

From: [Frank Byers](#)
To: [Amy Bowne](#)
Subject: Proposed change to Supreme Court Rule 218
Date: Tuesday, May 07, 2019 4:52:51 PM

Ms. Browne

In my 42 years of practicing law in Illinois I have not before offered a comment on a proposed Rule change. However, the proposed rule change in Supreme Court Rule 218 requiring a Plaintiff to execute a waiver of his right of privacy prompts me to express my opposition to this proposed Rule change.

The right of privacy is a long recognized and cherished right founded in our Constitution. A blanket waiver is far overreaching and destructive of our Constitutional rights. The current system addresses the need for discovery of facts when filing a claim for injuries. There is no need to change it.

The weight of the inconvenience to the Defendant in the current system is insignificant when balanced against the expectation of and right to privacy by the injured party. The injured party does not file a claim but for the injury producing conduct of the defendant. The injured party did not want to be in this position. Why should the injured party be forced to give up such a fundamental right *in toto* in order to gain relief from the injuries caused by the Defendant. The injured party is being injured first by the injurious act and second by the proposed Rule requiring him to waive his right of privacy. The Court should not injure the person a second time by forcing this waiver.

Respectfully,

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