

STATE OF ILLINOIS  
SUPREME COURT

At a Term of the Supreme Court, begun and held in Springfield, on Monday, the 11th day of September, 2023.

Present: Mary Jane Theis, Chief Justice  
Justice P. Scott Neville, Jr.                                  Justice David K. Overstreet  
Justice Lisa Holder White                                         Justice Joy V. Cunningham  
Justice Elizabeth M. Rochford                                   Justice Mary K. O'Brien

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M.R. 031582

In re: Record on Appeal for Hearings Conducted Pursuant to the Pretrial Fairness Act

Amended Order

Whereas Public Act 102-1104 establishes 725 ILCS 5/110-6.6 – *Appeals*, recognizing that appeals under this Article shall be governed by Supreme Court Rules and concerning hearings conducted by means of two-way audio-visual communication or other electronic recording system and use of the audio-visual recording as the report of proceedings for the purpose of appeal; and given the anticipated resources necessary to implement the Pretrial Fairness Act (P.A. 101-652 and P.A. 102-1104):

IT IS HEREBY ORDERED THAT:

1. This order applies to all appeals under 725 ILCS 5/110-6.6.
2. ~~If there is an official recording of the proceedings, the recording shall be used as the official report of proceedings on appeal. This order does not prohibit a transcription by a court reporter from also being entered into the record.~~ Notwithstanding the requirements for hearings conducted via two-way audio-visual communication or other electronic recording system pursuant to 725 ILCS 5/110-6.6, and in recognition of the operational challenges and varying technological resources available to court reporters across the state, this order allows for either a transcription by a court reporter or an official electronic recording to serve as the official report of the proceedings on appeal in order to facilitate the expeditious processing of appeals under 725 ILCS 5/110-6.6.
3. Where an official recording is used as the official report of proceedings, court reporting personnel shall:
  - i. Arrange for extraction of the relevant portion of proceedings in .mp4 format for audio-visual recordings, or in .wav or .mp3 format for audio only recordings.

- ii. Create the official log of the recorded report of proceedings. The log shall contain the digital file name(s), case caption, trial court number, the number of files from the proceedings (e.g., 1 of 5), and mode of media storage (e.g., CD or flash drive). The log shall designate by reference to time stamps the points at which direct or subsequent examinations of witnesses commence and conclude.
  - iii. Transmit the recorded report of proceedings, official log, and certification of the court reporting personnel to the clerk of the circuit court.
4. If it deems necessary, the reviewing court may order transcription of any part of a recorded report of proceedings.
  5. The clerk of the circuit court shall transmit the recorded report of proceedings to the reviewing court in accordance with the provisions for transmitting electronic media exhibits under the Supreme Court of Illinois Standards and Requirements for Electronic Filing of the Record on Appeal.
  6. When making citations to the recorded report of proceedings, litigants shall reference the time stamp corresponding to the cited section.

This order shall take effect on ~~January 1, 2023~~, September 18, 2023, or on such other date as the Pretrial Fairness Act provisions of P.A. 101-652 and P.A. 102-1104 become effective and shall remain in effect until further order of the Court.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 11th day of September, 2023.

*Cynthia A. Grant*

Clerk,  
Supreme Court of the State of Illinois

**FILED**  
September 11, 2023  
SUPREME COURT  
CLERK