

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Code of Civil Procedure is amended by changing Sections 2-1003 and 2-1007.1 as follows:

(735 ILCS 5/2-1003) (from Ch. 110, par. 2-1003)

Sec. 2-1003. Discovery and depositions.

(a) Discovery, such as admissions of fact and of genuineness of documents, physical and mental examinations of parties and other persons, the taking of any depositions, and interrogatories, shall be in accordance with rules.

(b) (Blank).

(c) (Blank).

(d) Whenever the defendant in any litigation in this State has the right to demand a physical or mental examination of the plaintiff pursuant to statute or Supreme Court Rule, relative to the occurrence and extent of injuries or damages for which claim is made, or in connection with the plaintiff's capacity to exercise any right plaintiff has, or would have but for a finding based upon such examination, the plaintiff has the right to have his or her attorney, or such other person as the plaintiff may wish, present at such physical or mental examination. The plaintiff also has the right to designate an

additional person to be present and video record the examination. The changes to this Section by this amendatory Act of the 103rd General Assembly apply to actions commenced or pending on or after the effective date of this amendatory Act of the 103rd General Assembly.

(e) No person or organization shall be required to furnish claims, loss or risk management information held or provided by an insurer, which information is described in Section 143.10a of the "Illinois Insurance Code".

(Source: P.A. 99-110, eff. 1-1-16.)

(735 ILCS 5/2-1007.1) (from Ch. 110, par. 2-1007.1)

Sec. 2-1007.1. Preference in setting for trial.

(a) A party who is an individual or, in the case of a wrongful death action, is the surviving spouse or next of kin and who has reached the age of 67 ~~70~~ years shall, upon motion by that party or the administrator of the estate of the deceased person or special administrator, be entitled to preference in setting for trial, which shall commence within one year of the hearing on the motion, unless the court finds that the party does not have a substantial interest in the case as a whole. The trial setting shall apply only to the moving party and to those defendants who have appeared and answered the complaint at the time notice of the motion for preference in setting for trial is served. If any new party is added to a lawsuit after the setting of a trial under this Section, any

party may move the court to amend the trial setting to allow for trial to commence up to one year after the date a new defendant appeared and answered the complaint or up to one year after the date a plaintiff was added to the lawsuit.

(b) The court shall ~~may, in its discretion,~~ grant a motion for preference in setting for trial where a party or, in the case of a wrongful death action, the surviving spouse or next of kin shows substantial physical or financial hardship or alternatively shows good cause that the interests of justice will be served by granting a preference in setting for trial within one year of the hearing on the motion.

(c) Any party may move for a trial continuance of up to 6 months for good cause shown. Any subsequent motions for trial continuance under this Section shall be granted only to the extent necessary for trial to commence as soon as practicable.

(d) The changes to this Section by this amendatory Act of the 103rd General Assembly apply to actions commenced or pending on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 86-854.)

Section 99. Effective date. This Act takes effect upon becoming law.