



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 12, 2025

Via electronic mail

[REDACTED]

RE: FOIA Request for Review – 2025 PAC 85534

Dear [REDACTED]:

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2023 Supp.)). For the reasons set forth below, the Public Access Bureau concludes that no further inquiry is warranted.

On February 12, 2025, you sent an e-mail to Knox County (County) requesting "the names and addresses of all jurors, including alternates that sat for the above trial." The County denied your request, citing "the Circuit Clerk exemption" and referencing "*Copley Press, Inc. v. Administrative Office of Courts.*"¹ On March 3, 2025, you submitted a Request for Review to this office seeking our review of the denial.

FOIA governs requests for public records maintained by public bodies. *See* 5 ILCS 140/1 (West 2022). Section 2(a) of FOIA (5 ILCS 140/2(a) (West 2023 Supp.)) defines a "public body" as:

[A]ll legislative, executive, administrative, or advisory bodies of the State, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or commissions of this State, any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees thereof.]

¹E-mail from Scott Erickson to [REDACTED] (dated "Yesterday").

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Based on that definition, the Illinois Appellate Court has determined that FOIA is not applicable to the judiciary or its agents, including Circuit Clerk's Offices. *Newman, Raiz & Shelmadine, LLC v. Brown*, 394 Ill. App. 3d 602, 606 (2009) (the Circuit Clerk's Office is a component of the judicial branch and thus excluded from the definition of "public body" in FOIA). In *Copley Press v. Administrative Office of the Courts*, 271 Ill. App. 3d 548, 555 (1995), the case the County listed in its denial e-mail, the Illinois Appellate Court determined that FOIA did not apply to the courts and related offices.

Although you sent your FOIA request to the County Clerk, records that would identify jurors who sat for a specific case would be in the possession of the Knox County Circuit Court or the Knox County Circuit Clerk, if the records were created. *See* Ill. Att'y Gen. Req. Rev. Ltr. 79328, issued December 19, 2023 (concluding that e-mails pertaining to the transaction of business by the circuit clerk's office are records of the judiciary and therefore not subject to FOIA even if the e-mails are maintained on a shared e-mail server operated by the county). The Knox County Circuit Court and the Knox County Circuit Clerk are judicial offices, and their records are not subject to FOIA. Accordingly, the Public Access Bureau has determined that no further action is warranted in this matter.

This file is closed. If you have any questions, please contact me at leah.bartelt@ilag.gov or the Chicago address listed on the bottom of the first page of this letter.

Very truly yours,

LEAH BARTEL
Public Access Counselor
Public Access Bureau

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cc: *Via electronic mail*
Mr. Scott G. Erickson, CCO
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