



August 27, 2026

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

Re: Comment to Proposal 25-09

Dear Committee Secretary:

Prairie State Legal Services, Inc. ("PSLS") appreciates the opportunity to provide comment on Proposal 25-09 regarding the creation and maintenance of records of order of protection proceedings. PSLS is a not-for-profit law firm that provides free legal services to survivors of family violence, low-income persons, elderly persons, veterans, people with disabilities, and other vulnerable groups. PSLS has 11 offices and serves 36 counties throughout northern and central Illinois.

As part of our safety program, our attorneys represent survivors of domestic violence in order of protection cases. We support the changes and additions proposed in Proposal 25-09 at sections (e)(1) and (e)(2). These changes require that order of protection proceedings be recorded or otherwise transcribed, which protects survivors of domestic violence throughout an order of protection case and in obtaining further distance and safety from their abuser.

PSLS has handled several cases where the availability of a transcript or a lack thereof have made a significant difference in our clients' lives. In more than one such case, a transcript from an order of protection proceeding has made it possible for survivors to pursue criminal charges and other claims against their abusers. In several instances, respondents have made admissions during order of protection proceedings that became useful in criminal proceedings. In others, access to a transcript of order of protection proceedings have allowed survivors to pursue relief through programs such as Crime Victims Compensation, even when local authorities have not pursued criminal charges.

In one case, a PSLS client requested protections in an order of protection related to firearms search and seizure after the addition of Karina's Law to the Illinois Domestic Violence Act. At a proceeding in the order of protection case, the respondent testified that he had already turned over his firearms to his mother. A plenary order of protection was granted, which prohibited the

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respondent from owning or possessing firearms. Later, law enforcement found firearms at the respondent's home during the effective dates of the plenary order of protection. Prosecutors were able to use the respondent's false statements concerning the location of the firearms in a criminal case against him.

In other cases, the lack of a transcript caused delays and additional costs for both PSLS and our clients. When recording or other transcription is unavailable, PSLS and our clients must determine other methods of documenting the proceedings. Our clients ordinarily cannot pay for stenographers, and they are not provided to indigent litigants. Without a recording or stenographer, PSLS must either send additional staff to court to document the proceedings for a bystander's report or agreed statement of facts, or document relevant portions of the proceedings in resulting court orders. When we prepare a bystander's report or agreed statement of facts, further proceedings may be delayed. As bystander's reports require the certification of the trial court, this adds additional administrative and time burdens to our work. Similarly, agreed statements of fact are often unavailable entirely to litigants in order of protection proceedings, as abusers are unlikely to agree to such statements when offered by survivors and their representatives. These delays and costs would be avoided entirely by the existence of a recording. Even the requirement for a stenographer could alleviate some of this administrative burden.

Finally, we would like to note for the comment reviewers that additional language about transcripts and costs would bring this proposal in line with the intent of the Illinois Domestic Violence Act and other provisions for indigent litigants. Even when a transcript is available, the cost of transcription often bars access for indigent litigants until or unless the matter is appealed. Additional language clarifying who is responsible for the cost of producing a recording or transcript could fully eliminate the administrative and financial burden in cases for our most vulnerable survivors.

Thank you for the opportunity to provide comments on these rules.

Sincerely,

A handwritten signature in black ink that reads "Emily C. Petri".

Emily Petri, Director of Legal Services
Mohini Lal, Senior Safety Attorney

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