

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 09 - 0002**

The full Court met in executive session on Thursday, January 22, 2009 and approved an amendment to Local Criminal Rule 32.3 regarding Confidentiality of Records Relating to Presentence Investigation Reports and Probation Supervision. The proposed modification clarifies the timing and the information that can be released from Probation Officers' files. The proposed amendment was published with comments due on April 7, 2008. Several comments were received.

The Rules Advisory Committee on Local Rules and Procedures discussed the proposal and comments at its meeting on May 6, 2008. The Rules Advisory Committee recommended that the Court adopt the proposed rule with some modification.

The Court's Rules Committee discussed the rule at its meeting of November 13, 2008. It recommended that the full Court adopt the proposed Local Criminal Rule 32.3, with some modification.

The full Court considered the recommendation of the Rules Committee at its meeting on Thursday, January 22, 2009 and agreed to modify Local Criminal Rule 32.3. Therefore,

By direction of the full Court, which met in executive session on Thursday, January 22, 2009,

IT IS HEREBY ORDERED that LCrR32.3: Confidentiality of Records Relating to Presentence Investigation Reports and Probation Supervision be amended as follows (additions shown thus, deletions shown ~~thus~~):

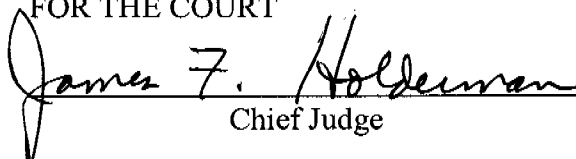
LCrR32.3. Confidentiality of Records Relating to Presentence Investigation Reports and Probation Supervision

Records maintained by the probation department of this Court relating to the preparation of presentence investigation reports and the supervision of persons on probation or supervised release are confidential. Information contained in the records that is relied on by the probation department to prepare presentence investigation or supervision reports may be released only by order of the court. Requests for such information shall be by written petition establishing with

particularity the need for specific information contained in such records. A court order is not necessary to obtain criminal history information, which the probation department shall make available to counsel of record upon request.

When a demand by way of a subpoena or other judicial process is made of a probation officer either for testimony concerning information contained in such records or for the records or copies of the records, the probation officer may petition the court for instructions. The probation officer shall neither disclose the information nor provide the records or copies of the records except on order of this Court or as provided in LCrR32.1.

ENTER:
FOR THE COURT


Chief Judge

Dated at Chicago, Illinois this 30th day of January, 2009