

STATE OF ILLINOIS

99TH GENERAL ASSEMBLY

HB 6327

FILED, BY THE HONORABLE LASHAWN FORD ON FEB. 11, 2016.

UNANIMOUSLY OPPOSED, BY ILAPPS BOARD ON FEB. 12, 2016.

Point of Opposition.

1. The use and intent of "special process servers" in this amendment is not clear.
2. The language and intent of this amendment is not clear. It may unfairly target certain process servers. If the intent is limited to only those appointed under 735 ILCS 5/2-202(a-5) (from Ch. 110, par. 2-202), then one has to assume approximately 1/2 of the total serves to be carried-out would not be covered by this change. All the Cook County Deputy Sheriffs, may serve process as may all other Sheriffs in Illinois. Moreover, special process servers, under a special appointment motion, would not be covered by the amendment.
3. It may be considered high strangeness to financially burden those who are authorized to serve process under Illinois' law. The server, who is an officer of the court, provides citizens with information guaranteed through their constitutional rights.
4. The cost to implement this measure would be unreasonable if factors actually needed for compliance are considered: 1) purchase of video camera equipment for each employee 2) purchase of a video processing software program 3) New computers if current devices do not meet the minimum system requirements in order to ensure that it is capable of running the video program 4) time and length-of-time required to render video and 5) capacity to store and maintain the video for up to a decade.
5. There are no equipment standards or guidelines included in the language. It is anticipated that an added and unreasonable cost could cause the purchase of cheap equipment. Cheap equipment is limited to low resolution images. Low resolution images means a clear picture will not be displayed- ultimately leaving the actual film useless for evidentiary purposes.
6. There is no efficient way to track the case by case status of all cases once a serve is made. Within three months of implementation, the "employer" would have to manually look-up hundreds of cases individually to see if the case has been adjudicated. After just one year, totals would be in the many thousands. This may cause the employer to have to hire additional employees, or pay overtime.