IN THE
SUPREME COURT OF ILLINOIS

In re: Illinois Courts Response to COVID-19 Emergency/ Remote Jury Selection in Civil Cases	)	M.R. 30370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to article VI, section 16, of the Illinois Constitution of 1970 (Ill. Const. 1970, art.VI, sec.16), and in view of the outbreak of the novel coronavirus (COVID-19);

IT IS HEREBY ORDERED, effective immediately and until further order of the Court;

A. Illinois has been in a state of emergency since Governor Pritzker's declaration on March 9, 2020, due to the COVID-19 pandemic, necessitating temporary court-imposed restrictions to minimize the impact of COVID-19 on the court system, while continuing to provide access to justice.

B. Civil jury trials are necessary to the administration of justice in Illinois, and the COVID-19 pandemic continues to have an enormous impact on our entire court system, including the number of civil cases tried to verdict. Safely resuming civil jury trials will require modifications to court procedures and any local rules or administrative orders to allow for social distancing and compliance with public health protocols to minimize the risk of COVID-19 exposure by jurors, court personnel, litigants, and the public.

C. The Seventh Amendment right to trial by jury must be fiercely protected, and courts must continue to provide equal justice under the law while departing from traditional procedures.

D. Remote jury selection by video conference (herein "remote jury selection") in civil cases is permissible to reduce the risk of COVID-19 exposure so that litigants can access justice in a timely fashion while keeping all jurors, court personnel, litigants, and the public safe.

For civil matters, circuits may choose to utilize remote jury selection consistent with the guidelines established by the Court Operations During COVID-19 Task Force, and adopted by the Court (herein "Guidelines") on October 27, 2020, available at http://illinoiscourts.gov/CircuitCourt/Remote_Jury_Information.asp.

E. Any remote jury selection must be conducted consistent with the constitutional rights of the parties and preserve constitutional public access.

F. Authorization for remote proceedings under Illinois Supreme Court Rules 45 and 241 is temporarily expanded to include remote jury selection for civil trials.

G. Remote jury selection in a given case requires the consent of all parties, unless the judge finds, after weighing the factors of public safety and the parties' rights to access to justice, that the case presents a compelling circumstance to proceed with remote jury selection absent parties' consent.

H. Circuits or counties may apply to the Court for permission to undertake a pilot project in which remote jury selection could be ordered by the judge without the parties' consent or a compelling circumstance.

I. Nothing in this Order limits the authority of circuits to adopt measures to protect health and safety that are more restrictive than this Order, as circumstances warrant. Circuits are encouraged to move toward conducting as much court business as can be done consistent with public health and safety, in the interest of the fair and timely administration of justice.

Order entered by the Court.

SEAL OF THE SUPREME COURT
STATE OF ILLINOIS
AUG. 26, 1818

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said Supreme Court, in Springfield, in said State, this 27th day of October, 2020.

Carolyn Taft Grosboll Clerk,
Supreme Court of the State of Illinois