

Update on the Confusion in Illinois Non-Compete Law

September 14, 2011 by [Zachary C. Jackson](#)

Illinois' appellate courts are divided into five districts. Illinois' lower (or trial) courts typically follow the decisions of the appellate district in which they are located. Unfortunately for employees and employers alike, those districts currently disagree about the appropriate standard for enforcing non-compete agreements. As a result, the enforceability of non-compete agreements in Illinois currently depends in part on where a lawsuit is filed.

The most recent appellate case that added to this confusion was the Illinois Court of Appeals for the Second District's December 2010 opinion in *Reliable Fire Equipment Company v. Arredondo*, which we blogged about [here](#). However, earlier this year, the Illinois Supreme Court granted leave to appeal in that case so that it could resolve the disagreement in the various appellate districts. Oral argument in that case has now been set for September 22, 2011. As a result, we may be one step closer to resolving the current confusion in Illinois non-compete law. Stay tuned.