

Remote Court Appearances in Illinois: An Overview

The Illinois Supreme Court recognizes that traveling to court can be expensive, difficult, and time-consuming for many people. Supreme Court Rules 45 and 241 allow court participants to appear by phone or video (also known as appearing remotely or a remote appearance), instead of in-person at the courthouse. While the Supreme Court encourages judges to be flexible and understanding, each individual judge will be able to make their own decision about who can appear remotely and how.

The Supreme Court Policy on Remote Court Appearances in Civil Proceedings offers the following guidance and information on remote court appearances in Illinois (the full policy is available at:

https://courts.illinois.gov/SupremeCourt/Policies/Pdf/ATJ_Commission_Policy_on_Remote_Court_Appearances_in_Civil_Proceedings.pdf):

- **Anyone involved in a civil case can ask to appear remotely.** Court participants (also called “case participants” in the Supreme Court Policy on Remote Court Appearances) may include both the parties and their lawyers, as well as any witnesses, experts, interpreters, law enforcement officers, court reporters, or other non-parties. Judges can appear remotely too.
- **Remote appearances are an option in all civil (non-criminal cases).** Some types of hearings may be easier than others for remote appearances. For example, it may be more difficult to appear remotely at a hearing where evidence is shared or testimony is given under oath. The judge will take that into consideration when deciding who can appear remotely and how.
- **Each court and judge may have a different way of handling requests to appear remotely.** Checking the local Circuit Court’s website or calling the local Circuit Clerk’s office are usually good first steps to learn more about remote hearing options, including any deadlines to ask for a remote appearance. During the Covid-19 pandemic, many courts are requiring or encouraging all court participants to appear remotely when possible.
- **Court participants do not need a reason to appear remotely.** However, some judges may find it helpful to know if there is a reason it is difficult to appear in-person. Some of those reasons may be due to scheduling conflicts (work, school, childcare), logistical challenges (mobility issues, distance, lack of available transportation), or public health and safety. Offering an explanation may be more important if a litigant or witness is asking to appear remotely at a trial or at a hearing where they will have to testify. A judge may be less likely to grant the request in that circumstance if the litigant or witness cannot show why it would be a hardship to appear in-person.

- **Court participants can appear by phone or video, depending on what technology is available.** Some courts may have a preferred method (like Zoom) that they use for most remote appearances. Other courts may be open to many methods of appearing remotely.
- **Court participants should be comfortable with and prepared to use the appropriate technology before their remote hearing.**
 - If asking to appear by phone, a court participant should make sure they have a fully charged phone with enough minutes available before they start the hearing.
 - If asking to appear by video, a court participant will want to make sure they have a device with a webcam and a data plan or internet plan that can handle videoconferencing for a long period of time.
 - In either situation, a court participant should find a quiet space and use a headset or headphones if they are available. These can help reduce background noise and improve the sound quality of the remote hearing.
- **Cost should not be a barrier to remote court appearances.** Many courts use programs like Zoom that are free for the court participant to use. If a court uses a program that is too expensive, a court participant can ask for a fee waiver or to use a different program that offers free services.
- **Interpreters and accommodations for disabilities should be made available remotely.** Spoken language interpreters should be provided remotely for all court hearings where one is needed. Court participants who are deaf or hard of hearing can request a sign language interpreter, captioner, or other necessary accommodation. Anyone who needs assistance should let the court know as early as possible so the court can request an interpreter or grant an accommodation.



Attending Court by Phone or Video: Questions and Tips for Court Users



How do I know if my court date is by phone or video rather than at the courthouse?

The court will notify you if your hearing is remote. You may be contacted by mail, email, text message, or phone so check all of your messages regularly.

Can I ask to appear for court by phone or video?

You can request to appear remotely by phone or video. Call the Clerk's office for information.

How do I attend a remote hearing?

The court will send you instructions on how to join your remote hearing by phone or video. If you still have questions, you can call the Clerk's office.

Will it cost me money to attend remotely?

There are many free options for appearing remotely. If cost is a concern, you can ask the court to use a free service or ask for a fee waiver.

Can I reschedule my remote hearing?

You must contact the Clerk's office ahead of time if you cannot attend your scheduled remote hearing.

What if I don't have a computer or phone?

If you do not have a computer, you can ask to appear by phone. If you do not have a phone, ask the Clerk what other options are available.

Can I still get an interpreter or disability accommodation for a remote hearing?

Yes, the court should provide the same services they would provide at an in-person hearing. Contact the Clerk's office to let them know you need help.

What should I expect during the hearing?

- You may be placed on hold or in a "waiting room" before the hearing starts.
- If you are appearing by video, set your screen name to appear as First Name Last Name.
- Introduce yourself when the hearing starts.
- Your hearing is live, and everyone can hear what you say. It may even be recorded by the court or viewable by the public.
- You should ask what will happen next in your case and how to get a copy of the court order.

Getting Ready for Your Remote Hearing



Check your Internet or phone connection.



Download the program the court tells you to use (for example, Zoom or Skype). Practice until you feel comfortable using it.



Charge your computer or mobile device. Make sure your phone has enough minutes.



Use earbuds or headphone if you can. This makes it easier to hear you speak.



Check with the court ahead of time if you have evidence to share (including documents and photos) or witnesses to call.



If you communicate directly with the judge (not the clerk), you are required to also include the other party in your messages.



Use an empty, quiet place where no one will interrupt you and with no background noise.



Set the camera at eye level. If using a phone, prop it up so your hands are free.



Pause before speaking in case there is any audio/video lag. Mute yourself when not speaking to improve sound quality. Let the judge know immediately if you cannot hear what is being said.



Even if you are at home, remember that a remote hearing is still an official court hearing and you should dress and behave appropriately.

If you have any questions, reach out to the Clerk's office as soon as possible. If you wait until right before your hearing, it may be too late to get help.



