



HB 5023: (Olickal): An Act to Clarify Access to Court Records

Additional Clarification Regarding Fundamental Access to Court Records Consistent with the Court Record and Document Accessibility Act

- The [Court Record and Document Accessibility Act](#) made clarifying changes to several statutes to align them with Illinois Supreme Court 8, providing standard definitions for access to case information and documents where the General Assembly has determined that public policy justifies limiting access.
- Although the Court Record and Document Accessibility Act was comprehensive, the Act did not cover all statutes where clarification was needed, including the Eviction Act.

Standardizing Important Definitions and Processes Under the Eviction Act Consistent with Illinois Supreme Court Rule 8

- Defining “impound” to align with Supreme Court Rule 8 and the Court Record and Document Accessibility Act.
- Revising the statute to provide greater access for the parties to eviction actions – impounding rather than sealing.
- Clarifying that, consistent with Supreme Court Rule 8, parties are permitted to agree to impound records as part of a settlement, subject to court approval.
 - Consistent with the overall purposes of the Court Record and Document Accessibility Act, this clarification aligns the Eviction Act with Supreme Court Rule 8 for agreed settlement orders. It resolves confusion and inconsistent application caused by the current language of the Eviction Act that requires additional findings when parties are seeking to impound records and there is no agreement of the parties.
 - This clarification will promote settlements between the parties and increase judicial efficiency.

Resolving Inconsistencies within the Criminal Identification Act

- Aligning the definition of “seal” in the Criminal Identification Act with the Court Record and Document Accessibility Act and Supreme Court Rule 8.
- Clarifying the language limiting court record access to align these definitions with court terminology and processes.
- Clarifying standards to restricted court records for circuit court clerks.