

## Remote Court Appearances in Illinois: An Overview

The Illinois Supreme Court recognizes that traveling to court can be expensive, difficult, and time-consuming for many people. Supreme Court Rules 45 and 241 allow court participants to appear by phone or video (also known as appearing remotely or a remote appearance), instead of in-person at the courthouse. While the Supreme Court encourages judges to be flexible and understanding, each individual judge will be able to make their own decision about who can appear remotely and how.

The Supreme Court Policy on Remote Court Appearances in Civil Proceedings offers the following guidance and information on remote court appearances in Illinois (the full policy is available at:

[https://courts.illinois.gov/SupremeCourt/Policies/Pdf/ATJ\\_Commission\\_Policy\\_on\\_Remote\\_Court\\_Appearances\\_in\\_Civil\\_Proceedings.pdf](https://courts.illinois.gov/SupremeCourt/Policies/Pdf/ATJ_Commission_Policy_on_Remote_Court_Appearances_in_Civil_Proceedings.pdf)):

- **Anyone involved in a civil case can ask to appear remotely.** Court participants (also called “case participants” in the Supreme Court Policy on Remote Court Appearances) may include both the parties and their lawyers, as well as any witnesses, experts, interpreters, law enforcement officers, court reporters, or other non-parties. Judges can appear remotely too.
- **Remote appearances are an option in all civil (non-criminal cases).** Some types of hearings may be easier than others for remote appearances. For example, it may be more difficult to appear remotely at a hearing where evidence is shared or testimony is given under oath. The judge will take that into consideration when deciding who can appear remotely and how.
- **Each court and judge may have a different way of handling requests to appear remotely.** Checking the local Circuit Court’s website or calling the local Circuit Clerk’s office are usually good first steps to learn more about remote hearing options, including any deadlines to ask for a remote appearance. During the Covid-19 pandemic, many courts are requiring or encouraging all court participants to appear remotely when possible.
- **Court participants do not need a reason to appear remotely.** However, some judges may find it helpful to know if there is a reason it is difficult to appear in-person. Some of those reasons may be due to scheduling conflicts (work, school, childcare), logistical challenges (mobility issues, distance, lack of available transportation), or public health and safety. Offering an explanation may be more important if a litigant or witness is asking to appear remotely at a trial or at a hearing where they will have to testify. A judge may be less likely to grant the request in that circumstance if the litigant or witness cannot show why it would be a hardship to appear in-person.

- **Court participants can appear by phone or video, depending on what technology is available.** Some courts may have a preferred method (like Zoom) that they use for most remote appearances. Other courts may be open to many methods of appearing remotely.
- **Court participants should be comfortable with and prepared to use the appropriate technology before their remote hearing.**
  - If asking to appear by phone, a court participant should make sure they have a fully charged phone with enough minutes available before they start the hearing.
  - If asking to appear by video, a court participant will want to make sure they have a device with a webcam and a data plan or internet plan that can handle videoconferencing for a long period of time.
  - In either situation, a court participant should find a quiet space and use a headset or headphones if they are available. These can help reduce background noise and improve the sound quality of the remote hearing.
- **Cost should not be a barrier to remote court appearances.** Many courts use programs like Zoom that are free for the court participant to use. If a court uses a program that is too expensive, a court participant can ask for a fee waiver or to use a different program that offers free services.
- **Interpreters and accommodations for disabilities should be made available remotely.** Spoken language interpreters should be provided remotely for all court hearings where one is needed. Court participants who are deaf or hard of hearing can request a sign language interpreter, captioner, or other necessary accommodation. Anyone who needs assistance should let the court know as early as possible so the court can request an interpreter or grant an accommodation.

