



Supreme Court of Illinois

June 1, 2021

FIRST DISTRICT APPELLATE COURT ADOPTS MODERNIZED SET OF NEW RULES

The Illinois Appellate Court, First District, has adopted new rules of procedure which will become effective on July 1, 2021.

Most of the current rules were adopted in 2004 and have been only slightly amended since then. After the Illinois court system converted to electronic filing in 2017, questions arose regarding conflicts in the existing rules in the new largely electronic filing environment. The rules also contained many archaic and outdated references.

In late 2019, the then-chair of the First District Executive Committee, Justice Maureen Connors, requested that Justice Mathias W. Delort form a working group to draft new rules. Justice David Ellis, a former parliamentarian of the Illinois House of Representatives, and Justice Carl Walker served as judicial members of the working group. The court clerk, Thomas Palella, deputy clerk Tina Schillaci, and appellate attorney Julia Maness, also contributed their substantial expertise to the group's work.

The working group sent letters to the various agencies and groups involved in most of the court's caseload: The Appellate Lawyers Association, which includes hundreds of private attorneys; and the appellate divisions of the offices of the Cook County State's Attorney, the Cook County Public Defender, the Illinois Attorney General, the Chicago Corporation Counsel, the Cook County Public Guardian, and others requesting comments regarding the existing rules. All responded with helpful suggestions.

A first draft of the amended rules was prepared. The working group met numerous times, painstakingly reviewing the draft for compliance with supreme court rules, conformity with existing practices, understandability, and other requirements. Due to the impact of the pandemic, the working group's progress was delayed while the court retooled itself to function in the new post-COVID environment. The working group picked up its work again in late 2020.

In early 2021, the First District Executive Committee reviewed the draft and made additional suggestions. Over the last few weeks, all 24 members have reviewed the draft rules and several justices requested additional changes.

Besides the changes noted above, the new rules are markedly different from the old rules in that they group like material together and are written in simpler language. In a notable change from

most redrafts of laws and court rules, the new rules are actually less verbose than the old rules. The old 40 rules have been replaced by 24 new rules, and the new rules are shorter than the old ones by about 2,200 words.

The old rules included a rule regarding the court's mediation program, which was numbered as Rule 37. Because Illinois Supreme Court Rule 310.1 requires that any appellate court rule regarding a mediation program be approved by the supreme court, it was decided to leave the existing text of Rule 37 in place. The mediation rule has been renumbered as Rule 21 to maintain proper sequence.

The Court's Reporter of Decisions reviewed the final draft and offered stylistic and grammatical edits to conform to the court's official style manual.

The new rules were circulated to the full court in late April, and they were approved by a unanimous vote of all 24 justices on May 5, 2021. The new rules are effective July 1, 2021. The current rules and the new rules are both available on the court's website at <https://www.illinoiscourts.gov/courts/appellate-court/districts-first-district/>.

The justices and court staff who worked on this project believe that the new rules will not only enable it to carry out its work more efficiently, but also answer procedural questions often asked by attorneys and litigants in a clear and concise manner.

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