

IN THE CIRCUIT COURT
TWENTY-FOURTH JUDICIAL CIRCUIT

IN RE:	AUTHORIZATION OF THE USE OF TWO- WAY AUDIO-VISUAL COMMUNICATION SYSTEMS FOR HEARINGS RELATING TO PRETRIAL DETENTION AND CONDITIONS OF PRETRIAL RELEASE))))))	GENERAL ADMINISTRATIVE ORDER. 24-04
---------------	---	----------------------------	--

On March 18, 2024, the Illinois Supreme Court entered M.R. 31888, which, due to the statewide operational challenges set forth in said order, extended the permitted use period of two-way audio-visual communication systems in Circuit courts throughout the state to conduct any hearings relating to pretrial detention and conditions of pretrial release where necessary, upon order entered by the Chief Judge of the Circuit, for six months following March 18, 2024.

Courts in the 24th Judicial Circuit have the same operational challenges set forth in said M.R. 31888. Obtaining necessary information and conducting any hearings on questions of pretrial detention or conditions of pretrial release within the statutorily specified timeframes require increased judicial, pretrial, court staff, attorney, law enforcement, and other justice partner resources. Courts in this Circuit are taking reasonable steps to address the operational challenges including, but not limited to, adding staff, training existing staff to conduct the investigations and hearings, adjusting court schedules, reconfiguring courtrooms, addressing transportation, logistical, and security issues, and planning for disbursement of the fund established by 55 ILCS 5/3-4014 to enhance public defender services. Due to the expected high volume of investigations and hearings on pretrial detention or conditions of pretrial release, and the continued limited resources of the courts, state's attorneys, public defenders, law enforcement, and other justice partners in this Circuit, compliance with the SAFE-T Act will only be possible with the use of two-way audio-visual communication systems.

Based on the foregoing, it is hereby ORDERED that:

1. Due to the current operational challenges documented in this Order, there is a basis for courts in the 24th Judicial Circuit to use two-way audio-visual communication systems to conduct any hearings relating to pretrial detention and conditions of pretrial release where necessary;
2. Nothing in this Order shall limit the authority of the courts in this Circuit to require in-person hearings, if deemed appropriate;

3. Nothing in this Order impacts the provisions of the SAFE-T Act that govern the way in which hearings conducted by two-way audio-visual communication systems shall occur, including, but not limited to, the availability of a secure line over which the person in custody and his or her counsel may confer and communicate, the availability of a recording for purposes of an appeal, and the fact that confidential communications between the defendant and defense counsel shall not be recorded and shall be undertaken consistent with constitutional protections. See, e.g., 725 ILCS 5/106D-1(b), 110-6.6(b), and 109-1(g); and
4. This Order shall be effective immediately, and remain in effect until September 18, 2024.

Dated this 19th day of March, 2024.



Daniel J. Emge,
Chief Circuit Judge