



Illinois Supreme Court Rules Committee

222 North LaSalle Street, 13th Floor
Chicago, Illinois 60601
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NOTICE OF PUBLIC HEARING – November 15, 2023

In accordance with Supreme Court Rule 3 (Rulemaking Procedures), you are hereby notified that the Supreme Court Rules Committee will hold a public hearing on **Wednesday, November 15, 2023**, beginning at **10:30 a.m.**, at the Administrative Office of the Illinois Courts, 222 N. LaSalle Street, 13th Floor, in Chicago. Clerks of court are requested to post a hard copy of this notice in a conspicuous place.

The public hearing agenda includes the following proposals:

Proposal 20-10 (P.R. 00289) Amends Supreme Court Rules 472 and 558 (Correction of Certain Errors in Sentencing); The Rules Committee seeks comments on a proposal that would amend Rules 472 and 558 clarifying that no fee shall be charged for motions seeking to correct errors in sentencing under either rule.

Proposal 22-05 (P.R. 00308) Amends Supreme Court Rule 794 (Continuing Legal Education Requirement); The Rules Committee seeks comments on a proposal that would amend Rule 794 to expand the 6-hour professional responsibility MCLE requirement to include sexual harassment prevention as an additional option within that category.

Proposal 22-06 (P.R. 00309) Amends Rules of Professional Conduct 5.1 (Responsibilities of Partners, Managers, and Supervisory Lawyers) and 8.4 (Misconduct); The Rules Committee seeks comments on a proposal that would amend RPC 8.4 and its Committee Comments to eliminate the prior adjudication precondition for discipline based on harassment or discrimination. The proposal would also specifically include sexual harassment in the definition of misconduct, and impose a “reasonably should know” standard, as well as other changes to the rule modeled after the ABA’s model rule on discrimination. The proposal would also amend Comment 2 to RPC 5.1 to clarify that lawyers with managerial authority have a duty to promote a firm environment free of harassment and discrimination prohibited by PRC 8.4(j).

Proposal 23-01 (P.R. 00314) Amends Supreme Court Rule 796 (Enforcement of MCLE Requirements); The Rules Committee seeks comments on a proposal that would cap the reinstatement fees for those removed from the master roll due to MCLE noncompliance in more than three MCLE reporting periods. Under this proposal, the reinstatement fees would be capped at the reinstatement fees assessed for the three most recent removals.

Proposal 23-03 (P.R. 00316) Amends Supreme Court Rules 9 (Electronic Filing of Documents) and 373 (Date of Filing Papers in Reviewing Court; Certificate of Mailing); The Rules Committee seeks comments on a proposal that would permit a certification for exemption from e-filing under Rule 9 to be filed in person, by e-mail, by mail, or by third-party commercial carrier. The proposal would also amend Rule 373 to clarify that the “mailbox rule,” in which a filing is considered filed on the date of mailing/delivery to a commercial carrier, applies to any filing that is exempt from e-filing under Rule 9, and not just documents filed by incarcerated self-represented litigants.

The proposals are available on the Supreme Court's website at: www.illinoiscourts.gov/SupremeCourt/Public_Hearings/Rules/. To obtain hard copies of the proposals by U.S. mail, please contact the Administrative Office of the Illinois Courts at (312) 793-3250 or RulesCommittee@illinoiscourts.gov.

The Supreme Court Rules Committee invites public comments on the proposals. Written comments should be submitted no later than **Wednesday, November 8, 2023**, to RulesCommittee@illinoiscourts.gov or via mail to: Committee Secretary, Supreme Court Rules Committee, 222 N. LaSalle Street, 13th Floor, Chicago, Illinois 60601. *****PLEASE NOTE: All written comments submitted will also be published and accessible on the Supreme Court's website.*****

To be scheduled to testify at the public hearing, please send an e-mail the Rules Committee Secretary, as noted above, no later than **Wednesday, November 8, 2023**.