair of the Executive Committee shall authorize the case to be randomly reassigned by electronic process.</p> <p>The assigned panel shall render the dispositional order of the court, except (a) for realignment due to recusals and division rotation; (b) by</p>

<p>(Requested by JJ. McBride, Mikva and Delort)</p>	<p>order of the chair of the Executive Committee; and (c) where the authoring judge determines that (i) there is a need to promptly dispose of an accelerated or expedited case; (ii) where an assigned member of the panel is unavailable due to recusal, illness, or vacation; or (iii) adherence to panel designations would unduly delay the disposition of a case.</p> <p>(c) Related Cases. The clerk shall assign a case that is related to a prior case assigned to an authoring judge who is still a member of this court to that judge as the authoring judge and to a panel of judges from the authoring judge's division. <u>If However, if: (i) the new case is related to an appeal of an order granting or denying pretrial release or detention of a criminal defendant; or (ii) the authoring judge is no longer a member of the court, any case related to the disposed case shall be assigned as any other case then the new related case shall be assigned as any other case.</u></p> <p>Examples of related cases include, but are not limited to:</p> <ul style="list-style-type: none"> (1) A postconviction appeal and the direct appeal of a criminal case; (2) An appeal at the conclusion of a case and a prior interlocutory appeal; (3) A section 2-1401 appeal and the direct appeal; (4) An appeal from the same circuit court number, or the successor circuit court number, as in a prior case; (5) Cases that arise out of the same incident regardless of whether they share the same circuit court number; and (6) Cases that involve similar issues where one or more of the parties are the same. <p>The clerk shall assign cases listed in categories (c)(5) and (c)(6) as related only with permission of the chair of the Executive Committee.</p> <p>The chair of the Executive Committee may also assign cases as related in the interest of judicial economy.</p> <p>Rule 3. Processing of New Cases.</p> <p>(a) New Cases. When the clerk receives (1) the transmittal of a notice of appeal, a notice of interlocutory appeal, or a filing for a case not already assigned a docket number; (2) a motion for leave to file a late notice of appeal; (3) a petition for leave to appeal; (4) a Rule 308 application; (5) <u>a notice of appeal of an order involving pretrial detention or release of a criminal defendant under Rule 604</u> a Rule 604(c) bail motion; or (6) a Rule 335 petition for review, the clerk shall assign the case a permanent consecutive number and enter the case on the docket, regardless of whether the filing otherwise complies with applicable court rules. The</p>
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	<p>clerk is not required to assign a docket number if (1) the required fee has not been paid and an application for a fee waiver is not presented or (2) the filing is required to be e-filed but was presented on paper without a filing exemption.</p> <p>Rule 5. Supreme Court Rules 306, 307(d), 308, and 604(e) Cases.</p> <p>The cover page of the petition, <u>or</u> application, or <u>a</u> motion relating to appeals brought under Supreme Court Rules, 306 (petition for leave to appeal by permission), 307(d) (appeal of a temporary restraining order), 308 (application for leave to appeal a certified question), or <u>604 (an order involving pretrial detention or release of a criminal defendant) 604(e)</u> (bail order) shall specify the rule under which the document is filed. If the case is exempt from electronic filing, an original and three copies of the petition, application, or motion and three copies of the supporting record, with proof of service, shall be filed.</p> <p>When a party receives electronic notification that an electronically filed document for a Supreme Court Rule 306, 307(d), 308, or 604 (e) case has been accepted, the party shall provide the clerk with three paper copies of the briefs and appendices bearing this court's electronic file stamp within one business day.</p> <p>Applications or petitions filed under Supreme Court Rules 306, 307(d), or 308 must be filed electronically unless the party is exempt from e-filing. If a motion for review under Supreme Court Rule 604(e) (bail orders) is filed on paper, the movant must file an original and three copies with proof of service attached.</p> <p>If a party elects to allow the petition or answer to stand as the brief, the party shall comply with the notice and filing requirements of Supreme Court Rule 306.</p>
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First Division

Terrence Lavin

Presiding Justice Terrence J. Lavin

Justice Aurelia Pucinski

Michael B. Hyman

Justice Michael B. Hyman

Mary Ellen Coghlan

Justice Mary Ellen Coghlan

Second Division

/s/ James Fitzgerald Smith _____
Presiding Justice James Fitzgerald Smith

/s/ Nathaniel Howse, Jr. _____
Justice Nathaniel Howse, Jr.

/s/ David W. Ellis _____
Justice David W. Ellis

/s/ Cynthia Y. Cobbs _____
Justice Cynthia Y. Cobbs

Third Division

Margaret S. McBride

Presiding Justice Margaret S. McBride

Jesse G. Reyes

Justice Jesse G. Reyes

Debra B. Walker


Justice Debra Walker

Rena Marie Van Tine

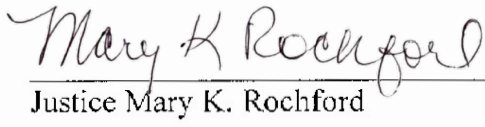
Justice Rena Marie Van Tine

Fourth Division

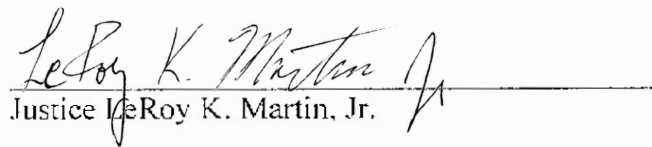
Presiding Justice Bertina Lampkin



Justice Thomas E. Hoffman

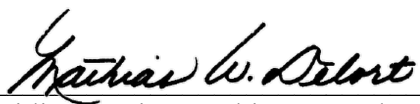


Justice Mary K. Rochford

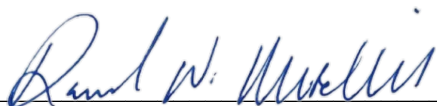


Justice LeRoy K. Martin, Jr.

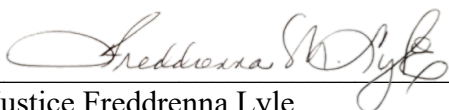
Fifth Division



Presiding Justice Mathias W. Delort



Justice Raymond W. Mitchell



Justice Freddrenna Lyle



Justice David Navarro

Sixth Division

/s/ Mary Lane Mikva

Presiding Justice Mary L. Mikva

/s/ Carl A. Walker

Justice Carl A. Walker

/s/ Sharon Oden Johnson

Justice Sharon Oden Johnson

/s/ Sanjay T. Tailor

Justice Sanjay T. Tailor