



Via email at [RulesCommittee@illinoiscourts.gov](mailto:RulesCommittee@illinoiscourts.gov)

Administrative Office of the Illinois Courts  
Supreme Court Rules Committee  
Attn: Committee Secretary  
222 N. LaSalle Street, 13<sup>th</sup> Floor  
Chicago, Illinois 60601

Re: Proposed Supreme Court Rules  
Proposal 25-09 (P.R. 000347)  
Proposal 26-07 (P.R. 000357)

Dear Supreme Court Rules Committee:

On behalf of Land of Lincoln Legal Aid, I write in support of the above-referenced proposed Supreme Court Rules.

Land of Lincoln Legal Aid is a non-profit civil legal aid organization whose mission is to provide free high quality legal assistance to low-income and senior residents in 65 counties of Central and Southern Illinois. For over 54 years, Land of Lincoln has represented many thousands domestic violence survivors and their children in seeking Orders of Protections, dissolution of marriage, allocation of parental rights, housing, and other related matters. We provide training on the Illinois Domestic Violence Act to pro bono volunteers, and community education directly to survivors and as well as community partners. With our long history, we are very familiar with the experiences of persons escaping domestic violence, the dynamics underlying intimate partner violence, and the vital role the Illinois Domestic Violence Act and Illinois courts play in ensuring the safety of survivors.

Based on our experience we strongly recommend and support Proposal 25-09 and Proposal 26-07.

Specifically regarding Proposal 25-09 (P.R. 000347), it is our experience that in some counties it is very difficult to make an official record of proceedings because of the acute shortage of court reporters. Some of our counties must share a single court reporter. Even when we request a court reporter beforehand, criminal proceedings have priority over civil order of protection proceedings which often means we are out of luck.

Additionally, some of our counties do not have courtrooms equipped to make an audio recording. Even some of the larger counties only have some, but not all, courtrooms equipped for audio recording.

The lack of an accurate and robust report of proceedings makes a meaningful appeal incredibly difficult, especially for self-represented litigants. A bystander report is often lacking in necessary details and agreed statements of facts are rarely available in the context of a protective order proceeding. In an appeal, the lack of a report of proceedings often means denial of the appeal based on *Foutch v. O'Bryant*, 99 Ill.2d 389 (1984), and its progeny.

A full transcript of a protective order proceeding can also be very helpful if there is a companion domestic relations proceeding, especially in counties where each proceeding might be assigned to a different judge. A transcript from the protective order case can be helpful to the judge now faced with determining allocation of parental responsibilities in the domestic relations matter.

With regard to Proposal 26-07, we also support amending Supreme Court Rule 906 to require attorneys appointed to represent children in allocation of parental responsibility matters be required to have 4 hours of continuing legal education that specifically trains on the complexities of intimate partner violence. Of particular importance is the need for the children's attorney to be knowledgeable in assessing risk factors for lethality and ongoing violence. Training is also needed so attorneys are able to identify hidden abuse, better recognize manipulation, reduce bias and stereotyping (such as victim blaming), and understand how trauma affects memory and behavior.

For all these reasons, we strongly recommend adoption of Proposal 25-09 and Proposal 26-07.

Thank you for your consideration of these comments. If you have any questions or need additional information, please do not hesitate to contact me at 618-398-0574 ext. 1221 or [ssimone@lincolnlegal.org](mailto:ssimone@lincolnlegal.org).

Very truly yours,



Susan M. Simone  
Director of Litigation and Advocacy