

**ADMINISTRATIVE ORDER NO. 2025-03  
22ND JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS**

**FILED**

**JAN 13 2025**

**KATHERINE M. KEEFE  
MCHENRY CTY. CLERK**

**ACCESS TO ELECTRONIC VIDEO SURVEILLANCE INSIDE THE  
MICHAEL J. SULLIVAN JUDICIAL CENTER**

**WHEREAS**, the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 et seq., does not apply to the judiciary, as explicitly established by statutory definitions and case law, including the Second Appellate Court decision in Copley Press v. Administrative Office of the Courts, 271 Ill. App. 3d 548 (1995); and

**WHEREAS**, the Illinois Supreme Court has determined that recordings from security cameras monitoring court facilities are the property of the local circuit courts, pursuant to Illinois Supreme Court Rule 63 and its Appendix, as amended February 2, 2017, and such recordings are deemed to be in the possession of the local circuit courts notwithstanding their physical custody by other parties; and

**WHEREAS**, the Illinois Attorney General has affirmed that Illinois Supreme Court rules take precedence over FOIA provisions where conflicts arise, particularly regarding the classification of security footage from court facilities; and

**WHEREAS**, the 22nd Judicial Circuit Local Court Rules prohibit photography, broadcasting, and recording within the Judicial Center except as permitted by Illinois Supreme Court and Local Rules, to maintain decorum, dignity, security, and privacy within the Judicial Center; and

**WHEREAS**, the Court recognizes the necessity of clarifying the treatment and handling of video surveillance footage within the Michael J. Sullivan Judicial Center, in accordance with Illinois law and Supreme Court Rules;

**THEREFORE, IT IS HEREBY ORDERED** as follows:

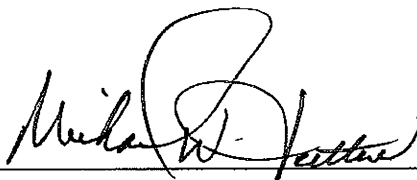
1. **Ownership and Custody of Video Surveillance Footage:** All recordings from security cameras installed and monitoring the Michael J. Sullivan Judicial Center are the property of the 22nd Judicial Circuit of McHenry County. These recordings are deemed to be in the possession of the 22nd Judicial Circuit regardless of their physical custody.
2. **Exclusion from FOIA:** Video surveillance footage from the Judicial Center is not subject to disclosure under the Illinois Freedom of Information Act. The judiciary, including the courts of the 22nd Judicial Circuit, is not classified as a "public body" under FOIA and is therefore beyond its reach.
3. **Requests for Access to Footage:** Any request for access to video surveillance footage shall be directed to the Office of the Chief Judge of the 22nd Judicial Circuit. Such requests shall be reviewed to ensure compliance with applicable laws, Supreme Court Rules, and local court policies. Requests not authorized by court rules or law will be denied.

4. **Use of Video Surveillance Footage:** Security footage shall be used exclusively for purposes related to the safety, security, and operational integrity of the Judicial Center. Unauthorized use, distribution, or disclosure of such footage is strictly prohibited.
5. **Exceptions for Law Enforcement and Judicial Purposes:** Nothing in this Administrative Order shall impede the statutory obligations of the McHenry County Sheriff, including the investigation of alleged violations of the Illinois Compiled Statutes. The Court recognizes the authority to MCSO to monitor, record, review and use video security in accordance with the duties of the Sheriff. Security footage may be provided to the McHenry County Sheriff's Office or other law enforcement agency as designated by the McHenry County Sheriff solely for purposes consistent with ensuring the safety and security of the Michael J. Sullivan Judicial Center, compliance with judicial orders, or for investigative purposes.
6. **Retention and Preservation of Footage:** The retention and preservation of video surveillance footage shall be governed by applicable laws, Supreme Court Rules, and local policies. Footage shall be maintained for a period deemed appropriate to meet security and operational needs, unless otherwise required by court order.
7. **Portable Electronic Devices in the Judicial Center:** As stated in Local Court Rules, all portable electronic devices within the Judicial Center must remain in silent mode, and photography, broadcasting, and recording are prohibited, except as authorized by Illinois Supreme Court and Local Rules.
8. **Superseding Authority of Supreme Court Rules:** In the event of any conflict between the Illinois Supreme Court Rules, this Administrative Order or provisions of Illinois state statutes, Illinois Supreme Court Rules shall prevail.

This Administrative Order is effective immediately upon entry and shall remain in effect until modified or rescinded by the Court.

IT IS SO ORDERED,

Date: 1/13/25

  
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MICHAEL W. FEETTERER  
CHIEF JUDGE