

August 27, 2026

Illinois Supreme Court
200 E. Capitol Avenue
Springfield, IL 62701

Re: Pro Bono

To the Illinois Supreme Court Rules Committee:

My name is Ben Weinberg. I am the Pro Bono Partner at Dentons US LLP. I am writing on behalf of my firm and other law firms with offices in Illinois, as well as a professional association of law firm pro bono professionals around the world, in support of Proposal 25-09, which would amend Supreme Court Rule 46 to require that the courts create and maintain a record of all protective order proceedings, either by stenographic means or by an electronic recording system, including any court date on which an order is issued, extended, modified, terminated, vacated, published or served regardless of whether the proceeding is consolidated into another matter.

We are submitting comments to this proposal because 25-09 represents a significant advance in access to justice. The absence of a transcribable record poses a uniquely significant barrier for low-income litigants. Individuals with financial resources often retain counsel who can arrange for a court reporter at each hearing. In contrast, law firm pro bono programs, including Dentons' Order of Protection Appeals Project (operated with Legal Aid Chicago) frequently hear from unrepresented, low-income individuals whose protective orders have been denied. Absent a transcript or recording of the court proceedings, our teams cannot evaluate potential merits of an appeal. Pro Bono appeals are considered extremely desirable pro bono opportunities, and our lawyers always are looking for pro bono appellate work. If Proposal 25-09 is approved, we likely will see a material increase in the volume of pro bono appellate work in the extremely important area of domestic violence. That would be a positive development for access to justice in Illinois courts.

While law firms regularly provide pro bono assistance to domestic violence survivors in the Circuit Courts, our volunteer lawyers often observe many unrepresented litigants who possess only a basic understanding of court procedures and the rules of evidence. Of course, these challenges are exacerbated for individuals with limited or no proficiency in English. These factors combine to make it challenging for such litigants to provide the necessary details to create a bystander report, effectively removing access to appellate review or post-judgment motions. This disparity in resources creates a divide among survivors: those who can afford a court reporter and can therefore avail themselves of the appeals process, and those who cannot. As a result, equal access to justice is essentially muted by lack of resources.

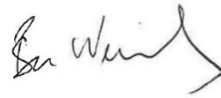
Dentons and many of the other law firm signatories have practiced in the Domestic Violence Division of the Circuit Court of Cook County, where the proceedings are recorded and available for transcription.

This system works well and ensures access to appellate justice. Although there may be more advanced technological solutions to the absence of creating an adequate record, we do not take a position on which system is most appropriate. The bottom line is that Proposal 25-09 provides for appropriate optionality with respect to tech solutions.

This Committee has the opportunity to support access to justice and the operation of justice in Illinois Courts by approving Proposal 25-09. We heartily endorse the proposal.
Thank you very much for your consideration.

Very truly yours,

Dentons US LLP



Ben Weinberg
Pro Bono Partner

Jonathan K. Baum
Senior Counsel
Director of Pro Bono Services
Katten Muchin Rosenman LLP

Rachel C. Jennings
Pro Bono Counsel
Taft Stettinius & Hollister LLP

Kara L. McCall
Chicago Office Managing Partner
Alston & Bird

Nathaniel Carden
Chicago Office Managing Partner
Skadden, Arps, Slate, Meagher & Flom LLP

Association of Pro Bono Counsel (APBCo)

Ashley Cano
Pro Bono and Philanthropy Partner
Seyfarth Shaw LLP

Sara T. Ghadiri
Pro Bono Partner
Chapman and Cutler LLP

Nura Maznavi
Pro Bono Counsel
Jenner & Block LLP

Heidi Naasko
Member/Pro Bono Counsel
Dykema Gossett PLLC

David Malliband
Chicago Office Managing Partner
Baker & McKenzie LLP

BW