



**ILLINOIS STATE
BAR ASSOCIATION**

Charles J. Northrup
General Counsel

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Krista L. Appenzeller
Assistant Counsel

Committee Secretary
Supreme Court Rules Committee
222 N. LaSalle Street, 13th Floor
Chicago, IL 60601
RulesCommittee@illinoiscourts.gov

**Re: Proposal 24-15 (P.R. 000333), Proposal 24-16 (P.R. 000333),
 Proposal 24-17 (P.R. 000325), Proposal 24-18 (P.R. 000336),
 Proposal 25-01 (P.R. 000339), Proposal 25-02 (P.R. 000340),
 Proposal 25-03 (P.R. 000340), Proposal 25-04 (P.R. 000342).**

Dear Committee Secretary:

On behalf of its approximately 28,000 members, the Illinois State Bar Association ("ISBA") is pleased to provide its comments on the eight proposals referenced above. It appreciates the opportunity to share its views on proposed changes affecting the legal profession and the practice of law.

1. **Proposal 24-15** (S. Ct. Rule 703, Offered by the Supreme Court Board of Admissions to the Bar)

The ISBA **supports** Proposal 24-15. Although no rationale for the proposal was identified by the Board of Admissions to the Bar, the general view of several ISBA substantive law and practice groups was that given ABA requirements on preparatory education, Illinois' specific requirements were redundant.

2. **Proposal 24-16** (S. Ct. Rule 704, Offered by the Supreme Court Board of Admissions to the Bar)

The ISBA **supports** Proposal 24-16. Although no rationale for the proposal was identified by the Board of Admissions to the Bar, upon ISBA review the proposed amendments

were viewed as a reasonable division of authority and responsibility between the Court and the Board of Admissions.

3. **Proposal 24-17** (S. Ct. Rule 704A, Offered by the Supreme Court Board of Admissions to the Bar)

The ISBA **supports** Proposal 24-17. Although no rationale for the proposal was identified by the Board of Admissions to the Bar, upon ISBA review the proposed amendments were seen as a reasonable clarification of the rule governing transferability of the UBE.

4. **Proposal 24-18** (S. Ct. Rule 706 and 716, Offered by the Supreme Court Board of Admissions to the Bar)

The ISBA **supports** Proposal 24-18. Although no rationale for the proposal was identified by the Board of Admissions to the Bar, the ISBA is generally cognizant of increases in costs faced by organizations providing necessary and important services, such as the Board of Admissions. Nevertheless, at least one ISBA practice group reviewing the proposal expressed concerns that the proposed increase in fees not prejudice bar applicants who may find the increased costs of the examination a financial hardship.

5. **Proposal 25-01** (S. Ct. Rules 13 and 606, Offered by the Supreme Court's Appellate Court Administrative Committee)

The ISBA generally **supports** Proposal 25-01. Upon review by several ISBA substantive law and practice groups, the proposal's clarification of a lawyer's obligation at the conclusion of a trial was seen as positive. Nevertheless, several criminal defense lawyers in private practice expressed concerns that the proposed language providing that an appearance "continues until the time for filing an appeal on behalf of the client expires" is problematically ambiguous. The concern is that this language may suggest that trial counsel's obligations extend even *after* a notice of appeal has been filed *if* the regulatory time period for filing an appeal has not yet run. Given the sometimes-deteriorating relationship between trial counsel and client after trial, clarification that trial counsel's obligations conclusively end with the filing of an appeal is important. The ISBA believes that such a minor modification to the proposal will not impact its overall purpose.

6. **Proposal 25-02** (S. Ct. Rule 23, Offered by the Supreme Court's Appellate Court Administrative Committee)

The ISBA **supports** Proposal 25-02. Upon review by several ISBA substantive law and practice groups, and given the availability of Rule 23 orders, the proposed amendment was viewed as appropriate.

7. **Proposal 25-03** (S. Ct. Rule 9, Offered by the Supreme Court's e-Business Policy Advisory Board)

The ISBA **supports** Proposal 25-03. Upon review by several ISBA substantive law and practice groups, the proposed amendments were viewed very positively. The issue of variable, county to county, rejection standards at the circuit court level has been a topic of member concern for some time. Adoption of the amendment will help establish meaningful and uniform rejection standards.

8. **Proposal 25-04** (S. Ct. Rule 9, Offered by the Supreme Court's Commission on Access to Justice)

The ISBA **supports** Proposal 25-04. Upon review by several ISBA substantive law and practice groups, the proposed amendments were viewed as reasonable and appropriate.

If you require any additional information or have questions about the comments, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Charles J. Northrup", with a stylized flourish at the end.

Charles J. Northrup
General Counsel