

NEW DIRECTIONS FOR THE OFFICE OF THE CLERK OF THE COOK COUNTY CIRCUIT COURT:

Recommendations for Planning and Transitioning to New Leadership

A Brief Summary for Lawyers in Private Practice

With a new Clerk set to take office following the November 2020 General Election, Chicago Appleseed, Chicago Council of Lawyers and the Civic Federation have released a transition report with recommendations for the next Clerk of the Circuit Court to better serve the public and users of the court system. The recommendations are aimed at improving the functionality of the Clerk's technology systems, improving public access to court data, streamlining operations, and improving coordination with stakeholders and practitioners.

The transition report presents recommendations for the Clerk to implement within the first 30 days, first 180 days and the first year. The following are a selected set of recommendations of particular interest to the private bar:

OVERALL MANAGEMENT

Conduct an office-wide audit: Conduct a comprehensive review of all office functions and staffing levels to ensure the most efficient use of resources.

Comprehensive review and user survey: Establish an emergency remote operation plan with clear procedures for Clerk's Office staff while remote hearings continue to be held and in the event of future court closures. The plan should detail how the Clerk's Office will support court operations while keeping the courts open and safe to self-represented litigants, without relying on assistance from private attorneys to fill in service gaps.

TECHNOLOGY IMPROVEMENTS

Create a Functional Case Management System: Audit the case management system to assess how well it is fulfilling day-to-day needs for users. Ensure the case management system can quickly and efficiently pull up docket information, answer questions about cases and facilitate the tracking and querying of court performance measures.

Improve E-Filing System: Simplify the user interface and streamline user experience across divisions; allow "kiosk mode" filing; implement electronic order entry and end the use of carbon paper; pre-approve filings by law firms; and conduct a user survey to identify problems with the e-filing system.

Provide Daily Court Call Information Online: The Clerk's website should post judges' daily schedules with cases to be called, times and docket line numbers.

The full report can be found at
chicagoappleseed.org/2020-clerk-transition-report
& civicfed.org/CircuitCourtClerk2020.

PUBLIC ACCESS TO DATA

Work with the Illinois General Assembly to Make Information in the Clerk of the Circuit Court's Possession Subject to the Illinois Freedom of Information Act: Work to amend State statute to make Clerk's Office records and data subject to Illinois' open records law. Absent a change to State statute, the Clerk should voluntarily release data and operations information in order to improve public oversight of court operations.

ETHICS AND OVERSIGHT

Comply with Shakman Requirements: The Clerk should continue working to reach substantial compliance in order to be released from court monitoring as soon as possible. All patronage hiring and employment decisions must be eliminated.

Ensure Stronger Inspector General Oversight: Direct complaints of waste, fraud, or corruption to the Office of the Cook County Independent Inspector General so that investigations into the Clerk's Office are truly independent.

BUDGET TRANSPARENCY & ACCOUNTABILITY

Reassess Staffing Levels to Ensure Best Use of Resources: Based on an office-wide audit and personnel review, the Clerk should restructure staffing levels to improve efficiency and service to the public.

Produce an Annual Report with Budget, Performance and Statistical Information: The Clerk should publicly release an annual report that explains how revenues and expenditures flow through the office, meaningful and well-defined performance measures of operational efficiency, and court statistics about case volumes and outcomes in Cook County.