

From: [Roxanna Mason](#)
To: [Amy Bowne](#)
Subject: Written comment regarding proposed change to Rule 23
Date: Monday, June 8, 2020 10:35:27 AM

Hello,

I am an appellate attorney practicing in Illinois, and I would like to submit the following comments regarding the proposed changes to Rule 23. I would support the elimination of Rule 23 orders. However, if it is ultimately determined that Rule 23 orders are necessary to keep the body of citable/binding case law more manageable, many of the problems with such orders could be resolved by making simple amendments to the rule. I favor the following requirements for a case to be resolved by such an order:

- (1) Rule 23 orders should only be allowed in cases where the decision is unanimous,
- (2) Rule 23 orders should be required to identify with specificity the already existing published precedent that makes a published decision unnecessary, and
- (3) Litigants should be allowed to cite Rule 23 orders if there is no published authority standing for the same proposition as a Rule 23 order.

Thank you for your consideration of my comments,
Roxanna A. Mason
Attorney at Law