



Supreme Court of Illinois

ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS

SUPREME COURT OF ILLINOIS

EMERGENCY CLOSING POLICY AND PROCEDURES

I.

Statement of Policy on Emergency Closings

This policy sets forth the Judicial Branch protocols regarding the management of emergency conditions that impact the safety and welfare of judicial branch officials, state-paid judicial branch employees, and the public. An emergency condition may require the closing of a court or state judicial branch office. A court or state judicial branch office may be declared closed if weather or other hazardous or emergency conditions or events are, or become such, that the safety and welfare of employees and citizens are threatened.

Prior to making such a decision, the judicial officer or administrative authority should be mindful that the courts labor under a heavy and public burden, and that closing a court or judicial branch office can be seriously disruptive to victims, litigants, witnesses, and others, particularly if a facility is closed prematurely or unnecessarily. Every effort should be made to continue the operations of a court or judicial office unless closing is absolutely necessary. In many circumstances, operations can be sustained via other methods, including limiting staffing to essential personnel or by continuing court operations virtually.

This policy outlines levels of authority and protocols to request an emergency closing during what would be normal business hours.

II.

Procedures

A. Authority and Notification Process

A decision to evacuate and/or close a court, the office of a clerk of court, a court-related entity, or other judicial office as a result of an emergency for reasons of severe weather or other conditions, shall be made as follows:



April 12, 2023
ISSUED

Supreme Court Offices: The Chief Justice (or, in the absence of the Chief Justice, the Administrative Director) has the authority to declare offices of the Supreme Court closed. A Supreme Court administrative authority (e.g., Clerk, Legal Research Director, Reporter of Decisions, etc.) may request an emergency closing of their office. Such a request must be approved by either the Chief Justice or the Administrative Director. A copy of the approved Court Closing Form is to be transmitted to the Chief Justice, the Administrative Director, and the Supreme Court Communications Office via e-mail.

Administrative Office: The Chief Justice and the Administrative Director have the authority to close the Administrative Office. The approved Court Closing Form is to be transmitted to the Supreme Court Communications Office via e-mail.

Appellate Districts: The Presiding Justice/Chair of the Executive Committee has the authority to approve the closing of a district of the Appellate Court. An appellate court administrative authority (e.g., Clerk, Research Director) may request an emergency closing. The request must be approved by the Presiding Justice/Chair of the Executive Committee. A copy of the approved Court Closing Form must be transmitted to the Chief Justice, the Supreme Court Justice over the District, the Administrative Director, and the Supreme Court Communications Office via e-mail.

Circuit Courts: The Chief Circuit Judge has the authority to close a Circuit Court. A circuit court administrative authority (e.g., Presiding Judge or Trial Court Administrator) may request an emergency closing. The request must be approved by the Chief Circuit Judge. A copy of the approved Court Closing Form must be transmitted to the Chief Justice, Supreme Court Justice over the District, the Administrative Director, and the Supreme Court Communications Office via e-mail.

When requesting an emergency closing, the Court Facility Closure and Modified Operations Form (see attached) must be used. In extraordinary circumstances, oral requests may be made and approved. Such requests shall also address the evaluation criteria contained on the Court Facility Closure and Modified Operations Form. The completed Form must be submitted contemporaneously, absent extraordinary circumstances. In all cases the Supreme Court Communications Office shall be notified as soon as a decision to close to ensure proper communication via the Supreme Court's website and other mediums.

B. Coordination Among Courts/Offices

An administrative authority requesting to close a court or judicial office due to an emergency condition that may affect more than one court in that circuit or district, should first communicate with each affected judicial authority within the respective circuit or district.

C. Public Service Announcements of Closures

Upon making a decision to close a courthouse or judicial branch facility, the administrative authority, or his/her designee, should request that appropriate news media organizations make public service announcements of such closings and the canceling of court proceedings during such closure. Once notified of a closing, the Supreme Court Communications Office will work with JMIS to post the notice on the [Illinois Courts website](#) and the Supreme Court social media accounts.

D. Effect of County Government Closings

If a county has chosen to close county government buildings or offices, resulting in the unavailability of security personnel, the courthouse may, by necessity, also close. In such instances, a request to close does not need to be made. However, the administrative authority must follow the notification protocols of this policy.

E. Application of Policy

This policy and procedures set forth herein shall be applicable to all state-paid judicial branch officials and employees.

F. Review of Policy and Procedures

The Administrative Office of the Illinois Courts is responsible for the oversight of this Emergency Closings Policy for the Judicial Branch.

III.

Reliance on Remote Proceedings

A. Unsafe travel is not automatically cured by reliance on remote proceedings.

When inclement weather or other conditions makes travel to the Courthouse dangerous for court patrons, judges, and court staff, using remote technology to continue court operations is a possible alternative. However, such technology rarely operates 100% remotely. For example, some may need to travel to the courthouse to allow for the technology to operate; others may not have the ability to do their work remotely, and therefore must be physically present in the courthouse even if others are conducting court remotely.

Consequently, absent implementation of an expanded remote contingency plan as described in Paragraph III-B, below, Courts should not rely on the availability of remote technology to allow the Courthouse to remain open on a day in which it would ordinarily close due to inclement weather or other conditions. To be able to expand the court's remote operations, Courts should first adopt an expanded remote contingency plan.

B. Expanded Remote Contingency Plan.

A Court may, if it chooses, adopt a plan for expanded remote operations to implement on days in which the physical court facilities must be closed due to inclement weather or other conditions. Absent the adoption of such a plan in advance, Courts should not switch to a different mode of remote operation.

1. The most important requirement of the plan is that it needs to be agreed upon by all stakeholders affected by an expanded remote court day. These stakeholders include the Circuit Clerk, probation, pretrial and detention personnel, court reporters, and court security. As such, these stakeholders must be participants in developing an expanded remote contingency plan to ensure all are able to perform their job functions. No plan is complete until all stakeholders have signed off on it.
2. An expanded remote contingency plan should address the following:
 - a. How the remote technology will be operated, and whether it is necessary for any persons to physically be present in the courthouse. If some sort of “skeleton crew” is required, those numbers and how they will be staffed should be identified.
 - b. Whether the court and clerk’s offices will be open or closed to the public. (See paragraph 4, below.) If the offices and courtrooms are not closed, will there be provisions for hybrid proceedings for any persons who show up to court in person? If so, what staffing on site is necessary to make that happen?
 - c. How notification of the public and attorneys will take place. Notification may be necessary through “mass” publication, such as media and the Court’s website.
 - d. The plan must consider how public “spectator” access to the Court’s proceedings will take place. If the Court’s physical facilities will remain open, does this mean that the public could watch the remote proceedings from a position inside the courthouse? If the physical facilities are closed, will there be a streaming option for the public?
 - e. Special attention must be given to how criminal cases will be handled remotely. Is the plan limited to matters which may be handled by video per current statute? As noted in the preceding subparagraph, will there be public access to the proceedings commensurate with constitutional requirements?
 - f. The expanded remote contingency plan must specify any calls which will be conducted in person, keeping in mind that bad weather may lead to a decision by others to close the building in which the Court operates.
3. It is anticipated that, like the other provisions of this order, closure under the expanded remote contingency plan would be an emergency measure, typically lasting only a day or a few days. If circumstances require a more extended closure, the Chief Judge should confer with the AOIC and the Illinois Supreme Court Justice from the district in which the Court sits.
4. Any expanded remote contingency plan must be filed with AOIC prior to being implemented.
5. If a court closure plan involves closure of the Circuit Clerk’s office such that the Clerk’s office will temporarily not accept physical filings, then, consistent with 5 ILCS 70/1.11 and Supreme Court Rule 9(d), a document will be considered timely filed if it is filed before midnight on the next day that the Circuit Clerk’s office is open for business.

COURT FACILITY CLOSURE/MODIFIED OPERATIONS FORM

Jurisdiction & Office: _____

Date(s) of Modified Operations/Closing: _____

Action:

Delayed Opening
Opening Time _____

Early Closing
Closing Time _____

Facility Closure

Modified Operations

Essential Personnel

Remote Operations

Describe the conditions on which the request is based:

Severe Weather, please describe:

Public Health, please describe:

Facility-related, please describe:

Other, please describe:

Requested by: _____ Signature

_____ Title (Judge or other court personnel)

APPROVED:

Signature/Title

Authority to approve closures and modifications to operations:

Supreme Court - Chief Justice or Administrative Director in Chief Justice's Absence

Appellate Court --Presiding Justice/Chair of the Executive Committee

Administrative Office - Chief Justice or Administrative Director

Circuit Courts - Chief Circuit Judge

Please forward a copy of this completed form, including required authorization, to the Administrative Director (aredwell@illinoiscourts.gov) and the Supreme Court Office of Communications (communications@illinoiscourts.gov).