

SIXTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 2023-2

ACCESS TO PROCESS SERVER INFORMATION CONTAINED IN EVICTION RECORDS SEALED PURSUANT TO ILLINOIS PUBLIC ACT 102-0005

WHEREAS, Illinois Public Act 102-0005 was enacted for the purpose of “protecting residential tenants, homeowners, and housing providers from certain evictions and other hardships during this public health and economic crisis,” the crisis being the commencement of the COVID-19 pandemic (P.A. 102-0005, Section 5-5), and

WHEREAS, “court files created when an eviction action [was] filed with the court” during the period of March 9, 2020 through March 31, 2022 are sealed (735 ILCS 5/9-121(a) and 5/9-122(a)), and

WHEREAS, eviction court files are otherwise ordinarily matters of public record, and

WHEREAS, “upon motion and order of the court, a sealed court file may be made available for scholarly, educational, journalistic, or governmental purposes only, balancing the interests of the parties and the public in nondisclosure with the interests of the requesting party. Identifying information of the parties shall remain sealed, unless the court determines that release of the information is necessary to fulfill the purpose of the request and the interests of justice so dictate. Nothing in this subsection shall permit the release of a sealed court file or the information contained therein for a commercial purpose” (735 ILCS 5/9-121.5(e) and 5/9-122(d)), and

WHEREAS, process may be served only by certain persons as defined by law (735 ILCS 5/2-202), and

WHEREAS, it is in the public’s interest and the interests of justice require that only persons authorized by law serve process in Eviction matters, and that only persons authorized by law have served process in Eviction matters commenced during the period of March 9, 2020 through March 31, 2022, and

WHEREAS, parties to Eviction matters commenced during the period of March 9, 2020 through March 31, 2022 shall have none of their identifying information disseminated as a result of this Administrative Order,

WHEREAS, the Illinois Supreme Court Manual On Recordkeeping contains nothing to the contrary of this Administrative Order,

THEREFORE, upon oral motion of the Champaign County State’s Attorney,

IT IS HEREBY ORDERED that the Champaign County State’s Attorney may have access to and may disseminate service of process information (including process server

identifying information, attempts to serve process, completion of service of process, and Cause Number) from Eviction court files in cases that commenced during the period of March 9, 2020 through March 31, 2022. These court files shall otherwise remain sealed and all identifying information of the parties must be fully redacted from all documents prior to dissemination (including but not limited to, name of plaintiff, name of defendant, all biographical information about a party to the matter, and all geographic information about a party to the matter).

1-23-23

Date



Randall B Rosenbaum, Chief Judge
Sixth Judicial Circuit