

# Court Transparency Coalition

To help shine light on Illinois' judicial branch, BGA Policy is proud to lead the Court Transparency Coalition, [which recommends that the judicial branch be added to the state's Freedom of Information Act](#). The Coalition, composed of BGA Policy, The Civic Federation, the Chicago Appleseed Center for Fair Courts, Chicago Community Bond Fund, Chicago Council of Lawyers, Chicago Justice Project, Illinois Justice Project, the League of Women Voters of Illinois, Common Cause Illinois, Reform for Illinois and Cabrini Green Legal Aid has committed to advocating for change to FOIA by amending the FOIA law to include the judiciary.

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## Court Transparency Coalition Member Organizations

Better Government Association

# BGA POLICY

The Civic Federation



Chicago Appleseed Center for Fair Courts



Chicago Justice Project



Chicago Community Bond Fund



Illinois Justice Project



Chicago Council of Lawyers



Common Cause



League of Women Voters of Illinois



Reform For Illinois



Cabrini Green Legal Aid



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# **Illinois Judicial Branch Freedom of Information Act**

## **The Challenge**

**The entire Illinois court system operates without the basic transparency protections FOIA provides. Unlike every other government body in Illinois, the judiciary has full discretion over what information it releases about its operations. The Court Transparency Coalition hopes to change that.**

## **What don't we know?**

**Courts are currently NOT required to answer the following:**

- How courts spend public funds
- How long it takes for a court case to move through the system in each county
- How people who work for the courts are trained, and what policies they follow
- How many people violate their probation each year in each county
- How children detained at juvenile detention centers are disciplined

## **Conclusion**

**Voters and Legislators deserve to know the answers to these basic questions so that they can provide proper oversight of our courts.**

**Illinois must join them.**

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## **Court Transparency Cost Brief**

## Estimated Costs

There is relatively little information available regarding the amount of time and resources that it takes for government agencies to respond to FOIA requests. Using estimates based on other agencies in Illinois, as well as information from the State of Washington, we were able to create different bases for estimating the cost of expanding FOIA to the judicial branch in Illinois. Estimated costs are provided for: the circuit court clerk of each county; the office of the chief judge of each circuit; and Administrative Office of the Illinois Courts, which will handle the Supreme Court and the appellate courts FOIA requests. These estimates assume that each agency would hire new staff, but it is possible that many court agencies could assign existing staff as FOIA Officers.

### **The Administrative Office of the Illinois Courts**

To provide a comparison to an Illinois state agency, the Illinois Department of Natural Resources (IDNR) has a similar budget to that of the Illinois Supreme Court. The IDNR received an average of 816 FOIA requests each year between 2017 and 2021. The Department currently has 3 FOIA officers, all of whom are attorneys. However, to provide a comparison to another state court agency, the Administrative Office of the Washington State Courts only receives between 120 and 140 public records requests per year, which only requires half of a full-time position. Based on these comparisons, we estimate that **the Administrative Office of the Illinois Courts would require up to one full-time position to handle FOIA requests submitted to the AOIC, Supreme Court and Appellate Courts, with a potential salary cost of \$70,000.**

### **Office of Chief Judges of Circuit Courts**

There are 24 judicial circuits in Illinois. Based on an allocation of at least one FOIA officer to each of the 23 circuits (excluding Cook County), plus an additional officer to circuits that operate a juvenile detention center or are larger than average, we estimate that **2 circuits will need 3 FOIA officers, 14 circuits will need 2, and 7 circuits will need only 1 officer, for a total of 41 FOIA officers. At an estimated salary of \$70,000 per officer, the total cost would be \$2,870,000.**

As the largest standalone circuit in the State of Illinois, Cook County would likely need additional resources. We estimate that the office of the Chief Judge of **Cook**

**County could require 4 FOIA officers, at \$70,000 per officer, for a total estimated salary cost of \$280,000.**

## **Circuit Clerks**

There are 102 circuit court clerk offices in Illinois (one per county), each of which would need a designated staff person to serve as a FOIA officer. From the Washington data we saw that less populous counties have fewer FOIA requests. Counties with a population below 50,000 averaged 600 FOIA requests annually, versus those above 50,000 averaged almost 3,000 requests. For this reason we estimate that 74 Illinois counties with a population under 50,000 would need 0.5 of a full-time employee. Counties with populations above 50,000 would require 1 full-time employee. The 5 single circuit counties (not including Cook County, which is discussed below) are among the largest and for each of these we designate 2 full-time employees. **Together this requires 69 FOIA officers, at \$70,000 per officer for a total estimated salary cost of \$4,830,000.**

## **Cook County Clerk of the Circuit Court:**

Based on Cook County's larger population size and case volumes, we understand that the Cook County Circuit Court Clerk's Office may need more resources than other counties. Looking at other Cook County criminal justice system agencies may provide some insight into the volume of FOIA requests and staff necessary to handle those request volumes:

- The Cook County Sheriff's Office has 1 FOIA officer with an annual salary of \$74,415, plus three additional support staff designated to assist with FOIA requests. The Sheriff's Office received 2,500 FOIA requests in 2021.
- The Cook County Public Defender's Office has 1 full-time FOIA staff member with a salary of \$126,000 who handles all FOIA requests and subpoenas for that office.

Based on a conservative, high estimate, the **Cook County Clerk's Office would require 4 full-time FOIA officers, at a \$70,000 annual salary per officer, totaling \$280,000.**

## Total Cost

- Total cost for the Administrative Office of the Illinois Courts, which includes the Supreme Court and appellate courts is \$70,000.
  - Total cost for the Office of the Chief Judge for each circuit is \$3,150,000.
  - Total cost for the circuit court clerks of each county is \$5,110,000.
  - **The Grand Total is \$8,330,000.**
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