

VOTING FOR THE

CLERK OF THE COOK COUNTY CIRCUIT COURT

PRIMARY ELECTION

MARCH 19

YOUR GUIDE FOR

2024



CHICAGO
APPLESEED
CENTER FOR FAIR COURTS

CLERK OF THE COURT

The Clerk of the Circuit Court of Cook County (“Court Clerk”) has unique responsibilities that directly impact access to our courts and is in a position to create or remove many barriers to justice. The Court Clerk answers to a number of constituencies: judges, attorneys, litigants, jurors, researchers, and the public. In order to help these constituencies become better informed voters, Chicago Appleseed Center for Fair Courts has created this list of FAQs. **We encourage you to learn about the candidates and their vision for the Court Clerk’s Office before casting your vote—and to share what you learn about the office, its importance, and the candidates with your friends, family and community!**

PRIMARY ELECTION DAY:

March 19, 2024

GENERAL ELECTION DAY:

November 5, 2024

ADDITIONAL RESOURCES:

- [What Does a Court Clerk Do and How Do You Become One?](#) (Rasmussen University, 2019)
- [Offices on the Ballot for the March 19, 2024, Presidential Primary](#) (Chicago Board of Election Commissioners)

WHAT DOES THE COURT OF THE CLERK DO?

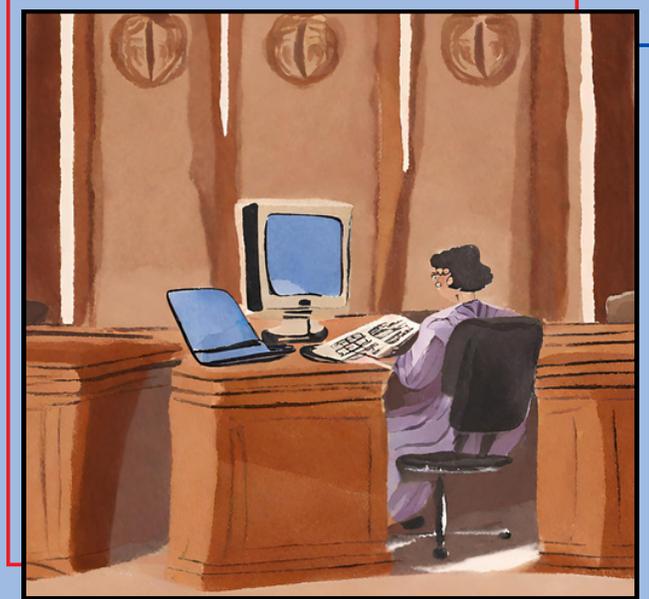
The [Office of the Clerk of the Circuit Court of Cook County](#) oversees the nation’s second largest unified court system. The Clerk of Circuit Court’s Office acts as a critical administrative hub within the legal system. It is [in charge of](#) preserving court records and tracking and disbursing all funds connected to court cases. This is no small feat; the Court Clerk’s Office [manages](#) “approximately 24 million case files, of which 3.9 million are active case files.” The Clerk of the Circuit Court’s two overarching essential duties are record keeping and financial management.

Any errors, delays, or inefficiencies in these responsibilities can significantly impact litigants' access to legal proceedings and can even affect the outcomes of their cases. If the Court Clerk delays preparing a record on appeal while an innocent person lingers in prison, erroneously reveals conviction records that are supposed to be sealed or expunged,

or fails to provide domestic violence survivors with copies of their orders of protection, individuals' lives and livelihoods can be drastically affected. Most recently in early 2024, for example, the Court Clerk's Office "accidentally exposed online the names of at least 5,000 children charged with crimes" after adding a new section to the Circuit Court's online case search system (which allows members of the public to look up records). Although the Clerk of the Circuit Court's Office "say[s] they're confident in security measures that would have prevented third-party websites from scraping and publishing the data en masse," officials do not know exactly how many outside users accessed this information - which is mandated by state law to be kept secret - while it was available to the public for nearly two weeks.

RECORD KEEPING

First and foremost, the Court Clerk has an obligation to "make, keep, and record all records of the court." An important part of record keeping is the deployment and management of electronic tools such as e-filing. The Circuit Court of Cook County is also under the statutory obligation to provide members of the public with access to court files. However, the judicial branch - and therefore the Clerk of the Circuit Court's Office - is exempt from the Freedom of Information Act (FOIA) in Illinois, and consequently has greater discretion to refuse requests for data, policies, or other information that resides outside of individual case files. The Court Clerk and her staff must work with and for the court and its officers to serve both the court and the public.



THE COURT CLERK'S OFFICE IS MANAGING ALMOST 4 MILLION ACTIVE CASE FILES.

FINANCIAL MANAGEMENT

The Clerk of the Circuit Court manages an income of approximately \$80 million in various court costs, fines, and fees, which requires a 21st century system of accounting and accountability. The Clerk of the Circuit Court's Office is also responsible for collecting and disbursing filing fees for all branches and divisions of the Circuit Court of Cook County.

WHY IS VOTING FOR CLERK IMPORTANT?

The Clerk of the Circuit Court’s Office is crucial to the effective functioning of the legal system—particularly because the responsibilities granted to the Court Clerk’s Office impact the community at large. The Clerk of the Circuit Court of Cook County retains a position that directly impacts constituents’ access to justice. It is important to elect a candidate who is cognizant of the office’s persisting management, technological, and transparency issues and is focused on developing a solution to these perpetual problems. A candidate must understand that their position’s purpose is not only to serve the courts, but the public too.

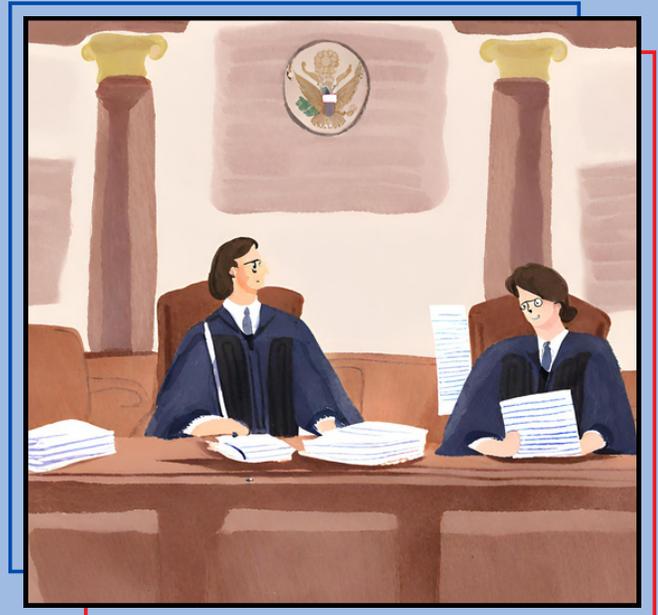
Arguments have been made in favor of appointing or hiring the Clerk of the Circuit Court for Cook County, but for now, the position remains an elected one. We offer this guide to help familiarize voters with an elected office they may have little or no contact with.

WHEN’S THE ELECTION + WHO’S RUNNING?

The Cook County primary election is on March 19, 2024. Republican candidate for Clerk of the Circuit Court of Cook County, Lupe Aguirre, is running unopposed, as is Libertarian candidate Michael Murphy. Democratic Party voters will be asked to choose between two candidates to stand in the General Election on November 5, 2024:

IRIS MARTINEZ

The incumbent Clerk of the Circuit Court, Iris Martinez, is running for a second term. In 2020, Martinez was elected as the first Latina to hold the office, despite not having legal training or a party endorsement. Martinez promised to relieve disorganization within the office, ameliorate botched tech rollouts, and reform hiring practices to prevent patronage hiring and promotions; advocated for a state law that would protect the identities of survivors of sex



crimes; and launched a new customer service call center. As a State Senator, Martinez supported a bill to bring the office under Illinois Freedom of Information Act, although she later abandoned that position.

MARIYANA SPYROPOULOS

Mariyana Spyropoulos, a Commissioner of the Water Reclamation District of Greater Chicago, was endorsed by the Cook County Democratic Party in 2024. Spyropoulos is a lawyer and former Assistant State's Attorney. Her campaign promises to increase accountability and end patronage in the Court Clerk's Office. In addition to the Democratic Party, she has received endorsements from local organizations and various federal, state, county, city, and suburban elected officials.

WHAT SHOULD I CONSIDER WHEN I VOTE?

For many years, the Office of the Clerk of the Circuit Court of Cook County has been considered an "inefficient, scandal-plagued office, where court delays and barriers to justice are commonplace" and "dysfunction...was notorious." When casting a vote for a candidate for Clerk of the Circuit Court of Cook County, there are several questions voters should consider.

ARGUMENTS HAVE BEEN MADE IN FAVOR OF APPOINTING OR HIRING THE COURT CLERK, BUT FOR NOW, THE POSITION REMAINS AN ELECTED ONE.

DOES THIS CANDIDATE INTEND TO SERVE BOTH THE COURT AND THE PUBLIC?

The best candidate for the role should prioritize service to the public in addition to fulfilling the job's administrative role within the court system.

They will understand that the choices regarding staffing, policymaking, and technology must



assist members of the public in accessing justice. The best candidate will also prioritize improving language and disability accommodations and access.

DOES THE CANDIDATE HAVE RELEVANT PROFESSIONAL EXPERIENCE?

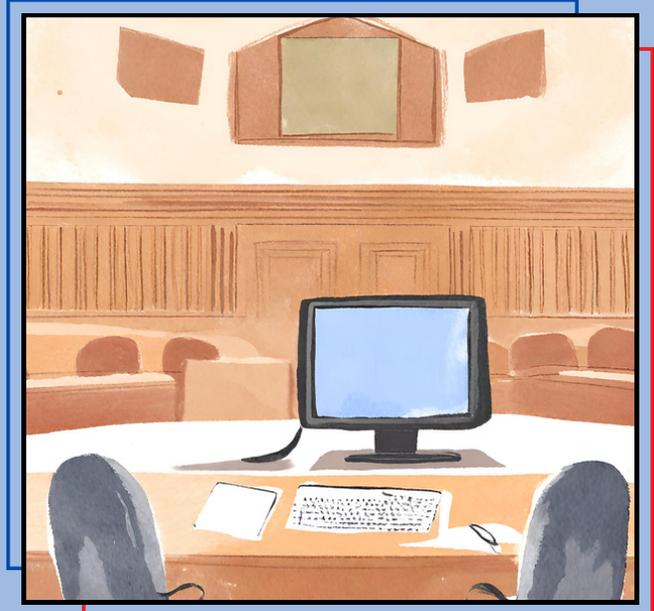
The best candidate will be someone who understands the complex operations and needs of the Circuit Court of Cook County and all of the constituents it serves, including judges, attorneys, civil litigants, criminal defendants, researchers, journalists, and members of the public. The role is managerial—the Court Clerk oversees a budget in excess of \$125 million, a staff of more than 1,400, and handles almost 4 million active case files—but the role is also consequential in making and shaping policy.

HAS THIS CANDIDATE PUBLICLY COMMITTED TO IMPROVING THE E-FILE, CASE MANAGEMENT, AND OTHER TECHNOLOGY SYSTEMS OF THE OFFICE?

Accurate and accessible electronic systems are of utmost importance to the court's efficient functioning. The best candidate will work effectively with the Office of the Chief Judge, Cook County State's Attorney, Public Defender, Sheriff, legal services organizations, and the private bar to continuously improve the Circuit Court's and the Court Clerk's technology systems and promote access to information.

DOES THIS CANDIDATE DEMONSTRATE A DEDICATION TO TRANSPARENCY?

The Clerk of the Circuit Court of Cook County is responsible for preserving over 24 million case files—but it is not enough to simply keep these files. The best candidate will commit to making those files and the statistical data that is or could be generated from those files widely available to the public via usable online



docketing and case management systems, as well as FOIA-level transparency for data requests from the public and researchers.

THE BEST CANDIDATE WILL PRIORITIZE SERVICE TO THE PUBLIC IN ADDITION TO FULFILLING THE JOB'S ADMINISTRATIVE DUTIES WITHIN THE COURT SYSTEM.



IS THE CANDIDATE COMMITTED TO ELIMINATING PATRONAGE AND OTHER FORMS OF CORRUPTION?

While the Court Clerk's Office has in recent years appeared to have made progress towards eliminating political factors in hiring, an independent monitor concluded in November 2022 that concerns persisted. The best candidate will commit to fully eliminating patronage hiring and accepting oversight from the County Inspector General (rather than utilizing an in-house Inspector General). Accountability in this office is of paramount importance as it directly impacts the public's ability to exercise their right to information and empowers individuals by providing them with the necessary tools to make informed decisions.

LEARN MORE ABOUT THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY:

- New Directions for the Office of the Clerk of the Cook County Circuit Court (Chicago Applesseed Center for Fair Courts, Chicago Council of Lawyers, Civic Federation): Recommendations for Planning and Transitioning to New Leadership (2020) & One Year Progress Report (2021)

