



This is for information and instruction. Do not file it.

HOW TO ASK FOR A STALKING NO CONTACT ORDER

1

PETITIONER FILLS OUT FORMS AND STARTS A CASE.

You start by filling out a *Petition for Stalking No Contact Order*. This form tells the judge what happened and why you need protection. You must show that there were at least two incidents of stalking that caused you fear or emotional distress. You do not have to know the person or have a relationship with them, but you do need basic information like their name.

Use this form:

- *Petition for Stalking No Contact Order*

2

A JUDGE HEARS YOUR PETITION.

The judge will look over the forms you submitted and ask you any questions. If you asked for an *Emergency Order* and the judge thinks it's needed, the judge will issue a temporary order called an *Emergency Stalking No Contact Order*. The *Emergency Order* is a short-term measure to keep you safe until a more in-depth hearing can happen with both sides.

Use this form:

- *Emergency Stalking No Contact Order*

3

NOTICE TO THE OTHER PERSON.

The person you want the order against (the Respondent) will receive a copy of all the paperwork. This is typically done by the sheriff in your county. Sometimes it can take the sheriff a few tries before they are able to find and notify the Respondent.

Use this form:

- *Summons (Protective Orders)*

4

ATTEND THE COURT HEARING.

After the Respondent has been notified about the *Order*, both sides will attend a final hearing in court. This is the opportunity to present your case in more detail. Bring any evidence, documents, or witnesses that support your need for protection. The judge will carefully consider the information presented and decide whether a long-term order, known as the *Stalking No Contact Order*, is necessary.

Use this form:

- *Stalking No Contact Order*

Laws covering these forms: 750 Illinois Compiled Statutes, [section 60/101 through section 60/401](#) and [725 ILCS 5/112A](#)



This overview is not legal advice. It provides general instructions on how to use these forms in your court case. It cannot and does not try to cover everything that might happen in your court case. Your use of the forms does not guarantee you will be successful in court.

How a judge handles a case can vary from county to county. **Your county may have special requirements that are not covered in these instructions.** Ask the Circuit Clerk if your county has local rules and, if so, where you can get a copy.



STEP 1

FILL OUT AND FILE FORMS. START YOUR CASE.

ARE THESE FORMS FOR ME?

You may use these forms to ask the court for a **Stalking No Contact Order** when:

- You are a victim of stalking by someone who is **not** a family or household member.
 - If you have been abused by a family or household member, you may be eligible for an *Order of Protection* instead.
 - For more information visit: ilao.info/op-basics.
 - If the abuse involved sexual abuse or assault, you may be eligible for a *Civil No Contact Order*.
 - For more information visit: ilao.info/sexual-assault-basics.
- You are filing on behalf of a person who has been stalked and is unable to file on their own.
- Who else can be protected by my *Stalking No Contact Order*?
 - You can ask the court to protect any other person who needs protection.

Forms You Will Need to Complete

- *Petition for Stalking No Contact Order*: gives the court information to decide if you can get a *Stalking No Contact Order*.
- *Emergency Stalking No Contact Order* (if requesting an *Emergency Order*): a proposed order that will be reviewed by the judge during your court hearing without letting the Respondent know. The judge may make changes to the *Order* after you present your case. The *Order* will either be granted or denied.
- *Stalking No Contact Order*: a proposed long-term order, commonly called a plenary order. This will be reviewed by the judge during your court hearing. The judge may make changes to the *Order* after you present your case. The *Order* will either be granted or denied.
- *Summons (Protective Orders)*: tells the Respondent that you have asked for a *Stalking No Contact Order* against them.

Information you will need to complete the forms:

- Description of current and past stalking behavior.
- Names of other people to be protected.
- Addresses and property you want protected.
- Name and date of birth of the Respondent, if known.
- Addresses where the Respondent can be found, if known.

You May Also Need These Forms

- *Letter to the Sheriff*: if you need to ask a sheriff outside your county to deliver the *Summons* to the Respondent.

Where can I get the forms?

- You can get printed forms from the Circuit Clerk at your local courthouse. You can find the forms online at: ilcourts.info/no-stalking-forms.
- You can also use an Easy Form. Learn more about that on page 4.

Will I have to pay to file a Stalking No Contact Order and notify the Respondent?

- No. Filing a Stalking No Contact Order case and delivery by the Sheriff to Respondent is free.

What is the difference between an *Emergency Stalking No Contact Order* and a *Stalking No Contact Order*?

	<i>Emergency Stalking No Contact Order</i>	<i>Stalking No Contact Order</i>
When would the order take effect?	An <i>Emergency Stalking No Contact Order</i> takes effect after you appear before the judge and the judge signs the <i>Emergency Order</i> . Your hearing for the <i>Emergency Order</i> may happen immediately after filing the <i>Petition</i> .	A <i>Stalking No Contact Order</i> takes effect after the Respondent gets notice and after a court hearing. Unless you are granted an <i>Emergency Stalking No Contact Order</i> , you will not have a <i>Stalking No Contact Order</i> until after that hearing.
How long will the protective order last?	The <i>Emergency Order</i> lasts for 14 to 21 days until there is a hearing on the long-term order.	May last for up to 2 years .
Is the Respondent notified before the hearing?	The law does not require Respondent to know before the emergency hearing.	The sheriff notifies the Respondent and a hearing with both the Petitioner and the Respondent takes place.
When does the court hearing take place?	The court hearing for an <i>Emergency Order</i> may happen immediately after filing your <i>Petition</i> . Ask the clerk for directions to the courtroom or instructions on how to participate in court.	A future court date may be set for you by the clerk to come back and ask for your <i>Order</i> .

Where can I file the forms?

- File your forms with the Clerk of the Circuit Court in the county where:
 - you live; or
 - Respondent lives; or
 - where any of the acts of stalking occurred.
- After you file your forms, the clerk will give you a hearing date.



Make sure you know how to attend your court date.

Your court date could be in person, by phone, or by video. If it is by phone or video, it is called a "Remote Appearance." Call the Circuit Clerk or visit their website for more information. To find the phone number for your Circuit Clerk, visit ilcourts.info/clerks.

EXTRA HELP WITH THE FORMS

What if I need help filling out my forms?

- Advocates may be available to assist you. If you want to speak with an advocate, call the Illinois Statewide Domestic Violence Hotline at 877-863-6338.
- If you need help with the writing or filing of the *Petition*, ask the Circuit Clerk for assistance.
- If you are requesting a *Stalking No Contact Order* after an incident of abuse where the Respondent was arrested or charged with a crime, you may be able to ask your County's State's Attorney's Office for assistance.
- You may also ask someone to assist you in filling out the forms.

Easy Form

Illinois Legal Aid Online has an Easy Form program that helps you complete your forms. Easy Forms ask simple questions and put your answers in the right places on the forms. At the end of the program, you can download or email your forms to e-file or print them.

Easy Forms are free to use. Visit ilao.info/snco-easy-form or scan the QR code to use the Easy Form.



For more information about going to court, including how to fill out and file forms, **call or text Illinois Court Help** at 833-411-1121 or go to ilcourthelp.gov.

If there are any words or terms used in these instructions that you do not understand, please **visit Illinois Legal Aid Online** at ilao.info/glossary. You may also find more information, resources, and the location of your local legal self-help center at: ilao.info/lshc-directory.



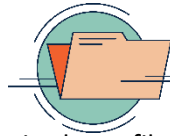
COSTS AND FEES

There may be costs and fees to take part in a court case. This might include fees for filing court documents. Some case types have no fee for filing. Depending on the type of court case, there may be other costs and fees charged – for example, sheriff's fees for serving documents on the other people in the case. If you cannot afford to pay costs and fees, you can ask the court to file for free or at a reduced cost by filing an *Application for Waiver of Court Fees*.

This is a separate form you can find at: ilcourts.info/fee-waiver-forms.

HOW TO FILE THE FORMS

Note: You do not have to e-file in Stalking No Contact Order cases.



Not E-filing

- Some people are not required to e-file, which means they can file paper forms at the courthouse or by mail. People who do not have to e-file are:
 - Inmates in prison or jail who do not have a lawyer.
 - People with a disability that keeps them from e-filing.
- You may also qualify for an exemption from e-filing if you:
 - Do not have internet or computer access in your home or can't meaningfully use it.
 - Do not have an email account.
 - Do not have a credit card, debit card, or bank account.
 - Have trouble reading, writing, or speaking English.
 - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
 - Are filing an emergency case as allowed by local rule or order.
- To ask for an exemption from e-filing, use the form at ilcourts.info/exempt. If you cannot print this form, then ask for it at your local courthouse.
 - File your *Certification for Exemption from E-Filing* form along with your other court forms at the Circuit Clerk's office or by mail.
 - Bring or send your signed court forms and at least two copies of your forms to the Circuit Clerk's office. Ask them to stamp your copies and return them to you.
 - If you need to make copies of your forms, you can do that at the Circuit Clerk's office. They may charge you a fee to make copies.
- There may be fees to file your forms. See the Costs & Fees section for more information.
- If you mail your court forms to the Circuit Clerk's office, include a stamped envelope addressed to you. The Circuit Clerk will file your forms and then send your copies back to you in the envelope.



E-filing

- After you fill out your court forms, file them with the Circuit Clerk. This is done by electronic filing, called "e-filing." You do not have to e-file if:
 - You qualify for an exemption (see the Not E-filing section below) or
 - Your case involves a criminal matter or is filed under the Juvenile Court Act of 1987.
- There may be fees to file your forms. See the Costs & Fees section for more information.
- Most people e-file their forms using Odyssey eFileIL at ilcourts.info/efile.
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at ilcourts.info/efile-info.
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
- Original wills may not be e-filed.
- If you do not have access to a computer or if you need help e-filing, take your completed forms to a public library or a Circuit Clerk, Appellate Clerk, or Supreme Court Clerk's office. These places offer public computers where you can e-file your forms.
 - Your courthouse may offer public computers with a scanner where you can turn your paper forms into electronic files.
 - Librarians and courthouse staff may be able to help you e-file, but they cannot provide legal advice.



WHAT'S NEXT



STEP 2

A JUDGE HEARS YOUR PETITION.

- If you are asking for an *Emergency Stalking No Contact Order*, you need to attend a court hearing.
 - Your hearing for an *Emergency Stalking No Contact Order* may happen immediately after filing.
 - If you are not requesting an *Emergency Stalking No Contact Order*, skip to step 3.

Will a decision be made at my hearing?

- The judge has to make a decision. The decision is called a court order.
- After the hearing, the judge will either grant or deny your request.
 - **If granted**, an *Emergency Stalking No Contact Order* will be entered. You will receive a copy of the *Order*. This *Order* can last up to 21 days. Another court date will be scheduled for a hearing on the *Stalking No Contact Order*.
 - **If denied**, you will not get an *Emergency Stalking No Contact Order*.
 - If the judge decides there is no emergency, but you may need an *Order*, they will schedule another court date for a hearing to decide whether you will get a *Stalking No Contact Order*. This means that you do not have a *Stalking No Contact Order* yet.
 - If you were not granted an *Emergency Stalking No Contact Order* and **do not** want the Respondent to be served, you can tell the judge you don't want to move forward with your *Petition*.



STEP 3

NOTIFY THE OTHER PERSON.

- If the Respondent lives in Illinois, the sheriff in the county where the Respondent resides will serve the Respondent with copies of your forms and notice of the court date without charge.
 - If the Respondent lives in the same county where the case was filed, the Circuit Clerk will tell you how to get copies of it to the sheriff.
 - If the Respondent does not live in the same county where the case was filed, call the sheriff or Circuit Clerk where Respondent lives to find out what they need to serve the Respondent. You can include the *Letter to the Sheriff* form with your *Summons* to the sheriff.
- If the *Affidavit of Service* is mailed back to you after the Respondent has been served, file it with the Circuit Clerk's office.

What if the sheriff could not deliver the *Summons* to the Respondent before the hearing?

- The judge may ask if you know a better address where the sheriff can deliver the papers and court notice.
- If you have an *Emergency Stalking No Contact Order*, the judge may extend it and give you a court date to return. The sheriff will again try to give notice of the *Order* to the Respondent.
- If the sheriff can't find the Respondent to deliver the papers, you can ask the judge to allow service by publication in a newspaper.



STEP 4

ATTEND THE COURT HEARING.

Prepare for the Hearing

- Decide what you want to present to the judge.
 - Think about what you will say to the judge if asked to tell your side of the case.
 - Gather and make copies of pictures and documents you want the judge to see, such as receipts, text messages, and photos. Bring the original for the judge and one copy for yourself and Respondent (if present).
- Prepare questions for witnesses. If you want the judge to hear from other people, those people will have to come to court and be witnesses (in most cases, you cannot bring in written statements of witnesses).
- If you have a related criminal case, speak to your local State's Attorney's Office.

Go to your Court Hearing

- Bring these items with you to court:
 - Copies of all the documents you filed with the Circuit Clerk; and
 - Any witnesses and questions you have for them;
 - Other evidence you have to show that your story is true, such as receipts, text messages, and photos.
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court form. If your forms do not have a courtroom number look for a list of cases at the courthouse or ask the Circuit Clerk.
- Check in with the courtroom staff and wait for your name and case number to be called.
- When your case is called, walk to the judge and introduce yourself.
- If your court date is by phone or video:
 - Make sure to have the call-in or login information for your court date and make sure your technology is working.
 - Follow the instructions on the court notice you received. Call the Circuit Clerk or Circuit Court or visit their websites for specific technology instructions.
 - Follow these recommendations to appear by phone or video:
ilcourts.info/remote-resources.

Must all parties be present at the court hearing?

- Your court order should tell all parties how they may participate in court, in person at the courthouse or by phone or video.
- The Petitioner must participate in the hearing to get the *Order*. The Respondent needs to know about the hearing.
 - If Respondent does not come to court, the judge may grant the Petitioner a more long-term *Stalking No Contact Order*.
 - If the Respondent comes to court, Respondent may agree to an *Order* or may ask for a hearing.
 - The judge can either hold the hearing immediately, or give you or Respondent more time to try to find a lawyer or gather evidence.

How do I present my case to the judge?

- Tell the judge your side of the case and answer questions.
- Use evidence including documents and photos.
 - Give a copy to the judge. Be prepared to explain why the document or photo is important.
- Question witnesses.
 - Tell the judge the name of your witnesses.
 - Ask the witnesses questions you prepared before the hearing.
 - The judge and Respondent may ask questions of you and your witness.

What do I do when Respondent presents their case?

- If the Respondent is also in court, they will get to present their case by testifying, giving the judge evidence, and questioning witnesses.
- You will get to see any documents and photos Respondent brings to court. If you do not think the judge should consider them in making a decision about your case, tell the judge why.
- You may ask questions of the Respondent and their witnesses. Write down your questions while they are speaking, so you're ready to ask them during your turn.

What will happen after my hearing?

- The judge has to make a decision. The decision is called a court order.
- After the hearing, the judge will either grant or deny your request.
 - **If granted**, you will be given a copy of the *Order* and it has to be served on Respondent.
 - Read through the *Order* to make sure nothing is wrong or missing.
 - Ask the Circuit Clerk who will give the *Order* to Respondent. If Respondent does not come to court, Respondent must be served with the *Order*. To serve Respondent, follow the instructions under Step 3 above.
 - Always keep a copy of the *Order* with you.
 - Give copies of the *Order* to anyone else who should have it, such as your workplace, child's school, childcare provider, or local police department.
 - If Respondent violates any part of the *Order*, call the police immediately.
 - **If denied**, you will not get a *Stalking No Contact Order*.

After Your Stalking No Contact Order is Granted

- If your *Stalking No Contact Order* is close to expiring or you want to change or end it, you must file a *Motion to Extend, Modify, or End Stalking No Contact Order* with the Circuit Clerk.
 - Extend the order: You can ask the court to extend the order only if a judge holds a hearing before the current order expires.
 - Modify the order: You can ask the court to change the terms of the order.
 - End the order: You can ask the court to end the order before it expires.

Note: To make sure there is enough time for the court to schedule and hold your hearing, it is recommended that you file your motion at least 3 weeks before the order expires.

- After you file your motion:
 - Ask the Circuit Clerk how to schedule your hearing.
 - Send a copy of your motion to the other party according to court rules.
 - Attend your hearing and be ready to explain to the judge why you want to extend, modify, or end the order.
- If the judge approves your request, you will receive a new court order reflecting the changes. Keep a copy with you at all times.



YOU'VE COMPLETED THE STEPS TO ASK FOR A STALKING NO CONTACT ORDER.