

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
JACKSON COUNTY

**FILED**  
**6 MAY 04 2023 6**  
*Cecilia R. Swank*  
JACKSON COUNTY CIRCUIT CLERK  
FIRST JUDICIAL CIRCUIT OF ILLINOIS

**ORDER ON SEALING OR IMPOUNDMENT OF DOCUMENTS AND FILES**

There is a strong presumption of public access to the court's files and records which may be overcome only if there is compelling evidence that the public's right of access is outweighed by the interests of the parties in protecting files, records, or documents from public review. Nothing in this rule shall be construed to expand or restrict statutory provisions for the sealing of files, records, or documents or those rules promulgated by the Supreme Court or Administrative Office of the Illinois Courts pursuant to the Manual on Recordkeeping and the Electronic Access Policy for Circuit Court Records of the Illinois Courts.

Definitions: For purposes of this rule, the following terms will have the definitions accorded them in the Manual on Record Keeping:

Impounded: a case or document which is accessible only to the parties of record on a case; otherwise, the case or document is only accessible upon order of court;

Sealed: a case or document which is accessible only upon order of the court.

**WRITTEN ORDER REQUIRED**

Except as otherwise provided by statute or the Manual on Recordkeeping, files, records or documents may be impounded or sealed only upon written order of a judge.

**PROCEDURE FOR SEALING OR IMPOUNDING**

All motions to seal or impound a file, record or document must be made in writing and presented to the judge assigned to the case with appropriate notice to all parties of record. The motion must explain the basis for sealing or impounding the file, record or document and specify the proposed duration of the order. The clerk shall impound any motion to seal or impound pending the court's ruling on the motion.

The judge hearing the motion shall enter a written order either granting or denying the request using the form "Order to Seal or Impound Court File." If the motion is granted, the order shall designate whether the entire file, record or document, or only a portion of the entire file, record or document, shall be sealed or impounded. The order shall also designate whether the clerk shall remove the parties' names from public access to the index and the duration of the order.

**REVIEW OF SEALED OR IMPOUNDED FILES**

On an annual basis, unless otherwise specified in the written order, the clerk shall set for review all of the files, records or documents sealed or impounded by a judge. If that judge is no longer available, then the files, records or documents shall be referred to the Presiding Judge for assignment.

The judge shall determine whether the files, records or documents will remain sealed or impounded. If the judge determines that a file, record or document should be unsealed or un-impounded, the judge shall cause a written notice to be sent to the affected parties giving them 30 days to object to the unsealing or un-impounding. If no objection is made, the judge shall enter an appropriate order on the

form order. If an objection is made, the court shall schedule a hearing on whether the files, records, or documents should remain sealed or impounded.

**MOTIONS TO LIFT AN ORDER SEALING OR IMPOUNDING A FILE**

A person or entity wanting access to a sealed or impounded file, record or document may file a motion requesting the order sealing or impounding the file, record or document be lifted.

The motion shall be on the form "Motion to Lift Order Sealing or Impounding Records" available from the clerk, or on a substantially similar form. A copy of the motion shall be sent to all affected parties.

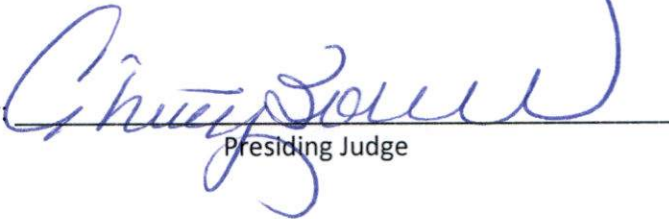
Within 14 days of the filing of a "Motion to Lift Order Sealing or Impounding Records," the clerk shall set the motion for hearing before the judge who ordered the file, record or document to be sealed or impounded. If that judge is no longer available, the clerk shall refer the file, record or document to the Presiding Judge for assignment.

The judge shall use the form "Order on Motion to Lift Order Sealing or Impounding Records" to record their ruling on the motion.

Date:

5/4/23

Enter:



Presiding Judge