## PART 27. ELECTRONIC COURT RECORD EXCLUDED FROM PUBLIC ACCESS

**FORM 4(11)(!) ORDER OF REFERRAL**
**TO COURT ANNEXED MEDIATION**

IN THE CIRCUIT COURT OF THE 14™ WDICIAL CIRCUIT
_____COUNTY, ILLINOIS

| | | |
|---|---|---|
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| Plaintin(s), | ) | |
| | ) | No. |
| vs. | ) | |
| | ) | TYPE OF CASE: |
| Defendant(s). | ) | (Personal Injury - Auto, Contract - Real Estate, etc.) |

ORDER OF REFERRAL TO COURT ANNEXED MEDIATION

TI-IIS CAUSE came before the Court pursuant to the Civil Division Mediation Program Rules (Part 26) of the 14th Judicial Circuit for referral to mediation;

THE COURT HEREBY ORDERS:

**1.** All parties m-e required to participate **in** mediation.

a. The appearance of counsel who will try the case and each party or representative of each party with full authority to enter into a full and complete compromise and settlement is mandatory. If insurance is involved, an adjuster with authority to negotiate and recommend settlements shall attend. All parties are urged to bring interested individuals who might assist **in** facilitating settlement to the negotiation session (For example, lienholders, governmental officials and others whose approval is necessary or those whose interest may need to be negotiated and compromised).

b. The Court may impose sanctions against parties who do not attend the conference or violate the tenns of this Order.

c. At least ten (10) days before the conference, each side shall present to mediator a brief written summary of the case containing a list of issues as to each party. If the attorney filing the summary wishes its contents to remain confidential, she/he should advise the mediator in writing at the same time the summary is filed. The summary shall include the facts of the occurrence, opinions of liability, all damages and injury information, and any after or demands regarding settlement. Names of all participants in the mediation shall be disclosed to the mediator in the summary prior to the session.

d. All discussions, representations and statements made at the mediation conference shall be privileged consistent with the Confidentiality Agreement to be signed on behalf of each party prior to the commencement of the first mediation conference. The Confidentiality Agreement shall be made a part of the court record in the case.

e. The mediator shall be compensated by the parties as they agree or at the rate of not less than $150.00 per hour if the mediator is appointed by the Court. The mediator's fee shall be shared equally unless otherwise agreed by the patties. The hourly rate shall include preparation time and hearing time. The mediator shall serve pro bono if a party qualifies under local rules to sue or defend as a poor person.

f. The mediator has no power to compel or enforce settlement agreements and does not give legal advice. If a settlement is reached in this case, the attorneys shall reduce the agreement to writing immediately after the mediation

**2.** The plaintiff's attorney (or another attorney agreed upon by all attorneys) shall be responsible for obtaining a mediator agreed upon by the attorneys and contact the mediator within 14 days of this Order of Referral. A date and time and place for mediation convenient to all shall be obtained from the mediator. The places designated in Rule 3(B) are hereby deemed a convenient place to all participants.

**3.** If the parties cannot agree on a mediator within 14 days of this Order of Referral, the responsible attorney shall notify the Court within seven days of the expiration of the 14-day period, and the Court shall appoint a certified mediator selected by rotation.

**4.** 111e mediation shall be completed within seven weeks of the first mediation conference unless extended by order of the Court.

**5.** This cause is set for Status on the_ day of , 20_, at____m.

**6.** The plaintiff shall provide a copy of this order to the ADR Center, 1617 2nd Avenue, Suite 100, Rock Island, Illinois, 61201, phone 309-794- 3605, fax 309-794-3607, witl1in 7 days.

ENTERED: _____ _____
Judge

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**MEDIATION SCHEDULE**

**1.** Date of Referral Order: _____

**2.** Mediator must be selected by: _____
(14 days from Order)

**3.** Mediator shall notify counsel for the patties within 28 days of this Order, **in** writing, of date and time of first mediation conference (must be held within 8 weeks of this Order).

**4.** Mediation process must be completed within seven (7) weeks of initial mediation conference unless extended by coma.

ENTERED:_____ _____
Judge

White - Original Green- Plaintiff Canary - Defendant Pink- ADR Center Goldenrod - Mediator

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**FORM 4(n)(2) CONFIDENTIALITY AGREEMENT AND NONREPRESENTATION ACKNOWLEDGMENT**

IN THE CIRCUIT COURT OF THE 14TH JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

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|---|---|---|
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| | ) | |
| Plaintiff(s), | ) | |
| vs, | ) | No. |
| | ) | |
| | ) | |
| Defendant(s). | ) | |

**CONFIDENTIALITY AGREEMENT AND NONREPRESENTATION ACKNOWLEDGEMENT**

IT IS HEREBY AGREED by the mediation participants, _____

_____

**(Insert all persons, attorneys and other present)**

_____

and _____, Mediator, that all matters discussed during the mediation sessions shall be confidential and shall not be disclosed by the participants or the mediator in any court of law. It is further acknowledged by the parties to this lawsuit that the mediator,

_____ and his law firm, _____ are not representing any party to this lawsuit and are not providing any legal advice to any party. Parties agree that the mediator shall not be called as a witness in any proceeding concerning this mediation.

DATED: _____

_____ Mediator

_____ _____

_____ _____

_____ _____

_____ _____

**FORM 4(n)(3) MEDIATION HELD/NO AGREEMENT RESULTED**

MEDIATION HELD/NO AGREEMENT RESULTED

Date [INSERT DATE]
Case No. [INSERT CASE NO.]
IN THE MATTER OF MEDIATION BETWEEN:

[INSERT CAPTION]

[INSERT NAMES AND STATUS OF ALL PERSONS IN ATTENDANCE], [INSERT MEDIATOR'S NAME], Mediator, appeared for mediation at [INSERT PLACE OF MEDIATION] on [INSERT DATE] for their scheduled mediation.

We appreciate their appearance and their good faith effort to attempt mediation of the dispute that exists between them.

Unfortunately, they were unable to resolve their dispute through our services.

_____
[INSERT MEDIATOR'S NAME],
MEDIATOR

**FORM 4(n)(4) MEMORANDUM OF AGREEMENT**

IN THE CIRCUIT COURT OF THE 14TH JUDICIAL CIRCUIT
_____COUNTY, ILLINOIS

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|---|---|---|
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| | ) | |
| Plaintiff(s), | ) | |
| vs. | ) | No. |
| | ) | |
| | ) | |
| Defendant(s). | ) | |

**MEMORANDUM OF AGREEMENT for PARTIAL AGREEMENT}**

We, the undersigned, having participated in a mediation conference on--------- and being satisfied that the provisions of the resolution of our dispute are fair and reasonable, hereby agree to abide by and fulfill the following:

It is further understood that no agreement was made on the following issues:

Dated: .....

_____
Mediator

_____ _____

_____ _____

_____ _____

**Section 4.30 - ELECTRONIC COURT RECORDS EXCLUDED FROM PUBLIC ACCESS. THE SUPREME COURT'S ELECTRONIC ACCESS POLICY FOR CIRCUIT COURT RECORDS IS INCORPORATED INTO THE CIRCUIT COURT RULES FOR THE 14TH JUDICIAL CIRCUIT BY AND FOR REFERENCE.**

**VIS.:** (a) Information that is impounded, sealed or expunged pursuant to law or by court rule, order or court, or pursuant to the Manual on Recordkeeping shall be excluded from public access in electronic form. Access and inspection of this information is governed by the existing court rules and laws for public access of the official court record. Requests for inspection must be made in person at the office of the clerk of court.

(b) While there is no authority prohibiting public access to certain other categories of information, there is no need to disclose such information to the public in an electronic form. The following information is excluded from public access in electronic form, unless access is provided at the office of the clerk of court. Such access shall be through the use of a computer terminal which does not allow information to be downloaded or exported, and only if such access is not otherwise prohibited by this Policy.

- Financial information that provides identifying account numbers on specific assets, liabilities, accounts, credit cards, first five digits of social security number of P.I.N. numbers of individuals or business entities;
- Proprietary business information such as trade secrets, customer lists, financial information or business tax returns;
- Information constituting trade secrets, copyrighted or patented material or which is otherwise owned by the state or local government and whose release would infringe on the government's proprietary interest;
- Notes, drafts and work products prepared by a judge or for a judge by court staff or individuals working for the judge related to cases before the **court;**
- Names, addresses or telephone numbers of potential or sworn jurors in a Criminal case;
- Juror questionnaires and transcripts of voir dire of prospective jurors;
- Wills deposited with the court pursuant to the Manual on Record keeping;
- Arrest warrants (at least prior to the arrest of the person named); and
- Any documents filed or imaged, i.e., complaint, pleading, order.

{c) Information not covered in subsections (a) and (b) may be excluded from public access in electronic form by local rule.

**RULE 1. AUTHORITY**

Authority for this Rule is derived from the Illinois Supreme Court's Electronic Access Policy for Circuit Court Records of the Illinois Courts, Effective April 1, 2004.

**RULE 2. PURPOSE**

The purpose of this Rule is to protect sensitive personal and financial information from being disseminated over the Internet.

**RULE 3. RECORDS RESTRICTED BY LOCAL RULE**

A. The Circuit Clerks shall cause the following recorded information not to be provided on the Internet for access by the general public:

1. Driver's License Numbers
2. Medical Records
3. Employment History Information
4. Residential Street Addresses
5. All ordinance violations that are committed by minors under the age of seventeen (17) shall not be identified or disseminated over the Internet.
5. Names of Minor Children

B. The above in no way limits access to these records by Judges, State's Attorneys, Attorneys of Record In the case, or authorized members of law enforcement.

(Adopted Effective May 1, 2005)'

**SUPREME COURT OF ILLINOIS**

**ELECTRONIC SIGNATURE STANDARDS**

1. Definitions. Terms used within this rule shall have the meaning given to them in the Uniform Electronic Transactions Act (815 ILCS 333/1 et seq) where so defined. Specifically, and for ease of reference, an *"Electronic Signature"* means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

2. Use of Electronic Signatures. A person may use an Electronic Signature to sign a record filed with the court, provided that the Electronic Signature is:

   (a) Unique to the person making the signature;

   (b) Under the control or direction of the person making the signature; and

   (c) Authorized by the person to whom the Electronic Signature belongs, if used by another individual.

3. Signature Equivalency. A document filed with a court that bears a valid Electronic Signature shall be deemed signed to the same extent as a document that bears a handwritten signature.

4. Authentication and Verification. A court may require a person who uses an Electronic Signature on a document filed with a court to provide evidence of the authenticity and validity of the Electronic Signature, either at the time the document is filed or at any subsequent time.

5. Compliance with Other Rules. The use of Electronic Signatures on documents filed with the court shall be subject to and comply with all other applicable orders, rules, and laws, including but not limited to those relating to form, content, and filing. In the event of a conflict between these Standards and the rules governing e-filing as approved by the Supreme Court, the provisions of the latter shall control.

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SUPREME COURT OF ILLINOIS

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| In re: Electronic Signature Standards | ) ) ) | M.R. 32361 |

Order

Effective immediately, 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 consistent with the Uniform Electronic Transactions Act (815 ILCS 333/1 *et seq.),* the Supreme Court of Illinois approves the attached "Electronic Signature Standards" to ensure the courts in Illinois utilize electronic signatures in their jurisdiction according to these standards. The Administrative Director of the Illinois Courts has authority to amend the "Electronic Signature Standards" as is necessary and appropriate.

IT IS FURTHER ORDERED that all courts shall accept electronic signatures as that term is defined in the Uniform Electronic Transactions Act, provided the applicable signature complies with the attached "Electronic Signature Standards." With approval of the Administrative Office of Illinois Courts, and consistent with these Standards, a circuit court may adopt additional requirements for electronic signatures.

Order entered by the Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 30th day of August, 2024.

c |°' - *yajna;*
*0*

Clerk,
Supreme Court of the State of Illinois

**FILED**
August 30, 2024
SUPREME COURT
CLERK