



August 23, 2022

Illinois Statutory Court Fee Task Force
Administrative Office of the Illinois Courts
222 North LaSalle Street, 13th Floor
Chicago, IL 60601

In re: Comments on Draft Report on Implementation of 2016 Task Force
Recommendations and Additional Proposed Measures for Addressing Barriers
to Access to Justice and Excessive Financial Burdens Associated with Fees and
Costs in Illinois Court Proceedings

Dear Task Force Members:

I am hereby writing on behalf of Legal Aid Chicago in support of the above-referenced Draft Report.

I am the Chief Litigation Officer at Legal Aid Chicago, the largest provider of free legal services to low-income residents of Cook County. Legal Aid Chicago has been litigating on behalf of low-income Chicago-area individuals and families for over 50 years. We provide a comprehensive array of civil legal services in the areas of eviction, foreclosure, domestic violence, consumer debt, immigration, employment, public benefits, and more.

As such, Legal Aid Chicago has long been at the forefront of the fight for access to justice. We know how many barriers our clients face in accessing a court system that is much more accessible to businesses and moneyed interests – those who can easily afford to pay court costs and fees, not to mention attorneys who enable them to navigate the halls of justice.

For this reason we support greater access to justice for low-income citizens. A key ingredient to such access is, of course, the ability to be heard in court, and not to be shut out of the judicial process because of unaffordable costs and fees.

As such, we are particularly supportive of New Initiative 1 set forth in the Draft Report (“Eligibility guidelines for assessment waivers in civil litigation”). This initiative seeks to grant more generous fee waivers in civil cases. The proposal is to bring civil fee waiver guidelines in line with the more generous fee waiver provisions existing in criminal cases.

We strongly support this recommendation. The consequences in the types of civil cases we handle can be severe: the loss of a home, a child, a job, a car, or critical savings or income. These core social and economic needs are no less worthy of protection than the admittedly high stakes present in a criminal case.

Most of the other recommendations in the Draft Report refer to criminal cases. We do not litigate in that area, and thus have less input to offer. However, we do laud what appear to be the Task Force's general goals of promoting access to justice throughout the judicial system - civil or criminal - balanced with the need to ensure adequate funding for our court system as a whole.

We thank the Task Force for their work and for the opportunity to comment.

Sincerely,

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