

What is a pre-hearing conference?

When you file a clemency petition, you do not go to court, but you may have a hearing in front of the Prisoner Review Board (PRB), sometimes called “the parole board.” By law, the PRB is responsible for reviewing clemency petitions and making a confidential non-binding recommendation to the Governor. Incarcerated people are not allowed to attend their own clemency hearings, but as of July 2025, they will have a pre-hearing conference with one member of the Prisoner Review Board. This process is new and evolving, but right now consists of a video interview that lasts 20-30 minutes.

When and where will the pre-hearing take place?

Pre-hearing conferences will happen some time in the weeks leading up to your clemency hearing. The date and time will appear on a letter that either you or your attorney will receive within one or two months after filing the petition.

What happens in the pre-hearing conference?

One PRB member will be assigned to interview you by video. They may or may not have read your clemency petition already. Different board members have different preferences on how to run these conferences. Some members will ask you to make a statement at the beginning, but other members will want to focus on specific questions they have for you.

What kinds of questions will they ask?

We cannot predict exactly what they will ask you, but below are some examples of the topics they have covered so far and the types of questions they may ask:

Topics

- Gang membership
- Facts of the case, including reading out loud the State’s Attorney’s version
- Level of responsibility and accountability you take for the case
- Reasoning behind taking plea deals
- Disciplinary history
- Mental health diagnoses and treatment in IDOC

Questions

- If we are going to change the court’s original sentence, what has changed in your life since your sentencing?
- What assurances does the board/Governor have that you will not get in trouble if

we agree to release you?

- What has changed between the offense and now?
- When I talk to the board members about your case, is there anything you want me to tell them?
- What in IDOC has helped you grow, change, and make better choices? What specific program, person, or experience helped you?
- Have you participated in victim programming?
- Do you acknowledge you committed the crime and if so, when did that acknowledgement occur?
- How have you made expressions of remorse and to whom?
- Can you talk about your reentry plan? What are your goals upon returning to the community?

Will anyone else be there?

If you have an attorney, they will be allowed to join virtually or in person, but the focus of the conference will be on your answers. No one else will be permitted to join.

What happens after the pre-hearing conference?

The PRB member assigned to your conference will take notes and share them with the PRB members who are assigned to your clemency hearing. There is no specific requirement on how they consider your answers from the pre-hearing conference.

The PRB must send their confidential non-binding recommendation to the Governor's office. You will not be notified when this happens, but it typically happens within 60 days of the hearing. After that date, the Governor has no time limit to make a decision. There's no rule or law that tells the Governor when they have to decide a clemency petition.

Sometimes it can feel like clemency cases have two phases: 1) rushing to get the petition filed, and 2) waiting to get an answer. When the hearing is over, you are officially in the second phase: the waiting game. The waiting period can in some ways be even harder than working on the case, because after the hearing, there's nothing left to do. During this time, you and your loved ones should work to keep your spirits up and stay hopeful and patient. In some cases, you might wait two years for an answer, or longer, although this can vary a lot case to case and year to year. During this time, you will not receive any updates until the petition is granted or denied.