

Rule 372. Removing Records from Reviewing Court

(a) Work on Appeal. Prior to the due date of the reply brief, any party to the appeal may, for the purpose of work on the appeal, request, in writing, the clerk of the reviewing court to transmit any paper or physical components of the record on appeal to the clerk of the trial court or to the party's attorney. The clerk shall comply with the request, without the necessity of obtaining an order of court, by sending the paper or physical components of the record to the clerk of the trial court or the attorney, charges collect. Upon receiving the paper or physical components of the record on appeal, the clerk of the trial court or the attorney is responsible for its safekeeping and shall return the record components to the clerk of the reviewing court by prepaid mail or express not later than the day upon which the reply brief is due. The parties may unbind any paper components of the record for the purpose of photocopying, but the party responsible for unbinding the record must restore it to its original condition.

(b) Other. Except as otherwise provided in this rule, no paper or physical components of the record shall be taken from the files of the reviewing court except on leave granted by the court, or a judge thereof. The clerk shall report promptly to the Court every violation of this rule.

Amended January 5, 1981, effective February 1, 1981; amended December 17, 1993, effective February 1, 1994; [amended June 22, 2017, eff. July 1, 2017.](#)

Committee Comments (Revised January 5, 1981)

This is substantially former Supreme Court Rule 54 and Rule 20 of the Second, Third, Fourth and Fifth Appellate Court Districts, made applicable to all reviewing courts. A change permits the clerk to transmit the record directly to the attorney who will be using it, and not merely to the clerk of the trial court, who would then in normal course let the attorney have it. For many years prior to the adoption of this rule the clerk of the Appellate Court for the First District was authorized to permit temporary withdrawal of the record by attorneys who needed to use it in preparing their briefs and abstracts. The bar did not abuse this privilege.

With the elimination of "excerpts from record" in 1979, paragraph (a) of Rule 372 was amended in 1981 to substitute the due date of the reply brief for the due date of the excerpts from record as a base for the time limit imposed on requests under the paragraph. Since under the prior practice both the reply brief and the excerpts from record were due 14 days after the due date of the appellee's brief, the 1981 amendment does not effect a change in the practice.