



## PRESS RELEASE

### DEFENSE ATTORNEYS EXPRESS GRAVE CONCERNS REGARDING THE SUPREME COURT GUIDELINES FOR COURT REOPENING, JUNE 1, 2020

**(CHICAGO, IL, May 26, 2020)** – Today, the Illinois Association of Criminal Defense Lawyers responded to the State Supreme Court’s Guidelines regarding the official opening of criminal courts, around the state, which are set to begin June 1, 2020.

In a letter addressed to Chief Justice Ann Burke, IACDL expressed their concerns that the extended use of remote, “teleconferencing” hearings” may come at the expense of of accused individuals by denying or delaying their rights, or access to justice.

This Court's Guidelines imply that most proceedings except for jury trials should be heard remotely via teleconference, videoconference, or some comparable technological method. It is IACDL's position that contested motions and trials, whether by way of jury or bench, that involve witness testimony should not be conducted remotely. Evaluating the credibility of witnesses and ensuring compliance with the judicial process are critical parts of the Circuit Courts' responsibilities. Accused individuals have a right to be present with their attorney and confront the witnesses. This cannot be accomplished remotely and to do so would violate an accused individual's right to due process under both the United States and Illinois Constitutions. These contested proceedings involving witness testimony can be conducted safely with social distancing, limiting the number of people in the courtroom or other reasonable accommodations.

IACDL is a statewide organization composed of attorneys in the private and public sectors, law professors, and defense investigators, all of whom have a vested interest in the pursuit of justice for all accused individuals in the State of Illinois.

The Illinois Association of Criminal Defense Lawyers  
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