

Chicago Council of Lawyers
Cook County Circuit Court Clerk Questionnaire

- Please state your name and residence address.

Jacob J. Meister
2427 W. Charleston St.
Chicago, IL 60647

- Biography

Education:

The American University (Washington, DC)

B.A., *cum laude*, International Studies and Political Science (1986)

University of Wisconsin Law School (Madison, Wisconsin)

J.D. *with honors* (1990)

Political:

U.S. Senate candidate (2010)

Legal Experience:

During my nearly 26 years in practice, I have primarily practiced in the area of litigation, with an emphasis on commercial and employment litigation. During this period of time, I have litigated hundreds of cases. The majority of those cases have been in the Circuit Court of Cook County. I have practiced in almost every division of the Court, in nearly every courthouse, and many of the branch locations.

I have also successfully litigated in state and federal courts throughout the country, including Illinois, Wisconsin, Indiana, New York, Florida, California, Colorado, Arkansas, Texas, and other states. My experience around the country has given me extensive knowledge of how different court systems are operated and managed (or mismanaged). In this regard, I have become increasingly angered and frustrated at the mismanagement of the Cook County Clerk of Court's office and firmly believe that, as the second largest unified court system in the nation, the Cook County Courts should be leading in technology, customer service and efficiency.

A list detailing my legal experience follows:

Law Offices of Jacob J. Meister & Associates (Chicago, Illinois) Commercial Litigation, Real Estate and General Business Practice (April 2002 - present)

The Civil Rights Agenda (Chicago, Illinois)

Founder and Board Chairman of statewide LGBT civil rights advocacy not-for-profit (Feb. 2010 – present)

Randolph Equities, LLC (Chicago, Illinois)

Chief Operating Officer and General Counsel of real estate development company (2006-2008)

Michael Best & Friedrich LLC (Chicago, Illinois)

Litigation Partner (May 1, 2001 – April 2002)

Schwartz & Freeman (Chicago, Illinois) (Schwartz & Freeman combined with the law firm of Michael Best & Friedrich LLC on May 1, 2001.)

Litigation Partner (January 1998 – April 30, 2001)

Litigation Associate (October 1993 – December 1997)

Gottlieb and Schwartz (Chicago, Illinois)

Litigation Associate (February 1992 – October 1993)

Martin, Craig, Chester & Sonnenschein (Chicago, Illinois)

Litigation Associate (June 1990 – February 1992)

Summer Associate (Summer 1989)

Wisconsin Senate - Committee on Judiciary and Consumer Affairs (Madison, Wisconsin)

Law Clerk (September 1988 – May 1989)

● **How will you improve efficiency and cost effectiveness in the Clerk's Office?**

My priority will be maximizing savings by modernizing operations, which will improve efficiency and justice for all who depend on the office. For example, the current lack of modern electronic systems prevents collaboration and communication with other agencies in the county and state, and costs taxpayers and businesses millions. As Clerk, I will move the office away from antiquated systems and embrace the technology needed to dramatically increase efficiency. We also need to ensure that the Court's computer systems integrate all stakeholders in the justice system, including all municipalities in the County, the Sheriff, State's Attorney, Public Defender, Department of Corrections and private attorneys, among others.

There are multiple areas where the Court Clerk's office needs reform to be more efficient and effective. Following is just one example of a problem and the solution:

An additional operational function that needs to be corrected to improve efficiency relates to file storage. The Clerk's office routinely moves files for cases after three years from the date of filing to off-site warehouses, even if the case is still active and pending. After the files are moved off-site, paperwork for those cases have to be transferred as "loose paper" to the warehouses to be matched up with the original file. In a warehouse filled with file boxes containing hundreds of millions of pieces of paper and operating with three separate file management computer systems, that task becomes nearly impossible.

Among the many adverse consequences of the Clerk's poor records management, lost and misplaced files has had a serious impact on the appellate process and regularly leads to missing or incomplete records on appeal. This a very serious problem that impedes justice. Missing paperwork leaves cases in limbo. Last year, an Appellate Public Defender publicly stated that, at that time, there were more than 120 prisoner appeals at a complete standstill for more than one year because of lost files.

I will change the policy so that files for all open cases are maintained at the courthouse where the case is pending. Only when a case is closed will the current files be moved off-site. Once we move to a paperless system, all documents will be scanned and, whenever legally permitted, publically available online, thereby reducing or eliminating the issues of lost, stolen, incomplete and multiple files.

Current management and decision-making practices not only wastes the time of practitioners and taxpayer dollars, but also significantly impacts social justice. Because the Court Clerk's office continues to operate with a paper-based system, misplaced files have led to people languishing in jail for days, weeks and months longer than required. The individuals often file a lawsuit against the Clerk once finally released. Taxpayers are on the hook for housing, litigation and settlements. There are millions of dollars savings to be found and gross injustices that need to be corrected.

- **What is your view on the current status of electronic filing in Cook County? In light of the recent Illinois Supreme Court mandate, what are your plans for improving and expanding the current system?**

The current state of the Cook County Clerk of the Court's office is inexcusable. The incumbent Clerk took office 15 years ago, promising sweeping changes to the system. Millions of taxpayer dollars later, the Clerk's office is in worse shape than ever with Cook County lagging behind the federal court system and even DuPage County.

Although the Clerk has implemented electronic filing in certain divisions, it is not truly paperless and is not universally available. The Alabama-based company On-Line Information Services (OLIS), who has contributed to the incumbent, was contracted by the office to start an e-filing program back in 2009. The system is cumbersome, riddled with errors and inefficient compared to online systems available in other courts around the country. In addition, electronically filed documents are not available as part of an online docket/case management system that is accessible to the parties and the public after filing, making it even harder for judges, lawyers and others to do their jobs.

Because Cook County's eFiling system is not fully integrated with a modern case management system, it does little more than would a fax filing system. Under the current system, once a document is eFiled, the Clerk's office manually prints out each document so that the paper document can be included in the official paper record. Documents that are eFiled are not remotely retrievable past a limited window of time, and attorneys must still come to court to review case files and obtain copies of documents.

I have practiced in many jurisdictions, both State and Federal, and have experienced robust, user-friendly, and fully-integrated case management systems. What we presently have in Cook County is far from the quality currently utilized in other courts. An eFiling system must include more than a simple conversion of existing paper-based systems into electronic versions of these systems. The current case management, eFiling, IDMS (document scanning), and eCitation systems, among others, are piecemeal systems that are not capable of interfacing with each other, do not provide timely and accurate data to the users, and do not provide the proper foundation for a full and modern electronic courthouse.

An effective eFiling system must be part of a larger, integrated case management system or as I call it, an "electronic courthouse." The current case management system dates to the 1990's and does little more than operate as an electronic version of the old, manual ledger-book system. A modern case management system must be implemented that will permit integrated electronic filing and retrieval, provide robust and substantive docket/minute entries and provide ease of access to all stakeholders, which must include the State's Attorney, Public Defender, Sheriff, Department of Corrections, Secretary of State, municipalities, judges, attorneys and litigants.

To bring the office up to date and to meet the mandated Illinois Supreme Court electronic filing 2018 deadline, additional appropriations will be requested for capital investment in computer systems and related technology to modernize the Clerk's office. Despite the county's financial crisis, this is a necessary investment that will ultimately achieve significant efficiencies and savings both at the county and municipal levels.

● **In addition to electronic filing, what are your priorities for modernizing the process for filing and reviewing court records and forms?**

The docket information currently available on the Clerk's electronic system is pathetically inadequate. The docketing system needs to be brought up to the standards of most other courts in the U.S. To accomplish this, as stated elsewhere in this questionnaire, the clerk's office should be a paperless system and a modern docket system implemented. As in other courts around the country, each court should be assigned a docket clerk whose main job is to work with the judges, lawyers and litigants in the courtroom to ensure an accurate account of the proceedings is recorded in real time. Similar to the federal Pacer system, the detailed minute entries will be made available online, along with links to related documents, so each case can be easily tracked and participants in the court process have online access to accurate and timely information.

Once a robust and modern case management system is in place, electronic filing and other electronic initiatives can be fully-integrated with the case management system, instead of operating in a stand-alone, piecemeal fashion. This will allow for modern and accurate electronic filing, and remote docket and document review, to all stakeholders. Court documents and information will be a part of one universal system, readily accessible to all stakeholders.

● **What is your view on the current status of how the Clerk's Office collects and disseminates court management statistics? How would you plan to improve this process?**

Once the case management system is modernized, it will provide far more reliable and timely statistics. The present system, based on 4-digit codes data-entered by clerks, provides unreliable statistical information due to errors in transcription of codes, and the need for manual compilation of data in order to arrive at meaningful statistics. A modern case management system will significantly reduce the present difficulties in assembly of data from an outdated code-based system and will eliminate the chronic problems that are inherent in the current system, such as double-counting of certain cases and activities. Entities that rely on public court data, such as judges, law enforcement agencies, and scholarly researchers, are not presently being provided with timely and accurate data due to the manner in which data must be collected and compiled from an outdated case management system.

● **What court management statistics should be collected and how should they be utilized?**

A modern electronic court system should collect all data that is required by the Administrative Office of the Illinois Courts and its users, including its justice partners, researchers, and general public. Great care must be taken to ensure that personally-identifiable data that is protected from public disclosure by statute, rule, or order of court, not be publicly-accessible. For example, juvenile records, expunged criminal cases, and other categories of cases are restricted from public access. A new and modern case management system needs to incorporate these important protections. Attorneys and pro se litigants should also take care not to publicly file information, such as Social Security Numbers, that they are prohibited from publicly-filing by Illinois Supreme court Rules. Other court systems have implemented these critical privacy protections, and Cook County can do the same.

● **What court management statistics should be made available on a regular basis to the judiciary?**

The judiciary must be able to access all necessary court information to perform their jobs and serve the citizens of Cook County. This must include electronic case management statistics, from which targeted reports may be run, to assist them in best managing their dockets. A modern judiciary should not have to run their courtrooms based off of stale paper data printouts, compiled from the current, imprecise, code-based case management system.

● **What court management statistics should be made available on a regular basis to bar associations and/or the general public, and in what ways?**

Bar Associations and the general public must be able to access all publicly-available statistics in which they have an interest. If data is not prohibited from public disclosure by rule or law, a modern and accurate case management system will be able to provide any requested data, in the format requested, while still protecting privacy concerns.

● **Does the Clerk's office have a role in providing information and better access to justice for pro se litigants in the Circuit Court? If yes, what would you do as Clerk to do this?**

The Clerk's Office absolutely has a role in providing better access to justice for pro se litigants. No one should be denied access to justice simply because they do not have the funds to hire an attorney.

The Clerk's Office must be current on the law in all areas affecting pro se litigants, and be able to provide these litigants with legally-accurate court forms and assistance. Clerks must be better trained to assist these pro ses, and the electronic systems referred to previously must be designed for ease of use by pro se litigants and legal professionals alike.

Electronic smart forms should be provided in all areas of law, beginning with those areas most frequently accessed by pro se litigants. Access to self-help manuals and websites, such as Illinois Legal Aid Online, should also be provided at the Clerk's Office for pro se litigants, explaining the law and the process and procedure of the court.

Expanded translation services should also be available to non-native speakers by the Clerk's Office – in addition to translation services already provided in the courtrooms – so that clerks are best able to assist pro se litigants to navigate through the court process.

In addition to my suggested reforms, as Clerk of the Court I will work closely with the Illinois Supreme Court's Access to Justice Commission to swiftly implement courthouse changes to ensure better access to justice for pro se litigants. I will also work in cooperation with legal aid groups and social service agencies to insure that pro se litigants can have access to legal services and social services.

● **In no more than 500 words, tell us why voters should choose you for this office and what are your goals, if elected?**

There is near universal recognition that the Clerk of the Circuit Court's office is broken, both operationally and ethically, steeped in cronyism and riddled with inefficiencies and antiquated technology. That culture needs to be changed. I will fix it.

As an attorney and civil rights advocate, I have spent the past 25 years of my career fighting for justice. During that time, I have practiced in almost every division of the Cook County courts and in almost every courthouse. I am intimately familiar with the operations and procedures of the courts and know and understand how the Clerk's role in the justice system needs to be changed in order to meet the needs of all constituents.

I have seen firsthand how lost paperwork and hastily scrawled handwritten notes, which is a common occurrence in the Clerk's office, can leave cases and lives in limbo. I have seen countless litigants frustrated and unable to navigate an often overly bureaucratic system. I have seen how the inefficient paper-based system wastes the time and resources of every individual and entity who deal with the court system, on top of costing taxpayers and businesses millions.

In addition, I have also practiced in courts around the country and Illinois. I know how good court systems operate, and how the practices and procedures in Cook County need to be reformed.

I have also been the managing attorney of a successful law firm, the hiring partner of a 350 attorney law firm and the Chief Operating Officer of a real estate development company with offices in multiple states. My experience managing hundreds of employees in multiple locations and instituting effective management practices and procedures will be essential to creating a well-run and professional Clerk's office.

My vision is a Circuit Court Clerk's office that operates the court system effectively and efficiently so the focus is on justice instead of bureaucracy. To better manage the county's 17 court locations and maintain court files for over 1.5 million cases each year, my focus will be on introducing technology, prioritizing customer service and increasing the transparency of the office. These reforms will help correct the difficulties and injustices that currently exist when navigating the court system.

My combined qualifications -- practicing attorney, long-time social justice advocate and experienced administrator -- are unique for a candidate running for Clerk of the Circuit Court of Cook County. None of the other candidates have first-hand knowledge of the court system or the track record needed to reform an office firmly entrenched in the status quo. I am dedicated to reforming, modernizing and bringing ethical transparency to the Clerk's office and am the only candidate in this race with the experience, background and credentials to do so.