ILLINOIS SUPREME COURT COMMISSION ON ACCESS TO JUSTICE
FORMS COMMITTEE AND SUBCOMMITTEES
POLICIES AND PROCEDURES
June 2023

The following information is provided as a resource for all judges, lawyers, court staff, and justice stakeholders who serve on the Illinois Supreme Court Commission on Access to Justice's Forms Committee and its Subcommittees. The statewide standardized forms initiative is governed by M.R. 25401, Illinois Supreme Court Rule 10-101, and the Illinois Supreme Court's Resolution on Standardized Court Forms. It is hoped that these guidelines will help you fulfill the important responsibilities you have been assigned.

GENERAL

I. Purpose
   a. The Illinois Supreme Court Commission on Access to Justice Forms Committee (Forms Committee) reviews and approves statewide standardized court forms to improve access to the court system for all court users, particularly those who are low-income and vulnerable.
   b. The goal of all standardized forms is to provide court users with plain language court forms and procedural instructions that will help them participate meaningfully in their court case. Forms and instructions will be drafted in a concise manner to help the public understand the steps necessary to participate in their case.
   c. All forms approved by the Forms Committee are required to be accepted by all Illinois courts and all local courts are required to stop providing or using local forms for a legal remedy once a standardized court form for that same purpose is published.

II. Responsibilities
   a. The Forms Committee serves as the leadership and reviewing body approving all statewide standardized court forms that are released by the Illinois Supreme Court Commission on Access to Justice.
      i. The Forms Committee gives final approval before publishing forms.
      ii. At the time the Forms Committee has reviewed forms they will have gone through a rigorous development process. Therefore, the Forms Committee should focus on legal sufficiency and any errors. Some preparation and review ahead of time may be required in advance of meetings to discuss form sets. Members will be asked to submit comments on forms ahead of time.
   b. Subcommittees made up of subject matter experts review form sets for substantive edits and finalize a version for the Administrative Office of the Illinois Courts (AOIC) to prepare in the design format to present to the Forms Committee for approval.

      i. Subcommittee members will more actively edit and discuss changes to forms. Some preparation and review will be required in advance of meetings to discuss and edit form sets. Members will be asked to submit comments on forms ahead of time, as well as volunteer to more actively draft changes to forms.
      ii. Annual review will be conducted, as applicable, with Subcommittees based on comments received by the AOIC throughout the year or due to changes in the law that affect published forms. AOIC staff will review all comments received for that year and a meeting date will be scheduled with the subcommittee if it is necessary. During that meeting, subcommittee members will review all the comments and determine if any necessary changes to the forms are required.

iii. Subcommittee members are also tasked with informing AOIC of any legislative changes affecting their published forms to be reviewed as needed, or at least annually, along with any other comments that have been received about those forms.

c. An AOIC staff person will serve on the Forms Committee and Subcommittees as a non-voting support person and resource. This person will be responsible for overall project management and administrative tasks, including maintaining rosters and contact information, training new subcommittee members, scheduling and hosting meetings, coordinating drafting with external consultants, ensuring forms are being drafted in a timely manner, being the liaison for court stakeholders on issues relating to the forms, and overseeing forms publication and updates.

III. Non-Disclosure Protocol

a. Prior to a form reaching the public comment stage, no one shall share draft forms with any person who is not a member of the Forms Committee, a Subcommittee, or the AOIC staff person.
b. The forms posted for public comment will carry a DRAFT watermark.
c. Subsequent drafts shall not be shared with any person who is not a member of the Forms Committee, a Subcommittee, or the AOIC staff person until the form is published.

FORMS COMMITTEE

IV. Appointments – Eligibility, Application, Terms, and Reappointments

a. Eligibility
   i. The Forms Committee shall consist of a "diverse group of judges, clerks, court personnel, and lawyers practicing in the area" M.R. 25401 (1)(4).
   ii. The committee shall contain at least one lawyer from legal aid, one lawyer in private practice, one judge, one staff member from a clerk's office, one court staff, and one representative from Illinois Legal Aid Online (ILAO).
   iii. In addition to recruiting justice system stakeholders with diverse backgrounds, the Forms Committee seeks geographic diversity of its membership seeking representatives from urban, suburban, and rural court systems.

b. Application
   i. If a vacancy is available on the Forms Committee, an application for the Forms Committee will be posted on the Court's website and sent to the Commission's distribution list.
   ii. Applications will be reviewed and assessed by a selection committee made up of AOIC staff, the Forms Committee Co-Chairs, and two Subcommittee members.
   iii. Applicants will be notified of the results via email.

c. Terms, Appointments, and Reappointments
   i. Two Co-Chairs for the Forms Committee shall be appointed by the ATJ Commission.
   ii. A minimum of eight general members will be appointed to the Forms Committee.
   iii. All appointments to Forms Committee chairs and members shall be made by the Court for three-year staggered, renewable terms which expire on the 31st day of December of the designated year. In the case of a vacancy, a successor shall be appointed to serve the unexpired portion of the term.

iv. At the end of each term of service, Forms Committee members will be contacted by the Co-Chairs or AOIC staff to reassess their continued interest in serving in their respective roles or in any other capacity on the statewide forms initiative.

V. Meetings
   a. The Forms Committee will meet virtually on a quarterly basis to discuss high-level administration of statewide forms and to approve forms for publication. These meetings will be scheduled for a minimum of 2 hours. AOIC staff will set the agenda and host the meeting.
   b. Additional ad hoc meetings may be necessary throughout the year should any form-related matters require expedited handling.
   c. Quorum for meetings - A simple majority of the entire group is required to meet quorum requirements.
   d. Members shall strive to attend and participate in all meetings. If there is a six-month gap in participation, the AOIC and chairpersons will assess continued committee involvement. Participation means attending scheduled meetings or submitting feedback and/or comments between meeting times.

VI. Assignments for Review of Draft Forms
   a. A two-person panel from the Forms Committee will be assigned to review draft forms from a respective subcommittee following the public comment period. Panel assignments will be decided by the Forms Committee Co-Chairs in consultation with AOIC staff and will be done in rotation.
   b. The two-person panel will meet virtually (as applicable) with the AOIC staff person to review forms submitted by the drafting subcommittee. The panel may consult with subject matter experts from the Subcommittee as necessary. Review of the form set should be completed within a timely fashion.
   c. The two-person panel will recommend the draft forms to be sent to the Forms Committee for final approval.

SUBCOMMITTEES

Appointments – Eligibility, Application, Terms, and Reappointments

a. Eligibility
   i. Subcommittees shall consist of members who are a "diverse group of judges, clerks, court personnel, and lawyers practicing in the area" M.R. 25401 (1)(4).
   ii. Each Subcommittee shall contain at least one lawyer from both sides of the issue, one being from legal aid, and one being in private practice, one judge, one staff member from a clerk's office, one court staff, and one representative from Illinois Legal Aid Online (ILAO).
   iii. In addition to recruiting justice system stakeholders with diverse backgrounds, Subcommittees will consist of geographic diversity of its membership, including representatives from urban, suburban, and rural court systems.

b. Application
   i. Anyone may nominate a new member by contacting the Forms Committee, Subcommittee Chair, or AOIC staff and putting forth a name.
   ii. The chair of each Subcommittee or AOIC staff determines if there is a need for a new member.

iii. The chair of the Subcommittee or AOIC staff will evaluate their suitability for the role. If found suitable, an offer may be extended. If accepted, AOIC staff will then provide training to the member to acclimate them to their role.
iv. Forms Committee will be updated during quarterly meetings on any new Subcommittee members.

c. Terms, Appointments, and Reappointments
   i. A minimum of six members will be appointed to each Subcommittee.
   ii. All appointments to Subcommittee chairs and members shall be made by the Court for three-year staggered, renewable terms which expire on the 31st day of December of the designated year. In the case of a vacancy, a successor shall be appointed to serve the unexpired portion of the term.
   iii. Current chairs will remain in their position so long as they continue serving on their respective Subcommittee. For newly established Subcommittees and for those Subcommittees currently without a chairperson, a Chair may be appointed by the AOIC in collaboration with the Forms Committee Co-Chairs.
   iv. Together with AOIC staff, Subcommittee Chairs are expected to deal with issues relating to that form set, such as: conducting annual review, assessing the urgency of public comments received throughout the year, monitoring changes to the law or rules, etc.
   v. At the end of each term of service, the chair and general members will be contacted by AOIC staff to reassess their continued interest in serving in their respective roles or in any other capacity on the statewide forms initiative.

Meetings

a. Subcommittee meetings will be 1-2 virtual meetings for a few hours to review and edit forms that have been drafted by a subject matter expert and the AOIC.
b. Quorum for meetings - A simple majority of the entire group is required to meet quorum requirements. This includes ILAO representation, but not AOIC staffing the working group. However, if an AOIC staff member is serving as a subject matter expert on the working group, they do count toward the majority. Meetings can proceed according to the discretion of AOIC staff, but official votes must take place with a majority of input from the subcommittee.
c. Members shall strive to attend and participate in all meetings. If there is a six-month gap in participation, the AOIC and Subcommittee Chair will assess continued committee involvement. Participation means attending scheduled meetings or submitting feedback and/or comments between meeting times.
d. Members who are not fully participating or attending meetings can be dismissed at the discretion of the AOIC and Subcommittee Chair. On an annual basis, AOIC staff will check-in with all Subcommittee members via email and/or in virtual meetings to assess their continued interest and experience with serving on the subcommittee.

Inactive Subcommittees

a. Subcommittees may be inactive for numerous reasons, including work being completed on drafting new forms, AOIC staff capacity, prioritization of forms with pending legislation, et cetera.
b. In such instances, AOIC staff will contact the Chair and members annually to:
   i. Conduct annual review
   ii. Ensure legal sufficiency of forms
   iii. Check on any anticipated legislative issues
   iv. Gauge interest in continued participation