

# ATJ Packet

A Compilation of Illinois Access to  
Justice Programs, Policies, Rules,  
and Resources

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO**

**JUSTICE**

**EDUCATION. SUPPORT. EMPOWERMENT.**



Last Updated January 2025



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- D. Videos
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*For more information about Civil Appeals, including the 11-section Frequently Asked Question list and videos, go to: [ilcourts.info/appl-resources](https://ilcourts.info/appl-resources). For training or copies of materials contact Kathryn Hensley, Supervising Senior Program Manager, Access to Justice Division at [khensley@illinoiscourts.gov](mailto:khensley@illinoiscourts.gov).*

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- D. Illinois Attorney General's Court Disability Coordinator (CDC) Manual can be found at the following link (not included in packet due to length) [bit.ly/ag-cdc-manual](https://bit.ly/ag-cdc-manual).

*For more information about the Americans with Disabilities Act (ADA) compliance and disability access, go to: [illinoisattorneygeneral.gov/rights-of-the-people/disability-rights](https://illinoisattorneygeneral.gov/rights-of-the-people/disability-rights) or contact August Hieber, Senior Program Manager, Inclusive Access, Access to Justice Division at [ahieber@illinoiscourts.gov](mailto:ahieber@illinoiscourts.gov).*

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- C. **Judicial Bench Card:** Civil Fee and Criminal Assessment Waivers 2024\*  
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- B. **Judicial Bench Card:** Courtroom Interpreters [ilcourts.info/interpreting-benchcard](http://ilcourts.info/interpreting-benchcard)
- C. Court Personnel Information Card: Limited English Proficient Individuals  
[ilcourts.info/lep-deskcard](http://ilcourts.info/lep-deskcard)
- D. Reference Guide When Working With a Court Interpreter
- E. Illinois Supreme [Court Code of Interpreter Ethics](#)
- F. Interpreter Payments
  - a. Illinois Supreme Court Language Interpreter Registry: [ilcourts.info/interpreters](http://ilcourts.info/interpreters)
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  - e. Interpreter [FAQs](#)
  - f. [Continuance](#) with Spanish translation (available in many languages)
  - g. [Jury waiver](#) with translation in 6 languages

For more information on language access issues, go to: [ilcourts.info/language-access](http://ilcourts.info/language-access). For training or copies of materials contact Noor Alawawda, Senior Program Manager for Language Access, Access to Justice Division at [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov).

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- A. Illinois Supreme Court Policy on Portable Electronic Devices [ilcourts.info/cell-policy](http://ilcourts.info/cell-policy)
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- B. Legal Information
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    - ii. Program Update December 2024
    - iii. English and Spanish Flyers

*For more information or to request flyers or business card-sized referral cards, please contact Avani Patel, Supervising Senior Program Manager, Illinois Court Help at [avanipatel@illinoiscourts.gov](mailto:avanipatel@illinoiscourts.gov).*

- b. Illinois Legal Aid Online [illinoislegalaid.org](http://illinoislegalaid.org) (nothing included in packet, go to website for free legal information and forms for most legal problems)
  - C. Lawyers
    - a. Free Legal Answers [il.freelegalanswers.org](http://il.freelegalanswers.org) (nothing included in packet, virtual help desk to ask lawyers questions about circuit or appellate court civil cases)
    - b. **Judicial Bench Card:** Limited Scope Representation [ilcourts.info/limited-scope-benchcard](http://ilcourts.info/limited-scope-benchcard)
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- B. Illinois Supreme Court on Remote Court Appearances in Civil Proceedings  
[ilcourts.info/remote-app-policy](http://ilcourts.info/remote-app-policy)
- C. **Judicial Bench Card:** Practical Best Practices for Remote Appearances  
[ilcourts.info/remote-benchcard](http://ilcourts.info/remote-benchcard)
- D. [How to Zoom on your Phone or Computer](#) (written instructions, available in 6 additional languages and customizable)
- E. Videos:
  - a. Short videos on How to Zoom from an [iPhone](#), [Android](#), and [Computer](#)
  - b. Preparing for a Court appearance via Zoom videos in [English](#) and [Spanish](#)
- F. [Attending Court by Phone or Video: Questions and Tips for Court Users](#) (available in 6 additional languages)
- G. Courthouse sign on [how to ask, attend and prepare for a remote appearance](#) (available in 6 additional languages and with text boxes for local jurisdiction information) and [calling in](#) if you don't have access to the technology (with text boxes for local jurisdiction information)

*For more information on Remote Appearances, visit [ilcourts.info/remote-resources](http://ilcourts.info/remote-resources) or contact Sarah Song, Supervising Senior Program Manager, Access to Justice Division at [ssong@illinoiscourts.gov](mailto:ssong@illinoiscourts.gov).*

## Section 10. Self-Represented Litigants in the Courtroom .....Page 253

- A. **Judicial Bench Card:** Self-Represented People in the Courtroom [ilcourts.info/srl-benchcard](http://ilcourts.info/srl-benchcard)
  - a. Code of Judicial Conduct Cannon 2, [Rule 2.2](#) Impartiality and Fairness
  - b. Code of Judicial Conduct Cannon 2, [Rule 2.6](#) Ensuring the Right to Be Heard
- B. **Judicial Bench Card:** Achieving Fairness Free of Unconscious Bias – Deliberative Decision-Making [ilcourts.info/fairness-benchcard](http://ilcourts.info/fairness-benchcard)
- C. **Judicial Bench Cards:**
  - a. Promoting Gender Inclusivity [ilcourts.info/gender-inclusive-benchcard](http://ilcourts.info/gender-inclusive-benchcard)
  - b. Transgender people at Court [ilcourts.info/transgender-benchcard](http://ilcourts.info/transgender-benchcard)

- D. Illinois Supreme Court [Policy](https://ilcourts.info/plain-language-policy) on Plain Language [ilcourts.info/plain-language-policy](https://ilcourts.info/plain-language-policy)
  - a. Plain Language Guide (link provided, document not included in Spiral due to length): [ilcourts.info/GuidePlainLanguage](https://ilcourts.info/GuidePlainLanguage)

## **Section 11. SRLs Interacting with Court Staff & Grants to Serve SRLs .....Page 267**

- A. Assisting Court Users
  - a. Illinois Supreme Court Policy on Assistance to Court Users by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers (“Safe Harbor Policy”) [ilcourts.info/safe-harbor-policy](https://ilcourts.info/safe-harbor-policy)
  - b. What is Legal Information? A [Guide](#) to Using the Policy
  - c. [Court Personnel Desk Card](#), How Can I Best Assist Self-Represented Litigants?
  - d. How Can We Help You? [Sign](#)
- B. Grant Opportunities
  - a. Disability Accessibility Improvement Grant [Policy](#). Grant first awarded December 2024.
  - b. Access to Justice Improvement Grant [Policy](#). Grant first awarded December 2017.
    - i. Access to Justice Improvement Grant Recipient summaries
    - ii. Court Navigator Network information
    - iii. Illinois JusticeCorps map

*For more information on Grant programs or Safe Harbor Policy, to join the Court Navigator Network, , or to request training contact Jill Roberts, Deputy Director, Access to Justice Division at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov).*

## **Section 12. Statewide Standardized Forms .....Page 313**

- A. Illinois Supreme Court Rule [10-101](#) & M.R. [25401](#) (6/26/2023)
- B. Standardized Form Development [Flowchart](#)
- C. [Current Standardized Form List](#)
- D. Postcard regarding the new style redesign
- E. Sample [form sets](#)
  - a. Redesigned format: Motion
  - b. Old format: Small Claims Complaint

*For more information on standardized statewide plain language forms, go to: [ilcourts.info/forms](https://ilcourts.info/forms). For training or copies of materials contact [forms@illinoiscourts.gov](mailto:forms@illinoiscourts.gov).*





# Section 1

## Access to Justice Commission Introduction

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO**

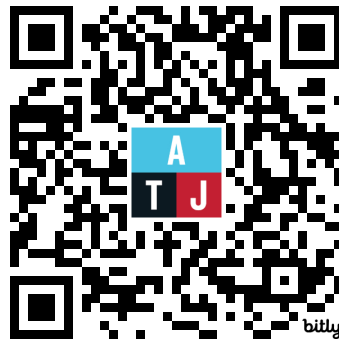
**JUSTICE**

EDUCATION. SUPPORT. EMPOWERMENT.

## Welcome to the Access to Justice Packet!

This packet contains information about the work of the ATJ Commission, primarily highlighting programs and resources to assist you at your courthouse. Please note, this information is current as of December 2024 when compiled, but materials are frequently updated and new programs or resources get created.

To ensure you always have the most current materials, go to [ilcourts.info/atj-resources](http://ilcourts.info/atj-resources) or scan the QR code to get started. You can also email [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov) with questions, requests for materials or training, ideas for projects or resources, or for more information on how to get involved with Commission initiatives.



### Current Commissioners

#### **Chair**

Hon. Jorge L. Ortiz  
Circuit Judge, 19th Judicial Circuit

#### **Supreme Court Liaison**

Justice David K. Overstreet  
Illinois Supreme Court

#### **Members**

Carolyn H. Clift  
Attorney at Law (Ret.)

Linda T. Coberly  
Winston & Strawn LLP

Hon. Allison Conlon  
Circuit Judge, Circuit Court of Cook County

Hon. Thomas M. Harris, Jr.  
Justice, Illinois Appellate Court

Sally McDonald  
Attorney at Law (Ret.)

Kathy McNamara  
Juvenile Probation Officer

Hon. Chloé G. Pedersen  
Circuit Judge, Circuit Court of Cook County


Hon. Sanjay Tailor  
Justice, Illinois Appellate Court

Wendy Vaughn  
Clinical Associate Professor, Northern Illinois  
University College of Law

Andrew M. Weaver  
Senior Supervising Attorney, Land of Lincoln  
Legal Assistance Foundation



### Current ATJ Division Staff and corresponding projects

Names	Main Projects
<b>Alison Spanner</b> Director, Access to Justice Division & Strategic Planning <a href="mailto:aspanner@illinoiscourts.gov">aspanner@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Lead Staff for ATJ Commission &amp; Division</li> <li>• Task Forces/Committees (Fees/Fines, Profession Regulation, Plain Language, Community-Based Services)</li> </ul>
<b>Jill Roberts</b> Deputy Director, Access to Justice <a href="mailto:jroberts@illinoiscourts.gov">jroberts@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Court Navigator Network, ATJ Improvement Grant Program, IL JusticeCorps</li> <li>• Training and Education (College Liaison, ATJ presenter)</li> </ul>
<b>Marisa Wiesman</b> Deputy Director, Strategic Planning <a href="mailto:mwiesman@illinoiscourts.gov">mwiesman@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Illinois Judicial Conference initiatives</li> </ul>
<b>Kathryn Hensley</b> Supervising Senior Program Manager, Appellate Programs & Forms <a href="mailto:khensley@illinoiscourts.gov">khensley@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• SRL Resources in reviewing courts, PILI Free Legal Answers, Criminal Appeals Pro Bono Program</li> <li>• Law School Summit</li> <li>• Branch-wide Court Forms</li> </ul>
<b>Brent Page</b> Supervising Senior Program Manager, Forms <a href="mailto:bpge@illinoiscourts.gov">bpge@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Standardized Court Forms</li> </ul>
<b>Melissa Bartolomei</b> Senior Program Manager, Forms <a href="mailto:mbartolomei@IllinoisCourts.gov">mbartolomei@IllinoisCourts.gov</a>	<ul style="list-style-type: none"> <li>• Standardized Court Forms</li> </ul>
<b>Sarah Song</b> Supervising Senior Program Manager, Legal Technology <a href="mailto:ssong@illinoiscourts.gov">ssong@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Remote Appearances, E-filing, automated interviews, Online Dispute Resolution (ODR)</li> <li>• Community Trust &amp; Disability Access</li> </ul>
<b>August Hieber</b> Senior Program Manager, Access and Community Trust <a href="mailto:ahieber@illinoiscourts.gov">ahieber@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Disability Access (for CDCs for issues of court patrons' reasonable accommodations)</li> <li>• Community Trust</li> </ul>
<b>Noor Alawawda</b> Senior Program Manager, Language Access <a href="mailto:nalawawda@illinoiscourts.gov">nalawawda@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Language Access (for courts to find interpreters from the registry and the process for interpreters to become certified)</li> </ul>
<b>Dorothy Ksiazek</b> Program Coordinator <a href="mailto:dkksiazek@illinoiscourts.gov">dkksiazek@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Language Access</li> <li>• Whole Division</li> </ul>
<b>Avani Patel</b> Supervising Senior Program Manager, Illinois Court Help <a href="mailto:avanipatel@illinoiscourts.gov">avanipatel@illinoiscourts.gov</a>  Senior Court Guides <b>Jessica Acosta</b> , <a href="mailto:jacosta@illinoiscourts.gov">jacosta@illinoiscourts.gov</a> <b>Helen Doig</b> , <a href="mailto:hdoig@illinoiscourts.gov">hdoig@illinoiscourts.gov</a> <b>Sara Schlecht</b> , <a href="mailto:sschlecht@illinoiscourts.gov">sschlecht@illinoiscourts.gov</a>  Court Guides <b>Janice Coleman</b> , <a href="mailto:jcoleman@illinoiscourts.gov">jcoleman@illinoiscourts.gov</a> <b>Darli Cortez</b> , <a href="mailto:dcortez@illinoiscourts.gov">dcortez@illinoiscourts.gov</a> <b>Tahmia Dugger</b> , <a href="mailto:tdugger@illinoiscourts.gov">tdugger@illinoiscourts.gov</a> <b>Daisy Fermaint</b> , <a href="mailto:dfermaint@illinoiscourts.gov">dfermaint@illinoiscourts.gov</a> <b>Rick Hamer</b> , <a href="mailto:rhamer@illinoiscourts.gov">rhamer@illinoiscourts.gov</a> <b>Erik Lubben</b> , <a href="mailto:elubben@illinoiscourts.gov">elubben@illinoiscourts.gov</a> <b>Frances Paparigian</b> , <a href="mailto:fpaparigian@illinoiscourts.gov">fpaparigian@illinoiscourts.gov</a> <b>Brittany Underwood</b> , <a href="mailto:bunderwood@illinoiscourts.gov">bunderwood@illinoiscourts.gov</a> <b>Naomi Wilner</b> , <a href="mailto:nwilner@illinoiscourts.gov">nwilner@illinoiscourts.gov</a>	<ul style="list-style-type: none"> <li>• Illinois Court Help               <ul style="list-style-type: none"> <li>○ 833-411-1121</li> <li>○ <a href="http://www.ilcourthelp.gov">www.ilcourthelp.gov</a></li> </ul> </li> </ul> <p>Call, text, live chat, and web form interactions M-F 8:30am-3pm</p> 



ILLINOIS SUPREME COURT COMMISSION



# Illinois Supreme Court Commission on Access to Justice

STRATEGIC PLAN 2023-2028





# Welcome to What's Next

**OUR LEGAL SYSTEM** was originally designed with the assumption that people would be represented by lawyers. Yet, increasingly, people without lawyers regularly appear in court. For a variety of reasons, not everyone who is filing claims for common issues like divorce, guardianship, and orders of protection or defending themselves against debt collection, eviction, and mortgage foreclosure is able to access a lawyer.

This creates challenges for the legal system and the broader principle of equal access to justice.

Without a lawyer, a person may not even recognize that they have a legal issue. If this hurdle can be cleared and a person turns to the court system or is subject to a lawsuit, they are often left to navigate the drafting of a complaint or answer on their own. They face the daunting tasks of achieving service of process, answering interrogatories, securing witnesses through subpoenas, dealing with dispositive motions, a

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO**

**JUSTICE**

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trial, post judgment activities, and a myriad of other steps in between—all designed for people with lawyers. As a result, the person who appears in court is often lost, confused, angry, and alone, and the judge and opposing counsel are limited in the help they can provide. When they share their frustrating experiences with friends and family, distrust of the court system grows.

The Commission on Access to Justice (ATJ Commission) and the Access to Justice Division of the Administrative Office of the Illinois Courts (ATJ Division) strive to help members of our community identify their legal issues, provide them with resources, information, and assistance to navigate the courts—including referrals to appropriate legal assistance whenever possible—and help them gain an understanding of court processes. The ATJ Commission also seeks to assist judges, clerks, and court staff in providing meaningful access to justice for everyone in Illinois.

The ATJ Commission has developed this five-year strategic plan to guide its work. First, the ATJ Commission affirms its mission as set forth in Illinois Supreme Court Rule 10-100 and which reads, in part:

*The Illinois Supreme Court Commission on Access to Justice is established to promote, facilitate, and enhance equal access to justice... The purpose is to make access to justice a high priority for everyone in the legal system and, to the maximum extent possible, the Commission is intended to complement and collaborate with other entities addressing access to justice issues.*

Second, the ATJ Commission will continue to follow the principles as set forth in the ATJ Commission's 2020-2023 Strategic Plan:

**EQUAL ACCESS:** Court users should have access to justice through full participation in the judicial process, regardless of their circumstances, socioeconomic status, English language proficiency, cultural background, disability status, or legal representation status.

**PROCEDURAL FAIRNESS:** Court users should have access to a fair, impartial, and transparent judicial branch where they are treated with dignity, respect, equality, and professional courtesy.

**ASSISTANCE:** Court users should have access to assistance with navigating the courthouse and understanding court systems and procedures from individuals with particular knowledge and sensitivity to their needs.

**PLAIN LANGUAGE:** Court users should have access to a wide variety of plain language resources designed to help them understand and exercise their civil and procedural rights.

**PROCESS SIMPLIFICATION:** Court users should find that court procedures and policies are streamlined and efficient, while still preserving due process and substantive and procedural fairness.

**TECHNOLOGY:** The ATJ Commission will promote the deployment of user-friendly technology to provide court users with assistance and information, as well as to streamline and simplify court procedures and processes.

**PROMOTING LEGAL REPRESENTATION:** The ATJ Commission will promote free and affordable representation for those who cannot afford legal representation and encourage the development or enhancement of pro bono programs.

**COMMUNICATION:** The ATJ Commission will ensure public awareness of its Initiatives and will effectively communicate with its partners and court users through all available channels to achieve successful implementation of its programs and to solicit feedback.

**CONTINUOUS IMPROVEMENT:** The ATJ Commission will strive for continuous improvement and increased capacity to best meet the diverse and evolving needs of court users.

Lastly, this Strategic Plan sets forth our vision for the Illinois courts, which is consistent with our mission and statement of principles. This Plan defines objectives for achieving this vision, and states the important steps for fulfilling the objectives. It will serve as a guiding light and touchstone for the ATJ Commission's endeavors over the next five years and will be put into action by yearly operational plans, which will detail the tasks to be accomplished.

Pursuant to this overall framework, the ATJ Commission and the ATJ Division will continue to prioritize our mainstay programs, for example, standardized forms, Illinois Court Help, the interpreter registry, Illinois JusticeCorps, and Court Navigator Network while strengthening our relationships with the courts and our many partners and developing new innovative court programs.

The ATJ Commission will listen to the voices of those who seek assistance and information and lift the voices of those who wish to be heard about their court experiences. The ATJ Commission will then make meaningful changes to improve court procedures and the way information is provided to increase trust in our courts.

The ATJ Commission welcomes the opportunity to share its strategic agenda with the Illinois Supreme Court for its review and counsel. The ATJ Commission is grateful for the Supreme Court's leadership and enduring support of our endeavors and for the advice and direction of **Hon. David Overstreet**, Justice, Illinois Supreme Court, the Supreme Court's liaison to the ATJ Commission.

Respectfully submitted by the Illinois Supreme Court Commission on Access to Justice:

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## CHAIR

**Hon. Mary K. Rochford**

*Justice, Illinois Appellate Court, 1st District*

## MEMBERS

**Carolyn H. Clift**

*Attorney at Law (Ret.)*

**Linda T. Coberly**

*Winston & Strawn LLP*

**Hon. Thomas M. Harris, Jr.**

*Justice, Illinois Appellate Court, 4th District*

**Jennifer T. Nijman**

*Partner, Nijman Franzetti LLP*

**Hon. Jorge Ortiz**

*Circuit Judge, 19th Judicial Circuit*

**Hon. Dominique Ross**

*Circuit Judge, Circuit Court of Cook County*

**Hon. Sanjay Tailor**

*Justice, Illinois Appellate Court, 1st District*

**Wendy Vaughn**

*Clinical Professor, Northern Illinois University  
College of Law*

**Andrew M. Weaver**

*Deputy Director of Program Operations, Land of  
Lincoln Legal Assistance Foundation*

**Tammy R. Weikert**

*Circuit Clerk of Rock Island County*

## THE ATJ COMMISSION'S VISION FOR THE ILLINOIS COURTS IS:

An accessible and innovative court system that serves people equitably and empowers them to participate meaningfully in the resolution of their legal issues.

The ATJ Commission recognizes that achieving this vision requires partnership, collaboration, and adaptability. The ATJ Commission will work towards realizing its vision by\*:



### 1. Supporting and listening to local courts,

including judges, clerks, and court staff, and partnering with them to create the tools and resources necessary to work together to attain the ATJ Commission's vision.



### 3. Collaborating with community-based organizations,

being informed by the communities they serve, sharing what is learned with court stakeholders, and responding to community needs.



### 2. Working with the legal profession,

including but not limited to the ATJ Commission's 100-plus volunteers, ATJ Division staff, Illinois Judicial Conference, Illinois Judicial College, Committee on Equality, Commission on Professionalism, The Chicago Bar Foundation, Lawyers Trust Fund of Illinois, Illinois Equal Justice Foundation, Illinois Bar Foundation, Illinois Access to Justice (ILA2J), and the Illinois Supreme Court to identify and address barriers to access.



### 4. Facilitating and fostering innovation

and helping to identify, analyze, implement, and evaluate emerging programs and services.

*\*See more specifics in the ATJ Commission's yearly at-a-glance operational plan.*

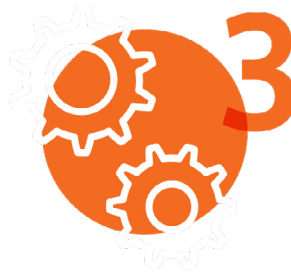
The ATJ  
Commission  
believes its  
vision will be  
achieved when:



People recognize when they have a legal issue and trust the court to address it.



People feel welcomed, respected, and encouraged to participate in the court process.



People understand the court process.



People can use legal information and services.



People are offered innovative options to enhance access to and improve their experience with the court system.

# 1 ■ People recognize when they have a legal issue and trust the court to address it.



## THE ATJ COMMISSION WILL:

- Convene courts and community groups that directly serve the public to collaborate and share information about legal issues, court process, legal resources, and referrals.
- Listen to people's experiences of participating in the court process, ask for feedback, and respond to this feedback by making appropriate changes within the court system.
- Help courts routinely evaluate policies, rules, and procedures to identify points of unfairness and inequality and whether they hinder full and equitable access to the court system, and work with them to address these issues.
- Acknowledge that our legal system is impacted by systemic racism and institutional discrimination and that without deliberate action, such practices will continue to undermine our democracy, the fair and equitable administration of justice, and severely diminish individual constitutional protections and safeguards of full citizenship sacred to all.

## BY, FOR EXAMPLE:

- Collaborating on various projects with the Illinois Supreme Court Committee on Equality and the Court's Chief Diversity and Inclusion Officer to address barriers founded on inequality, bias, and racism.
- Cultivating communication and coordination between the courts, non-traditional court stakeholders, justice partners, and the public, and partnering to make legal information available.
- Conducting focus groups, interviews, and collaboration to make space for all voices to be heard, with a special focus on Black, Indigenous, and People of Color, and identifying practices that perpetuate inequity.
- Always considering programs, policies, and innovations through a race equity lens to ensure they do not perpetuate bias.

## DEVOTING THESE ATJ COMMITTEES OR STAFF

Remote Appearance Committee  
Community Trust Committee  
Rules & Policy Review Committee  
Illinois Court Help  
ATJ Liaison to the Committee on Equality

# 2 ■ People feel welcomed, respected, and encouraged to participate in the court process.



## THE ATJ COMMISSION WILL:

- Help courts promote legal information to everyone.
- Offer statewide standardized court forms, as well as multi-lingual signage, certified interpreters, and reasonable accommodations.
- Ensure courts respond to the basic needs of all people by providing, where possible, accessible court spaces, all gender single occupancy bathrooms, nursing rooms, children's waiting rooms, and free places to store personal belongings not allowed in courthouses.
- Promote processes that allow courts to grant fee and assessment waivers consistently and in a manner that minimizes the burden on court users.
- Engage in training and practical techniques to counteract bias and discrimination.

## BY, FOR EXAMPLE:

- Collaborating on courses through the Illinois Judicial College to bring awareness of ways to increase racial equity and reduce bias.
- Developing statewide standardized court forms. Automating those forms and translating them into languages relevant for users.
- Providing significant grant opportunities to courts to increase their access to resources and support so they can establish procedures and processes that benefit the public and ensure high-quality customer service.
- Investigating, understanding, and responding to what court staff, such as Court Disability Coordinators, need to be successful.

## DEVOTING THESE ATJ COMMITTEES OR STAFF

Language Access Committee  
Forms Committee  
Disability Access Committee  
Court Guidance and Training Committee  
Court Navigator Network and Grant Selection Committee  
ATJ Liaisons to the Illinois Judicial College

# 3 ■ People understand the court process.



## THE ATJ COMMISSION WILL:

- Work with courts to routinely evaluate their processes and recommend simplification of processes that are found to be onerous or unnecessarily complex without corresponding benefit.
- Promote processes that ensure that filing court forms is easy to do online and in person.
- Use plain, gender-inclusive, and person-centered language in verbal and written communications, including signage, notices, instructions, forms, orders, and rules and encourage courts to do the same.
- Explain the court process and legal information in accessible formats and multiple ways (e.g., person to person, translated, written, audio, video, visually mapped) to accommodate different disability and learning needs.

## BY, FOR EXAMPLE:

- Developing self-help services and resources that are useful and accessible to court users.
- Collaborating with justice partners to develop additional automated interviews that improve and streamline the process for creating and e-filing documents.
- Working with justice partners and court stakeholders to simplify and increase access to the legal process through both legislative and rule-making avenues, with a focus on reducing procedural, financial, and other barriers.

## DEVOTING THESE ATJ COMMITTEES OR STAFF

Rules & Policy Review Committee  
Court Navigator Network  
Illinois Court Help  
ATJ Division Staff on Inclusive Access



# 4. People can use legal information and services.



## THE ATJ COMMISSION WILL:

- Ensure that people can easily access information about their court cases online, in person at the courthouse, or on the phone through Illinois Court Help or courthouse staff, and that people without lawyers can access the same case information as lawyers.
- Encourage referrals to free and affordable legal advice or representation services.
- Facilitate and foster partnerships with legal aid organizations, pro bono programs, and bar associations to identify areas for collaboration to help make legal services available to people at the courthouse.
- Promote and encourage limited scope and pro bono representation.

## BY, FOR EXAMPLE:

- Promoting the necessity of user testing all public interfaces and resources to ensure the products can be used and are of value to people.
- Increasing access to resources in languages relevant to the user.
- Partnering with courts and justice stakeholders statewide to expand access to a continuum of legal assistance including self-help and legal advice assistance, rather than just the traditional one-size-fits-all legal representation.

## DEVOTING THESE ATJ COMMITTEES OR STAFF

Illinois Court Help  
Language Access Committee  
Court Navigator Network  
Community Trust Committee

# 5. People are offered innovative options to enhance access to and improve their experience with the court system.



## THE ATJ COMMISSION WILL:

- Embrace new and emerging ideas and implement changes that reimagine the status quo and promote the same to courts.
- Help courts stay current on the evolving needs and expectations of their communities and effectively use technology to help people more easily participate in the court system.
- Encourage court processes that allow people to, generally, choose how they access the courts, either in person or remotely, including by computer, smart phone, tablet, or telephone, and ensure that they will receive the same access to the courts, regardless of their choice.

## BY, FOR EXAMPLE:

- With our partners across the state and nation, actively participating in the access to justice movement to learn what other access to justice commissions, state courts, bar associations, legal aid groups, educational institutions, and private companies are developing to improve a person's ability to participate in the court process and adapting those improvements for Illinois.
- Facilitating and incubating innovative programs and services and sharing lessons and best practices throughout the state.

## DEVOTING THESE ATJ COMMITTEES OR STAFF

Court Guidance and Training Committee  
Remote Appearance Committee  
Disability Access Committee  
ATJ Division Staff on Legal Technology

## Special Thanks:

This Strategic Plan would not have been possible without the efforts and commitment of the ATJ Commission's Strategic Planning Committee chaired by Jennifer Nijman, a commissioner. The ATJ Commission recognizes and thanks all of the members of the Strategic Planning Committee for their insight, advice, and significant contributions to the development of this strategic agenda.

## Contact Us:



EMAIL:

[accesstojusticeil@gmail.com](mailto:accesstojusticeil@gmail.com)



WEBSITES:

[atjil.org](http://atjil.org)

[ilcourthelp.gov](http://ilcourthelp.gov)

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO**

**JUSTICE**

EDUCATION. SUPPORT. EMPOWERMENT.

**Jennifer Nijman**

*Commissioner, Chair of Committee*

**Justice Mary K. Rochford**

*Chair of the Commission*

**Andrew Weaver**

*Commissioner*

**Carolyn Clift**

*Commissioner*

**Judge Dominique Ross**

*Commissioner*

**Justice Sanjay Tailor**

*Commissioner*

**Kimberly Ackmann**

*17th Judicial Circuit*

**Mark Marquardt**

*The Lawyers Trust Fund of Illinois*

**Bob Glaves**

*The Chicago Bar Foundation*

**Stacey Weiler**

*The Illinois Bar Foundation*

**August Hieber**

*Commission Staff*

**Lillian Schneyer**

*Commission Staff*

**Sarah Song**

*Commission Staff*

**Alison Spanner**

*Commission Staff*

**Jill Roberts**

*Commission Staff*

**Marisa Wiesman**

*Commission Staff*



## **Rule 10-100. Illinois Supreme Court Commission on Access to Justice**

### **(a) Purpose.**

The Illinois Supreme Court Commission on Access to Justice is established to promote, facilitate, and enhance equal access to justice with an emphasis on access to the Illinois civil courts and administrative agencies for all people, particularly the poor and vulnerable. The purpose is to make access to justice a high priority for everyone in the legal system and, to the maximum extent possible, the Commission is intended to complement and collaborate with other entities addressing access to justice issues.

### **(b) Membership and Terms.**

(1) The Illinois Supreme Court shall appoint seven members to the Commission. In addition, the Illinois Bar Foundation, The Chicago Bar Foundation, Lawyers Trust Fund of Illinois, and the Illinois Equal Justice Foundation shall have the right to appoint one member each. The commission shall be composed of five members of the judiciary, five lawyers, and one member who is not a lawyer. The Chief Justice of the Illinois Supreme Court shall appoint a person to serve as chair of the commission from among the members of the commission.

(i) The Illinois Supreme Court Commission on Access to Justice may, at its discretion, appoint separate specialized working groups and members to assist it in the carrying out of the purposes of the commission. Specialized groups may include, for example, Education, Court Rules/Procedures, Resources, Standardized Forms, and New Initiatives. These groups shall focus on particular issues within the working group's area of concentration. Membership within these specialized groups may be composed of both members and nonmembers of the Illinois Access to Justice Commission.

(2) Appointed members shall be selected based on their dedication to the purposes and goals of the Commission. The potential appointee's contributions to the bar and community and demonstrated commitment to providing legal services to the underserved also shall be considered.

(3) Members of the Commission shall be appointed for terms of three years, except that in making initial appointments to the Commission, the Court may make appointments for one-year or two-year terms to ensure that the terms of the Commission's members are staggered, so that no more than one third of the members' terms expire in any given year.

(4) Members shall not be compensated for their contributions, but may be reimbursed for their necessary expenses.

### **(c) Duties.**

In realizing the purpose of the Commission, the duties may include:

(1) encouraging means by which individuals can find proper legal representation in the judicial system;

(2) maintaining circuit court and community support and assistance so that the existing legal self-help centers in all Illinois counties can remain effective and accessible;

(3) collaborating with the circuit courts to develop standard guidelines and judicial education programs regarding interaction between self-represented litigants, judges, clerks,

and other court personnel;

(4) creating standardized forms for simpler civil legal problems and basic procedural functions that, while not required for use by all litigants, would be required for courts to accept for filing throughout the state to ease the difficulty in self-representation;

(5) addressing language barriers in the courtroom;

(6) addressing the issue of accessibility to the courts, particularly in rural areas of Illinois;

(7) recognizing judges, attorneys, clerks, or other court personnel for their contributions of leadership and commitment to access to justice;

(8) recommending legislation, court rules, codes of conduct, policies, appropriations, and systematic changes that will open greater access to the courts, as needed;

(9) working with law schools in the development and furtherance of court-based programs that enhance equal access to justice;

(10) monitoring and sharing information on equal justice activities of similar entities in Illinois and in states outside of Illinois;

(11) expanding social work and social services in the court system for the purposes of addressing access to justice for individuals with special needs;

(12) supporting and guiding circuit court efforts to increase access through court-based information systems, Web sites, social media, and other technology platforms;

(13) researching and developing information by which the Commission's purpose can be made successful;

(14) promoting and supporting *pro bono* efforts in the state and fostering judicial and circuit court support for *pro bono* efforts throughout the state; and

(15) recommending to the Supreme Court other methods and means of improving the purposes and goals laid out in section (a) above.

**(d) Administration.**

(1) The Commission shall meet twice a year, at a minimum, and at other times at the request of the chair.

(2) A majority of its members in attendance at a meeting shall constitute a quorum. Meetings may be held at any place within the state and may also be held by means of telecommunication.

(3) The chair may appoint committees of members and assign them responsibilities consistent with the purposes and duties of the Commission.

(4) There shall be an independent annual audit of the Commission, the expenses of which shall be paid from Commission funds.

(5) The Commission shall submit an annual report to the Court reporting on its activities and finances in the previous year and describing future goals for the upcoming year. The Commission's annual report shall include the audit described in paragraph 4 and an accounting of the monies received and expended for its activities in that year.

(6) The Commission shall submit a strategic plan and budget to the Court on a regular cycle.

(7) Members of the Access to Justice Division of the Administrative Office of the Illinois Courts will staff the Commission, support the Commission's purpose, and assist the Commission in carrying out its duties.

(8) The Commission shall be funded by an annual assessment provided in Rule 756, and other support for the Commission may be provided through in-kind and financial support from a combination of private and public sources.

(9) The Commission shall have the authority to take all appropriate administrative and other actions it deems necessary with respect to its operations and finances, including but not limited to (i) opening one or more bank accounts, (ii) contracting, (iii) purchasing, and (iv) operating in coordination with the Administrative Office of the Illinois Courts.

Adopted June 13, 2012, eff. immediately; amended Apr. 8, 2013, eff. immediately; amended Oct. 18, 2022; eff. immediately.

# Access to Justice Resources

Types of resources that are available to help advance access to justice for all court patrons:



Bench cards for judges on topics such as using interpreters, bias, and dealing with self-represented litigants (SRLs)



Statewide standardized court forms so SRLs know what forms they need and how to fill them out, which helps judges get better pleadings



Interpreter Registry listing certified and registered interpreters that have passed the required exams



Informational resources and referral sheets for SRLs to better understand complicated court process



Signs to post in the courthouse with helpful information for court users, like remote appearances and fee waivers



Videos and other resources to help SRLs navigate the court process like how to e-file or do a civil appeal

## Currently Available Judicial Bench Cards



[Best Practices for Remote Appearances](#)



[Self-Represented People in the Courtroom](#)



[Achieving Fairness Free of Unconscious Bias](#)



[Courtroom Interpreting](#)



[Civil Fee and Criminal Assessment Waivers](#)



[E-filing and Judicial Discretion](#)



[Limited Scope Representation](#)

## How to get more ATJ information



Contact the Access to Justice team at [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov)



All current resources for judges and court staff are available online at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ)



Published court forms or forms available for public comment are at: [illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-forms/)



Civil Appeals information is at: [illinoiscourts.gov/self-help/resources-for-srls-in-civil-appeals](http://illinoiscourts.gov/self-help/resources-for-srls-in-civil-appeals)



The Interpreter Registry is at: <https://publicapps.illinoiscourts.gov/>



For information about court processes, forms, and going to court, call 833-411-1121 or visit [ilcourthelp.gov](http://ilcourthelp.gov)

All current resources for judges and court staff are available online at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ) or via this QR code:



ILLINOIS SUPREME COURT COMMISSION

**ACCESS  
TO JUSTICE**

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January 2024







# Section 2

## Civil Appeals



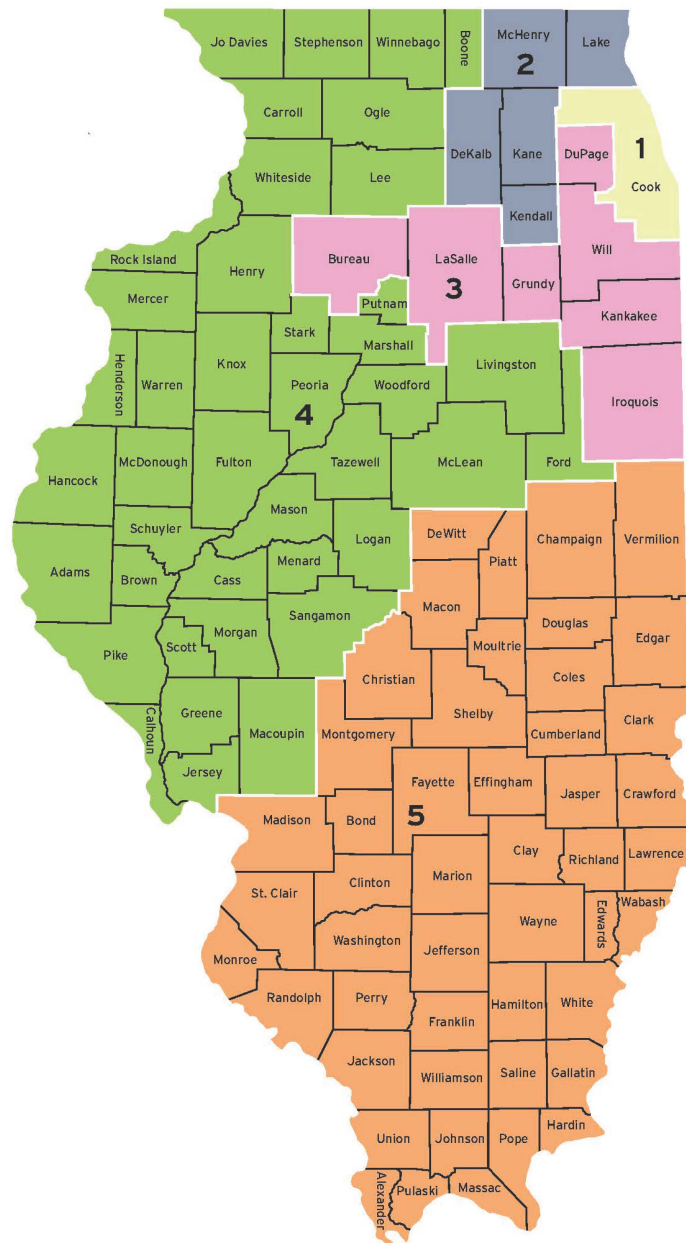
**ACCESS**

**TO JUSTICE**

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ILLINOIS SUPREME COURT  
COMMISSION ON ACCESS TO JUSTICE

# GUIDE FOR APPEALS TO THE ILLINOIS APPELLATE COURT



## **Acknowledgements**

The Illinois Supreme Court Commission on Access to Justice expresses its deepest gratitude to the following individuals for their dedicated efforts in revising this guide:

- Clare E. Myers, Mayer Brown LLP
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- Hon. Zachary A. Hooper, Clerk, Third District Appellate Court
- Sharon Levy, Deputy Clerk, Third District Appellate Court
- Hon. Carla Bender, Clerk, Fourth District Appellate Court
- Hon. Cortney Kuntze, Clerk, Fifth District Appellate Court

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## Guide for Appeals to the Illinois Appellate Court For Self-Represented Litigants

This guide has information on how to file an appeal from a judgment or order entered by a circuit court in Illinois. It does not cover direct appeals of administrative agency orders. It includes a timeline of the process, frequently asked questions, and a checklist to consult when preparing the documents you need.

The party filing an appeal is the “appellant.” The party responding to an appeal is the “appellee.”

The number of steps to the appeals process varies, and may include:

1. File a notice of appeal with the circuit court clerk.
2. Submit written requests to the circuit court clerk to request preparation of the record on appeal, and to the court reporter (either in your circuit court or through a private service) to prepare transcripts of the hearings held in your case and pay the fees for that preparation. If you cannot afford the fees for the preparation of the record on appeal, file an [Application for Waiver of Court Fees \(Circuit Court\)](#) with the circuit court clerk to ask the court to excuse you from paying the fees.
3. Once you receive an appellate court case number, file a notice of filing of the notice of appeal with the clerk of the appellate court. Include proof of service that says you have sent a copy of the notice of appeal to the other party or parties.
4. File a docketing statement with the appellate court, together with copies of your requests to the circuit court and the court reporter for preparation of the record on appeal and the transcripts. Pay the \$50 filing fee to the appellate court or, if you qualify, you may file an [Application for Waiver of Court Fees \(Appellate Court\)](#) with the appellate court to ask to have the fee waived. The circuit court clerk will file the record on appeal with the appellate court.<sup>1</sup>
5. File your appellant’s brief.
6. The other side (the appellee) files its answering brief if they choose to do so.
7. If the appellee files a brief, file your appellant’s reply brief if you choose to do so.
8. The appellate court issues its decision.
9. File a petition for rehearing if you believe the appellate court should reconsider its decision because the court overlooked or misunderstood important facts or the law. (optional)
10. File a petition for leave to appeal to the Illinois Supreme Court. (optional)

<sup>1</sup> Please note that [Rule 323\(b\)](#) provides that court reporting personnel must file the transcripts directly with the circuit court, rather than provide them to the appellant. Court reporting personnel will notify all parties that the transcripts have been filed with the circuit court. [Rule 325](#) states that in general the circuit court clerk, not the appellant, must file the record on appeal with the appellate court.

## IMPORTANT NOTICE

This resource lists the steps involved in an appeal in the Illinois state courts and it focuses on appeals from a final judgment or order. It is a guide for self-represented litigants. The guide refers you to the Illinois Supreme Court [Rules](#) (the “Rules”) for further information about the various steps in an appeal. Interlocutory appeals under Rules [306](#), [307](#), and [308](#) are mentioned only briefly in this guide; be sure to check the Rules for specific deadlines and requirements. You must also comply with each appellate district’s [local rules](#). This resource is not legal advice, and it is neither legal authority nor a substitute for the requirements found in the Rules.

## RESOURCES

You are strongly advised to speak to a lawyer about your appeal. The appeals process can be lengthy and difficult. Should you decide to appeal your case without a lawyer, you will need to follow the Rules just like those parties who have a lawyer.

The Administrative Office of the Illinois Courts, Illinois Supreme Court Commission on Access to Justice, and the Public Interest Law Initiative have partnered to provide a free legal advice help desk for civil appeals. If you are representing yourself and have a question about your civil appeal, you can submit your question to the Illinois Free Legal Answers for Civil Appeals [website](#) and have it answered by a pro bono lawyer. There is a [FAQ](#) page and a [postcard](#) about the program.

Additional resources for civil appeals, including a general timeline, FAQ, videos, one-page overviews, other appellate guides, and resources on how to conduct legal research are also available on the Illinois Courts’ [website](#).

Statewide standardized forms and instructions for your civil appeal are on the Illinois Courts’ [website](#). You are strongly encouraged to use these forms when filing or responding to an appeal, although you are not required to do so.

## E-FILING

In general, documents filed in the Illinois Appellate Court and Illinois Supreme Court **must** be electronically filed (e-filed). Most people e-file using [Odyssey EFileIL](#), which is **free** to use. You are not required to e-file if you:


- Are filing into a criminal case;
- Are an inmate in prison or jail and do not have a lawyer;
- Are filing documents under the Juvenile Court Act of 1987; or
- Have a disability that keeps you 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, and it is hard for you to travel;
- Have trouble reading, writing, or speaking English;
- Are filing documents in a sensitive case, such as a request for an order of protection; or
- Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.

To get an exemption for one of the four reasons listed above, you must fill out and file a [Certification for Exemption from E-Filing](#) with the appellate court. Contact your local appellate clerk’s office to find out how to file paper forms at the courthouse or by mail or email.

## Timeline of Events in an Appeal to the Illinois Appellate Court

<p><b>STEP 1</b></p> <p><b>File Notice of Appeal</b></p> <p><b>Deadline:</b> Date of Entry of Final Order + 30 days</p> <p><b>Fees:</b> There may not be a fee, but it depends on the circuit where filed. Contact your circuit clerk's office for more information.</p> <p><b>Rules:</b> <a href="#">9</a>, <a href="#">10</a>, <a href="#">11</a>, <a href="#">12</a>, <a href="#">303</a>, <a href="#">306</a>, <a href="#">307</a>, <a href="#">308</a>, and <a href="#">311</a></p> <p><b>Cross-Appeals:</b> See Question #9 in the FAQ for more information and deadlines.</p> <div style="text-align: center;">  </div> <p><b>Find Notice of Appeal Forms &amp; Instructions <a href="#">here</a>.</b></p>	<p><b>What is the notice of appeal?</b> The notice of appeal tells the court and other parties in your case that you are appealing the circuit court's order or judgment and says what relief you will be seeking from the appellate court.</p> <p><b>Deadlines</b> You must file your notice of appeal with the circuit court clerk within <b>30 days</b><sup>2</sup> after a final order is entered by the circuit court.</p> <p>You must serve the notice of appeal on all other parties in your case. If you e-file by using Odyssey EFileIL, you can serve the other parties through that platform. Otherwise, you can serve the other parties by sending the document to the e-mail address listed on their previous filings in the circuit court. If the other parties are represented by a lawyer, you must serve the lawyer. If they are not represented by a lawyer, you can serve the parties themselves.</p> <p>If you are not e-filing and do not have an email address, you may serve the other parties by the methods listed in <a href="#">Rule 11(c)(2)</a>.</p> <p>Within <b>7 days</b> after filing the notice of appeal, you must (1) serve the notice of appeal on all other parties, and (2) file a notice of filing with the clerk of the appellate court and include proof of service that says you have sent copies of the notice of appeal to the other parties or their lawyers.</p> <p><b>Cannot pay the fees?</b> Be sure to contact the circuit court clerk to determine if there is a fee. If so, and if you are unable to pay the fee for filing the notice of appeal, you must file a request for a fee waiver in the <b>circuit court</b> using the <a href="#">Application for Waiver of Court Fees (Circuit Court)</a>.</p> <p><b>Cases with shorter deadlines</b> You may have a shorter deadline for filing your appeal if your appeal involves:</p> <ul style="list-style-type: none"> <li>• Certain orders made before the case is finally resolved involving custody or care of children (<b>14 days</b>). These appeals require a petition for leave to appeal with certain special requirements. [<a href="#">Rule 306(b)</a>]</li> <li>• Temporary restraining orders (TROs) (<b>2 days</b>). [<a href="#">Rule 307(d)</a>]</li> </ul> <p><b>Need more time?</b> Consult <a href="#">Rule 303(d)</a> and your district's <a href="#">local rules</a> to determine how you may request an extension of time to file a notice of appeal. See the FAQ below for more information.</p> <p><b>If you do not file your notice of appeal before the expiration of the deadline, the appellate court cannot hear your appeal.</b></p>
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<sup>2</sup> When measuring a deadline set by a number of days, the court includes Saturdays, Sundays, and holidays. If a deadline falls on a weekend or holiday, the deadline is extended to the next business day. For example, if the circuit court entered its order on August 2, 2024, an appellant's notice of appeal would be due 30 days after, which is September 1, 2024. However, September 1 is a Sunday and September 2 is a holiday (Labor Day). Therefore, the deadline for filing a notice of appeal would be extended to September 3, 2024.

## STEP 2A

### File Request for Preparation of the Record on Appeal

#### Deadline:

The appellant should file the request within 14 days after filing the notice of appeal.

The circuit court must provide the record on appeal to the appellate court within 63 days after the notice of appeal.

#### Fees:

Depends on length of the record. Contact your circuit clerk's office for more information.

#### Rules:

[9](#), [10](#), [11](#), [12](#), [312](#), [321](#), [323](#), [325](#), [326](#), [327](#), [328](#), and [329](#)



Find Request for Preparation of the Record on Appeal Forms and Instructions [here](#).

### What is the record on appeal?

The record on appeal includes the common law record, the exhibits, and the report of proceedings. The appellant is responsible for the fees involved in preparing the record on appeal (or applying for a fee waiver if they cannot afford the fees).

- The *common law record* includes all the written documents filed with the circuit court during your case.
- *Exhibits* include any physical objects, photographs, or video used at trial.
- The *report of proceedings* is a record of what was said at any hearings held at the circuit court during your case. **See Step 2B** for more information.

Together, the common law record, exhibits, and report of proceedings are the source of all the facts the appellate court can look at when deciding your appeal. The record on appeal must include everything that was before the circuit court when the decision you are appealing was made.

#### Deadlines

The appellant **must request** the record on appeal no later than **14 days** after filing the notice of appeal. You must include a copy of your request with the docketing statement that is filed with the appellate court clerk. (More information about filing the docketing statement is below, at **Step 3**.)

#### Who prepares the record on appeal?

Once you have requested the record on appeal and paid any fees, the clerk of the circuit court will then prepare the record on appeal and transmit it to the appellate court.

#### Cannot pay the fees?

Be sure to contact the circuit court clerk to determine how much the record on appeal will cost. If you are unable to pay the fees for preparation of the record on appeal, you must file a request for a fee waiver in the **circuit court** using the [Application for Waiver of Court Fees \(Circuit Court\)](#).

#### Supplementing the record

The appellate court will not consider anything that is not in the record on appeal. If you think something is missing from the record, you must ask the clerk of the circuit court to prepare the additional material. Check with your appellate court clerk's office on the process for filing a motion to supplement the record in your district. You cannot simply attach extra material to your brief. **Nothing can be included in the record or in your brief that was not part of your case in the circuit court.** Review Rule [329](#), your district's [local rules](#), and Question #10 in the FAQ section below for more information.

#### Using the record to write your brief

The Rules require that you provide a citation to the record for every fact in your brief. After the circuit court clerk files the record with the appellate court clerk, the appellate court clerk will tell you how to access the record. Use the page numbers in the record to cite to the record in your brief.

## STEP 2B

### File Request for Report of Proceedings (Transcripts)

#### Deadline:

The appellant should file the request within 14 days after filing the Notice of Appeal.

The court reporter must provide the report of proceedings to the circuit court within 49 days after filing of the notice of appeal.

#### Fees:

Depends on the number of pages. Fees are outlined in the [Administrative Regulations for Court Reporting Services](#).

#### Rules:

[323](#)



Find Request for Report of Proceedings (Transcripts) Forms and Instructions [here](#).

### What is the report of proceedings?

The report of proceedings is a record of what was said at any hearings held at the circuit court during your case. You will often hear it referred to as transcripts. You will have transcripts only if a court reporter was present during your circuit court case or if your court digitally recorded the hearings. If a court reporter was not present and if your court did not record the hearings, you may file a bystander's report or an agreed statement of facts (see below).

#### Deadlines

The appellant must request the report of proceedings no later than **14 days** after filing the notice of appeal. You must include a copy of your request with the docketing statement that is filed with the appellate court clerk. (More information about filing the docketing statement is below, at **Step 3**.)

### Who prepares the report of proceedings (transcripts)?

The court reporter (either through the circuit court or a private court reporting service) will prepare transcripts upon receipt of the request for the report of proceedings and payment of the fees to prepare the transcripts.

#### Cannot pay the fees?

Generally, fees for transcripts cannot be waived. This is because a statute, [735 ILCS 5/5-105](#), does not specifically allow for fee waivers to be applied toward the fees for transcripts for indigent litigants in civil cases.

However, by filing a motion in the circuit court, you may ask the judge to waive fees for transcripts that "are necessary to commence, prosecute, defend, or enforce relief in a civil action." (*In re Marriage of Main*, 2020 IL App (2d) 200131). The circuit court judge may determine what transcripts, if any, are necessary for an appeal and whether the fees will be waived.

### What if a transcript is not available?

You have the option of preparing either a bystander's report [[Rule 323\(c\)](#)] or an agreed statement of facts [[Rule 323\(d\)](#)]. There are instructions and forms on the Illinois Courts' [website](#) for how to do this. Also see #11 in the FAQ section of this Guide below and the FAQ on the Illinois Courts' self-help [page](#) for more information and for deadlines.



## STEP 3

### File Docketing Statement

#### Deadline:

Date of Filing the Notice of Appeal + 14 days

#### Fees:

\$50

#### Rules:

[9](#), [10](#), [11](#), [12](#), [46](#), [312](#), and [313](#)



Find Docketing Statement Forms and Instructions [here](#).

### What is the docketing statement?

The docketing statement is a snapshot of the case you are appealing. It tells the court and other parties that you have taken the steps necessary to begin an appeal.

#### You must first file requests for the record on appeal and for transcripts

Before you file your docketing statement, you must submit a request to the circuit court clerk for the preparation of the record on appeal. If transcripts are available, you must also file a request for the report of proceedings with the court reporter in your circuit court or with a private court reporter. You must request these **before** filing your docketing statement because you have to certify that you made the requests, provide the date those requests were submitted, and attach copies of the requests to your docketing statement form. See **Steps 2A and 2B** above for more information.

#### Deadlines

Within **14 days** after filing your notice of appeal, you must file the docketing statement with the appellate court. When you file the docketing statement, you must also pay the appellate court filing fee. This fee is in addition to any fees you paid in the circuit court.

You must serve a copy of the docketing statement on all other parties in your case (or their lawyer if they have one).

#### Cannot pay the fees?

If you are unable to pay the \$50 filing fee, you must file a request for a fee waiver in the **appellate court** using the [Application for Waiver of Court Fees \(Appellate Court\)](#).

#### Cases with shorter deadlines

You must file a docketing statement and pay the fee **at the time you file** your petition or application for leave to appeal if your appeal involves one of the following:

- A petition for leave to appeal a non-final order regarding the custody or care of children, the allocation of parental responsibilities for unemancipated minors, or the relocation of unemancipated minors [\[Rule 306\]](#).
- An application for leave to appeal a non-final order that involves a new question of law [\[Rule 308\]](#).

You must file a docketing statement and pay the fee within **7 days** after filing your notice of appeal if your appeal involves one of the following non-final orders under [Rule 307](#):

- An order granting, modifying, refusing, dissolving, or refusing to dissolve or modify an injunction.
- An order appointing or refusing to appoint a receiver or sequestrator.
- An order giving or refusing to give other or further powers or property to a receiver or sequestrator already appointed.
- An order placing a mortgage lender in possession of a mortgaged property.
- An order terminating parental rights or granting, denying, or revoking temporary commitment in certain adoption proceedings.

## STEP 4

### File Appellant's Brief

#### Deadline:

Date of Filing of the Record on Appeal + 35 days

#### Fees:

None

#### Rules:

[9](#), [10](#), [11](#), [12](#), [341](#), [342](#), and [343](#)



Find Appellant's Brief Forms and Instructions [here](#).

### What is the appellant's brief?

The appellant's brief (sometimes called the opening brief) is a written argument of why the circuit court or jury made a mistake and why that decision should be overturned. The brief describes the facts of the case, presents your arguments about the issues on appeal, and supports those arguments with legal authority (such as statutes, rules, and cases).

#### Deadlines

The appellant must file the appellant's brief with the clerk of the appellate court no more than **35 days** after the record on appeal is filed in the appellate court. You must serve a copy of the brief on the other party (or their lawyer, if they have one). If you need more time, you may file a motion for an extension in the appellate court.

#### Cases with shorter deadlines

You might have shorter deadlines for filing your brief if your appeal involves one of the following cases. The overall briefing schedule is provided below:


- Appeals concerning the custody or care of children. In these appeals, the appellant's brief is due **21 days** after the record on appeal is filed in the appellate court. The appellee's brief is due **21 days** after the appellant's brief is due, and any reply brief by the appellant is due **7 days** after the appellee's brief is due. See [Rule 311\(a\)](#) for additional information on the procedures that apply in these appeals.
- Appeals from final judgments in delinquent minor proceedings. In these appeals, the appellant's brief is generally due **28 days** after the filing of the record on appeal, and the appellee's brief is due **28 days** after the due date of the appellant's brief. The appellant's reply brief is due within **7 days** after the due date of the appellee's brief. See [Rule 660A](#) for additional information on the procedures that apply in these appeals.

#### Requirements

The appellant's brief cannot be longer than 50 pages or 15,000 words. The cover must be white. Briefs must follow very strict rules, which include deadlines, formatting, page and word limits, and service of the brief on the other party or parties. Failure to follow these rules may result in your brief being stricken or your appeal being dismissed. Illinois Supreme Court Rules 341-343 cover the specific requirements for appellate briefs, and the forms available at the links to the left include further instructions.

The appellate court where you are filing your appeal may have local rules requiring paper filing in addition to electronic filing. [Local rules](#) regarding paper copies, if any, are available on the Illinois Courts' website. You should also speak with your local appellate clerk's office.

See the **Checklist for Filings in the Appellate Court** section at the end of this guide. It may help guide you through the requirements for your brief.

<p><b>STEP 5</b></p> <p><b>File Appellee's Brief (other party)</b></p> <p><b>Deadline:</b> Due Date of Appellant's Brief + 35 days</p> <p><b>Fees:</b> None (if the \$30 fee was paid upon entry of appearance or the filing of any document prior to filing of the appellee's brief).</p> <p><b>Rules:</b> <a href="#">9</a>, <a href="#">10</a>, <a href="#">11</a>, <a href="#">12</a>, <a href="#">341</a>, <a href="#">342</a>, and <a href="#">343</a></p>  <p><b>Find Appellee's Brief Forms and Instructions <a href="#">here</a>.</b></p>	<p><b>What is the appellee's brief?</b></p> <p>The appellee's brief is a written argument of why the circuit court or jury made the correct decision and why that decision should not be overturned. The brief describes the facts of the case, presents the appellee's arguments about the issues on appeal, and supports those arguments with legal authority (such as statutes, rules, and cases).</p> <p>An appellee is not required to file a brief. If the appellee chooses not to file one, the appellant will not automatically win the appeal.</p> <p><b>Deadlines</b></p> <p>If the appellee chooses to file a brief, it must be filed with the clerk of the appellate court within <b>35 days</b> after the due date of the appellant's brief. The appellee must serve a copy of the brief on the other party (or their lawyer, if they have one). If the appellee needs more time, they may file a motion for an extension in the appellate court.</p> <p><b>Cannot pay the fees?</b></p> <p>If the appellee is unable to pay the \$30 filing fee (at the time of filing an appearance or any document with the appellate court) they must file a request for a fee waiver in the <b>appellate court</b> using the <a href="#">Application for Waiver of Court Fees (Appellate Court)</a>.</p> <p><b>Cases with shorter deadlines</b></p> <p>The appellee might have shorter deadlines for filing the appellee's brief if the appeal involves one of the following:</p> <ul style="list-style-type: none"> <li>• Appeals concerning the custody or care of children. The appellee's brief is due <b>21 days</b> after the appellant's brief is due. See <a href="#">Rule 311(a)</a> for additional information on the procedures that apply in these appeals.</li> <li>• Appeals from final judgments in delinquent minor proceedings. The appellee's brief is due <b>28 days</b> after the due date of the appellant's brief. See <a href="#">Rule 660A</a> for additional information on the procedures that apply in these appeals.</li> </ul> <p><b>Requirements</b></p> <p>The appellee's brief cannot be longer than 50 pages or 15,000 words. The cover must be light blue. Briefs must follow very strict rules, which include deadlines, formatting, page and word limits, and service of the brief on the other party or parties. Failure to follow these rules may result in your brief being stricken. Illinois Supreme Court Rules 341-343 cover the specific requirements for appellate briefs, and the forms available at the links to the left include further instructions.</p> <p>The appellate court where you are filing your appeal may have local rules requiring paper filing in addition to electronic filing. <a href="#">Local rules</a> regarding paper copies, if any, are available on the Illinois Courts' website. You should also speak with your local appellate clerk's office.</p> <p>See the <b>Checklist for Filings in the Appellate Court</b> section at the end of this guide. It may help guide you through the requirements for your brief.</p>
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## STEP 6

### File Appellant's Reply Brief

#### Deadline:

Due Date of  
Appellee's Brief + 14  
days

#### Fees:

None

#### Rules:

[9](#), [10](#), [11](#), [12](#), [341](#), [342](#),  
and [343](#)



Find Appellant's  
Reply Brief Forms  
and Instructions  
[here](#).

### What is the appellant's reply brief?

The appellant's reply brief tells the appellate court why you disagree with the arguments in the appellee's brief. It must contain only argument. You do not need to file a reply brief.

#### Deadlines

If the appellant chooses to file a reply brief, it must be filed with the clerk of the appellate court no more than **14 days** after the appellee's brief is due. You must serve a copy of the brief on the other party (or their lawyer if they have one). If you need more time, you may file a motion for an extension in the appellate court.

#### Cases with shorter deadlines


You might have shorter deadlines for filing your brief if your appeal involves one of the following:

- Appeals concerning the custody or care of children. The reply brief by the appellant is due **7 days** after the appellee's brief is due. See [Rule 311\(a\)](#) for additional information on the procedures that apply in these appeals.
- Appeals from final judgments in delinquent minor proceedings. The appellant's reply brief is due **7 days** after the due date of the appellee's brief. See [Rule 660A](#) for additional information on the procedures that apply in these appeals.

#### Requirements

The appellant's reply brief cannot be longer than 20 pages or 6,000 words. The cover must be light yellow. Remember to check Illinois Supreme Court Rules 341-343 for the specific requirements for appellate briefs. The forms available to the left include further instructions as well. Be sure to check with your local appellate court again about their [local rules](#) regarding briefs and paper copy requirements.

See the **Checklist for Filings in the Appellate Court** section at the end of this guide. It may help guide you through the requirements for your brief.

<p><b>STEP 7</b></p> <p><b>Appellate Court's Decision</b></p>	<p><b>When will I hear about a decision on my appeal?</b></p> <p>The appellate court will consider the record on appeal, the parties' briefs, and (in certain cases) the parties' oral argument. The appellate court decides whether oral argument is needed in a case. If the appellate court decides to hear oral argument, the appellate court clerk will notify the parties of the date and time of the hearing.</p> <p>The appellate court clerk will notify the parties when the court issues a decision.</p>
<p><b>STEP 8</b></p> <p><b>Petition for Rehearing</b></p> <p><b>Deadline:</b> Date of the Appellate Court Decision + 21 days</p> <p><b>Fees:</b> None</p> <p><b>Rules:</b> <a href="#">9</a>, <a href="#">10</a>, <a href="#">11</a>, <a href="#">12</a>, <a href="#">341</a>, and <a href="#">367</a></p>  <p><b>Find Petition for Rehearing Forms and Instructions <a href="#">here</a>.</b></p>	<p><b>What is a petition for rehearing?</b></p> <p>If the appellate court's decision was against you, you may ask for a rehearing in a petition describing the errors that you think the appellate court made. A petition for rehearing must outline the points you believe the appellate court overlooked or misunderstood, the reconsideration of which could lead to a different outcome. You may <b>not</b> reargue the same facts and arguments you already made in your brief.</p> <p><b>Deadlines</b></p> <p>The petition must be filed with the clerk of the appellate court within <b>21 days</b> after the appellate court's written decision is filed. If you need more time, you may file a motion for an extension in the appellate court.</p> <p><b>Requirements</b></p> <p>The petition must be no more than 27 pages or 8,100 words. The petition must include a proof of service on the other party. The cover of your petition must be light green.</p> <p><b>If you do not file your petition for rehearing on time, the appellate court cannot consider your petition.</b></p>

## STEP 9

### Petition for Leave to Appeal to the Illinois Supreme Court

#### Deadline:

Date of the Appellate Court Decision + 35 days

#### Fees:

\$50

#### Rules:

[9](#), [10](#), [11](#), [12](#), [315](#), [317](#), and [341](#)



Petition for Leave to Appeal Forms and Instructions will be forthcoming on the Illinois Courts' [website](#).

### What is a petition for leave to appeal?

If you lost the appeal, you may file a petition for leave to appeal (PLA) to ask the Illinois Supreme Court to change a decision by the appellate court.

You may file **both** a petition for rehearing in the appellate court and a PLA in the Illinois Supreme Court. However, if you file a petition for rehearing, you cannot file a PLA until **after** the appellate court has ruled on your petition for rehearing.

#### Deadlines

The PLA must be filed with the clerk of the Illinois Supreme Court within **35 days** after the appellate court's written decision is filed.

However, if you file a petition for rehearing with the appellate court and that request is denied, you must file your PLA no more than **35 days** after the appellate court denies your petition for rehearing. If the appellate court grants your petition for rehearing, you must file your PLA no more than **35 days** after the appellate court enters its judgment on rehearing.

#### Requirements

The PLA must be no more than 20 pages (or 6,000 words), not including the appendix.

All PLAs need a proof of service attached to the back of the petition. There is a [template](#) for the PLA and an [overview](#) of the PLA process on the Illinois Courts' resource [page](#) for civil appeals. Statewide forms are forthcoming in 2024 and will be published on the Illinois Courts' [website](#).

#### Cannot pay the fees?

If you are unable to pay the \$50 filing fee, you must file a request for a fee waiver in the Supreme Court using the [Application for Waiver of Court Fees \(Supreme Court\)](#).

## Frequently Asked Questions by Self-Represented Litigants (Pro Se)

This section includes some commonly asked questions about the appeals process (called an FAQ). A comprehensive FAQ that provides more information is available on the self-help page for civil appeals [here](#).

### 1. Are there special rules for the court where my case is being heard?

There are five appellate districts in Illinois, and you must follow the rules of your district. If you don't know which district you are in, view [this map](#) to find out. Be sure to check your district's local rules to see if there are any special requirements. Click on your district's number to read their rules:

- [District 1](#)
- [District 2](#)
- [District 3](#)
- [District 4](#)
- [District 5](#)

### 2. Is the circuit court's decision in effect while my appeal is pending?

In general, yes. If you wish to halt enforcement of the circuit court's judgment while your appeal is pending, you must file a motion to request a "stay" of the judgment. You must comply with the requirements in [Rule 305](#). If the circuit court's decision is a judgment for money, you must file an appeal bond.

An order terminating parental rights is automatically stayed (halted) for 60 days. If a notice of appeal is filed, the automatic stay continues until the appeal is decided or the stay is lifted by the appellate court.

Your appellate district may have specific local rules relating to motions for stay. Be sure to check your district's local rules to determine whether there are any special requirements.

### 3. What are the filing fees in the appellate court?

Every appellant must pay a \$50 docketing fee, and all other parties must pay a \$30 appearance fee [[Rule 313](#)]. If a party cannot afford its fees, that party may file an [Application for Waiver of Court Fees \(Appellate Court\)](#).

Parties must pay these fees when they file the docketing statement or entry of appearance (the docketing statement serves as an appellant's entry of appearance). If you are seeking a fee waiver, you must file your application for a fee waiver with your docketing statement or entry of appearance. No other filings will be accepted until either you pay the fee or the fee waiver is allowed.

### 4. What is a motion and are there rules for filing one in the appellate court?

Any time you want to make a request to the appellate court, you must do so in writing, and that written request is called a "motion." [Rule 361](#) covers the rules for filing a motion in the appellate court. You can find a general motion form for the appellate court [here](#).

Often a motion will ask for an exception to a Rule, like an extension of a deadline. When you write your motion, you will need to tell the court exactly what you want and why you think the court should grant your motion.

The Rules require that you file the motion with the clerk of the appellate court. Any document, including a motion, filed in the appellate court must be accompanied by a document called a “proof of service,” which states how the opposing party was served. [Rule 11](#) describes the methods of serving documents, and [Rule 12](#) describes the accepted formats for proofs of service.

You must also submit a proposed order along with your motion. The proposed order should include (1) the case caption (see [Rule 303\(b\)\(1\)](#)); (2) a brief statement identifying the motion and giving the court the choice to grant or deny it; and (3) signature and date lines for the judge to complete.

The [local rules](#) for your appellate district may have other requirements for what must be included in your motion.

#### **5. Can I respond to a motion by the other party?**

Yes. You can file a written response to the motion with the clerk of the appellate court. Generally, you must file the response within 7 days after you receive the motion by email or personal service, or 10 days after the motion was served on you by mail. You must file a proof of service along with your response to the motion.

#### **6. How do I receive my appellate court case number?**

The appellate court will notify you of your appellate court case number after you file your notice of appeal with the circuit clerk, and after the circuit clerk electronically files the notice of appeal with the appellate court.

#### **7. How do I serve documents?**

Motions and other documents filed in the appellate court must be “served on,” or sent to, the other parties in your case, and a proof of service must be attached to your document at the time of filing to tell the court you have served it. If the other party has a lawyer, you must serve that party’s lawyer instead of the party.

[Rule 11](#) describes the kinds of service that are allowed. The proof of service lays out (1) what document you served (e.g., your motion or brief), (2) to whom you sent the document (e.g., the appellee’s lawyer), (3) the date you sent the document, and (4) how you sent it.

[Rule 12](#) describes the requirements for proofs of service. Standardized forms for proofs of service are available on the [Illinois Courts’ website](#).



**8. It's too late for me to file a notice of appeal. What can I do?**

You may file a motion for leave to file a late notice of appeal with the clerk of the appellate court.

This motion must comply with the rules for filing motions set forth in [Rule 361](#) and summarized in the answer to Question #4 above. You must attach your notice of appeal to the motion. A proposed order must be filed with the motion.

In civil cases, you must follow [Rule 303\(d\)](#). A motion for leave to file a late notice of appeal must be filed with the clerk of the appellate court no later than 30 days after the time for filing the notice of appeal has passed.

In criminal cases, you must follow [Rule 606\(c\)](#). A motion for leave to file a late notice of appeal must be filed with the clerk of the appellate court within 30 days after the time to file an appeal has passed. If you also file an affidavit showing there is merit to the appeal and that the failure to meet the deadline for filing an appeal was not due to your “culpable negligence,” you must file your motion for leave to file a late notice of appeal no later than six months after the time to file an appeal has passed.

**9. Can another party appeal a different part of the circuit court's judgment?**

Yes, if some aspect of the circuit court's decision was not in their favor, another party can file a cross-appeal by filing a separate notice of appeal and indicating on the first page of the form they are filing a “cross-appeal.” All instructions must then be followed for filing a notice of appeal.

Under [Rule 303\(a\)\(3\)](#), a party must file a notice of appeal for their cross-appeal by whatever date is later: (1) 10 days after being served with the other party's notice of appeal; (2) 30 days after entry of the judgment or order being appealed; or (3) 30 days after entry of an order disposing of the last pending post-judgment motion. However, if the appellate court granted an extension of time for the appellant to file a late notice of appeal, the due date for filing a cross-appeal is within 10 days of the order allowing the filing of the late notice of appeal (see [Rule 303\(d\)](#)).

**10. Will the circuit court send the record to the appellate court once it is ready?**

Yes. Provided that the appellant has submitted the request and paid the fee for the preparation of the report of proceedings, the court reporter will electronically file the report of proceedings with the circuit court clerk within 49 days after the filing of the notice of appeal. The court reporter will then notify all parties that the report of proceedings has been filed with the circuit court. [Rule 323\(b\)](#) governs this step in the process.

Next, the appellant must have submitted the request for the preparation of the record on appeal and paid the circuit court clerk the required fee. The circuit court clerk will then file the record with the appellate court pursuant to [Rule 325](#). If an extension of time for filing the record on appeal is necessary, the appellant must file a motion in the appellate court seeking that extension **before the due date** for the record on appeal. If it is already past the due date for filing the record on appeal, then the appellant must file a motion for leave to file the record on appeal *instanter* (which means immediately or without delay) no later than 35 days after the due date and must also show a “reasonable excuse” for failing to file the motion sooner. These motions are governed by [Rule 326](#).

**11. If the record is missing a key item, can I add it?**

Yes. If the key item was before the circuit court when the court entered the order being appealed, you may ask for permission to supplement the record on appeal under [Rule 329](#). To do so, you must file a motion to supplement the record on appeal. Any supplements to the record must be documents that were reviewed by the circuit court, and the circuit court clerk must prepare these supplements. Review [Rule 329](#), consult the [local rules](#) for your appellate district, and contact the appellate court clerk's office in your district for any specific procedures you must follow to supplement the record on appeal.

**12. How can I submit a report of proceedings if there was no court reporter present during my case?**

If there was no court reporter transcribing the proceedings as they occurred in the circuit court, you may prepare either an agreed statement of facts or a bystander's report reflecting what occurred during your case. You can find forms and instructions for submitting either an agreed statement of facts or a bystander's report on the Illinois Courts' [website](#).

If you and the appellee(s) can agree on the material facts of your case, then you may submit an agreed statement of facts following [Rule 323\(d\)](#). You do not need to have the agreed statement of facts certified by the circuit court. However, it must be signed by all parties.

Another option is to file a bystander's report following [Rule 323\(c\)](#). To pursue this option, you must serve a copy of this report on all parties to the case no later than 28 days after filing your notice of appeal. The other parties then have 14 days to send you suggested changes to the report, or a different report altogether. You must file the proposed report, together with any proposed amendments, to the circuit court within 21 days after you sent your initial report to the other parties. For more information on how to send the report to the other parties, see the discussion in Question #7 about serving documents. After you have submitted the proposed report and any proposed amendments to the circuit court, the court will certify the report if it concludes that the report is accurate. The court may decide to hold hearings before certifying the report.

Once you have a signed agreed statement of facts or a certified bystander's report, it must be filed with the circuit clerk by the deadline for the report of proceedings.

**13. I need more time to file my record or file my brief. What should I do?**

You may file a motion with the clerk of the appellate court asking for an extension of the deadline to file your record or brief. Under [Rule 361\(f\)](#), you must file a motion for an extension of time **on or before the due date** of the document you are seeking an extension of time to file. The [local rules](#) for your appellate district may have additional requirements for a motion for an extension of time. Please refer to Question #4 for how to file motions in the appellate court.

**14. How long does the appeals process take?**

It can take several months to complete an appeal. Some factors that impact the amount of time the appellate court needs to decide your case include the issues involved, how long it took the parties to submit the record and their briefs to the appellate court, and the number of cases pending before the appellate court.

**15. How will I know when the court has made a decision on my appeal?**

The clerk of the appellate court will notify all parties when the court has issued its decision.

**16. What can I do if I don't agree with the court's decision?**

You may file a petition for rehearing in the appellate court within 21 days after the decision, and you may also file a petition for leave to appeal to the Illinois Supreme Court. You may file both a petition for rehearing and a petition for leave to appeal. If you file a petition for rehearing, you cannot file a petition for leave to appeal until after the appellate court has ruled on your petition for rehearing.

You should use these options **only** if the appellate court overlooked or misunderstood important facts or the law in its decision, the reconsideration of which would lead to a different decision. It is **not** an opportunity to have the court take another look at your case because the court disagreed with you or to reargue the same facts and arguments you already made in your brief.

**17. I received a notice stating that the appellate court issued the mandate. What is the mandate?**

The mandate is the order that officially finalizes the decision of the appellate court and transfers the case back to the circuit court for any additional action. The appellate court will send the mandate to the clerk of the circuit court and to the parties.

## **Checklist for Filings in the Appellate Court**

1. The *Notice of Appeal* form and instructions are on the Illinois Courts' [website](#), and see Step 1 within this Guide. It must include:
  - ☐ A case caption ([Rule 303\(b\)\(1\)](#))
  - ☐ If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the front must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a)
  - ☐ If you appeal a delinquent minor case, the front must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT
  - ☐ Identification of the judgment appealed from and the relief sought in the reviewing court ([Rule 303\(b\)\(2\)](#))
  - ☐ If you are appealing the circuit court's holding that a state or federal statute is unconstitutional, a copy of the circuit court's finding (Rules [18](#) and [303\(b\)\(3\)](#))  
(**Note** that if you are arguing that a statute, ordinance, administrative regulation, or other law is unconstitutional or preempted by federal law, you must file and serve a notice in accordance with [Rule 19](#) on the State or the political subdivision, agency, or officer affected via the Attorney General, State's Attorney, municipal counsel, or agency attorney, as appropriate.)
  - ☐ The name and address of the appellant (the party filing the appeal) or the appellant's lawyer ([Rule 303\(b\)\(4\)](#))
  - ☐ A proof of service ([Rule 12](#))
2. You must submit written requests and pay the preparation fees for the record on appeal and for the report of proceedings. You can find forms and instructions for the [Request for Preparation of the Record on Appeal](#) and the [Request for Report of Proceedings \(Transcripts\)](#) on the Illinois Courts' website, and see Steps 2A and 2B within this Guide. The circuit court clerk will prepare the record on appeal upon written request, and you will also need to request any transcripts from the court reporter. The record on appeal must include:
  - ☐ The entire **original** common law record, which includes every document filed, every judgment and order entered, and any documentary exhibits offered and filed by any party in the circuit court ([Rule 321](#))
  - ☐ A report of proceedings (e.g., a transcript) including testimony, oral rulings of the trial judge, any statement by the trial judge of the reasons for the court's decision, and any other proceedings that should be incorporated in the record on appeal ([Rule 323\(a\)](#))
    - ☐ If a court reporter was present during proceedings in the circuit court or if the proceedings were digitally recorded, you must order a copy of the transcript
    - ☐ If not, you may prepare a bystander's report ([Rule 323\(c\)](#)) or an agreed statement of facts ([Rule 323\(d\)](#))

3. The *Docketing Statement* form and instructions are on the Illinois Courts' [website](#), and see Step 3 within this Guide. You must include (per [Rule 312\(a\)](#)):
- ☐ The case caption
  - ☐ Whether the appeal is a cross-appeal
  - ☐ If any party is a corporation or association, the identity of any affiliate, subsidiary, or parent group
  - ☐ The full names and addresses of the parties and any lawyers on appeal
  - ☐ The name and contact information of court reporting staff
  - ☐ If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the front page must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a)
  - ☐ If you appeal a delinquent minor case, the front page must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT
  - ☐ A statement of the issues to be discussed in the appeal
  - ☐ Copies of your written requests for the preparation of the record on appeal and request for report of proceedings
  - ☐ Your certification
  - ☐ A proof of service ([Rule 12](#))
4. All appellate briefs and instructions are on the Illinois Courts' website under the "Appellate Court Forms" [tab](#), and see Steps 4-6 within this Guide. In particular, the Appellant's Brief must include:
- ☐ A colored cover sheet, as specified in [Rule 341\(d\)](#), containing:
    - ☐ The case number in the reviewing court and the name of that court
    - ☐ The name of the circuit court
    - ☐ The name of the case as it appeared in the circuit court
    - ☐ The status of each party in the appellate court (e.g., plaintiff-appellant)
    - ☐ The name of the trial judge
    - ☐ The name and address of any lawyer representing you or, if you do not have a lawyer, your name and address
    - ☐ If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a)
    - ☐ If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT
    - ☐ **If you are seeking oral argument, you must note this at the bottom of the cover page of your brief** ([Rule 352\(a\)](#))
  - ☐ A statement of "Points and Authorities" consisting of the headings of the points and subpoints in your argument, with citations under each heading to the authorities relied upon or distinguished, and a reference to the page of the brief on which each heading and authority may be found ([Rule 341\(h\)\(1\)](#))
  - ☐ An introductory paragraph ([Rule 341\(h\)\(2\)](#)) stating:
    - ☐ The nature of the action

- ☐ The judgment appealed from
  - ☐ Whether the judgment is based upon a jury verdict
  - ☐ Whether any question is raised on the pleadings and, if so, the nature of the question
  - ☐ A statement of the issue(s) presented for review ([Rule 341\(h\)\(3\)](#))
  - ☐ A statement of jurisdiction ([Rule 341\(h\)\(4\)](#))
  - ☐ The text of any statutes, constitutional provisions, treaties, ordinances, or regulations at issue in the appeal ([Rule 341\(h\)\(5\)](#))
  - ☐ A statement of the facts of the case, without argument, and with citations to the corresponding pages of the record on appeal ([Rule 341\(h\)\(6\)](#))
  - ☐ A statement of the applicable standard of review for each issue, with citation to legal authority ([Rule 341\(h\)\(3\)](#))
  - ☐ Argument, with citations to legal authorities and to the pages of the record relied upon ([Rule 341\(h\)\(7\)](#)). ***If you are the appellant and do not raise a point of argument in your opening brief, you may not raise it in the reply brief, in oral argument, or in a petition for rehearing. If you are the appellee and do not raise a point of argument in your response brief, you may not raise it in oral argument or in a petition for rehearing. (Generally, appellees do not get to file reply briefs.)***
  - ☐ A conclusion stating the relief you are seeking, followed by the name of your lawyer, or your name, as on the cover of the brief ([Rule 341\(h\)\(8\)](#))
  - ☐ A certificate of compliance with the requirements of Rule 341(a) and (b) ([Rule 341\(c\)](#))
  - ☐ A proof of service ([Rule 12](#))
  - ☐ An appendix ([Rule 342](#)) containing:
    - ☐ A table of contents to the appendix
    - ☐ A complete table of contents, with page references, of the record on appeal
    - ☐ The judgment appealed from
    - ☐ Any opinion, memorandum, or findings of fact made by the circuit court
    - ☐ Any pleadings or other materials from the record pertinent to the appeal
    - ☐ The notice of appeal
5. The *Petition for Rehearing* form and instructions are on the Illinois Courts' [website](#), and see Step 8 within this Guide. It must include (under [Rule 367\(b\)](#)):
- ☐ A brief statement of the points you believe were overlooked or misunderstood by the appellate court
  - ☐ References to portions of the record and briefs relied upon in the petition
  - ☐ Citations to legal authorities in support of your argument
  - ☐ A proof of service ([Rule 12](#))
6. A *Petition for Leave to Appeal* to the Illinois Supreme Court template is on the Illinois Courts' [website](#), and see Step 9 within this Guide. It must include (under [Rule 315](#)):
- ☐ A cover sheet, as specified in [Rule 330\(a\)](#), containing:
    - ☐ A placeholder for the case number in the Supreme Court of Illinois (to be completed by the clerk's office)
    - ☐ The name of the case as it appeared in the trial court
    - ☐ The status of each party in the trial court (e.g., plaintiff/petitioner)
    - ☐ The appellate court district whose decision is being reviewed

- ☐ The name of the circuit court judge, the circuit court and appellate court case numbers, and the circuit court where your case was originally filed
- ☐ The name and address of any lawyer representing you or, if you do not have a lawyer, your name and address
- ☐ If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold type at the top of the page ([Rule 315\(i\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a)
- ☐ If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 315\(j\)](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT
- ☐ If you appeal a pretrial release case under article 110 of the Code of Criminal Procedure of 1963, the cover sheet must state in bold type at the top of the page ([Rule 315\(k\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 604(h)
- ☐ A prayer for leave to appeal ([Rule 315\(c\)\(1\)](#))
- ☐ A statement ([Rule 315\(c\)\(2\)](#)) of:
  - ☐ The date upon which the appellate court's judgment was entered
  - ☐ Whether a petition for rehearing was filed and, if so, the date of the denial of the petition or the judgment on rehearing
- ☐ A statement of points relied upon ([Rule 315\(c\)\(3\)](#))
- ☐ A statement of the facts, without argument, with citations to the record on appeal ([Rule 315\(c\)\(4\)](#))
- ☐ A short argument, with citations to legal authorities, stating why review is warranted and why the appellate court's judgment should be reversed ([Rule 315\(c\)\(5\)](#))
- ☐ A certificate of compliance with the requirements of Rule 341(a) and (b) ([Rule 341\(c\)](#))
- ☐ An appendix ([Rule 315\(c\)\(6\)](#)) containing:
  - ☐ A copy of the appellate court's decision
  - ☐ Any documents from the record necessary for consideration of the petition
- ☐ A proof of service ([Rule 12](#))



# Civil Appeals Overview – Appeals from Final Judgments or Orders

	STEP 1:	STEP 2:	STEP 3:	STEP 4:	STEP 5:	STEP 6:	STEP 7:	STEP 8:
	File Notice of Appeal	Request Preparation of the Record	Request Transcript	File Docketing Statement	File Appellant's Brief	Appellee's Brief (Optional)	File Appellant's Reply Brief (Optional)	Decision
Form:	Notice of Appeal	Request for Preparation of Record on Appeal	Request for Report of Proceedings	Docketing Statement	Appellant's Brief	Appellee's Brief	Appellant's Reply Brief	Decision
Due:	Within 30 days after entry of a final judgment	Within 14 days after filing the Notice of Appeal	Within 14 days after filing the Notice of Appeal	Within 14 days after filing the Notice of Appeal	Within 35 days after filing of the Record on Appeal	Within 35 days after the due date of the Appellant's Brief	Within 14 days after the due date of the Appellee's Brief	Not applicable
Where:	File in the Circuit Court	File in the Circuit Court	File with Court Reporter in the Circuit Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	The Appellate Court will issue a decision
Why:	<p>To start the appeal of a circuit court order or judgment.</p> <p>The Notice of Appeal tells the circuit court and the other parties that you (the appellant) are appealing the circuit court's order or judgment, and says what relief you will be seeking from the appellate court.</p> <p><b>Within 7 days after filing the Notice of Appeal, you must</b> (1) send the Notice of Appeal to the other parties (or their attorneys if they are represented by counsel) <b>and</b> (2) file with the clerk of the appellate court: a.) a notice of filing, showing that you filed the Notice of Appeal, and b.) a proof of service, showing that you sent the Notice of Appeal to the other parties.</p>	<p>To have the clerk of the circuit court prepare the Record on Appeal.</p> <p>The Record on Appeal is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court during your case. The appellate court uses the Record on Appeal to find out what happened in the circuit court. It is important because the appellate court cannot look at anything that is not in the Record on Appeal. The circuit clerk will transfer the complete record to the appellate court within 63 days after the Notice of Appeal was filed.</p> <p><b>Attach a completed copy of the Request for Preparation of Record on Appeal to your Docketing Statement (see Step 4).</b></p>	<p>To ask the court reporter to prepare the transcript of the hearing or trial for the appellate court so they can decide your appeal fairly.</p> <p>The Report of Proceedings is a typed record of the hearing or trial and includes what the judge, parties, witnesses, and lawyers said in court. This record is also called a transcript. The court reporter will submit the transcript to the appellate court within 49 days after the Notice of Appeal was filed.</p> <p>If the court proceedings were <u>not</u> recorded, you may complete a <b>Bystander's Report</b> OR <b>Agreed Statement of Facts</b>.</p> <p><b>Attach a completed copy of the Request for Report of Proceedings to your Docketing Statement (see Step 4).</b></p>	<p>To tell the appellate court and all the parties in the appeal that you have taken the required steps to begin an appeal.</p> <p>The Docketing Statement tells the appellate court that you are appealing a circuit court order or judgment.</p> <p>NOTE: The case cannot go forward until the appellant pays the \$50 docketing statement fee OR the appellate court has granted a fee waiver.</p> <p><b>Attach completed copies of the Request for Preparation of Record on Appeal and Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).</b></p>	<p>To tell the appellate court why the circuit court should not have entered an order or judgment against you.</p> <p>The Appellant's Brief presents all of your arguments explaining why the circuit court's decision should be overturned.</p> <p>Your brief must present arguments in a clear and thorough way. In support of your arguments, you must cite to the Record on Appeal and to relevant legal authority (statutes, rules, case law, etc.). In order to find legal authority, you will need to conduct legal research either online or at a law library.</p> <p><b>Illinois Supreme Court Rule 341</b> gives specific instructions on formatting briefs, which <b>must</b> be followed or your appeal may be dismissed.</p>	<p>For the appellee (the other party) to tell the appellate court why the circuit court was correct in entering an order or judgment in their favor.</p> <p>The Appellee's Brief is an optional written response to the Appellant's Brief; it gives the appellee a chance to convince the appellate court that the arguments in the Appellant's Brief are wrong and that the circuit court's decision was correct. If the appellee does not file a brief, they are not allowed to further participate in the appeal.</p>	<p>To tell the appellate court why you disagree with the arguments in the Appellee's Brief.</p> <p>If the appellee files a brief, you may file a reply brief. The Appellant's Reply Brief is the third and final brief in the appeals process.</p> <p>The Reply Brief is an optional response to the arguments raised in the Appellee's Brief. It is used to address or counter issues, arguments, and case law that were raised or cited to by the appellee.</p> <p>The Reply Brief <b>cannot</b> raise any new issues and should not simply restate arguments already made in your initial Appellant's Brief.</p>	<p>To end the appeal.</p> <p>After submission of all briefs and following oral arguments (if applicable), the appellate court will issue its decision on your case in the form of a written opinion or order.</p> <p>The appellate court can decide to do any of the following:  * affirm (decide that the circuit court's decision was correct);  * reverse (decide that the circuit court's decision was incorrect);  * remand (return the case to the circuit court for further action); or  * take any other appropriate action.</p> <p><b>If you do NOT agree with the appellate court's decision, you may file a Petition for Rehearing</b> (within 21 days after the decision) or <b>file a Petition for Leave to Appeal</b> (within 35 days after the decision or ruling on the Petition for Rehearing) <b>to the Illinois Supreme Court.</b></p>







## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

This document provides information for self-represented litigants in filing an appeal from a circuit court order or judgment in a civil case to the Illinois Appellate Court. It does not discuss how to file an appeal in a criminal case or in federal court.

The civil appeals process is difficult. The process involves many strict deadlines and adherence to [Illinois Supreme Court Rules](#) ("Rules"). You are strongly encouraged to speak to a lawyer about your appeal. Should you decide to appeal your case without a lawyer, you will need to follow the Rules just like those parties who have an attorney. You will also need to do a significant amount of legal research and write lengthy briefs in order to convince the appellate court that your position is correct. You can search for a lawyer with experience in appeals to represent you at [Illinois Lawyer Finder](#) (outside Cook) or [Chicago Bar Association Lawyer Referral Service](#) (in Cook).

The material presented herein is legal information and aims to provide general resources for you. This FAQ is not a substitute for legal counsel and does not constitute legal advice. You must speak with a lawyer to receive legal advice. This resource is neither legal authority nor a substitute for the requirements found in the Rules.

### SECTION ONE: CIVIL APPEALS OVERVIEW

#### 1.) What is an appeal?

An appeal is a review by a higher court of a lower court's judgment or order to determine if the lower court made any errors in those proceedings. The person seeking an appeal is called an appellant, while the person responding to the appeal is called an appellee.

An appeal is **NOT** a new trial. The only information the appellate court will review in deciding whether the circuit court or the jury made an error is the following: the common law record (all the documents filed in your case; every judgment entered; and any documentary exhibits that were filed by any party), report of proceedings (transcripts of court hearings), appellant and appellee's briefs, and oral arguments (if granted).

Appeals must be made on valid, accepted grounds, such as: legal or factual errors by the circuit court or jury, unfair trials, and situations where the evidence did not support the outcome reached by the circuit court or jury.

- ⊗ It is NOT a new trial or a chance to present your case again in front of a different judge.
- ⊗ It is NOT a chance to present new evidence or witnesses.
- ⊗ The appellate court does NOT hear live testimony from witnesses.



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

### 2.) **Who can appeal?**

Generally, only a party in the circuit court case can appeal a decision in that case. If you were a party and were dissatisfied with the decision of the circuit court, you have a right to appeal, with or without the assistance of a lawyer. You may not appeal for a spouse, child, relative, or friend unless you are a legally appointed representative of that person (such as the person's guardian or conservator).

### 3.) **What decisions can be appealed?**

Generally, you can only appeal a final judgment or order – a decision by the circuit court judge that ends your civil case (it settles all claims relating to all parties in the lawsuit). The judgment, often called an order, is typically in writing and explains why the court ruled the way it did. The judgment often will explain rights and obligations of one or both parties, and may require one or both parties to do something. [Rule 301](#) governs the right to appeal from all final judgments in civil cases.

In addition, Illinois Supreme Court Rules state that some orders and judgments can be appealed *before* the trial court enters a final judgment for the entire case. For example:

- [Rule 304\(a\)](#): Some cases involve multiple parties and/or multiple issues being litigated in the circuit court. The court can make an order disposing of one party or issue, while the rest of the case is still being litigated. You may appeal such an order if the circuit court 1) enters a final judgment that ends only *part* of the case; and 2) says that this judgment can be appealed.
- [Rule 304\(b\)](#): Some orders involve special circumstances that, due to the nature of the issue, are immediately appealable prior to a final judgment. You may appeal such an order if the circuit court 1) enters a final judgment that ends only *part* of the case; and 2) the judgment is one that is listed in Rule 304(b), such as, but not limited to, an order involving **child custody, guardianship, administration of an estate, or contempt of court**.
- [Rule 307\(a\)](#): You may immediately appeal some orders that do not end any part of the case. These are called interlocutory appeals and the orders within this rule include, but are not limited to, **terminations of parental rights, injunctions, orders placing or refusing to place a mortgagee in possession of mortgaged premises, and eminent domain**.



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

### 4.) **Are there other post-trial motions I should consider filing before filing my appeal?**

In some circumstances a post-trial (or post-judgment) motion might be an option to correct or address what you feel was wrong with the circuit court's decision. In certain situations, after a trial or a final judgment is entered, a party may file a motion to bring to the circuit court's attention newly discovered evidence, changes in the law, or errors in the court's previous handling of existing law. These motions give the circuit court a chance to fix errors, as well as provide an opportunity for litigants to preserve an issue for appeal and to make a more complete record for the appellate court to review. There are specific deadlines for filing a post-judgment motion and the circuit court retains discretion to grant it.

- **Non-jury civil cases:** In all cases tried without a jury, a party may, within **30 days after the entry of the judgment**, file a motion in the circuit court for a *rehearing, retrial, modification of the judgment, to vacate the judgment* or for other relief. See Illinois Compiled Statutes [735 ILCS 5/2-1203\(a\)](#) and Supreme Court [Rule 366](#) for more information and to ensure you are following deadlines and procedures.
- **Jury cases:** Following a trial in a jury case, a party may file a single, written post-trial motion within **30 days after entry of judgment** (or the discharge of the jury if no verdict is reached). The post-trial motion must “contain the points relied upon, particularly specifying the grounds in support thereof and must state the relief desired.” Examples of relief include granting a new trial or entry of a judgment. All issues for appeal of the judgment, including requesting a new trial, are *waived* if they are not included in this single post-trial motion. Additionally, a post-trial motion filed on time “stays enforcement of the judgment” which means the circuit court's judgment cannot be enforced for a period of time. See Illinois Compiled Statutes [735 ILCS 5/2-1202](#) and Supreme Court [Rule 366](#) for more information and to ensure you are following deadlines and procedures.

For more information on post-trial motions, you may also wish to consult Illinois Legal Aid Online (ILAO) for a detailed [overview](#).



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

### 5.) **When do I need to file my Notice of Appeal?**

It is very important that you know the deadline to file your Notice of Appeal. If you do not file on time, your appeal will be dismissed because the appellate court will not have jurisdiction to hear your case. If you miss the deadline to file your Notice of Appeal, you may file a Motion to request an extension of time to file it (see #6 below). Be sure to read the Illinois Supreme Court Rules and pay careful attention to deadlines.

In general, you must file your Notice of Appeal **within 30 days** after the circuit court enters the *final judgment* in your case (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your Notice of Appeal within 30 days after the circuit court rules on that motion).

However, under the Illinois Supreme Court Rules, some orders and judgments are appealable *before* the trial court enters the final judgment in the case. For example:

- Under [Rule 304\(a\)](#), you must file your Notice of Appeal **within 30 days** after the court makes that finding (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your *Notice of Appeal* within 30 days after the trial court rules on that motion).
- Under [Rule 304\(b\)](#), you must file your Notice of Appeal **within 30 days** after the trial court enters that judgment (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your *Notice of Appeal* within 30 days after the trial court rules on that motion).
- Under [Rule 307](#), you must file your Notice of Appeal **within 30 days** after the trial court enters the order.
- If you are appealing an order listed in [Rule 307\(a\)](#), such as termination of parental rights, you must file your Notice of Appeal **within 30 days** after the circuit court enters the order.
- If you are appealing an order that was entered without any prior notice to you, you must file a motion in the trial court to vacate that order, and you must file your Notice of Appeal **within 30 days** after the trial court denies that motion (or, if the trial court fails to rule on that motion within 7 days after you file it, you must file your Notice of Appeal **within 30 days** after those 7 days are up).



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

- If you are appealing the entry or denial of a temporary restraining order, you must file your Notice of Appeal **within 2 days** after the entry or denial of the order.

### 6.) **What if I missed the deadline to file my Notice of Appeal?**

You may ask for more time to file your Notice of Appeal. To do so, file a motion for leave to file a late Notice of Appeal with the appellate court **within 30 days** of when your Notice of Appeal was originally due ([Rule 303\(d\)](#)). You must attach your Notice of Appeal to the motion and pay a \$50 filing fee. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the Application for Waiver of Court Fees (Appellate) found at: <https://www.illinoiscourts.gov/documents-and-forms/approved-forms/appellate-forms/feewaiver>.

However, please note that the appellate court does not have to give you more time to file your Notice of Appeal. The appellate court may dismiss your appeal if you do not have a “reasonable excuse” for filing a late Notice of Appeal.

You can find a general motion form to use to request an extension of time here – <https://www.illinoiscourts.gov/forms/approved-forms/approved-statewide-forms-appellate-forms/motion>.

### 7.) **How much does an appeal cost?**

The fees associated with filing an appeal are outlined below:

Type of Fee	Cost	Who pays	Statutory Authority
Record on Appeal	Costs vary based on county where you are filing. Circuit clerks charge fees for preparation of the Record on Appeal based on the number of the pages the court record contains.	Appellant	<a href="#">Clerks of Courts Act (705 ILCS 105/)</a> 27.1a(k), 27.2(k), and 27.2a(k)
Transcripts	Costs vary based on the number of pages and the court reporter will inform you how much it will cost to prepare the transcript. The current charge is a minimum of \$4.00 per page.	Appellant	<a href="#">Court Reporters Act (705 ILCS 70/5)</a> you can locate current transcript fees in the <a href="#">Administrative Regulations for Court Reporting Services in the Illinois Courts</a>



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

Docketing Statement	\$50.00	Appellant	<a href="#">Rule 313</a>
Appearance and Filing Fee	\$30.00	Appellee and other parties	<a href="#">Rule 313</a>

If you cannot afford the filing fees, you may file an [Application for Waiver of Court Fees](#) with your Docketing Statement or Notice of Appearance to request that the appellate court let you participate in an appeal for free. However, the fee waiver typically does not apply to the costs of transcripts (If applicable to your case, you will still be responsible for paying the costs of transcripts. Please see section 6 for more information on transcripts).

8.) **I don't have a lawyer; can the court or clerk's office appoint a lawyer to represent me?**

No, the court and the clerk's office cannot appoint or recommend a specific lawyer. If you want a lawyer, you will need to hire one to represent you in your case. Not all lawyers work on appeals, so make certain you speak with a lawyer who has experience in appeals. Only a lawyer can give you legal advice and tell you whether or not you should pursue an appeal based on the specific details of your case.

You have the right to appeal your case without a lawyer. However, appeals are complicated and time-consuming. If you decide to appeal your case without a lawyer, you must meet all deadlines and follow all the court's rules and procedures just like those parties who have a lawyer.

9.) **Are there any programs to help me with my appeal?**

The Administrative Office of the Illinois Court and the Illinois Supreme Court Commission on Access to Justice partner with the Public Interest Law Initiative to run [Free Legal Answers for Civil Appeals](#). This is a free online program that is the state's legal advice desk for appeals. They do not take phone calls or meet with people in-person, all communication is through an online portal. You can ask a question and a lawyer who is knowledgeable in appeals will answer your question. You can also attach any documents or images to your message that would be helpful for a lawyer to review. You can communicate back and forth with the lawyer as often as needed until your questions are answered. To sign-up, you must answer a few basic questions to register and then you'll be able to submit your question.



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

You may also visit Illinois Legal Aid Online (ILAO) for also has a [toolbox](#) to help walk you through the steps of a civil appeal.

### 10.) **What are the rules for filing an appeal?**

Civil appeals are governed by [Illinois Supreme Court Rules](#) (Rules 301-384). Failure to follow these rules, procedures and deadlines may result in your appeal being dismissed; therefore, it is very important that you carefully review and comply with these rules.

Each appellate district also has local rules. Be sure to check your [district's local rules](#) to see if there are special requirements.

### 11.) **In what district will my appeal be heard?**

There are five appellate districts in Illinois. Appeals will be heard in the appellate court district where the circuit court that ruled on your case is located. If you don't know the appellate district to which your circuit court is assigned, you can find a map here -

<http://www.illinoiscourts.gov/AppellateCourt/DistrictMap.asp>

If you have general questions, you should reach out to the appellate clerk's office in your district. You can find the address and phone numbers for each appellate district here -

<http://www.illinoiscourts.gov/AppellateCourt/ClerksDefault.asp>

### 12.) **How do I receive my appellate court case number?**

The appellate court will notify you via email or regular mail of your appellate court case number after you file your Notice of Appeal with the circuit clerk, and after the circuit clerk then files the Notice of Appeal with the appellate court.

### 13.) **How do I serve documents?**

Motions and other documents filed in the appellate court must be “served on” (or sent to) the other parties in your case. If the other party has an attorney, you must serve that party’s attorney. A proof of service must be filed with your document to tell the court you have served the other party (or the other party's attorney) with it. The proof of service lays out (i) what document you served (e.g., your motion or brief), (ii) to whom you sent the document (e.g., the appellee’s attorney), (iii) the date you sent the document, and (iv) how you sent it.

[Rule 11](#) describes the kinds of service that are allowed. You must serve the other party electronically by:



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

- through an approved electronic filing service provider (EFSP) OR
- to the e-mail address(es) identified by the party's appearance in the matter.

However, if a self-represented party does not have an e-mail address, or if service other than electronic service is specified by rule or order of court, or if extraordinary circumstances prevent timely electronic service in a particular instance, service of documents may be made by one of these methods:

- personal hand delivery;
- delivery to the address of an attorney or self-represented litigant;
- regular first-class mail (U.S. Postal Service); or
- third-party commercial carrier (FedEx or UPS).

[Rule 12](#) describes the requirements for proof of service. For your convenience, a Proof of Service form is included within each appellate standardized form available on the Illinois Courts' [website](#).

### 14.) **I speak a language other than English, what services are available to help me with my appeal?**

All documents submitted to the appellate court must be written in English. If you wish to submit a filing to the court in a language other than English, you must include a *certified* translation of that document. Litigants are responsible for the costs associated with translating their documents. If you are incarcerated, however, the court is responsible for the associated translation fees (incarcerated litigants should contact the appellate clerk's office for more information).

As a reminder, many of the standardized forms available on the Illinois Courts [website](#) have been translated into six languages – Spanish, Polish, Arabic, Chinese, Russian, and Korean. Those translated forms are for reference purposes only -- litigants must complete and submit their form(s) in English to the court. Only a *certified* translation of the document will be accepted (i.e., a friend or family member cannot translate documents to submit to the court for you).

An online directory of certified translators is available through the American Translator Association (<http://www.atanet.org>).





## **ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ**

### **Interpreters**

Pursuant to the [Illinois Supreme Court Language Access Policy](#), if you do not speak English well and need the assistance of a spoken or sign language interpreter to communicate effectively during the oral argument of your appeal, the court is required to provide an interpreter at no cost to you. Contact the appellate clerk's office to notify them that you will need an interpreter. If you are deaf or hard of hearing and would like to observe an oral argument in an appellate court, you can contact the appellate clerk's office and they will make the appropriate accommodation for you.





# Section 3

## Court Access to People with Disabilities



IN THE  
SUPREME COURT OF ILLINOIS

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In re: Policy on Access for Persons with  
Disabilities

)  
)  
)

M.R. 25307

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ORDER

Effective January 1, 2024, the Policy on Access for Persons with Disabilities, adopted April 6, 2012, and amended August 12, 2012, and December 12, 2012, is repealed and replaced with the following:

Effective January 1, 2024, the Supreme Court adopts the attached statewide Policy on Access for Persons with Disabilities (Policy) to ensure people with disabilities have full and equal access to participate in court activities and receive accommodations consistent with the requirements of Title II of the Americans with Disabilities Act (ADA) and the Illinois Human Rights Act (IHRA). This Policy applies to all courts in the state at all levels (Circuit, Appellate, and Supreme) and all Illinois courts shall adopt the attached policy and its corresponding exhibits. All Illinois courts shall tailor the corresponding exhibits to include information specific to the Supreme Court, the Appellate District Court, or the Circuit Court, but shall not otherwise alter the exhibits. Each Illinois Court shall have the Policy in place by no later than July 1, 2024.

All Illinois Courts are to report compliance with this order to the Administrative Office of the Illinois Courts (via email at [CDCReport@illinoiscourts.gov](mailto:CDCReport@illinoiscourts.gov)) by no later than August 1, 2024.

Order entered by the Court.

**FILED**  
December 11, 2023  
SUPREME COURT  
CLERK



# **Illinois Supreme Court Policy on Access for People with Disabilities**

**Effective January 1, 2024**

## ILLINOIS SUPREME COURT POLICY ON ACCESS FOR PEOPLE WITH DISABILITIES

### I. Introduction

The Supreme Court of Illinois (Court) is committed to ensuring equal access to all court facilities, hearings and proceedings, activities, services, communications, and programs (collectively referred to as court activities) for people with disabilities and to maintaining an environment in which all people, including those with disabilities, are treated with dignity, respect, and courtesy.

The Americans with Disabilities Act (ADA), a federal civil rights statute for people with disabilities, requires all state and local governmental entities, including the courts, to respond to the needs of people with disabilities to ensure equal access to court activities. *See* 28 C.F.R. 35.

The Illinois Human Rights Act (IHRA) provides that it is a civil rights violation for public officials to deny or refuse to another the full and equal enjoyment of the accommodations, advantage, facilities, or privileges of the official's office or services or of any property under the official's care because of unlawful discrimination. *See* 755 ILCS 5/5-102(C).

The Court has adopted the following policy and procedures to ensure physical access, reasonable accommodations, accessibility aids, and services to persons with disabilities who wish to access and participate in court activities.

For purposes of this policy, **disability** means a physical or mental characteristic that substantially limits one or more major life activities. As defined in the ADA and the IHRA, a person with a disability may:

- have an actual disability or
- have a record of a disability or
- be regarded as having a disability.

*See* 28 C.F.R. 35.108(a); *see also* 775 ILCS 5/1-103(I).

The definition of disability shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA and the IHRA.

### II. Policy

It is the policy of the Court to ensure people with disabilities have full and equal access to participate in court activities and receive accommodations consistent with the requirements of Title II of the ADA and the IHRA. This policy applies to all levels of Illinois state courts, including Circuit Courts, the Appellate Court, and the Supreme Court. Courts will provide, free of charge, physical access, reasonable accommodations, accessibility aids, and services to ensure that people with disabilities have an equal opportunity to participate in and benefit from any court activities. This policy applies to all members of the public who seek to participate in, observe, or interact with court activities, including court users, lawyers, jurors, court observers, and their companions, support workers, care or assistance providers or coordinators, and family members.

### III. Court Disability Coordinators (CDCs), Services, and Accommodations

Illinois state courts facilitate participation in court activities through CDCs and the provision of reasonable accommodations, accessibility aids, and services by engaging stakeholders, service providers, devices, technologies, and physical design elements.

#### A. Court Disability Coordinators

A **CDC** is a person appointed by the court who coordinates efforts to comply with and carry out the court's responsibilities under the ADA, the IHRA, and this policy. See 28 C.F.R. 35.107(a). All courts must appoint **at least one** CDC, who will make available, through public posting, the CDC's name, office address, telephone number, and e-mail address. See 28 C.F.R. 35.107(a). The Chief Judge of each Circuit appoints the CDC(s) for the Chief Judge's circuit. The CDCs for the reviewing courts are the Clerks of the Appellate Court for their respective districts and the Clerk of the Supreme Court. Contact information for the CDCs of each Appellate Court district and the Supreme Court is attached as Exhibit A.

The CDC must:

- receive and process accommodation requests from and on behalf of persons with disabilities, judges, and other court personnel pursuant to the procedures outlined in Section V of this policy in consultation with the Chief Judge of the Circuit, Presiding Appellate Justice, or Chief Justice of the Supreme Court;
- receive and process grievance requests from persons with disabilities pursuant to Section VI of this policy;
- convey accommodation requests for persons with disabilities to the appropriate judge or court personnel;
- convey only necessary information related to accommodation requests for persons with disabilities to the appropriate judge or court personnel and take care to protect that information from distribution to other individuals;
- receive regular training from the Illinois Office of the Attorney General Disability Rights Bureau and the Access to Justice Division of the Administrative Office of Illinois Courts (AOIC); and
- where appropriate, investigate communications to the court alleging noncompliance with the ADA or IHRA, or alleging any court actions that may be prohibited by the ADA, IHRA, or this policy (Note: where the allegation of noncompliance with the ADA, IHRA, or this policy involves the conduct, action, or inaction of the CDC, the AOIC shall investigate and respond to the allegation, which will be sent to [CDCReport@illinoiscourts.gov](mailto:CDCReport@illinoiscourts.gov)).

The CDC may designate appropriate additional personnel to carry out the above duties. Any designee must receive the regular training referred to above.

Whenever a Circuit Court appoints a new CDC pursuant to Section III(A), the Chief Judge (or the Chief Judge's representative) shall report the new CDC's name, office address, telephone number, and e-mail address to the Access to Justice Division of the AOIC within 30 days of the appointment to [CDCReport@illinoiscourts.gov](mailto:CDCReport@illinoiscourts.gov).

#### B. Accommodations, Accessibility Aids, Services, Devices, and Technologies

A **reasonable accommodation** is a modification in policies, practices, or procedures when the modification is necessary to avoid discrimination on the basis of disability and is necessary to

accommodate a person with a disability, unless the public entity is able to demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity or present an undue financial or administrative burden. See 28 C.F.R. 35.130(b)(7)(i). An accommodation is context-specific and should be individualized to meet the accessibility needs of the person with a disability. See 28 C.F.R. 35.160(b)(2). Courts shall administer services, programs, and activities in the most integrated setting appropriate to the need of the person with a disability. See 28 C.F.R. 35.130(b)(7)(d).

A court must take steps necessary to ensure that people with disabilities receive the benefits or services provided by the court. See 28 C.F.R. 35.150. However, a court is not required to take actions that would result in a fundamental alteration in a service, program, or activity or undue financial or administrative burdens. *Id.* Recognizing this, the court shall, free of charge, provide any reasonable accommodation necessary to ensure a person with a disability has access and can fully and equally participate in and benefit from court activities. The decision to deny an accommodation request should be accompanied by a written statement of the reasons for reaching that conclusion.

Courts have a continuing obligation to assess the accommodations, accessibility aids, and services they are providing and consult with the individual with the disability on a continuing basis to assess the efficacy of the accommodations in place and ensure equal participation in, and enjoyment of the benefits of, the court's services, programs, and activities. See 28 C.F.R. 35.160 (2010 Guidance and Section-by-Section Analysis).

Examples of accommodations, accessibility aids, services, devices, and technologies for people with disabilities may include, but are not limited to:

- court documents made available in large-print, Braille, or another accessible format for court users who have visual disabilities;
- access for service animals (dogs and miniature horses) to court facilities;
- adapted proceedings, including extended time for hearings, breaks, and changes to courtroom location (including remote or in-person appearances);
- assistance completing and filing forms and other court documents;
- qualified sign language interpreters;
- assistive listening devices, video phones, and Communication Access Real Time Transcription (CART captioning); and
- permitting companions, support workers, care or assistance providers or coordinators, and family members to accompany, support, and assist people with disabilities.

### C. Physical Access to Court Facilities

While the ADA requires, at minimum, programmatic access, courts also strive to provide full, feasible physical access to court facilities. Court facilities may include:

- routes of entry, entrances, and parking spaces;
- clerks' offices, including public service counters;
- courtrooms and elements (jury box, witness stands, counsel tables, and courtroom detention or holding facilities);
- lawyer conference rooms;
- jury deliberation space;
- restrooms, including access for the individual with the disability and any care provider, attendant, or companion; and



- any common areas, including cafeterias, family spaces, children’s rooms, nursing rooms, remote hearing access rooms, help desks, and resource centers.

#### D. Accessing Courts and Court Activities Remotely

As remote court activities continue to expand, including, but not limited to, remote court appearances, remote access to court documents and docket information, and electronic filing, courts must consider their obligations under the ADA and IHRA to provide programmatic access to these avenues of utilizing court activities. Courts should routinely check that their remotely offered court activities are accessible, including meeting website accessibility standards such as the Website Content Accessibility Guidelines (WCAG) and the Section 508 standards, which the federal government uses for its own websites, providing support to people with disabilities who are accessing remote court programs, or granting exemptions to mandatory remote programs (for example, exempting people with disabilities from mandatory e-filing requirements when their disability prevents them from e-filing).

Moreover, courts should consider how remote court activities may be necessary to accommodate people with disabilities and allow them to access court activities in as integrated a setting as possible. However, courts must not require a person with disabilities to use any such special or alternate offering. The person with disabilities has the right to choose whether to participate in the standard offering or in an alternate option.

#### IV. **Notice That Accommodations Are Available**

The court and the CDC shall provide notice that accommodations are available to ensure that people with disabilities have equal opportunity to participate in court activities by:

- completing the notice attached as Exhibit B with the contact information (name, address, phone number, and e-mail address) for the court’s CDC(s) or a designee;
- posting the notice attached as Exhibit B in an accessible location near public entryways and in all offices that are open to the public; and
- posting the notice attached as Exhibit B in an accessible format on the court’s and clerk’s websites.

#### V. **Request for Accommodations**

The CDC shall provide a request form to people who wish to request services or accommodations for persons with disabilities. The request form, attached as Exhibit C, shall be available in an accessible format (in a fillable, accessible PDF) on the court’s and clerk’s websites and in the court’s and the clerk’s offices. However, the person making the request may submit it in any form, written, verbal, or other, and the court may not require completion of Exhibit C or any other form or format.

Whenever possible, a request for accommodation or services should be made ten (10) business days in advance of the court activity. The court shall make reasonable efforts to honor an accommodation request whenever it is received, *even if it is not ten (10) business days in advance of the court activity*. If the court receives an accommodation request that cannot be fulfilled in advance of the court activity, the court may continue, extend, or reschedule it in order to accommodate the request.

The request shall be as specific as possible and include a description of the accommodation sought and the date the accommodation is needed. If the request does not include enough information, the CDC may ask for additional information, but it must be limited to information necessary to meet the elements of a reasonable

accommodation. The request may be in any form, including written, verbal, or other means (including by email or automated submission process), and *may only require the information necessary to establish that a reasonable accommodation is related to the need of the person with the disability*. Moreover, the request may be explicit or implied; a person with a disability does not need to make a formal request to receive an accommodation (e.g., a person with low vision can ask for and receive help completing a form from a clerk without explicitly requesting an accommodation related to the person's disability).

While the request should be directed to the CDC, any court personnel (i.e., clerks, deputies, judges, staff, etc.) can receive a request and can either grant the request or convey the request in any format to the CDC. If the request is made in writing to court personnel who are not the CDC, the court personnel receiving the request shall mail, e-mail, hand deliver, or otherwise relay the request to the CDC.

The CDC shall respond in both writing and in the format accessible to the person making the accommodation request within at least seven (7) business days from the date the request was received or sooner as the circumstances dictate. Any response to a reasonable accommodation request shall inform the person making the request of the grievance procedure described below.

The CDC shall grant any reasonable accommodation necessary to ensure a person with a disability has access and can fully and equally participate in and benefit from court activities, where the accommodation would not result in a fundamental alteration in the nature of a court activity, or undue financial or administrative burden to the court.

With respect to ensuring effective communication, the CDC will give **primary consideration** to the request of the individual with a disability, meaning that the court will honor the choice of the individual, unless it demonstrates that another equally effective accommodation is available, or that the requested accommodation would result in a fundamental alteration of court activities or undue financial or administrative burdens.

## **VI. Grievance Procedure**

A **grievance** is a complaint alleging any action or inaction that violates this policy, the request for accommodations procedure, the ADA, or the IHRA. People have the right to file a grievance when they believe the court and/or its employees have not complied with the provisions of this policy, the request for accommodations procedure, the ADA, or the IHRA. A grievance may be filed at any time, but to address the issue in a timely fashion, it should be made within fifteen (15) business days after the person filing the complaint becomes aware of the action or inaction. While the grievance is being resolved, the person may request a stay of court proceedings or the court may enter a stay of court proceedings. The grievance procedure is not intended to unreasonably delay the court process.

The grievance may be in any form, including written, verbal, or other means (including by e-mail or automated submission process) and made to the CDC or a designee. If conveyed in writing or electronically, the person may use the grievance form attached as Exhibit D. The grievance shall contain the name and contact information of the person filing the complaint, and briefly describe the alleged violation.

Within ten (10) business days after receipt of a grievance, the CDC or a designee may meet with the person submitting the grievance, either in person, by video, or by telephone, in a format accessible to the person submitting the grievance to discuss the complaint and possible resolutions, if the CDC or designee decides such a meeting would be helpful to a determination. Within ten (10) business days after the meeting, or within twenty (20) business days after receipt of the grievance if there is no meeting, the CDC shall respond in writing, and in

a format accessible to the person submitting the grievance. Any response to a grievance shall inform the person making the grievance of the appeal procedure described below.

Independent of the resolution of the grievance procedure, the person submitting the grievance retains the right to pursue legal action for any alleged violations of the ADA and IHRA, and such rights are not dependent on exhausting the grievance, appeal, or other administrative procedure.

## **VII. Appeal Procedure**

If the response by the CDC does not resolve the issue to the satisfaction of the person submitting the grievance, the person may file an appeal after receiving the CDC's response to the grievance decision to:

- the Chief Judge of the relevant Circuit for decisions arising out of the Circuit Courts,
- the Presiding Justice of the relevant Appellate District for decisions arising out of the Appellate Court, or
- the Chief Justice for decisions arising out of the Supreme Court.

To address the issue in a timely fashion, the appeal should be made within fifteen (15) business days of the date of the CDC's written response. While the appeal is being resolved, the person may request a stay of court proceedings or the court may enter a stay of court proceedings. The appeal procedure is not intended to unreasonably delay the court process.

The appeal may be in any form, including written, verbal, or other means (including by e-mail or automated submission process). If conveyed in writing or electronically, the person may use the appeals form attached as Exhibit E.

Within twenty (20) business days after receipt of the appeal, the applicable Chief Judge, the Presiding Judge of the Appellate District, or the Chief Justice (or their representative) will respond with a final resolution of the grievance procedure in writing and in a format accessible to the person submitting the grievance.

Independent of the resolution of the appeal procedure, the person submitting the appeal retains the right to pursue legal action for any alleged violations of the ADA and IHRA, and such rights are not dependent on exhausting the grievance, appeal, or other administrative procedure.

## CONTACT INFORMATION FOR ILLINOIS COURT DISABILITY COORDINATORS

### Court Disability Coordinator for the Supreme Court

Clerk of the Supreme Court  
200 East Capitol Avenue,  
Springfield, IL 62701  
[ADACoordinator@IllinoisCourts.gov](mailto:ADACoordinator@IllinoisCourts.gov)

### Court Disability Coordinators for the Appellate Courts

Clerk of the Appellate Court, First District,  
160 North LaSalle Street, Room S1400  
Chicago, IL 60601  
[ADA1stDistrict@IllinoisCourts.gov](mailto:ADA1stDistrict@IllinoisCourts.gov)  
Phone: (312) 793-5484

Clerk of the Illinois Appellate Court, Fourth  
District  
201 West Monroe Street  
Springfield, IL 62704  
[ada4thdistrict@IllinoisCourts.gov](mailto:ada4thdistrict@IllinoisCourts.gov)  
Phone: (217) 782-2586

Clerk of the Appellate Court, Second District  
55 Symphony Way  
Elgin, IL 60120  
[ada2nddistrict@IllinoisCourts.gov](mailto:ada2nddistrict@IllinoisCourts.gov)  
Phone: (847) 695-3750  
TDD: (847) 695-0092

Clerk of the Illinois Appellate Court, Fifth  
District  
14th & Main St., P.O. Box 867  
Mt. Vernon, IL 62864  
[ada5thdistrict@IllinoisCourts.gov](mailto:ada5thdistrict@IllinoisCourts.gov)  
Phone: (618) 242-3120

Clerk of the Illinois Appellate Court, Third District  
1004 Columbus Street  
Ottawa, IL 61350  
[ada3rddistrict@IllinoisCourts.gov](mailto:ada3rddistrict@IllinoisCourts.gov)  
Phone: (815) 434-5050

### Court Disability Coordinators for the Circuit Courts

Find contact information for Court Disability Coordinators of the circuit courts at:

<https://www.illinoiscourts.gov/courts-directory>

Illinois Court Help can help finding contact information for the Court Disability Coordinator at  
<https://www.ilcourthelp.gov> or call (833) 411-1121.



## Court Disability Coordinator Contact Info

Name: \_\_\_\_\_



Address: \_\_\_\_\_

\_\_\_\_\_



Phone Number: \_\_\_\_\_

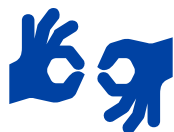


Email: \_\_\_\_\_

### Do you need help accessing court because of a disability?

Illinois courts are committed to removing barriers that prevent the full and meaningful participation of anyone with a disability in the court system.

For help or information, contact the above Court Disability Coordinator.



Help for people with disabilities is available. This may be:

- Qualified sign language interpreters, assistive listening devices, video phone, and CART captions
- Documents made available in large-print or Braille
- Access for service animals (dogs and miniature horses)
- Help completing court documents
- Allowing companions, support workers, care providers, and family members



Requests may be made by any means (for example, in writing or verbally). For faster responses, you are encouraged to make your request to the Court Disability Coordinator.

Request and grievance forms are available through the Court Disability Coordinator and by visiting: \_\_\_\_\_





# AMERICANS WITH DISABILITIES ACT ACCOMMODATION REQUEST FORM FOR ILLINOIS COURTS

Last updated 01/24



## 1. Who are you?

Name of person accommodation is for: \_\_\_\_\_  
*First and Last Name*

Court case number (if known): \_\_\_\_\_

Role at court:

- ☐ Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- ☐ Witness
- ☐ Juror
- ☐ Lawyer
- ☐ Court observer
- ☐ Companion (support worker, care or assistance provider, family member)
- ☐ Other: \_\_\_\_\_

Contact person (if different from above): \_\_\_\_\_  
*First and Last Name*

Address: \_\_\_\_\_  
*Street Address, Apt. #, City, State, Zip Code*

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

Best way to reach you?

- ☐ Phone call
- ☐ Text message
- ☐ Email
- ☐ Other \_\_\_\_\_



## 2. What is your accommodation request?

An **accommodation** helps people with disabilities participate at court. *Use this section to describe the type of help you need at court because of a disability.*

I am requesting (check the box for any accommodations you are requesting. If you select “something else” you must list additional information about the request):

- ☐ Qualified sign language interpreter
- ☐ Communication Access Real Time Transcription (CART captions)/Assistive Listening Device (ALD)

- ☐ Help completing documents
- ☐ Extended time
- ☐ Change to location of court activity
- ☐ Access for my service animal (dog or miniature horse)
- ☐ Court documents in large print/Braille
- ☐ Something else. Describe the accommodation you need or provide additional information about your request here:

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### 3. When & where do you need an accommodation?

Date(s)/time accommodation is needed (if known): \_\_\_\_\_

Will this accommodation be requested:

- ☐ One time
- ☐ Ongoing

Location where accommodation is requested (including courthouse name, address, room (for example, clerk's office, jury room, remote courtroom), and any other information you know:

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### 4. Next steps

You may submit this request to any court personnel. We encourage submissions to the Court Disability Coordinator:

For courts  
to fill out  
before  
distributing.

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
*Courthouse Address, Office #, City, State, Zip Code*

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

#### **OFFICE USE ONLY**

Accommodation: \_\_\_\_\_ ☐ Granted ☐ Denied

Requestor notified on: \_\_\_\_\_ Via: \_\_\_\_\_

Comments:



# AMERICANS WITH DISABILITIES ACT GRIEVANCE FORM FOR ILLINOIS COURTS

Last updated 01/24

You have the right to file a grievance. A **grievance** is a formal complaint that you were not given the accommodations you needed under the Illinois Supreme Court Disability Access Policy (Policy), the Americans with Disabilities Act (ADA), or the Illinois Human Rights Act (IHRA). This grievance may be filed at any time, but the court may move forward with your case if you do not submit your grievance within fifteen (15) business days after you become aware of the alleged violation.



## 1. Who are you?

Name of person with the grievance: \_\_\_\_\_  
*First and Last Name*

Court case number (if known): \_\_\_\_\_

Role at court:

- ☐ Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- ☐ Witness
- ☐ Juror
- ☐ Lawyer
- ☐ Court observer
- ☐ Companion (support worker, care or assistance provider, family member)
- ☐ Other: \_\_\_\_\_

Contact person (if different from above): \_\_\_\_\_  
*First and Last Name*

Address: \_\_\_\_\_  
*Street Address, Apt. #, City, State, Zip Code*

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

Best way to reach you?

- ☐ Phone call
- ☐ Text message
- ☐ Email
- ☐ Other: \_\_\_\_\_



## 2. What happened?

A. I asked for (check the box for any accommodations you requested. If you requested "something else" list additional information about the request):

- ☐ Qualified sign language interpreter
- ☐ Communication Access Real Time Transcription (CART captions)/Assistive Listening Device (ALD)



- ☐ Help completing documents
- ☐ Extended time
- ☐ Change to location of court activity
- ☐ Access for my service animal (dog or miniature horse)
- ☐ Court documents in large print/Braille
- ☐ Something else. Describe the accommodation you requested or additional information you provided: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### 3. When & where were you not given the accommodation you requested?

Date(s) denial of accommodation occurred (if known): \_\_\_\_\_

Location where the denial occurred (including courthouse name, address, room (for example, clerk's office, jury room, remote courtroom), and any other information you know about the denial or failure to respond to the request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### 4. Next steps

Please submit this grievance to the following Court Disability Coordinator:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
*Courthouse Address, Office #, City, State, Zip Code*

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

For courts  
to fill out  
before  
distributing

#### **OFFICE USE ONLY**

Grievance for Accommodation: \_\_\_\_\_

☐ Original denial stands ☐ Hadn't previously decided, will decide now ☐ Accommodation granted

Requestor notified on: \_\_\_\_\_ Via: \_\_\_\_\_

Comments:



# AMERICANS WITH DISABILITIES ACT APPEAL FORM FOR ILLINOIS COURTS

Last updated 01/24

If the response to your grievance does not resolve your issue and you believe the court has violated the Illinois Supreme Court Disability Access Policy (Policy), the Americans with Disabilities Act (ADA), or the Illinois Human Rights Act (IHRA), you can **appeal** the grievance decision. This appeal may be filed at any time, but the court may move forward with your case if you do not submit your appeal within fifteen (15) business days after you receive the grievance decision.



## 1. Who are you?

Name of person appealing: \_\_\_\_\_  
*First and Last Name*

Court case number (if known): \_\_\_\_\_

Role at court:

- ☐ Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- ☐ Witness
- ☐ Juror
- ☐ Lawyer
- ☐ Court observer
- ☐ Companion (support worker, care or assistance provider, family member)
- ☐ Other: \_\_\_\_\_

Contact person (if different from above): \_\_\_\_\_  
*First and Last Name*

Address: \_\_\_\_\_  
*Street Address, Apt. #, City, State, Zip Code*

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

Best way to reach you?

- ☐ Phone call
- ☐ Text message
- ☐ Email
- ☐ Other: \_\_\_\_\_

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Access for People with Disabilities

The Illinois Supreme Court Policy on Access for People with Disabilities (Policy) applies to all Illinois state courts at all levels, including all officers and employees of the state, its agencies, or political subdivisions.

### What statutes also apply?

- The Americans with Disabilities Act (ADA), Title II, 42 U.S.C. 12131 et seq., and corresponding regulations, 28 C.F.R. Part 35.
- Illinois Human Rights Act (IHRA), 775 ILCS 5/1-101 et seq.

### What does the Policy apply to?

All court activities, including facilities, hearings and proceedings, activities, services, communications, and programs provided or made available by the courts (plus court-annexed programs).

### Who is covered by the Policy?

A qualified person with a **disability**, including all members of the public who seek to participate in, observe, or interact with court activities, such as self-represented court users, lawyers, witnesses, jurors, court observers, and their companions, support workers, care or assistance providers or coordinators, and family members.

### A **disability** is a physical or mental characteristic that substantially limits one or more major life activities.

A person with a disability may have an actual disability, have a record of a disability, or be regarded as having a disability.

### Who helps people with disabilities?

All court personnel help and should work with the Court Disability Coordinator to ensure people with disabilities receive equal access to court activities.

### What do Court Disability Coordinators (CDCs) do?

A CDC is the primary point person who processes **reasonable\* accommodation requests**, receives annual training from the Attorney General and the Administrative Office of Illinois Courts, and investigates reports of noncompliance with the ADA, the IHRA, and Policy.

### What is communication access?

Courts must ensure effective communication with people covered by the Policy, including providing American Sign Language or Certified Deaf Interpreters, assistive listening devices, captions, written notes or materials, videophones, Braille materials, screen readers, etc.

### What is physical access?

For unaltered buildings built before 1/26/1992, the court may choose to make the court activity accessible in another manner without making the court facility physically accessible. Newer buildings have more obligations to ensure physical accessibility.

### Who pays for the cost, if any?

The court.  
See 28 C.F.R. 35.130(f), 735 ILCS 5/8-1402, 725 ILCS 140/3.

\*As defined under the ADA, not a reasonable person standard (see **What to consider before denying a RA request?**).

### What is a *reasonable\* accommodation* (RA)?

A modification in policies, practices, or procedures that is necessary to enable a person with disabilities to participate in, observe, or interact with court activities.

A RA can be made in **any form**, does not have to use the words “reasonable accommodation,” and may even be implied if the need for an accommodation is obvious.

For convenience, a **written form** is available at: [ilcourts.info/RArequest](http://ilcourts.info/RArequest)

### Frequently granted RAs:

- Extended breaks or briefing schedules
- Changing court dates
- Changing location of a court hearing
- Providing written transcripts

### What to consider before denying a RA request?

Consult with the CDC and Chief Judge, and if necessary, deny the request in writing with the reason(s) for the denial and the right to request a grievance.

A RA request should only be denied if it (a) fundamentally alters the nature of the court activity, (b) presents an undue financial or administrative burden (in light of the court’s overall budget), or (c) poses a direct threat to the health and safety of others that cannot be mitigated.

### What other avenues are available to the person with the disability?

*Internal avenues:* Grievance and grievance appeal (see Policy)

*External avenues:* IL Dept. of Human Rights charge or suit in federal or state court

\*As defined under the ADA, not a reasonable person standard (see **What to consider before denying a RA request**).

### How to analyze a RA request:

When reviewing a request, consider:

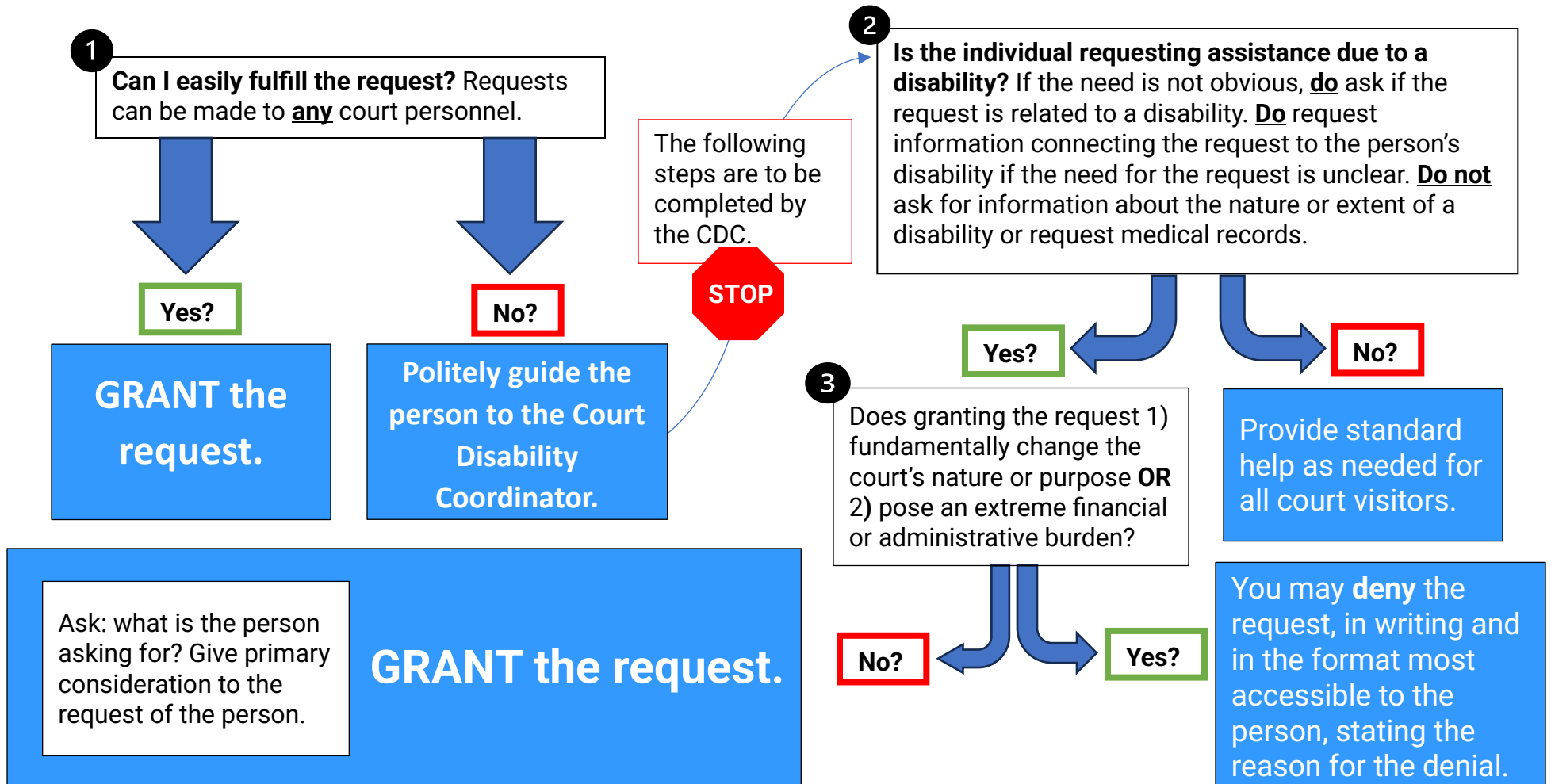
1. Is it reasonable\*?
2. Is it necessary?
3. Can the court deny the request (see **What to consider before denying a RA request?**)?
4. If the requested accommodation cannot be granted, engage in an interactive process to find an equally effective alternative.

### Do’s and Do Not’s of RA requests:

- ✓ **Do** consider the context and the individualized needs of the person with the disability.
- ✓ **Do** give “primary consideration” to the preferences of the person with the disability and grant the RA that was requested when possible.
- ✓ **Do** continue to assess and confirm that the RA is continuing to allow equal participation.
- ✗ **Do not** ask for information about the nature or extent of a disability or request a doctor’s note or medical records. If the need for the RA is unclear, you may request information about the functional limitations of a person’s disability.
- ✗ **Do not** share information related to a RA or a person’s disability in open court or with any unnecessary individuals, and do not put this information into publicly available court orders or documents.
- ✗ **Do not** require the requestor to file a motion unless the RA request may be prejudicial or impact the merits of the case. If necessary, the motion should not be publicly available.

## Reasonable Accommodations: Everyone Has a Role

Courts serve all members of our community, including people with disabilities, and everyone in the court system has a responsibility to ensure accessibility. By learning how to approach reasonable accommodation requests (“RA requests”), you provide equal access and excellent service for anyone coming to court, even if the RA request takes additional time and effort. Use this document when considering a RA request.





# Section 4

## E-filing





## **Rule 9. Electronic Filing of Documents**

**(a) Electronic Filing Required.** Unless exempt as provided in paragraph (c), all documents in civil cases shall be electronically filed with the clerk of court using an electronic filing system approved by the Supreme Court of Illinois.

**(b) Personal Identity Information.** If filing a document that contains Social Security numbers as provided in Rule 15 or personal identity information as defined in Rules 138 or 364, the filer shall adhere to the procedures outlined in Rules 15, 138, and 364.

**(c) Exemptions.** The following types of documents in civil cases are exempt from electronic filing:

(1) Documents filed by a self-represented litigant incarcerated in a local jail or correctional facility at the time of the filing;

(2) Wills;

(3) Documents filed under the Juvenile Court Act of 1987; and

(4) Documents filed by any person, including an attorney or a self-represented litigant, with a disability, as defined by the Americans with Disabilities Act of 1990, whose disability prevents e-filing; and

(5) Documents in a specific case upon good cause shown by certification.

(A) Good cause exists where a self-represented litigant is not able to e-file documents for the following reasons:

(i) no computer or Internet access in the home and travel represents a hardship;

(ii) a language barrier or low literacy (difficulty reading, writing, or speaking in English); or

(iii) a self-represented litigant tries to e-file documents but is unable to complete the process and the necessary equipment and technical support for e-filing assistance is not available to the self-represented litigant.

(B) Good cause also exists where any person, including an attorney or self-represented litigant, is filing a pleading of a sensitive nature, such as a petition for an order of protection or a civil no-contact/stalking order.

A Certification for Exemption From E-filing, which includes a certification under section 1-109 of the Code of Civil Procedure, and any accompanying documents shall be filed with the court—in person, by e-mail or by mail, or by third-party commercial carrier. The court shall provide, and parties shall be required to use, a standardized form expressly titled “Certification for Exemption From E-filing” adopted by the Illinois Supreme Court Commission on Access to Justice. Judges retain discretion to determine whether good cause is shown. If the court determines that good cause is not shown, the court shall enter an order to that effect stating the specific reasons for the determination and ordering the litigant to e-file thereafter.

Judges retain discretion to determine whether, under particular circumstances, good cause exists without the filing of a certificate, and the court shall enter an order to that effect.



**(d) Timely Filing.** Unless a statute, rule, or court order requires that a document be filed by a certain time of day, a document is considered timely if submitted before midnight (in the court's time zone) on or before the date on which the document is due. A document submitted on a day when the clerk's office is not open for business will, unless rejected, be file stamped as filed on the next day the clerk's office is open for business. The filed document shall be endorsed with the clerk's electronic file mark setting forth, at a minimum, the identification of the court, the clerk, the date, and the time of filing.

(1) If a document is untimely due to any court-approved electronic filing system technical failure, the filing party may seek appropriate relief from the court, upon good cause shown.

(2) If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, upon good cause shown.

**(e) Filer Responsible for Electronic Submissions.** The filer is responsible for the accuracy of data entered in an approved electronic filing system and the accuracy of the content of any document submitted for electronic filing. The court and the clerk of court are not required to ensure the accuracy of such data and content.

**(f) Rejections.** Documents filed electronically may be rejected by the clerk as authorized by the Electronic Filing Rejection Standards for [circuit courts](#) and [courts of review](#), as published on the [illinoiscourts.gov](http://illinoiscourts.gov) website.

**(g) Effective Date.** This rule is effective July 1, 2017, for proceedings in the Supreme Court and the Appellate Court. For proceedings in the circuit court, this rule is effective January 1, 2018.

Adopted June 22, 2017, eff. July 1, 2017; amended Dec. 13, 2017, eff. immediately; amended Dec. 12, 2018, eff. immediately; amended Dec. 19, 2019, eff. Jan. 1, 2020; amended August 14, 2020, eff. immediately; amended Feb. 4, 2022, eff. immediately; amended Jan. 31, 2024, eff. Feb. 1, 2024; amended June 12, 2024, eff. Sept. 1, 2024.

### **Committee Comments**

(December 13, 2017)

(Revised February 4, 2022)

a. The implementation of electronic filing in Illinois courts should not impede a person's access to justice. If courts are unable to meet their obligation due to an emergency situation under M.R. 18368 to provide "designated space, necessary equipment, and technical support for self-represented litigants seeking to e-file documents during regular court hours," that party is exempted from e-filing under Rule 9(c)(5) and permitted to file in person or by mail. An exempted party may also file through other means, such as e-mail, as permitted by the local court.

b. Where a party has filed a Certification for Exemption From E-filing or the court has granted a good-cause exemption *sua sponte*, that party may file documents in person or by mail. That party may also file through other means, such as e-mail, as permitted by the local court. Each court should consider establishing a process allowing exempt self-represented litigants to file documents remotely by e-mail to reduce the number of self-represented litigants traveling to the courthouse

for the sole purpose of filing documents.

c. Although a document meets the criteria for an exemption (for example, for good cause shown), any document may be electronically filed if that is the filer's preferred method of filing the court documents.



# ILLINOIS JUDICIAL BRANCH

## Bench Card: E-filing and Judicial Discretion



### What is my role with E-filing?

Although e-filing is a delivery system between court patrons and the circuit clerk's office, judges are integral to the success of the system. Several rules and orders reference mandatory e-filing or working with self-represented litigants (SRLs). This bench card compiles those provisions to offer guidance to the judiciary.

### E-filing Exemptions

Supreme Court Rule 9 lays out the mandatory nature of e-filing while also setting out e-filing exemptions. The Supreme Court lays out **automatic exemptions for e-filing in SCR 9(c) for: 1) currently incarcerated SRLs, 2) wills, 3) documents filed under Juvenile Court Act, and 4) any person with a disability that prevents e-filing.** The Court also defined a good cause exemption to e-filing in SCR 9(c)(5), which is intended to protect the needs of the most vulnerable SRLs by allowing them to file a **certification form exempting those who 1) do not have a computer or internet in their home, 2) have difficulty reading or writing in English, 3) are filing in a sensitive case or 4) if they tried to e-file but were unable to complete the process and the equipment or assistance is not available.** Additionally, the rule provides for judicial discretion regarding the exemption from e-filing:

#### Illinois Supreme Court Rule 9(c)(5) (relevant portions)

- Judges retain discretion to determine whether good cause is shown. If the court determines that good cause is not shown, the court shall enter an order to that effect stating specific reasons for the determination and ordering the litigant to e-file thereafter.
- Judges retain discretion to determine whether, under particular circumstances, good cause exists without the filing of a certificate and the court shall enter an order to that effect.

Circumstances where a judge may grant a good cause exemption include:

- An "attorney of the day" in a pro bono program who is representing tenants on short notice in court (e-filed documents, including appearances, may take 2-3 days to be processed and accepted by the Clerk's office)
- SRLs who do not know how to use a computer

- An emergency motion that must be heard immediately without delay (see more below)

#### M.R. 18368 (January 22, 2016)

The Supreme Court Administrative Order establishing mandatory e-filing provides:

7. Attorneys and self-represented litigants may not file documents through any alternative filing method, **except in the event of emergency.** Courts may not accept, file or docket any document filed by an attorney or self-represented litigant in a civil case that is not filed in compliance with this Order, **except in the event of an emergency.** (emphasis added)

Although there is not additional guidance on this issue, it would be essential for judges to ensure their courts are exempting e-filing for emergencies.

### E-filing Timing

The Supreme Court Rule also grants judges discretion to, upon good cause, grant relief where a document is untimely filed under certain circumstances.

#### Illinois Supreme Court Rule 9(d)

1. If a document is untimely due to any court approved electronic filing system technical failure, the filing party may seek appropriate relief from the court, upon good cause shown.
2. If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, upon good cause shown.

Technical and unintended human errors may cause delays and missed deadlines. The system is still undergoing improvements. Judges may use their discretion when appropriate to provide relief where good cause exists. Note, the timing of this general discretion may be limited by more specific jurisdictional deadlines as discussed in dicta by the Second District in *Peraino v. County of Winnebago*, 2018 IL App (2d) 170368. However, there is no timing requirement for the filing a motion for relief under Rule 9(d)(2), what matters is the filing of the pleading. *Davis v. Maywood*, 2020 IL App (1st) 191011.

**For additional information, please contact:**

AOIC, Access to Justice Division  
[AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov)



# CERTIFICATION FOR EXEMPTION FROM E-FILING

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: \_\_\_\_\_

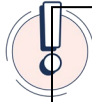
*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

PLAINTIFF/PETITIONER OR IN RE: \_\_\_\_\_  
*Who started the case. First, Middle, and Last Name, or Business Name*

DEFENDANTS/RESPONDENTS: \_\_\_\_\_  
*Who the case was filed against.*  
\_\_\_\_\_  
\_\_\_\_\_  
*First, Middle, and Last Name, or Business Name*

Case Number \_\_\_\_\_



You are automatically exempt from e-filing and you do not need to file this *Certification* if:

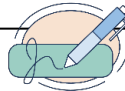
- you are in jail or prison;
- you are filing a will;
- you are filing into a juvenile case; or
- your disability prevents you from e-filing.

## 1. I am not able to e-file documents in this case because:

*Check why you are asking to file by mail, in person, or another way.*

- ☐ I do not have a lawyer and at least one of the following statements is true:
- I do not have the Internet or computer access in the home and travel presents a hardship (financial or otherwise);
  - I have trouble reading, writing, or speaking in English, or
  - I tried to e-file my forms, but was not able to complete the process because the equipment or help I need was not available.
- ☐ I am filing a document in a sensitive case, such as a petition for an order of protection or a civil no contact/stalking order.

## 2. For the reason above, I am entitled to a good cause exemption from e-filing under [Illinois Supreme Court Rule 9\(c\)\(5\)](#).



### SIGN

I certify under [735 ILCS 5/1-109](#) that:

- 1) everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and
- 2) I understand that making a false statement on this form is perjury and has penalties provided by law.

*If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.*

Your Signature /s/ \_\_\_\_\_ Print Your Name \_\_\_\_\_

Your Phone Number \_\_\_\_\_ Attorney Number (if any) \_\_\_\_\_

Your Email (if you have one) \_\_\_\_\_

Your Address \_\_\_\_\_  
*Street, Apt. # City State Zip Code*

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.

*This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. Forms are free at [ilcourts.info/forms](http://ilcourts.info/forms).*

# How to set-up a self-help computer station

This checklist provides a framework for establishing computer stations for self-represented litigants (SRLs) to use in the courthouse. Because computer stations can be used for different purposes (for example: accessing online resources like interviews to fill out statewide court forms and legal information, e-filing, appearing for a remote court proceeding), this guide provides models for stations that can be for all uses and stations for certain purposes.

Before setting up a station, think critically about your user—what they most often need and ask for—as well as ways to share resources and information from local partners like social service agencies, legal aid, bar associations, public libraries, etc. Further, if your courthouse prohibits cell phones, assess how this impacts and limits the meaningful use of these stations and consider amending your policy to allow cell phones in accordance with the [Illinois Supreme Court's Policy on Portable Electronic Devices](#).

Please send any questions to [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).

## 1. Computer Station to Serve All Purposes:

Location	
<input type="checkbox"/>	Since this station will be multi-functional, locate it in a space that is highly visible, convenient, and accessible
<input type="checkbox"/>	Consider locating the station close to the clerk's office and/or other resources such as Illinois JusticeCorps fellows, self-represented litigant coordinators, and law librarians
<input type="checkbox"/>	If possible, offer a desk where people can sit so that they are comfortable and not moving around and make sure it is accessible for users with disabilities; if space permits, provide enough space for several participants to appear remotely at the same time and/or for people to fill out forms, take notes, etc.
<input type="checkbox"/>	Install prominent signage to advertise the availability of the computer station
Technology	
<input type="checkbox"/>	Computer (laptop or desktop)
<input type="checkbox"/>	Web cam
<input type="checkbox"/>	Headphones (see example of disposable headphones on page 5) with clear labels instructing users on where to plug in headphones or audio input and output source
<input type="checkbox"/>	Stable internet (either wired or connected to strong, reliable Wi-Fi)
<input type="checkbox"/>	Printer
<input type="checkbox"/>	Scanner with clear information on how to use (see examples of labeling/instructions on page 9) that can scan multiple pages of a document into one PDF file
Software and Website Bookmarks or Desktop Shortcuts Saved on the Computer	
For remote court	
<input type="checkbox"/>	Zoom application already downloaded
<input type="checkbox"/>	<a href="#">Remote Court Resources</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources on attending court remotely
For e-filing	
<input type="checkbox"/>	Adobe Acrobat or other PDF reading and editing software
<input type="checkbox"/>	Restore on reboot software that wipes personal info from computer after session
<input type="checkbox"/>	<a href="#">Odyssey eFileLL</a>
<input type="checkbox"/>	<a href="#">E-Filing for Illinois Courts</a>

<input type="checkbox"/>	<a href="#">Electronic Service Provider Comparison Chart</a>
<input type="checkbox"/>	<a href="#">Manuals on How to Successfully e-file in Odyssey eFileIL (including in Spanish) and videos</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources on e-filing
For accessing resources	
<input type="checkbox"/>	<a href="#">Approved Statewide Forms</a>
<input type="checkbox"/>	<a href="#">Illinois Legal Aid Online</a>
<input type="checkbox"/>	<a href="#">Illinois Court Help</a>
<input type="checkbox"/>	Local website for: <ul style="list-style-type: none"> <li>• Clerk's office</li> <li>• Sheriff's office</li> <li>• State's Attorney's office</li> <li>• Legal Aid (e.g., Land of Lincoln, Prairie State Legal Aid)</li> </ul>
<input type="checkbox"/>	<a href="#">Illinois Child Support Estimator</a>
<input type="checkbox"/>	<a href="#">Illinois Free Legal Answers</a>
<input type="checkbox"/>	<a href="#">Illinois State Bar Association (ISBA) Lawyer Finder and Referral Service</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources that apply, for example: <ul style="list-style-type: none"> <li>• Local court's online dispute resolution (ODR) site</li> <li>• Any online fee payment site</li> <li>• Site where litigants can sign up for text message or email reminders</li> <li>• Other court-specific or local web-based information or resources such as local domestic violence advocacy assistance, ways to access rental assistance, food pantries, etc.</li> </ul>

#### Printed Materials

For remote court	
<input type="checkbox"/>	<a href="#">Instructions on how to Zoom from a smart phone or computer</a> (available in multiple languages)
<input type="checkbox"/>	<a href="#">Attending Court by Phone or Video: Question and Tips for Court Users</a> (available in multiple languages)
<input type="checkbox"/>	Any court specific instructions on how to find Zoom meeting info, including meeting ID and password, meeting link, or the dial in number in case of tech issues
<input type="checkbox"/>	Simple instructions on how to mute and unmute, where to plug in headphones, how to get help if there are tech issues, etc.
For e-filing	
<input type="checkbox"/>	<a href="#">Electronic Service Provider Comparison Chart</a>
<input type="checkbox"/>	<a href="#">Manuals on How to Successfully e-file in Odyssey eFileIL (including in Spanish) and videos</a>
<input type="checkbox"/>	Tyler support's contact information for certain technical difficulties, like logging in or finding a case (1-800-297-5377)
<input type="checkbox"/>	<a href="#">Certification for Exemption from E-Filing Forms</a>
<input type="checkbox"/>	Simple instructions on how to use the printer, scanner, and how to get help with using this equipment
<input type="checkbox"/>	Any court-specific information or resources on e-filing
For accessing resources	
<input type="checkbox"/>	<a href="#">Statewide Request for Interpreter Form</a>
<input type="checkbox"/>	Court disability coordinator contact information and reasonable accommodation request form (if available)
<input type="checkbox"/>	Clearly labeled commonly used and/or requested statewide forms such as divorce, fee waiver, small claims, etc.
<input type="checkbox"/>	Any court-specific or local information or resources such as local domestic violence advocacy assistance, ways to access rental assistance, etc.
<input type="checkbox"/>	Illinois Court Help sign and business cards



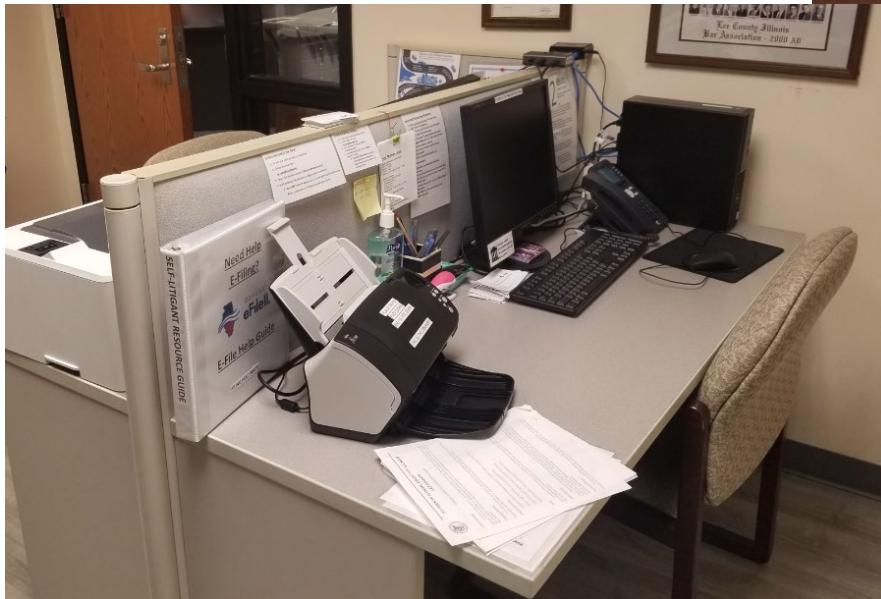
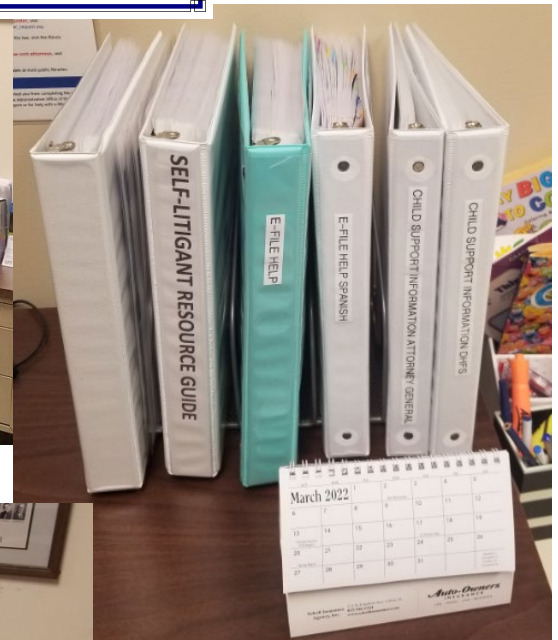
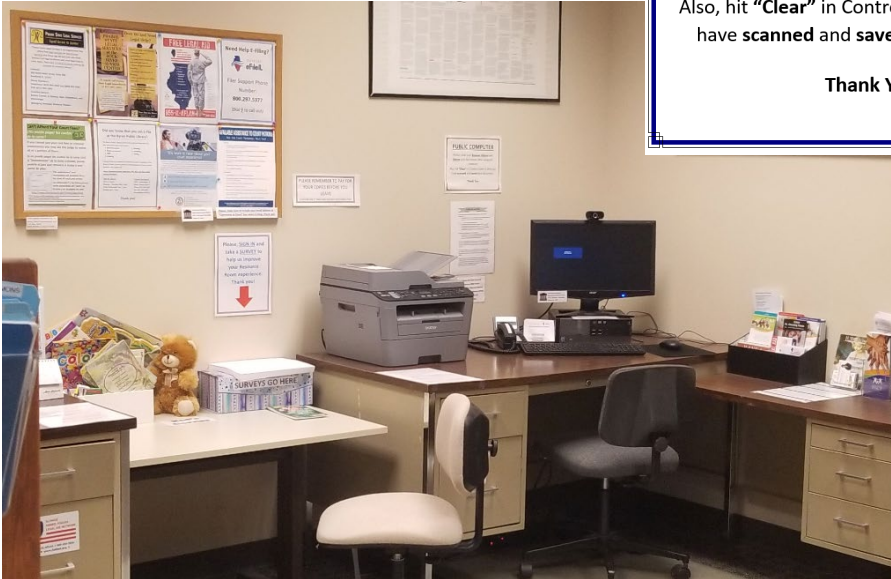
Example of a computer station to serve all purposes:

## **PUBLIC COMPUTER**

Please, clear your **Browser History** and **Delete** your documents after using this computer.

Also, hit “Clear” in Control Center 4 after you have **scanned** and **saved** your document.

**Thank You**

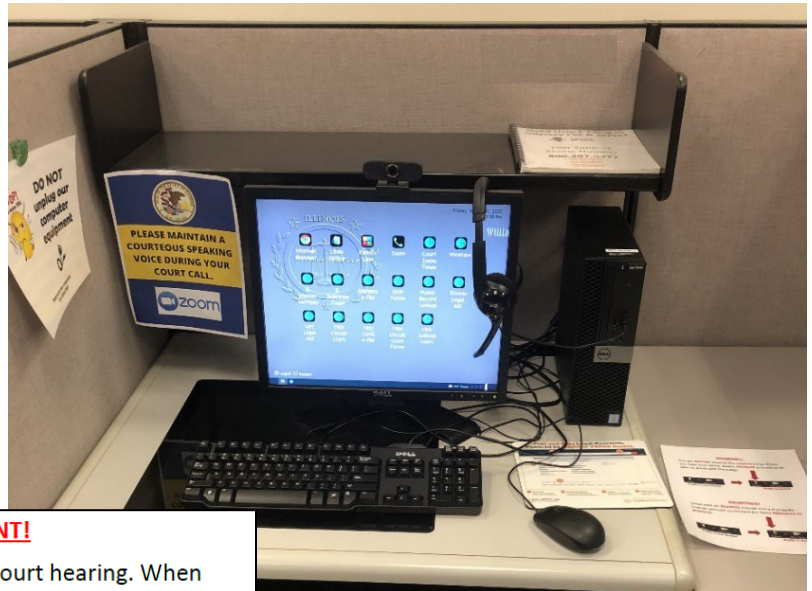


## 2. Computer Station for Remote Appearances:

Location	
<input type="checkbox"/>	Choose a space that is convenient and accessible but affords some privacy and is away from background noise since that can be picked up during a remote appearance
<input type="checkbox"/>	Consider repurposing cubicle walls for privacy and background noise cancellation
<input type="checkbox"/>	If possible, use a desk where people can sit so that they are comfortable and not moving around and make sure it is accessible for users with disabilities; if space permits, provide enough space for several participants to appear remotely at the same time
<input type="checkbox"/>	Install prominent signage to advertise the availability of the computer station
Technology	
<input type="checkbox"/>	Computer (laptop or desktop)
<input type="checkbox"/>	Web cam
<input type="checkbox"/>	Headphones (see disposable headphones in examples) with clear labels instructing users on where to plug in headphones or audio input and output source
<input type="checkbox"/>	Stable internet (either wired or connected to strong, reliable Wi-Fi)
Software and Website Bookmarks or Desktop Shortcuts Saved on the Computer	
<input type="checkbox"/>	Zoom application already downloaded and ready for use
<input type="checkbox"/>	<a href="#">Remote Court Resources</a>
<input type="checkbox"/>	<a href="#">Illinois Court Help</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources on attending court remotely
Printed Materials	
<input type="checkbox"/>	<a href="#">Instructions on how to Zoom from a smart phone or computer</a> (available in multiple languages)
<input type="checkbox"/>	<a href="#">Attending Court by Phone or Video: Question and Tips for Court Users</a> (available in multiple languages)
<input type="checkbox"/>	Any court specific instructions on how to find Zoom meeting info, including meeting ID and password, meeting link, or the dial in number in case of tech issues
<input type="checkbox"/>	Simple instructions on how to mute and unmute, where to plug in headphones, how to get help if there are tech issues, etc.
<input type="checkbox"/>	Illinois Court Help sign and business cards

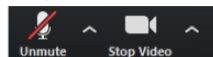
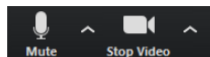


## Examples of Computer Stations for Remote Appearances:



### IMPORTANT!

You are **MUTED** when in the court hearing. When you hear your name, please **UNMUTE** yourself to be able to speak with the Judge.



### IMPORTANTE!

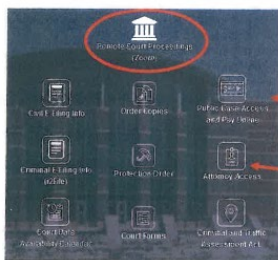
Usted está en **SILENCIO** cuando entra al juzgado.  
por favor **REMUEVA EL**



## Remote Court Proceedings

Unless you have been ordered by a judge to appear in person today at either 11am or 1:30pm, your case is scheduled for a Remote Court Proceeding via Zoom only. You can attend the Zoom proceeding from a phone, smart phone, or computer at home, or a computer in the Law Library on the 2<sup>nd</sup> floor.

Zoom Meeting information at [www.18thjudicial.org](http://www.18thjudicial.org)



Call the Circuit Clerk's Office for a copy of your signed order.

Attorneys download signed orders free for seven (7) days.

Enter your courtroom and date, or your case number, and press Search Schedule.

Remote Court Session Schedule

Search Court Room:  Search Date:

Find a Case:  Search Schedule:

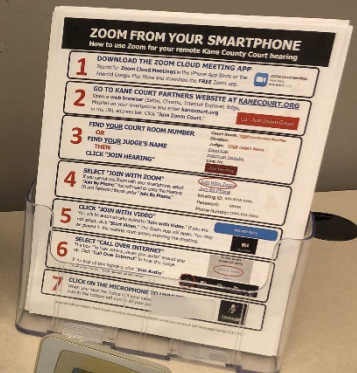
You may join by phone only using this information.

July 22, 2020  
Location: 2005  
Meeting ID: 9483127222  
Passcode: 25733  
Phone Only: +1 312 266 7791 US  
+1 312 718 9932 US

These meetings change every day!

Click Join Now

Always check this website for the most current meeting details.



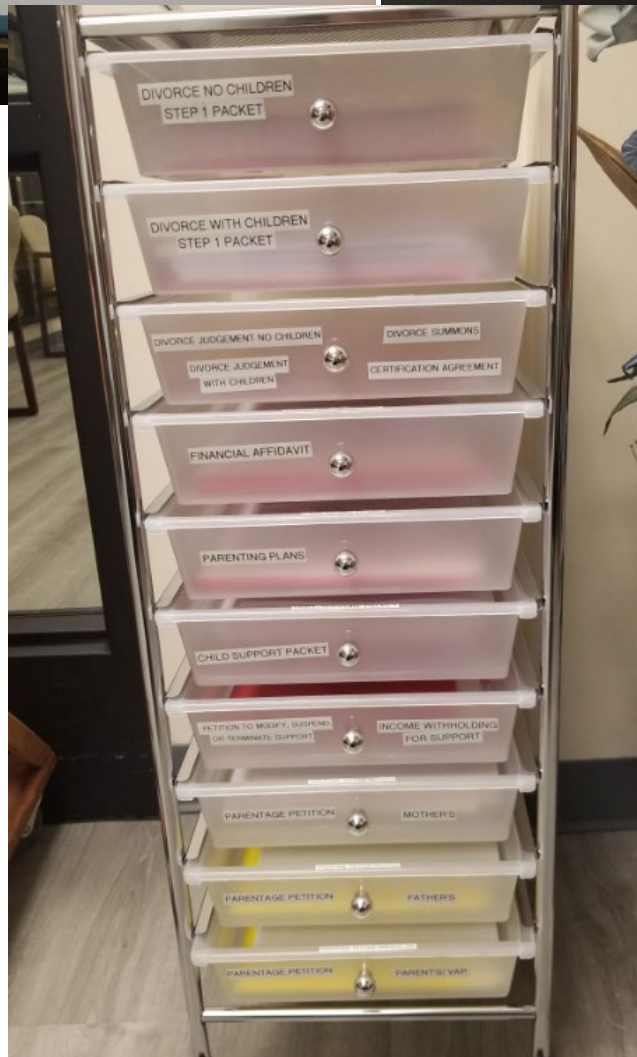
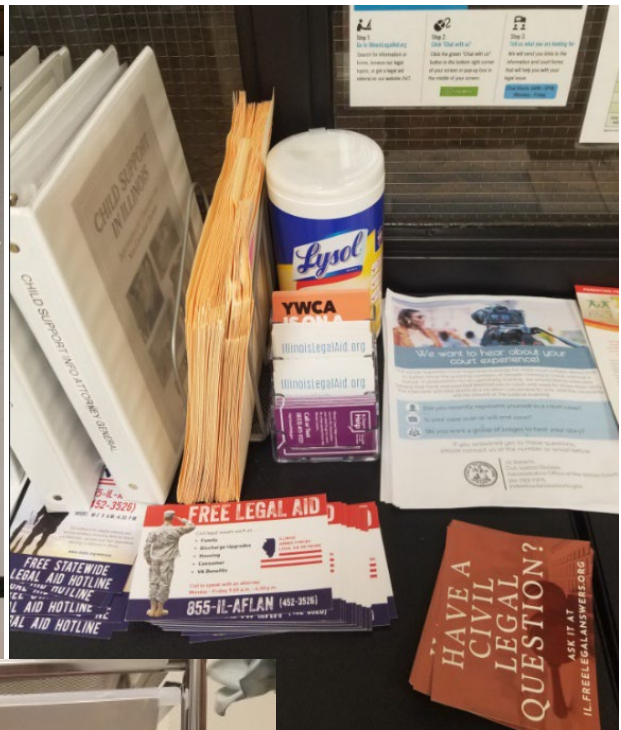
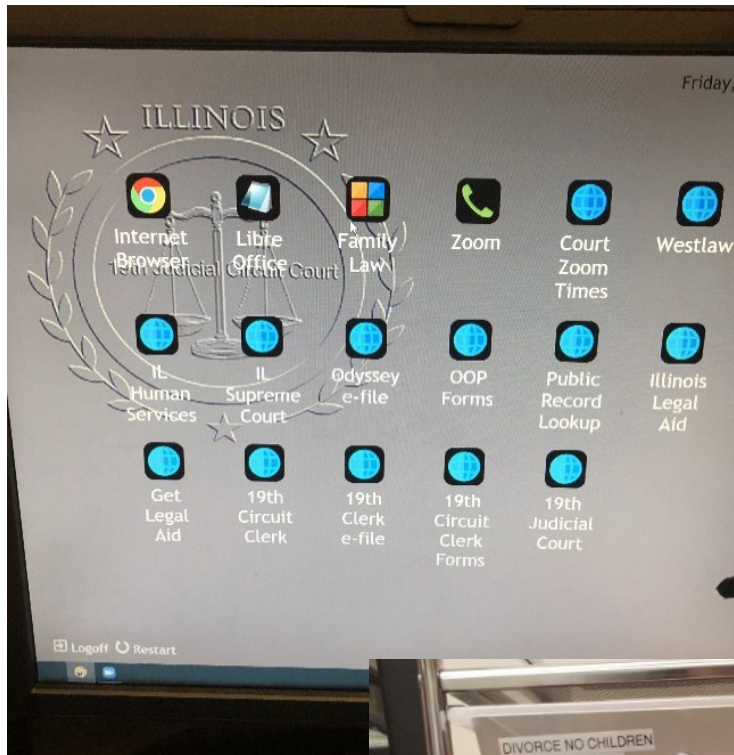
Disposable earbuds

### 3. Computer Station for Accessing Resources:

Location	
<input type="checkbox"/>	Choose a space that is convenient and very accessible, including for people with disabilities
<input type="checkbox"/>	Consider locating the station close to the clerk's office and/or other resources such as Illinois JusticeCorps fellows, self-represented litigant coordinators, and law librarians
<input type="checkbox"/>	If possible, offer additional desk space for people to fill out form, take notes, etc.
<input type="checkbox"/>	Install prominent signage to advertise the availability of the computer station
Technology	
<input type="checkbox"/>	Computer (laptop or desktop)
<input type="checkbox"/>	Stable internet (either wired or connected to strong, reliable Wi-Fi)
<input type="checkbox"/>	Printer
Software and Website Bookmarks or Desktop Shortcuts Saved on the Computer	
<input type="checkbox"/>	Adobe Acrobat or other PDF reading and editing software
<input type="checkbox"/>	Restore on reboot software that wipes personal info from computer after session
<input type="checkbox"/>	<a href="#">Approved Statewide Forms</a>
<input type="checkbox"/>	<a href="#">Illinois Legal Aid Online</a>
<input type="checkbox"/>	<a href="#">Illinois Court Help</a>
<input type="checkbox"/>	Local website for: <ul style="list-style-type: none"> <li>• Clerk's office</li> <li>• Sheriff's office</li> <li>• State's Attorney's office</li> <li>• Legal Aid (e.g., Land of Lincoln, Prairie State Legal Aid)</li> </ul>
<input type="checkbox"/>	<a href="#">Illinois Child Support Estimator</a>
<input type="checkbox"/>	<a href="#">Illinois Free Legal Answers</a>
<input type="checkbox"/>	<a href="#">Illinois State Bar Association (ISBA) Lawyer Finder and Referral Service</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources that apply, for example: <ul style="list-style-type: none"> <li>• Local court's online dispute resolution (ODR) site</li> <li>• Any online fee payment site</li> <li>• Site where litigants can sign up for text message or email reminders</li> <li>• Other court-specific or local web-based information or resources such as local domestic violence advocacy assistance, ways to access rental assistance, food pantries, etc.</li> </ul>
Printed Materials	
<input type="checkbox"/>	<a href="#">Statewide Request for Interpreter Form</a>
<input type="checkbox"/>	Court disability coordinator contact information and reasonable accommodation request form (if available)
<input type="checkbox"/>	Clearly labeled commonly used and/or requested statewide forms such as divorce, fee waiver, small claims, etc.
<input type="checkbox"/>	Any court-specific or local information or resources such as local domestic violence advocacy assistance, ways to access rental assistance, etc.
<input type="checkbox"/>	Illinois Court Help sign and business cards



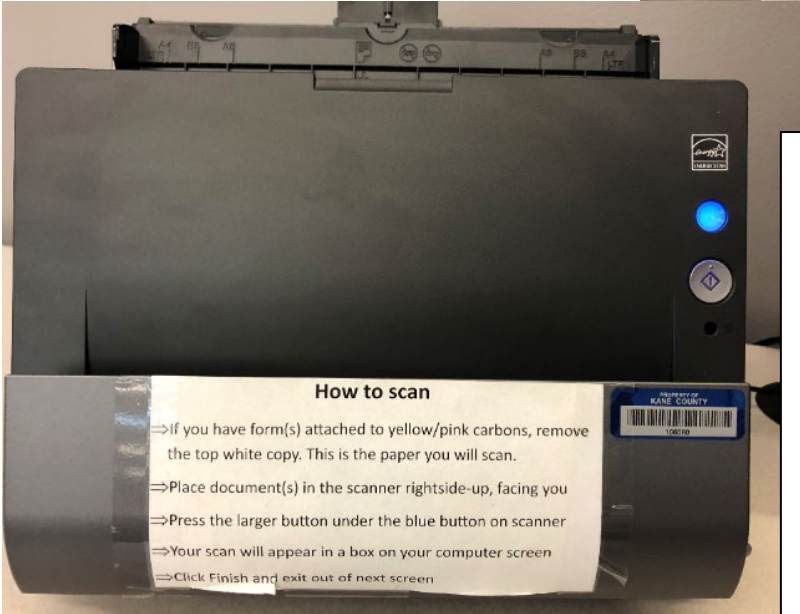
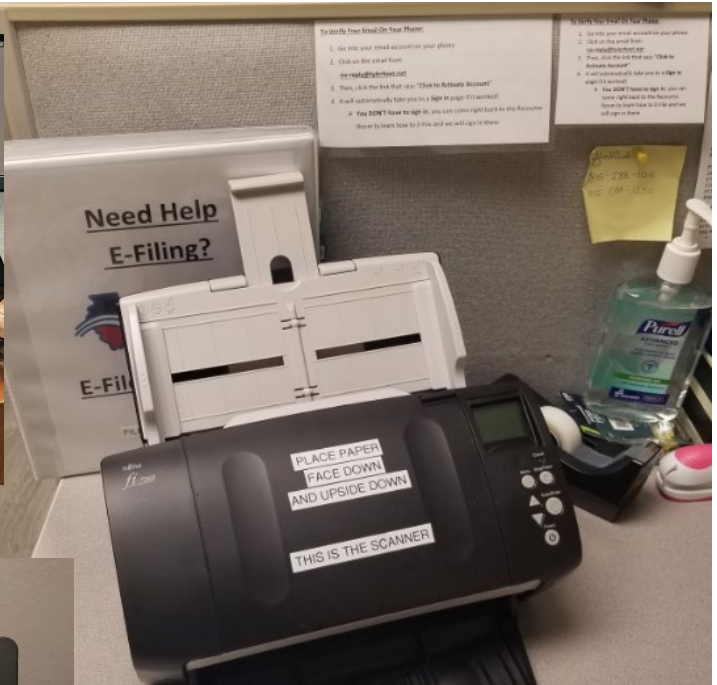
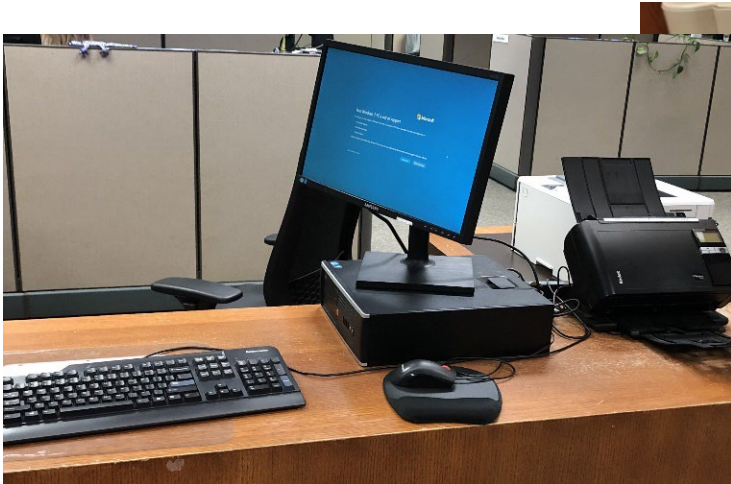
## Examples of Computer Stations for Accessing Resources:



## 4. Computer Station for E-Filing:

Location	
<input type="checkbox"/>	Choose a space that is close to the clerk's office and/or other resources such as Illinois JusticeCorps fellows, self-represented litigant coordinators, and law librarians
<input type="checkbox"/>	Install prominent signage to advertise the availability of the computer station
Technology	
<input type="checkbox"/>	Computer (laptop or desktop)
<input type="checkbox"/>	Stable internet (either wired or connected to strong, reliable Wi-Fi)
<input type="checkbox"/>	Printer
<input type="checkbox"/>	Scanner with clear information on how to use (see below examples of labeling/instructions) that can scan multiple pages of a document into one PDF file
Software and Website Bookmarks or Desktop Shortcuts Saved on the Computer	
<input type="checkbox"/>	Adobe Acrobat or other PDF reading and editing software
<input type="checkbox"/>	Restore on reboot software that wipes personal info from computer after session
<input type="checkbox"/>	<a href="#">Odyssey eFileIL</a>
<input type="checkbox"/>	<a href="#">E-Filing for Illinois Courts</a>
<input type="checkbox"/>	<a href="#">Electronic Service Provider Comparison Chart</a>
<input type="checkbox"/>	<a href="#">Manuals on How to Successfully e-file in Odyssey eFileIL (including in Spanish) and videos</a>
<input type="checkbox"/>	<a href="#">Illinois Court Help</a>
<input type="checkbox"/>	Any other court-specific web-based information or resources on e-filing
Printed Materials	
<input type="checkbox"/>	<a href="#">Electronic Service Provider Comparison Chart</a>
<input type="checkbox"/>	<a href="#">Manuals on How to Successfully e-file in Odyssey eFileIL (including in Spanish) and videos</a>
<input type="checkbox"/>	Tyler support's contact information for certain technical difficulties, like logging in or finding a case (1-800-297-5377)
<input type="checkbox"/>	<a href="#">Certification for Exemption from E-Filing Forms</a>
<input type="checkbox"/>	Simple instructions on how to use the printer, scanner, and how to get help with using this equipment
<input type="checkbox"/>	Any court-specific information or resources on e-filing
<input type="checkbox"/>	Illinois Court Help sign and business cards

## Examples of Computer Stations for E-Filing:



### How to Scan a Document: Brother Scanner

**\*This scanner has a touch screen\***

1. Turn on the scanner by clicking the Power Button on the machine.
2. Click "To PC" Icon
3. Click "To File" Icon
4. Load your documents face down and upside down
  - Can do multiple documents and front and back
5. Click "Start"
6. Click "Ok" on computer
7. Your document is now saved in the Scan folder

**Tips:** Open your scans to **preview** before you upload to double check for mistakes.

Make sure you **double check** that you have uploaded the correct documents when you are E-filing by checking in the **Summary**.

Please **delete** your scans after you have completed your E-Filing for your privacy. Thank you.

Computer stations should be routinely monitored and maintained to ensure the most up to date information is provided and all the technology-based tools are functioning properly. For instance, the Zoom app and web browser links or shortcuts should be checked to ensure they are updated and working.

*Our many thanks to the wonderful court, law library, and circuit clerk staff members at the DuPage, Kane, Lake, Lee, McDonough, McHenry, and Ogle County courthouses.*



To figure out what Case Category to select, you need to know what kind of Case Type you have. Case Categories are the official legal terms used by the court and may not be easy to understand or guess which types of cases would be in which Category. The Case Type is the actual topic you want to address with the court.

ILLINOIS SUPREME COURT COMMISSION



Here are commonly used Case Types and which Category they are in ***for all Counties but Cook*** (for information on Cook County, look at chart below):

<u>Case Category</u>	<u>Common Case Types</u>
<b>Chancery</b> <i>(Complaints for equitable relief (not money))</i>	<ul style="list-style-type: none"> <li>• Specific Performance (order someone to do something)</li> <li>• Injunction or restraining order (order someone to stop doing something)</li> <li>• Detinue (to get property back that someone took and won't return)</li> <li>• Mechanics Lien (put lien on someone's property if they failed to pay for your services to improve the property)</li> </ul>
<b>Criminal Felony or Criminal Misdemeanor</b>	<ul style="list-style-type: none"> <li>• Expungement/Sealing Petitions</li> </ul>
<b>Dissolution (Divorce) with Children</b>	<ul style="list-style-type: none"> <li>• Invalidity/annulment</li> <li>• Dissolution (Divorce)</li> <li>• Legal Separation</li> <li>• Dissolution of civil union</li> </ul>
<b>Dissolution (Divorce) without Children</b>	<ul style="list-style-type: none"> <li>• Invalidity/annulment</li> <li>• Dissolution (Divorce)</li> <li>• Legal Separation</li> <li>• Dissolution of civil union</li> </ul>
<b>Eviction</b>	<ul style="list-style-type: none"> <li>• Commercial</li> <li>• Residential</li> <li>• Ejectment</li> </ul>
<b>Family</b> <i>(for unmarried parents)</i>	<ul style="list-style-type: none"> <li>• Parentage (paternity)</li> <li>• Petition for Custody</li> <li>• Petition for parental responsibility (child support)</li> <li>• Petition for parental responsibility (visitation)</li> <li>• Petition for support</li> <li>• Petition for visitation</li> </ul>
<b>Foreclosure</b>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Commercial</li> </ul>
<b>Guardianship</b>	<ul style="list-style-type: none"> <li>• Guardianship of a minor</li> <li>• Guardianship of an adult person with a disability</li> </ul>
<b>Law Magistrate</b> <i>(money claims over \$10,000 up to \$50,000)</i>	<ul style="list-style-type: none"> <li>• Replevin (to get payment for property that someone took and won't return)</li> <li>• Tort (to get payment for injuries/harm)</li> <li>• Breach of Contract (to get payment when someone didn't do what was agreed to)</li> <li>• Distress for Rent (when eviction proceedings not included)</li> </ul>
<b>Law</b> <i>(money claims over \$50,000)</i>	<ul style="list-style-type: none"> <li>• Replevin (to get payment for property that someone took and won't return)</li> <li>• Tort (to get payment for injuries/harm)</li> <li>• Breach of Contract (to get payment when someone didn't do what was agreed to)</li> <li>• Distress for Rent (when eviction proceedings not included)</li> </ul>
<b>Miscellaneous Criminal</b>	<ul style="list-style-type: none"> <li>• Expungement/Sealing Petition when no criminal case number was assigned (arrest without charging)</li> <li>• Habeas Corpus</li> <li>• Civil Asset Forfeiture/Forfeiture of Seized Property</li> </ul>

Here are more commonly used Case Types and which Category they are in  
**for all Counties but Cook** (for information on Cook County, look at chart below):

<b>Miscellaneous Remedy</b>	<ul style="list-style-type: none"> <li>• Administrative Review (for example, unemployment benefits)</li> <li>• Certiorari (for example, administrative review of housing authority decisions)</li> <li>• Declaratory Judgment (to order someone to do or stop doing something)</li> <li>• Review of Administrative Proceedings (not tax commission)</li> <li>• Change of Name</li> </ul>
<b>Order of Protection</b>	<ul style="list-style-type: none"> <li>• Order of Protection</li> <li>• Civil No Contact Order</li> <li>• Stalking No Contact Order</li> <li>• Firearm Restraining Order</li> </ul>
<b>Probate</b>	<ul style="list-style-type: none"> <li>• Administration of Decedent's Estate</li> <li>• Missing Person</li> <li>• Wrongful Death/Collection of Judgment</li> </ul>
<b>Small Claims</b> (money claims under \$10,000)	<ul style="list-style-type: none"> <li>• Tort (to get payment for injuries/harm)</li> <li>• Breach of Contract (to get payment when someone didn't do what was agreed)</li> </ul>
<b>Tax</b>	<ul style="list-style-type: none"> <li>• Petition for Tax Deed</li> <li>• Review of Decision of Tax Commission</li> <li>• Sale in Error</li> <li>• Tax Refund/Objection</li> </ul>

For more information or assistance with e-filing, contact Illinois Court Help at 833-411-1121 or [ilcourthelp.gov](http://ilcourthelp.gov). 01/22

Here are commonly used Case Types and which Category and Location Division they are in for **Cook County ONLY**:

Location Division	Case Categories	Common Case Types
Chancery		
	General Chancery	<ul style="list-style-type: none"> <li>• Administrative Review</li> <li>• Arbitration</li> <li>• Certiorari (for example, administrative review of housing authority decisions)</li> <li>• Declaratory Judgment (to order someone to do or stop doing something)</li> </ul>
	Mechanics Lien	<ul style="list-style-type: none"> <li>• Mechanics Lien (put lien on someone's property if they failed to pay for your services to improve the property)</li> </ul>
	Mortgage Foreclosure	<ul style="list-style-type: none"> <li>• Commercial, Residential, Condominium</li> </ul>
County		
	Adoption	<ul style="list-style-type: none"> <li>• Adoption</li> </ul>
	Miscellaneous	<ul style="list-style-type: none"> <li>• Emancipation of Minor</li> <li>• Name Change</li> </ul>
	Miscellaneous Remedy	<ul style="list-style-type: none"> <li>• Civil Asset Forfeiture</li> </ul>
Criminal		
		Expungement/Sealing Petitions
Domestic Relations		
	General Proceedings	<ul style="list-style-type: none"> <li>• Petition for Dissolution (Divorce), Petition for Legal Separation</li> <li>• Petition for Allocation of Parental Responsibilities</li> </ul>
	Parentage/Child Support	<ul style="list-style-type: none"> <li>• Petition to Establish Parentage</li> </ul>
	Domestic Violence-Civil Protection	<ul style="list-style-type: none"> <li>• Petition for Civil No Contact Order</li> <li>• Petition for Firearms Restraining Order</li> <li>• Petition for Independent Order of Protection</li> <li>• Petition for Stalking No Contact Order</li> </ul>
Law (money claims over \$30,000 in Chicago or over \$100,000 in suburban districts)		
	Other Actions	<ul style="list-style-type: none"> <li>• Libel/Slander</li> <li>• Property Damage</li> </ul>
	Personal Injury/Wrongful Death	<ul style="list-style-type: none"> <li>• Medical Malpractice</li> <li>• Motor Vehicle</li> <li>• Tort (to get payment for injuries/harm)</li> </ul>
	Tax and Miscellaneous Remedies	<ul style="list-style-type: none"> <li>• Detinue (order someone to return property)</li> <li>• Replevin (order someone to pay for property they took and won't return)</li> </ul>
Municipal Civil (money claims under \$30,000 in Chicago or under \$100,000 in suburban districts)		
	Civil	<ul style="list-style-type: none"> <li>• Administrative Review for Ordinance Violation or Parking Tickets</li> <li>• Breach of Contract (order someone to pay when they didn't do what was agreed to)</li> <li>• Consumer Debt</li> <li>• Eviction (residential or commercial)</li> </ul>
Probate		
	Deceased	<ul style="list-style-type: none"> <li>• With Will</li> <li>• Without Will</li> </ul>
	Disabled	<ul style="list-style-type: none"> <li>• Guardianship</li> </ul>
	Elder Law	<ul style="list-style-type: none"> <li>• Power of Attorney</li> </ul>
	Minor	<ul style="list-style-type: none"> <li>• Guardianship</li> </ul>



## STEP 4

## START A FILING



1. Prepare documents



2. Register



3. Sign in &amp; reset password

**4. Start a filing**

5. Add or find case information



6. Add or see parties



7. Upload documents



8. Add service contacts (optional)



9. Take care of fees/fee waiver



10. Review &amp; submit



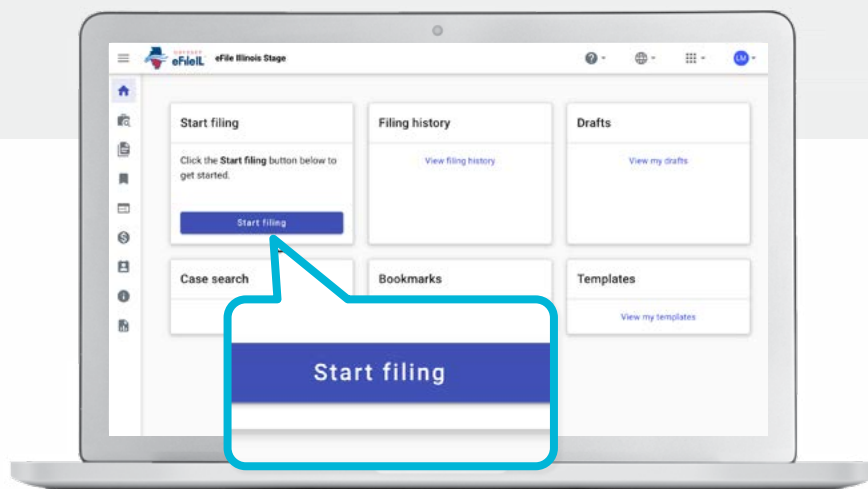
11. Check status

# START A FILING

After preparing your court documents and signing in, you can start e-filing by following these steps.

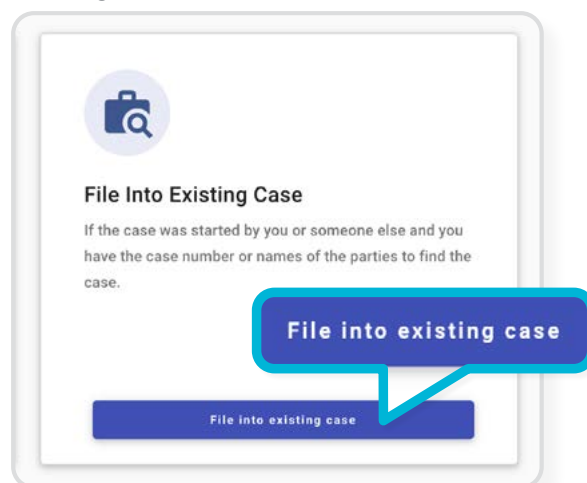
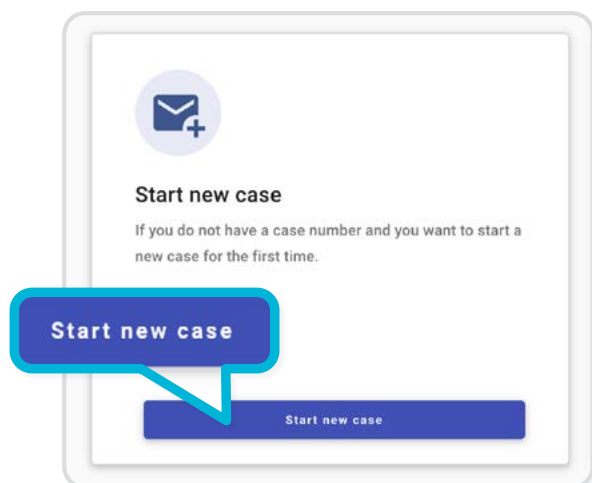
## CLICK START FILING

1. Click the blue **Start filing** button.



## CHOOSE START NEW CASE OR FILE INTO EXISTING CASE

1. Choose whether you will be starting a new case or filing into an existing case that already has a court assigned case number.
  - a. If you want to start a new case and do not have a court assigned case number, click **Start new case**.
  - b. If you want to file documents into a case that already exists and you have a court assigned case number or names of the parties, click **File into existing case**.



You have successfully started a filing for a new case or an existing case.



# Section 5

## Fee and Assessment Waivers





## **Rule 298. Application for Waiver of Court Fees, Costs, and Charges**

(a) **Contents.** An application for waiver of court fees, costs, and charges in a civil action pursuant to 735 ILCS 5/5-105 shall be in writing and signed under penalty of perjury by the applicant or, if the applicant is a minor or an incompetent adult, by another person having knowledge of the facts.

(1) An applicant shall use the “Application for Waiver of Court Fees” form approved by the Illinois Supreme Court and the Supreme Court Commission on Access to Justice, which includes a certification under 735 ILCS 5/1-109.

(2) The contents of the Application must be sufficient to allow a court to determine whether an applicant qualifies for full or partial waiver of fees, costs, and charges pursuant to 735 ILCS 5/5-105, and shall include information regarding the applicant’s household composition, receipt of need-based public benefits, income, expenses, and nonexempt assets.

### **(b) Filing.**

(1) No fee may be charged for filing an Application for Waiver of Court Fees.

(2) The clerk must allow an applicant to file an Application for Waiver of Court Fees in the court where the applicant’s case will be heard.

(3) Applications for Waiver of Court Fees by persons who are exempt from electronic filing under Rule 9(c) may be filed in-person at the clerk of court or by United States mail, third-party commercial carrier, deposit in a drop box receptacle maintained by the clerk, or any other means permitted by the local court. All other Applications for Waiver of Court Fees shall be electronically filed.

(4) Upon filing, the clerk shall promptly transmit an Application for Waiver of Court Fees to the judge assigned to rule on it.

(c) **Decision of Application.** Applications shall be decided as soon as reasonably possible in accordance with the following procedure:

(1) The court shall enter an order ruling on the Application on the basis of the information contained on the face of the Application form, without conducting a hearing, unless the court determines that relevant sections of the Application are incomplete or give rise to a factual issue regarding the applicant’s satisfaction of the conditions for a waiver under 735 ILCS 5/5105(b).

(2) If the court determines that relevant sections are incomplete or there is a factual issue regarding the applicant’s entitlement to a waiver, outright denial is not permitted. The applicant must be notified of the deficiencies and given the opportunity to amend the Application and/or be given a remote hearing in accordance with Rule 45 and any Supreme Court policy on remote court appearances, unless the applicant requests an in-person hearing or will already be present in the courthouse on the date of the hearing. The court shall enter an order stating: (i) the specific eligibility questions that necessitate a hearing; (ii) what documents, if any, must be submitted in support of the Application at or before the hearing, and how to submit them; and (iii) the date and time for a remote hearing unless the applicant requests an in-person hearing, and the remote hearing meeting ID and password or courtroom location, if requested to be in-person. Any hearing on the Application for Waiver of Court Fees shall be scheduled promptly, with due regard for the need to provide reasonable notice to the applicant, but within 30 days of filing.

(3) An order deciding an Application, with or without a hearing, or scheduling a hearing shall use the “Order for Waiver of Court Fees” form approved by the Illinois Supreme Court and the Supreme Court Commission on Access to Justice. The court’s ruling on an Application for Waiver of Court Fees shall be made according to standards set forth in 735 ILCS 5/5-105. If the Application is denied, the court shall enter an order to that effect specifying the reasons for the denial. As provided in the form Order, if the court determines that the conditions for a full fees, costs, and charges waiver under 735 ILCS 5/5-105(b)(1) are satisfied, it shall enter an order permitting the applicant to sue or defend without payment of fees, costs or charges. If the court determines that the conditions for a partial fees, costs, and charges waiver under 735 ILCS 5/5-105(b)(2) are satisfied, it shall enter an order permitting the applicant to sue or defend after payment of a specified percentage of fees, costs, or charges. If an Application for a partial fees, costs, and charges waiver is granted, and if necessary to avoid undue hardship on the applicant, the court may allow the applicant to defer payment of fees, costs, and charges, make installment payments, or make payment upon reasonable terms and conditions stated in the order.

(4) The clerk shall provide one or more options for the applicant to obtain the court’s ruling on the Application, including but not limited to mailing a copy of the court’s ruling to the address on the Application or providing notification by e-mail or text as requested by the applicant.

**(d) Document Retention.** Any document ordered to be submitted in support of an Application shall be treated by the clerk as a sealed document.

**(f) Cases involving representation by civil legal services provider or lawyer in court-sponsored pro bono program.** In any case where a party is represented by a civil legal services provider or attorney in a court-sponsored *pro bono* program as defined in 735 ILCS 5/5-105.5, the attorney representing that party shall file a certification with the court, and that party shall be allowed to sue or defend without payment of fees, costs or charges as defined in 735 ILCS 5/5-105(a)(1) without necessity of an Application under this rule. Instead, the attorney representing the party shall file a certification prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

Amended October 20, 2003, effective November 1, 2003; amended September 25, 2014, eff. immediately; amended Dec. 29, 2017, eff. Jan. 1, 2018; amended Feb. 13, 2019, eff. July 1, 2019; amended May 30, 2023, eff. Sept. 1, 2023.

#### **Committee Comment**

(May 30, 2023)

Paragraph (b)(1). Applicants receiving assistance under one or more of the means-based governmental public benefits programs are not required to provide any additional financial information because they have been screened, reviewed, and approved by the relevant government

agency and regular recertification is required to maintain that benefit.



# Illinois General Assembly

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### Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as [Public Acts](#) soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

(735 ILCS 5/5-105) (from Ch. 110, par. 5-105)

Sec. 5-105. Waiver of court fees, costs, and charges.

(a) As used in this Section:

(1) "Fees, costs, and charges" means payments imposed on a party in connection with the prosecution or defense of a civil action, including, but not limited to: fees set forth in Section 27.1b of the Clerks of Courts Act; fees for service of process and other papers served either within or outside this State, including service by publication pursuant to Section 2-206 of this Code and publication of necessary legal notices; motion fees; charges for participation in, or attendance at, any mandatory process or procedure including, but not limited to, conciliation, mediation, arbitration, counseling, evaluation, "Children First", "Focus on Children" or similar programs; fees for supplementary proceedings; charges for translation services; guardian ad litem fees; and all other processes and procedures deemed by the court to be necessary to commence, prosecute, defend, or enforce relief in a civil action.

(2) "Indigent person" means any person who meets one or more of the following criteria:

(i) He or she is receiving assistance under one or more of the following means-based governmental public benefits programs: Supplemental Security Income (SSI), Aid to the Aged, Blind and Disabled (AABD), Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), General Assistance, Transitional Assistance, or State Children and Family Assistance.

(ii) His or her available personal income is 125% or less of the current poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of this Code are of a nature and value that the court determines that the applicant is able to pay the fees, costs, and charges.

(iii) He or she is, in the discretion of the court, unable to proceed in an action without payment of fees, costs, and charges and whose payment of those fees, costs, and charges would result in substantial hardship to the person or his or her family.

(iv) He or she is an indigent person pursuant to Section 5-105.5 of this Code.

(3) "Poverty level" means the current poverty level as established by the United States Department of Health and Human Services.

(b) On the application of any person, before or after the commencement of an action:

(1) If the court finds that the applicant is an indigent person, the court shall grant the applicant a full fees, costs, and charges waiver entitling him or her to sue or defend the action without payment of any of the fees, costs, and charges.

(2) If the court finds that the applicant satisfies any of the criteria contained in items (i), (ii), or (iii) of this subdivision (b)(2), the court shall grant the applicant a partial fees, costs, and charges waiver entitling him or her to sue or defend the action upon payment of the applicable percentage of the assessments, costs, and charges of the action, as follows:

(i) the court shall waive 75% of all fees, costs, and charges if the available income of the applicant is greater than 125% but does not exceed 150% of the poverty level, unless the assets of the applicant that are not exempt under Part 9 or 10 of Article XII of this Code are such that the applicant is able, without undue hardship, to pay a greater portion of the fees, costs, and charges;

(ii) the court shall waive 50% of all fees, costs, and charges if the available income is greater than 150% but does not exceed 175% of the poverty level, unless the assets of the applicant that are not exempt under Part 9 or 10 of Article XII of this Code are such that the applicant is able, without undue hardship, to pay a greater portion of the fees, costs, and charges; and

(iii) the court shall waive 25% of all fees, costs, and charges if the available income of the applicant is greater than 175% but does not exceed 200% of the current poverty level, unless the assets of the applicant that are not exempt under Part 9 or 10 of Article XII of this Code are such that the applicant is able, without undue hardship, to pay a greater portion of the fees, costs, and charges.

(c) An application for waiver of court fees, costs, and charges shall be in writing and signed by the applicant, or, if the applicant is a minor or an incompetent adult, by another person having knowledge of the facts. The contents of the application for waiver of court fees, costs, and charges, and the procedure for the decision of the applications, shall be established by Supreme Court Rule. Factors to consider in evaluating an application shall include:

(1) the applicant's receipt of needs based governmental public benefits, including Supplemental Security Income (SSI); Aid to the Aged, Blind and Disabled (AABD); Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP or "food stamps"); General Assistance; Transitional Assistance; or State Children and Family Assistance;

(2) the employment status of the applicant and amount of monthly income, if any;

(3) income received from the applicant's pension, Social Security benefits, unemployment benefits, and other sources;

(4) income received by the applicant from other



household members;

(5) the applicant's monthly expenses, including rent, home mortgage, other mortgage, utilities, food, medical, vehicle, childcare, debts, child support, and other expenses; and

(6) financial affidavits or other similar supporting documentation provided by the applicant showing that payment of the imposed fees, costs, and charges would result in substantial hardship to the applicant or the applicant's family.

(c-5) The court shall provide, through the office of the clerk of the court, the application for waiver of court fees, costs, and charges to any person seeking to sue or defend an action who indicates an inability to pay the fees, costs, and charges of the action. The clerk of the court shall post in a conspicuous place in the courthouse a notice no smaller than 8.5 x 11 inches, using no smaller than 30-point typeface printed in English and in Spanish, advising the public that they may ask the court for permission to sue or defend a civil action without payment of fees, costs, and charges. The notice shall be substantially as follows:

"If you are unable to pay the fees, costs, and charges of an action you may ask the court to allow you to proceed without paying them. Ask the clerk of the court for forms."

(d) (Blank).

(e) The clerk of the court shall not refuse to accept and file any complaint, appearance, or other paper presented by the applicant if accompanied by an application for waiver of court fees, costs, and charges, and those papers shall be considered filed on the date the application is presented. If the application is denied or a partial fees, costs, and charges waiver is granted, the order shall state a date certain by which the necessary fees, costs, and charges must be paid. For good cause shown, the court may allow an applicant who receives a partial fees, costs, and charges waiver to defer payment of fees, costs, and charges, make installment payments, or make payment upon reasonable terms and conditions stated in the order. The court may dismiss the claims or strike the defenses of any party failing to pay the fees, costs, and charges within the time and in the manner ordered by the court. A judicial ruling on an application for waiver of court assessments does not constitute a decision of a substantial issue in the case under Section 2-1001 of this Code.

(f) The order granting a full or partial fees, costs, and charges waiver shall expire after one year. Upon expiration of the waiver, or a reasonable period of time before expiration, the party whose fees, costs, and charges were waived may file another application for waiver and the court shall consider the application in accordance with the applicable Supreme Court Rule.

(f-5) If, before or at the time of final disposition of the case, the court obtains information, including information from the court file, suggesting that a person whose fees, costs, and charges were initially waived was not entitled to a full or partial waiver at the time of application, the court may require the person to appear at a court hearing by giving the applicant no less than 10 days' written notice of the hearing and the specific reasons why the initial waiver might be reconsidered. The court may require the applicant to provide reasonably available evidence, including financial information, to support his or her eligibility for the waiver, but the court shall not require submission of information that is unrelated to the criteria for eligibility and application requirements set forth

in subdivision (b)(1) or (b)(2) of this Section. If the court finds that the person was not initially entitled to any waiver, the person shall pay all fees, costs, and charges relating to the civil action, including any previously waived fees, costs, and charges. The order may state terms of payment in accordance with subsection (e). The court shall not conduct a hearing under this subsection more often than once every 6 months.

(f-10) If, before or at the time of final disposition of the case, the court obtains information, including information from the court file, suggesting that a person who received a full or partial waiver has experienced a change in financial condition so that he or she is no longer eligible for that waiver, the court may require the person to appear at a court hearing by giving the applicant no less than 10 days' written notice of the hearing and the specific reasons why the waiver might be reconsidered. The court may require the person to provide reasonably available evidence, including financial information, to support his or her continued eligibility for the waiver, but shall not require submission of information that is unrelated to the criteria for eligibility and application requirements set forth in subdivisions (b)(1) and (b)(2) of this Section. If the court enters an order finding that the person is no longer entitled to a waiver, or is entitled to a partial waiver different than that which the person had previously received, the person shall pay the requisite fees, costs, and charges from the date of the order going forward. The order may state terms of payment in accordance with subsection (e) of this Section. The court shall not conduct a hearing under this subsection more often than once every 6 months.

(g) A court, in its discretion, may appoint counsel to represent an indigent person, and that counsel shall perform his or her duties without fees, charges, or reward.

(h) Nothing in this Section shall be construed to affect the right of a party to sue or defend an action in forma pauperis without the payment of fees, costs, charges, or the right of a party to court-appointed counsel, as authorized by any other provision of law or by the rules of the Illinois Supreme Court. Nothing in this Section shall be construed to limit the authority of a court to order another party to the action to pay the fees, costs, and charges of the action.

(h-5) If a party is represented by a civil legal services provider or an attorney in a court-sponsored pro bono program as defined in Section 5-105.5 of this Code, the attorney representing that party shall file a certification with the court in accordance with Supreme Court Rule 298 and that party shall be allowed to sue or defend without payment of fees, costs, and charges without filing an application under this Section.

(h-10) (Blank).

(i) The provisions of this Section are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 101-36, eff. 6-28-19; 102-558, eff. 8-20-21.)

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#### **Rule 404. Application for Waiver of Court Assessments**

**(a) Contents.** An Application for Waiver of Court Assessments in a criminal action pursuant to 725 ILCS 5/124A-20 shall be in writing and signed under penalty of perjury by the applicant or, if the applicant is a minor or an incompetent adult, by another person having knowledge of the facts. The Application should be submitted no later than 30 days after sentencing.

(1) An applicant shall use the “Application for Waiver of Court Assessments” form approved by the Illinois Supreme Court and the Supreme Court Commission on Access to Justice, which includes a certification under 735 ILCS 5/1-109.

(2) The contents of the Application must be sufficient to allow a court to determine whether an applicant qualifies for a full or partial waiver of assessments pursuant to 725 ILCS 5/124A-20 and shall include information regarding the applicant’s household composition, receipt of need-based public benefits, income, expenses, and nonexempt assets.

#### **(b) Filing.**

(1) No fee may be charged for filing an Application for Waiver of Court Assessments.

(2) The clerk must allow an applicant to file an Application for Waiver of Assessments in the court where the applicant’s case will be heard.

(3) Applications for Waiver of Court Assessments by persons who are exempt from electronic filing under Rule 9(c) may be filed in-person at the clerk of court or by United States mail, third-party commercial carrier, deposit in a drop box receptacle maintained by the clerk, or any other means permitted by the local court. All other Applications for Waiver of Court Assessments shall be electronically filed.

(4) Upon filing, the clerk shall promptly transmit an Application for Waiver of Court Assessments to the judge assigned to rule on it.

**(c) Decision of Application.** Applications shall be decided as soon as reasonably possible in accordance with the following procedure:

(1) The court shall enter an order ruling on the Application on the basis of the information contained on the face of the Application form, without conducting a hearing, unless the court determines that relevant sections of the Application are incomplete or give rise to a factual issue regarding the applicant’s satisfaction of the conditions for a waiver under 725 ILCS 5/124A-20(b).

(2) If the court determines that the relevant sections are incomplete or there is a factual issue regarding the applicant’s entitlement to a waiver, outright denial is not permitted. The applicant must be notified of the deficiencies and given the opportunity to amend the Application and/or be given a remote hearing in accordance with Rule 45 and any Supreme Court policy on remote court appearances, unless the applicant requests an in-person hearing or will already be present in the courthouse on the date of the hearing. The court shall enter an order stating: (i) the specific eligibility questions that necessitate a hearing; (ii) what documents, if any, must be submitted in support of the Application at or before the hearing, and how to submit them; and (iii) the date and time for a remote hearing unless the applicant requests an in-person hearing, and the remote hearing meeting ID and password or courtroom location, if requested to be in-person. Any hearing on the Application for Waiver of Court Fees

shall be scheduled promptly, with due regard for the need to provide reasonable notice to the applicant, but within 30 days of filing.

(3) An order deciding an Application, with or without a hearing, or scheduling a hearing, shall use the “Order for Waiver of Criminal Court Assessments” form approved by the Illinois Supreme Court and the Supreme Court Commission on Access to Justice. The court’s ruling on an Application for Waiver of Assessments shall be made according to standards set forth in 725 ILCS 5/124A-20. As provided in the form Order, if the Application is denied, the court shall enter an order to that effect specifying the reasons for the denial. If the court determines that the conditions for a full assessment waiver are satisfied under 725 ILCS 5/124A-20(b)(1), it shall enter an order waiving the payment of the assessments. If the court determines that the conditions for a partial assessment waiver under 725 ILCS 5/124A-20(b)(2) are satisfied, it shall enter an order for payment of a specified percentage of the assessments. If an Application is denied or an Application for a partial assessment waiver is granted, the court may allow the applicant to defer payment of the assessments, make installment payments, or make payment upon reasonable terms and conditions stated in the order.

**(d) Document Retention.** Any document ordered to be submitted in support of an Application shall be treated by the clerk as a sealed document.

**(e) Cases involving representation by public defenders, criminal legal services providers, or attorneys in court-sponsored pro bono program.** In any case where a defendant is represented by a public defender, criminal legal services provider, or an attorney in a court-sponsored pro bono program, the attorney representing that defendant shall file a certification with the court, and that defendant shall be entitled to a waiver of assessments as defined in 725 ILCS 5/124A-20(a) without necessity of an Application under this rule. The certification shall be prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article IV Forms Appendix. “Criminal legal services provider” means a not-for-profit corporation that (i) employs one or more attorneys who are licensed to practice law in the State of Illinois and who directly provide free criminal legal services or (ii) is established for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys. “Court-sponsored pro bono program” means a pro bono program established by or in partnership with a court in this State for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys.

Adopted Feb. 13, 2019, eff. July 1, 2019; amended May 30, 2023, eff. Sept. 1, 2023; amended Aug. 22, 2023, eff. Sept. 1, 2023; corrected Sept. 6, 2023, *nunc pro tunc* to Sept. 1, 2023.

Committee Comments  
(May 30, 2023)

Paragraph (b)(1). Applicants receiving assistance under one or more of the means-based governmental public benefits programs are not required to provide any additional financial

information because they have been screened, reviewed, and approved by the relevant government agency and regular recertification is required to maintain that benefit.

Paragraph (c). The procedure prescribed by paragraph (c) is intended to prohibit the practice of deferring ruling on an Application for Waiver of Court Assessments until after completion of the sentence. Criminal Assessments must be imposed by the court at the time of sentencing. Where possible, a ruling on whether the defendant qualifies for a full or partial waiver should also be determined at the time of sentencing, or within a reasonable time thereafter if the defendant submits an Application under paragraph (a) or a certification under paragraph (d) after sentencing.

(725 ILCS 5/112A-20) (from Ch. 38, par. 112A-20)

Sec. 112A-20. Duration and extension of final protective orders.

(a) (Blank).

(b) A final protective order shall remain in effect as follows:

(1) if entered during pre-trial release, until disposition, withdrawal, or dismissal of the underlying charge; if, however, the case is continued as an independent cause of action, the order's duration may be for a fixed period of time not to exceed 2 years;

(2) if in effect in conjunction with a bond forfeiture warrant, until final disposition or an additional period of time not exceeding 2 years; no domestic violence order of protection, however, shall be terminated by a dismissal that is accompanied by the issuance of a bond forfeiture warrant;

(3) until 2 years after the expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release for domestic violence orders of protection and civil no contact orders;

(4) until 2 years after the date set by the court for expiration of any sentence of imprisonment and subsequent parole, aftercare release, or mandatory supervised release for domestic violence orders of protection and civil no contact orders;

(5) permanent for a stalking no contact order if a judgment of conviction for stalking is entered; or

(6) permanent for a civil no contact order at the victim's request if a judgment of conviction for criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, excluding a conviction under subsection (c) of Section 11-1.50 of the Criminal Code of 2012, or aggravated criminal sexual abuse is entered.

(c) Computation of time. The duration of a domestic violence order of protection shall not be reduced by the duration of any prior domestic violence order of protection.

(d) Law enforcement records. When a protective order expires upon the occurrence of a specified event, rather than upon a specified date as provided in subsection (b), no expiration date shall be entered in Illinois State Police records. To remove the protective order from those records, either the petitioner or the respondent shall request the clerk of the court to file a certified copy of an order stating that the specified event has occurred or that the protective order has been vacated or modified with the sheriff, and the sheriff shall direct that law enforcement records shall be promptly corrected in accordance with the filed order.

(e) Extension of Orders. Any domestic violence order of protection or civil no contact order that expires 2 years after the expiration of the defendant's sentence under paragraph (2), (3), or (4) of subsection (b) of Section 112A-20 of this Article may be extended one or more times, as required. The petitioner, petitioner's counsel, or the State's Attorney on the petitioner's behalf shall file the motion for an extension of the final protective order in the criminal case and serve the motion in accordance with Supreme Court Rules 11 and 12. The court shall transfer the motion to the appropriate court or division for consideration under subsection (e) of Section 220 of the Illinois Domestic Violence Act of 1986, subsection (c) of Section 216 of the Civil No Contact Order Act, or subsection (c) of Section 105 of the Stalking No Contact Order as appropriate.

(f) Termination date. Any final protective order which would expire on a court holiday shall instead expire at the close of the next court business day.

(g) Statement of purpose. The practice of dismissing or suspending a criminal prosecution in exchange for issuing a protective order undermines the purposes of this Article. This Section shall not be construed as encouraging that practice.

(Source: P.A. 102-184, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Civil Fee and Criminal Assessment Waivers

### Before Evaluating Applications per SCR 298 and 404

- All waiver applications should be reviewed independent of the underlying pleading, charge, or sentence.
- Applications shall be decided on the basis of the information in the application, without a hearing, unless the application is incomplete or raises a factual issue.
  - Outright denial for those reasons is not permitted.
- If incomplete, notify applicant of the deficiencies and give an opportunity to amend.
- If there are factual issues, the court must enter an order stating (i) specific eligibility questions; (ii) what documents, if any, to submit at or before the hearing (and how to submit); and (iii) the date and time for a remote hearing (including meeting ID and password), unless the applicant requests an in-person hearing (provide courtroom location).
- Hearings must be scheduled promptly (within 30 days).

### How Does a Judge Determine Whether an Applicant is Indigent and Qualifies for a Waiver?

There are three ways an applicant qualifies for a FULL waiver:

- 1. Means-Based Public Benefit:** Applicant receives assistance from one or more of the following governmental public benefits programs:
  - Supplemental Security Income (SSI) (*Not* Social Security Retirement, Disability, or Survivors benefits)
  - Aid to the Aged, Blind and Disabled (AABD)
  - Temporary Assistance for Needy Families (TANF)
  - Supplemental Nutrition Assistance Program (SNAP) (formerly Food Stamps)
  - General Assistance (GA), Transitional Assistance, or State Children and Family Assistance

*NOTE: receiving another type of public benefit that is not on this list means that the person doesn't automatically qualify for a full waiver based on benefit status, but may still qualify based on hardship or income level.*

- 2. Substantial Hardship:** Applicant demonstrates that paying court fees would pose a substantial hardship.
- 3. Household Income:** Applicant's available household income is at or below a percentage of the Federal Poverty Level (FPL): 125% in civil cases or 200% in criminal cases for a full waiver.

*NOTE: for both criminal and civil cases, parties are also considered indigent and the parties' fees/assessments can be waived if a legal services provider/public defender certifies that the person is eligible to receive those free legal services.*

### Applicants Must Use the Statewide Standardized Forms

- One form set for civil cases and another for criminal cases
- Available at [ilcourts.info/forms](http://ilcourts.info/forms)

### 1. Determining Indigency – Means-Based Public Benefits

An applicant who receives one or more of the listed means-based public benefits automatically qualifies for a full waiver. These benefits require rigorous screening and regular recertification. Most programs have asset caps, but allow recipients to own one home and one car. Many public benefits recipients work or own property but still live in or near poverty due to low wages, irregular work schedules, dependents, or declining property values. *If an applicant establishes they receive a qualifying public benefit, analysis is complete and the full waiver SHALL be granted.*

*NOTE: For more information on the specific criteria and screening procedures for the individual benefit programs, please visit <https://www.ssa.gov/ssi/> or <http://www.dhs.state.il.us/page.aspx>.*

### Public Benefits as a Proxy for Indigency

Means-based public benefits programs are:

- Contingent on proof of income, assets, identity, legal status, and other eligibility criteria.
- Recertified on a regular basis.
- Verified by experienced agencies with access to federal databases that can check bank accounts, employment history, and immigration records.
- Proven to have minimal levels of fraud.

**Relying on these programs will:**

- Reduce the administrative burden on judges and staff.
- Increase efficiency in processing waiver applications.
- Improve statewide consistency of waiver handling.
- Avoid the appearance of bias by adhering to objective criteria.
- Reduce redundancy for applicants who have already gone through background and income screening.
- Avoid duplication of work by multiple government agencies.

### 2. Determining Indigency – Substantial Hardship

*If an applicant does not receive a public benefit or their income is higher than the stated FPL percentage, they can still qualify for a waiver. A judge may exercise discretion and grant a full waiver to an applicant who can demonstrate that paying the court fees or assessments would constitute a substantial hardship to the individual or the family. Factors to consider, in addition to public benefits and income, are the applicant's monthly expenses and supporting documents showing the fee or assessment would be a substantial hardship.*



### 3. Determining Indigency – Household Income

If an applicant does not receive a means-based public benefit, look at income before substantial hardship. The most common measure of indigency is the Federal Poverty Level (FPL), which is set and used by the US government. The FPL is updated each year and applies uniformly throughout the US without adjustment for variation in cost of living. 100% of the 2025 *annual* FPL for one person is \$15,650 and for a family of four is \$32,150, and the *monthly* FPL is \$1,304 for one person and \$2,679 for a family of four.

NOTE: For more information on the federal poverty level, visit <https://aspe.hhs.gov/poverty-guidelines>, or see the chart to the right or the separate 2025 annual and monthly charts.

### MONTHLY Federal Poverty Level 2025

#	125% FPL	150% FPL	175% FPL	200% FPL	250% FPL	300% FPL	400% FPL
1	\$1,630	1,956	2,282	2,608	3,260	3,913	5,217
2	\$2,203	2,644	3,084	3,525	4,406	5,288	7,050
3	\$2,776	3,331	3,886	4,441	5,552	6,663	8,883
4	\$3,349	4,019	4,689	5,358	6,698	8,038	10,717
5	\$3,922	4,706	5,491	6,275	7,844	9,413	12,550
6	\$4,495	5,394	6,293	7,192	8,990	10,788	14,383

### Full or Partial Waivers

If an applicant's available household income is 125% or less of FPL (civil cases) or 200% or less of FPL (criminal cases), a judge SHALL grant a full waiver. If their income falls in the ranges listed below, a judge SHALL grant the corresponding partial waiver. Use these charts to determine full or partial waivers:

#### Civil Fee Waiver 735 ILCS 5/5-105

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>125% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>125%</b> but does not exceed <b>150% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>150%</b> but does not exceed <b>175% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>175%</b> but does not exceed <b>200% FPL</b>

#### Criminal Assessment Waiver 725 ILCS 5/124A-20

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>200% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>200%</b> but does not exceed <b>250% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>250%</b> but does not exceed <b>300% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>300%</b> but does not exceed <b>400% FPL</b>

### Considerations When Granting or Denying Applications

- A judge has the discretion to order the applicant to make deferred or installment payments or grant a waiver based on substantial hardship.
- If the waiver application is denied, a judge must specify a reason for the denial in the order per SCR 298 and 404.
- Rely on the objective criteria to review waiver applications to avoid potential influence or appearance of bias.
- Do not make assumptions based on an applicant's appearance, clothing, possessions, or demeanor.
- Many applicants have disabilities, both visible and invisible, that can interfere with their ability to work.
- Having a job is not an automatic disqualifier. A federal minimum wage employee with one minor child can work 40 hours a week and still fall under the federal poverty level.
- Having a lawyer is not an automatic disqualifier. Some pro bono and limited scope attorneys represent clients in or near poverty. Other lawyers work on contingency or are paid by someone other than the applicant.
- Owning a home is not an automatic disqualifier. Many homeowners are "underwater." Even those with equity in the home may live in poverty since it is not a fungible asset.

For additional information, please contact:

Administrative Office of the Illinois Courts

Access to Justice Division

[AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov)

Updated January 2025

## Civil Fee Waiver 735 ILCS 5/5-105

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>125% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>125%</b> but does not exceed <b>150% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>150%</b> but does not exceed <b>175% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>175%</b> but does not exceed <b>200% FPL</b>

## Criminal Assessment Waiver 725 ILCS 5/124A-20

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>200% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>200%</b> but does not exceed <b>250% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>250%</b> but does not exceed <b>300% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>300%</b> but does not exceed <b>400% FPL</b>

## 2025 Federal Poverty Level - MONTHLY Income

Family Size	125% FPL	150% FPL	175% FPL	200% FPL	250% FPL	300% FPL	400% FPL
1	\$1,630.21	1,956.25	2,282.29	2,608.33	3,260.42	3,912.50	5,216.67
2	\$2,203.13	2,643.75	3,084.38	3,525.00	4,406.25	5,287.50	7,050.00
3	\$2,776.04	3,331.25	3,886.46	4,441.67	5,552.08	6,662.50	8,883.33
4	\$3,348.96	4,018.75	4,668.54	5,358.33	6,697.92	8,037.50	10,716.67
5	\$3,921.88	4,706.25	5,490.63	6,275.00	7,843.75	9,412.50	12,550.00
6	\$4,494.79	5,393.75	6,292.71	7,191.67	8,989.58	10,787.50	14,383.33
7	\$5,067.71	6,081.25	7,094.79	8,108.33	10,135.42	12,162.50	16,216.67
8	\$5,640.63	6,768.75	7,896.88	9,025.00	11,281.25	13,537.00	18,050.00
Add amount for each additional person	\$572.92	687.50	802.08	916.67	1,145.83	1,375.00	1,833.33

## Civil Fee Waiver 735 ILCS 5/5-105

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>125% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>125%</b> but does not exceed <b>150% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>150%</b> but does not exceed <b>175% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>175%</b> but does not exceed <b>200% FPL</b>

## Criminal Assessment Waiver 725 ILCS 5/124A-20

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>200% FPL</b> or less
<b>75% Waiver</b>	Available income greater than <b>200%</b> but does not exceed <b>250% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>250%</b> but does not exceed <b>300% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>300%</b> but does not exceed <b>400% FPL</b>


## 2025 Federal Poverty Level - ANNUAL Income

Family Size	125% FPL	150% FPL	175% FPL	200% FPL	250% FPL	300% FPL	400% FPL
1	\$19,563	23,475	27,388	31,300	39,125	46,950	62,600
2	\$26,438	31,725	37,013	42,300	52,875	63,450	84,600
3	\$33,313	39,975	46,638	53,300	66,625	79,950	106,600
4	\$40,188	48,225	56,263	64,300	80,375	96,450	128,600
5	\$47,063	56,475	65,888	75,300	94,125	112,950	150,600
6	\$53,938	64,725	75,513	86,300	107,875	129,450	172,600
7	\$60,813	72,975	85,138	97,300	121,625	145,950	194,600
8	\$67,688	81,225	94,763	108,300	135,375	162,450	216,600
Add amount for each additional person	\$6,875	8,250	9,625	11,000	13,750	16,500	22,000




1

**Why is this important?**



Judicial Branch Strategic Agenda Goal 1: **Accessible Justice** and Equal Protection Under the Law



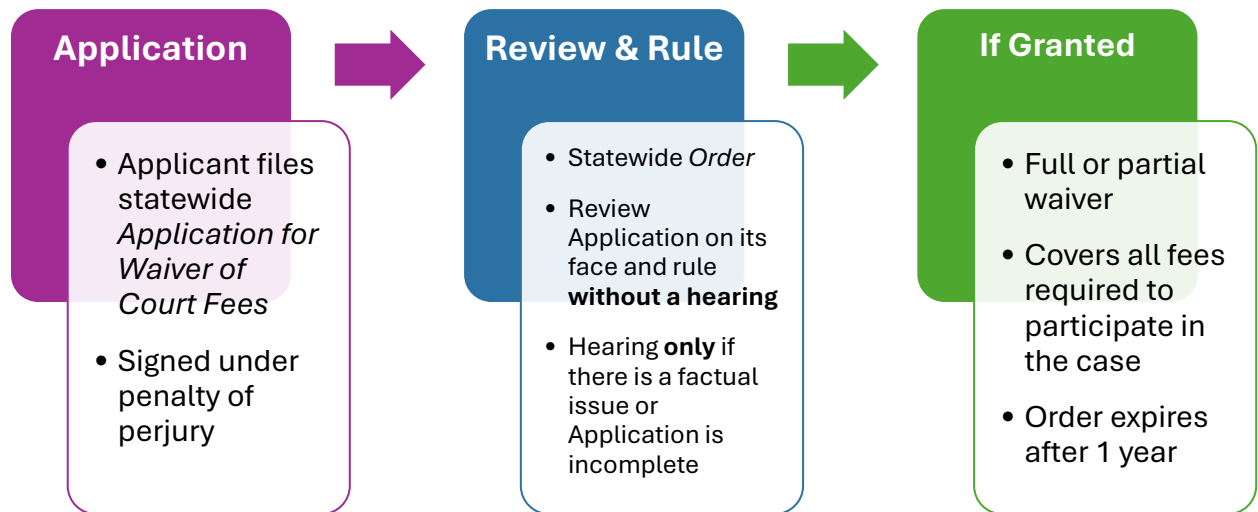
Consistency

2

# Civil Fee Waivers

3

## Civil Fee Waiver Overview



4

## Civil Fee Waiver 735 ILCS 5/5-105

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>125% FPL</b> or less
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>75% Waiver</b>	Available income greater than <b>125%</b> but does not exceed <b>150% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>150%</b> but does not exceed <b>175% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>175%</b> but does not exceed <b>200% FPL</b>

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## Safeguards



Application is signed under **penalty of perjury**




Order **expires** after one year



Court can **reconsider** the waiver if there is information suggesting that the party never or no longer qualifies

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### APPLICATION FOR WAIVER OF COURT FEES (CIVIL)

IN THE STATE OF ILLINOIS, CIRCUIT COURT


**COUNTY** \_\_\_\_\_  
County Where You Are Filing the Case

Enter the case information as it appears on your other court documents.

**PLAINTIFF/PETITIONER OR IN RE** \_\_\_\_\_  
Who Started the Case First, Middle, and Last Name or Business Name

**DEFENDANT/RESPONDENT** \_\_\_\_\_  
Who the Case Was Filed Against First, Middle, and Last Name or Business Name

**Case Number** \_\_\_\_\_  
(Check this in)

 Use this form to ask the judge to **waive your court fees, costs, and charges in a civil court case**. If your case is a criminal case, use the *Application for Waiver of Criminal Court Assessments* form. If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information on this form instead of your own information.

**1. BASIC INFORMATION**

A. I am completing this form (check one):  
☐ For myself    ☐ On behalf of a minor or incompetent adult  
(Use the minor or incompetent adult's information on this form)

B. Your Name (applicant): \_\_\_\_\_  
First                      Middle                      Last Name

C. Address: \_\_\_\_\_  
Street, Apt. #                      City                      State                      Zip Code

D. I cannot afford to pay the court fees, costs, and charges in this case.

**2. HOUSEHOLD INFORMATION**

List the number of people who live with you whom you support. Support means the people rely on you financially. If on behalf of a minor or an incompetent adult, use their information.

A. I support \_\_\_\_\_ adults (not counting myself) who live with me.  
# of Adults

B. I support \_\_\_\_\_ children under 18 who live with me.  
# of Children Under 18

**3. PUBLIC BENEFITS**

Check all the benefits that you currently receive. Be prepared to provide proof that you currently receive at least 1 of the checked benefits if asked.

I currently receive the following public benefits (check all that apply):

<input type="checkbox"/> SSI (Supplemental Security Income, not Social Security)	<input type="checkbox"/> AABD (Aid to the Aged, Blind and Disabled)	<input type="checkbox"/> General Assistance Program (GA), Transitional Assistance, or State Children and Family Assistance
<input type="checkbox"/> SNAP (Supplemental Nutrition Assistance Program/ Food Stamps)	<input type="checkbox"/> TANF (Temporary Assistance for Needy Families)	

This form is approved by the Illinois Supreme Court and is required to be used in all Illinois Circuit Courts. Forms are free at <https://www.judicialbranch.org>.  
WA-P-603.8                      Page 1 of 4                      (1/24)

## Statewide Application & Order for Waiver of Court Fees

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## Ruling on the Application

- Ruling must be based on the information contained **on the face** of the Application, **without conducting a hearing**
- A hearing is permitted **only** if the Application:
  - Is incomplete; or
  - Gives rise to a factual issue

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## Incomplete Application or Factual Issue

- Must give applicant an **opportunity to amend** and/or a remote **hearing**
- Order must state:
  1. **Specific eligibility questions** that necessitate a hearing;
  2. **Documents**, if any, that must be submitted in support of the Application at or before the hearing, and how to submit them; and
  3. **Date and time for a remote hearing** unless the applicant requests an in-person hearing, and the remote hearing meeting ID and password or courtroom location

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## Documentation

- Neither the statute nor the Rule require the applicant to submit documentation **with the Application**
- Rule 298(c)(1): Ruling shall be made “on the basis of the information contained **on the face** of the Application form”
- Rule contemplates submission of documentation when the Application is incomplete or there is a factual issue

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## How to Qualify: Full Waiver

Public benefits *or*

Income *or*

Substantial hardship

11



## 1. Public Benefits

**Full fee waiver** if applicant gets 1 or more of these **means-based governmental public benefits**:

- Supplemental Security Income (SSI)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP/food stamps)
- General Assistance
- Transitional Assistance
- State Children and Family Assistance

12

## Public Benefits Alone Are Enough!

- If the applicant receives one or more of the qualifying public benefits, they qualify for a full waiver
- Regardless of income
- Applicant does not need to provide additional financial information



13

## 2. Income

- **Full fee waiver** if applicant's available income is **125% or less** of the FPL
- "Available" income – look at:
  - Household size
  - Income
  - Expenses

14

## 2024 Federal Poverty Guidelines: Annual Income

Family Size	125% FPL	150% FPL	175% FPL	200% FPL
1	\$18,825	22,590	26,355	30,120
2	\$25,550	30,660	35,770	40,880
3	\$32,275	38,730	45,185	51,640
4	\$39,000	46,800	54,600	62,400
5	\$45,725	54,870	64,015	73,160
6	\$52,450	62,940	73,430	83,920
7	\$59,175	71,010	82,845	94,680
8	\$65,900	79,080	92,260	105,440
Add amount for each additional person	\$6,725	8,070	9,415	10,760

15



### 3. Substantial Hardship

- **Full fee waiver** if payment of fees would result in **substantial hardship** to the applicant or their family
- Regardless of income
- Judge's discretion

16

## Partial Fee Waiver

- Based solely on income and assets
- Income determines percentage waived:
  - >125% FPL to 150% FPL = **75% fee waiver**
  - >150% FPL to 175% FPL = **50% fee waiver**
  - >175% FPL to 200% FPL = **25% fee waiver**
- Judge can order payment to be deferred or set a payment plan

17

## 2024 Federal Poverty Guidelines: Annual Income

Family Size	125% FPL	150% FPL	175% FPL	200% FPL
1	\$18,825	22,590	26,355	30,120
2	\$25,550	30,660	35,770	40,880
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6	\$52,450	62,940	73,430	83,920
7	\$59,175	71,010	82,845	94,680
8	\$65,900	79,080	92,260	105,440
Add amount for each additional person	\$6,725	8,070	9,415	10,760

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## What's Covered by the Fee Waiver?



If the fee is **required** to participate in the case, it is **covered**

19

## What's Covered?

**"Fees, costs, and charges"** means payments imposed on a party in connection with the prosecution or defense of a civil action, including, **but not limited to:**

- **Filing** and copy fees
- Fees for **service of process** and other papers, including service by publication
- Charges for any mandatory process or procedure including, but not limited to mediation, arbitration, counseling, evaluation, and parenting class
- Charges for translation services;
- **GAL fees**; and
- All other processes and procedures deemed by the court to be necessary to commence, prosecute, defend, or enforce relief in a civil action

20



## Guardians ad Litem

- GAL fees are **specifically covered** by a fee waiver (735 ILCS 5/5-105(a)(1))
  - Options:
    - Pro bono appointment
    - Fee shifting (e.g. party without a fee waiver pays 100% or party with a partial waiver pays a percentage of the GAL fees)
    - Order payment from another source (e.g. the county, marital estate)
- 

21



## Representation by legal aid

- If a party is represented by legal aid or a court-sponsored pro bono program, the attorney shall file a **Rule 298 Certification for Waiver of Fees**
  - Rule 298 Certification entitles the party to a **full fee waiver**
    - No application
    - No judicial determination
- 

22



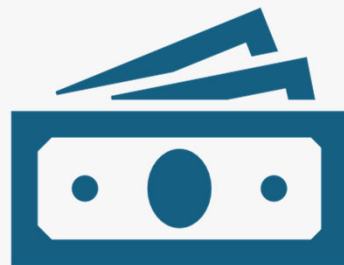
## What if I grant the waiver, but the party didn't really qualify?

- Can hold a hearing to **reconsider** the fee waiver if there is info suggesting that the party was not entitled to a fee waiver **at the time of application**
- If the party was not **initially** entitled to any waiver, the party shall pay all fees, including any previously waived fees

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## What if the party's financial situation changes *after* I grant a waiver?

- Can hold a hearing to **reconsider** the fee waiver if there is info suggesting that the party is **no longer eligible** for a fee waiver
- If the party no longer qualifies, the party shall pay fees from the date of the order **going forward**



24

## What if the applicant has a lawyer?

- They can still qualify!
- An applicant can have a lawyer and still qualify for a full or partial fee waiver



25

Nicole files an *Application for Waiver of Court Fees* in a minor guardianship case.



**In Section 3 of the Application, she indicates that he currently receives food stamps.** She does not complete Sections 4 (Financial Information) or Sections 5 (Hardship Information).

The *Application* is given to you for review. **What do you do?**

26



Robert and his spouse are in the middle of a divorce case. Six months ago, you entered an order granting Robert a **partial fee waiver** based on his available income of 175% FPL.

Today you entered an order awarding Robert \$200 per month in temporary **maintenance** and \$1000 per month in temporary **child support**.

You are concerned that Robert may no longer qualify for a partial fee waiver. **What do you do?**



27

Jordan files an *Application for Waiver of Court Fees*.



In Section 4(B): Monthly Income, Jordan lists that they received \$5,000 in employment income in the past month.

In Section 4(C): Yearly Income, Jordan lists that they received \$0 in employment income in the past 12 months, \$500 in child support, and \$6,000 in pension income.

**What do you do?**

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## Civil Fee Waiver Resources

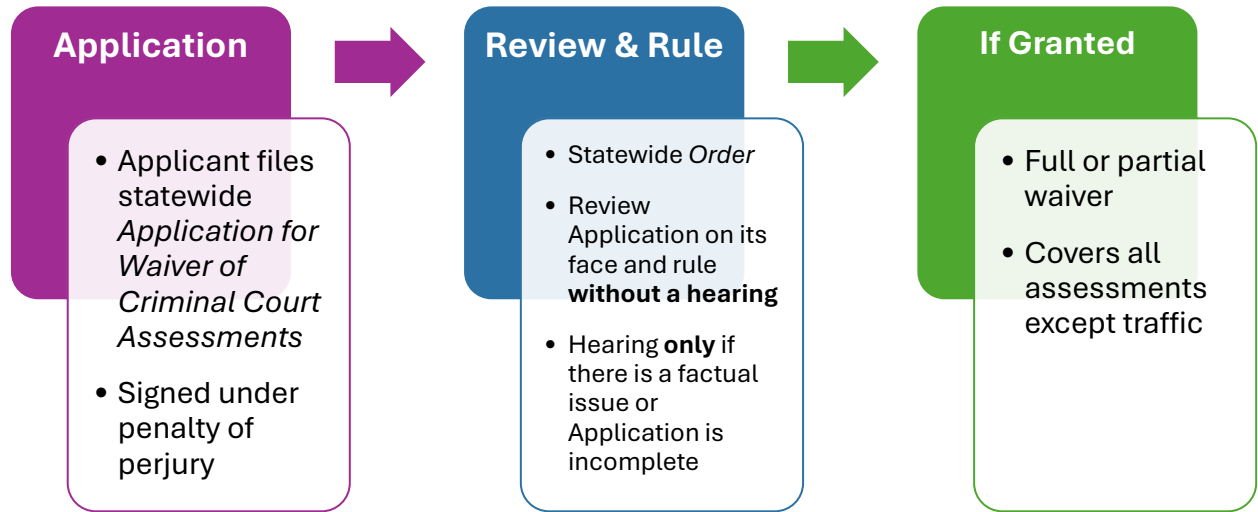
- [735 ILCS 5/5-105](#)
- [Ill. S. Ct. R. 298](#)
- [Statewide Application and Order for Waiver of Court Fees \(Civil\)](#)
- [Judicial Bench Card: Civil Fee and Criminal Assessment Waiver](#)

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## Criminal Assessment Waivers

30

## Criminal Assessment Waiver Overview



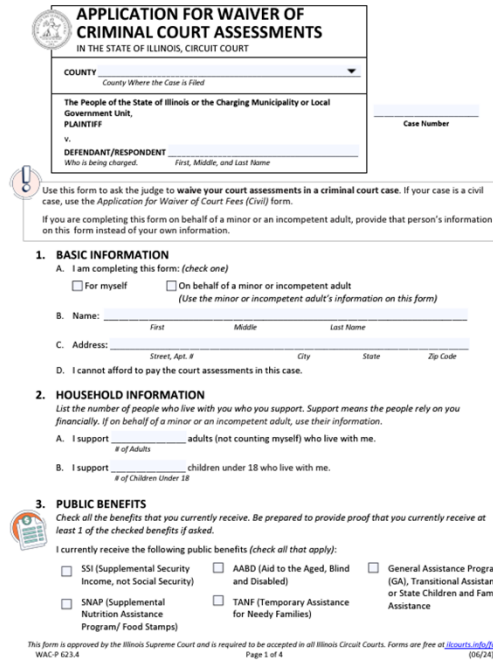
31

## Criminal Assessment Waiver 725 ILCS 5/124A-20

<b>100% Waiver</b>	Receives a <b>means-based public benefit</b> (regardless of income)
<b>100% Waiver</b>	Available income <b>200% FPL</b> or less
<b>100% Waiver</b>	Payment would result in <b>substantial hardship</b> (regardless of income)
<b>75% Waiver</b>	Available income greater than <b>200%</b> but does not exceed <b>250% FPL</b>
<b>50% Waiver</b>	Available income greater than <b>250%</b> but does not exceed <b>300% FPL</b>
<b>25% Waiver</b>	Available income greater than <b>300%</b> but does not exceed <b>400% FPL</b>

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## Statewide Application & Order for Waiver of Criminal Court Assessments



**APPLICATION FOR WAIVER OF CRIMINAL COURT ASSESSMENTS**  
IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY \_\_\_\_\_  
County Where the Case is Filed

The People of the State of Illinois or the Charging Municipality or Local Government Unit,  
PLAINTIFF  
v.  
DEFENDANT/RESPONDENT  
Who is being charged. First, Middle, and Last Name

Case Number \_\_\_\_\_

Use this form to ask the judge to waive your court assessments in a criminal court case. If your case is a civil case, use the Application for Waiver of Court Fees (Civil) form.

If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information on this form instead of your own information.

**1. BASIC INFORMATION**  
A. I am completing this form: (check one)  
☐ For myself ☐ On behalf of a minor or incompetent adult  
(Use the minor or incompetent adult's information on this form)

B. Name: \_\_\_\_\_  
First Middle Last Name

C. Address: \_\_\_\_\_  
Street, Apt. # City State Zip Code

D. I cannot afford to pay the court assessments in this case.

**2. HOUSEHOLD INFORMATION**  
List the number of people who live with you who you support. Support means the people rely on you financially. If on behalf of a minor or an incompetent adult, use their information.

A. I support \_\_\_\_\_ adults (not counting myself) who live with me.  
# of Adults

B. I support \_\_\_\_\_ children under 18 who live with me.  
# of Children Under 18

**3. PUBLIC BENEFITS**  
Check all the benefits that you currently receive. Be prepared to provide proof that you currently receive at least 1 of the checked benefits if asked.

I currently receive the following public benefits (check all that apply):

☐ SSI (Supplemental Security Income, not Social Security) ☐ AABD (Aid to the Aged, Blind and Disabled) ☐ General Assistance Program (GA), Transitional Assistance, or State Children and Family Assistance

☐ SNAP (Supplemental Nutrition Assistance Program/ Food Stamps) ☐ TANF (Temporary Assistance for Needy Families)

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. Forms are free at <https://courts.illinois.gov>.  
WAC-P 623.4 Page 1 of 4 (06/24)

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## Timing

- Application must be filed **no later than 30 days** after sentencing
- Assessments must be imposed **at the time of sentencing**
  - Cannot defer until sentence if complete

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## Ruling on the Application

- Ruling must be based on the information contained **on the face** of the Application, **without conducting a hearing**
- A hearing is permitted **only** if the Application:
  - Is incomplete; or
  - Gives rise to a factual issue

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## Incomplete Application or Factual Issue

- Must give applicant an **opportunity to amend** and/or a remote **hearing**
- Must enter an order stating:
  1. **Specific eligibility questions** that necessitate a hearing;
  2. **Documents**, if any, must be submitted in support of the Application at or before the hearing, and how to submit them; and
  3. **Date and time for a remote hearing** unless the applicant requests an in-person hearing, and the remote hearing meeting ID and password or courtroom location

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## How to Qualify: Full Waiver

Public benefits *or*

Income *or*

Substantial hardship

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## 1. Public Benefits

- **Full fee waiver** if applicant gets 1 or more of these **means-based governmental public benefits**:

- Supplemental Security Income (SSI)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP/food stamps)
- General Assistance,
- Transitional Assistance, or
- State Children and Family Assistance.

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## Public Benefits Alone Are Enough!

- If the applicant receives one or more of the qualifying public benefits, **they qualify for a full waiver**
- Regardless of income
- Applicant does not need to provide additional financial information

39

## 2. Income

- **Full waiver** if applicant's available income is **200% or less** of the FPL
- "Available" income – look at:
  - Household size
  - Income
  - Expenses

40

## 2024 Federal Poverty Guidelines: Annual Income

Family Size	200% FPL	250% FPL	300% FPL	400% FPL
1	30,120	37,650	45,180	60,240
2	40,880	51,100	61,320	81,760
3	51,640	64,550	77,460	103,280
4	62,400	78,000	93,600	124,800
5	73,160	91,450	109,740	146,320
6	83,920	104,900	125,880	167,840
7	94,680	118,350	142,020	189,360
8	105,440	131,800	158,160	210,880
Add amount for each additional person	10,760	13,450	16,140	21,520

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### 3. Substantial Hardship

- **Full waiver** if payment of assessments would result in **substantial hardship** to the applicant or their family
- Regardless of income
- Judge's discretion

42



## Partial Assessment Waiver

- Based solely on income and assets
- Income determines percentage of waiver
  - >200% FPL to 250% FPL = **75% fee waiver**
  - >250% FPL to 300% FPL = **50% fee waiver**
  - >300% FPL to 400% FPL = **25% fee waiver**
- Judge can order payment to be deferred or a payment plan

43

## 2024 Federal Poverty Guidelines: Annual Income

Family Size	200% FPL	250% FPL	300% FPL	400% FPL
1	30,120	37,650	45,180	60,240
2	40,880	51,100	61,320	81,760
3	51,640	64,550	77,460	103,280
4	62,400	78,000	93,600	124,800
5	73,160	91,450	109,740	146,320
6	83,920	104,900	125,880	167,840
7	94,680	118,350	142,020	189,360
8	105,440	131,800	158,160	210,880
Add amount for each additional person	10,760	13,450	16,140	21,520

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## What's Covered?

- Assessments under Article 15 of the Criminal and Traffic Assessment Act
- Does not include Illinois Vehicle Code assessments

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## Representation by the Public Defender

- If a party is represented by the public defender, a criminal legal services provider, or a court-sponsored pro bono program, the attorney shall file a **Rule 404 Certification for Waiver of Court Assessments**
- Rule 404 Certification entitles the party to a **full fee waiver**
  - No need for an Application
  - No judicial determination

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## What if the applicant has a private lawyer?

- They can still qualify!
- An applicant can be represented by a private lawyer and still qualify for a full or partial fee waiver



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## Criminal Assessment Waiver Resources

- [725 ILCS 5/124A-20](#)
- [Ill. S. Ct. R. 404](#)
- [Statewide Application and Order for Waiver of Criminal Assessments](#)
- [Judicial Bench Card: Civil Fee and Criminal Assessment Waiver](#)

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# Illinois Court \$ Waivers Overview

Civil Court fees, costs, and charges (including filing fees, costs of service of process, charges for mandatory processes or procedures to start, defend, or enforce a case) and Criminal Court assessments (not punitive fines/restitution and not fees for violations of the Vehicle Code) may be fully or partially waived by a judge for those that qualify because:

(1) they receive a means-based public benefit, OR (2) they have income within certain limits of the Federal Poverty Line (FPL), OR (3) it would be a substantial hardship to pay the fees or assessments.

For more information about Civil Court Waivers, go to 735 ILCS 5/5-105 and Illinois Supreme Court Rule 298  
For more information about Criminal Court Waivers, go to 725 ILCS 5/124A-20 and Illinois Supreme Court Rule 404



## Required Forms

Everyone **MUST** use the statewide standardized waiver forms. There is one forms suite for civil cases and one for criminal cases. Forms can be found at the circuit clerk's office or online at [illinoiscourts.gov/documents-and-forms/approved-forms/](https://illinoiscourts.gov/documents-and-forms/approved-forms/)

Clerks and Courts **MUST** accept these forms and any accompanying court documents.



## Means-Based Public Benefits

Judges **MUST** grant full waivers for applicants who receive one or more of the following means-based public benefits:

- Supplemental Security Income (SSI, not Social Security)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP Food Stamps)
- General Assistance (GA), Transitional Assistance, State Children and Family Assistance

Benefit recipient's income has already been fully vetted by the government.



## Income

Judges **MUST** grant waivers for applicants whose income qualifies as follows:

### Civil Cases

- **100%** Waiver if income is up to 125% of FPL
- **75%** Waiver if income is 125-150% of FPL
- **50%** Waiver if income is 150-175% of FPL
- **25%** Waiver if income is 175-200% of FPL

### Criminal Cases

- **100%** Waiver if income is up to 200% of FPL
- **75%** Waiver if income is 200-250% of FPL
- **50%** Waiver if income is 250-300% of FPL
- **25%** Waiver if income is 300-400% of FPL



## Substantial Hardship

Judges **MAY** grant a full waiver if applicants show that paying court fees or assessments would be a substantial hardship for them or their family.

For reference, 100% of the 2022 FPL for one person is \$13,590 and \$27,750 for a family of four annually.

**NOTE:** FPL changes every year. For current levels check: <https://aspe.hhs.gov/poverty-guidelines>.



## What to Expect

-Every courthouse processes applications differently.

-Judges may require applicants to come to an in-person hearing or show documentation.

-**Judges must state a reason for denial in the order if they deny the application.**

-If judge later finds that an applicant wasn't actually eligible or that their financial circumstances have changed, they may order fees be paid in civil cases.

-**Waivers in civil cases expire after one year.**



A 2020 CIRCUIT COURT INITIATIVE

**ACCESS  
TO JUSTICE**  
EDUCATION SUPPORT EMPOWERMENT

UPDATED  
01/22

# Can't Afford Your Court Fees?

*¿No puede pagar las cuotas de la corte?*



If you cannot pay your civil fees or criminal assessments you may ask the judge to waive all or a portion of them.

*Si no puede pagar las cuotas de la corte civil o "assessments" de la corte criminal, puede pedirle al juez que renuncie a todas o una parte de ellas.*

**APPLICATION FOR WAIVER OF COURT FEES (CIVIL)**  
IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY

County Where You Are Filing the Case

Enter the case information as it appears on your other court documents.

PLAINTIFF/PETITIONER OR IN RE   
Who Started the Case First, Middle, and Last Name or Business Name

DEFENDANT/RESPONDENT   
Who the Case Was Filed Against First, Middle, and Last Name or Business Name

Case Number (Clerk fills in)

Use this form to ask the judge to **waive your court fees, costs, and charges in a civil court case**. If your case is a criminal case, use the *Application for Waiver of Criminal Court Assessments* form. If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information on this form instead of your own information.

**1. BASIC INFORMATION**

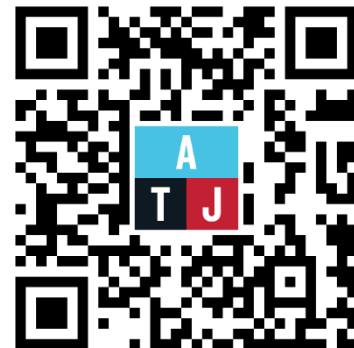
A. I am completing this form (check one):

☐ For myself ☐ On behalf of a minor or incompetent adult  
(Use the minor or incompetent adult's information on this form)

B. Your Name (applicant):

First Middle Last Name

[ilcourts.info/forms](http://ilcourts.info/forms)



The applications and instructions are available from the clerk of court and online. (There are two different applications, one for civil cases and one for criminal cases. Make sure to ask for the correct form for your type of case.)

*Las solicitudes y las instrucciones están disponibles del "clerk" de la corte y en la página de web. (Hay dos solicitudes diferentes, una para casos civiles y otra para casos criminales. Asegúrese de pedir el formulario correcto para su tipo de caso.)*



This notice complies with the requirements of  
725 ILCS 5/124A-20 & 735 ILCS 5/5-105

(UPDATED 01/24)

ILLINOIS SUPREME COURT COMMISSION  
**ACCESS  
TO JUSTICE**  
EDUCATION. SUPPORT. EMPOWERMENT.





# Section 6

## Language Access





# **Illinois Supreme Court**

## **Language Access Policy**

**Effective October 1, 2014**

**Amended September 20, 2016**



# **ILLINOIS SUPREME COURT LANGUAGE ACCESS POLICY**

## **I. PREAMBLE**

The Illinois Supreme Court recognizes that equal access to the courts is essential to ensuring the strength and integrity of the judiciary and preserving trust in our legal system. Equal access to the courts, regardless of language limitations or disabilities, is an important issue in Illinois, which has a significant and growing number of people with limited English proficiency throughout the state. As such, the fair administration of justice requires that our state's courts be language accessible to all people, including those who are limited English proficient or are deaf or hard of hearing.

This policy provides a blueprint for the courts of Illinois to develop a unified approach for the provision of statewide language access services. This policy is offered to guide Illinois courts in the implementation of a comprehensive language access program and establishes standards to support the ongoing development of circuit-specific Language Access Plans.

It is the Supreme Court's vision that qualified and trained interpreters and clear and multi-lingual signage be available in both civil and criminal legal proceedings within courthouses and for court-annexed proceedings.

In support of this vision, the Supreme Court is committed to implementing and developing standards to support the development of a body of qualified and trained foreign language interpreters. Unlike foreign language interpreting, the field of sign language interpreting has nationally and locally developed standards, which Illinois adheres to, for the evaluation and certification of sign language interpreters under the Americans with Disabilities Act of 1990 and the Illinois Interpreter for the Deaf Licensure Act of 2007.

To support the development of trained foreign language interpreters, a three-tiered certification program for foreign language court interpreters statewide is established. When a court determines a foreign language interpreter is needed, the court should appoint a certified, qualified or registered interpreter when practicable.

The Supreme Court will work with all stakeholders to seek adequate funding for language access programs, which may include requests for increases in funding of judicial budgets, government grants, or other sources of funding. Recognizing the limited resources for language access, funding priority should be given to providing interpreter services to low and moderate income persons.

This policy is based on the fundamental principles of fairness, access to justice and integrity of the judicial process; the principles of due process, equal protection and judicial independence rooted in the Illinois constitution; and the legal requirements of state and federal law, including Title VI of the Civil Rights Act of 1964. With the guidance contained in the policy, it is hoped that the judiciary will be better equipped to minimize the obstacles faced by limited English proficient individuals or deaf or hard of hearing persons when they attempt to access Illinois courts.

## II. DEFINITIONS

1. "Court-annexed proceeding" means court proceedings which are managed by officers of the court or their official designees (*e.g.*, mandatory arbitration or mediation, probation contacts and court-ordered evaluations).
2. "Foreign language interpreter" means a person fluent in both English and another language, who listens to a communication in one language and orally converts it into another language while retaining the same meaning. An interpreter need not be physically present to provide interpreter services. An "interpreter" differs from a "translator," who converts written text from one language into written text in another language. This policy contains rules governing interpretation in the context of court proceedings, rather than written translation.
  - a. "Certified interpreter" means a foreign language interpreter certified pursuant to the program established by the Administrative Office of the Illinois Courts and listed on the statewide registry maintained by the Administrative Office of the Illinois Courts and does not present a conflict of interest identified in Section V of this policy.
  - b. "Qualified interpreter" means a foreign language interpreter qualified pursuant to the program established by the Administrative Office of the Illinois Courts and listed on the statewide registry maintained by the Administrative Office of the Illinois Courts and does not present a conflict of interest identified in Section V of this policy.
  - c. "Registered interpreter" means a foreign language interpreter registered pursuant to the program established by the Administrative Office of the Illinois Courts and listed on the statewide registry maintained by the Administrative Office of the Illinois Courts and does not present a conflict of interest identified in Section V of this policy.
  - d. "Unregistered interpreter" means a foreign language interpreter who is not certified, qualified or registered pursuant to the program established by the Administrative Office of the Illinois Courts, but demonstrates to the court proficiency in English and the foreign language and does not present a conflict of interest identified in Section V of this policy.
3. "Language Access Services" means the full spectrum of language services available to provide meaningful access to the programs and services for Limited English Proficient Persons, including, but not limited to, in-person interpreter services, telephonic and video remote interpreter services, translation of written materials, and bilingual staff services.
4. "Legal proceeding" means (a) any court proceeding before any court of this state, civil or criminal; and (b) any court-annexed proceeding, such as a court-annexed mediation or a mandatory arbitration under Illinois Supreme Court Rules.
5. "Limited English Proficient Person" means someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak, or

understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate in a legal proceeding.

6. "Party" means, in any legal proceeding, a plaintiff or defendant, including a person who brings or defends an action on behalf of a minor or incompetent, the parent or legal guardian of a minor party, and a legal guardian of a plaintiff or defendant. In criminal and juvenile proceedings, "party" also includes the alleged victim and the parent or guardian of an alleged minor victim or of a juvenile.
7. "Sign language interpreter" means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a deaf, hard of hearing, or deaf blind party, witness, juror, or spectator through the use of sign language or other manual or oral representation of a spoken language.
  - a. "Sign language interpreter listed on the Administrative Office of the Illinois Courts' registry" means a sign language interpreter that is licensed at a "Master" or "Advanced" level with the Illinois Deaf and Hard of Hearing Commission and has met any additional training and registration requirements pursuant to the program established by the Administrative Office of the Illinois Courts.
  - b. "Qualified sign language interpreter," as defined in the Americans with Disabilities Act of 1990, means one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

### **III. INDIVIDUALS ELIGIBLE TO RECEIVE INTERPRETER SERVICES**

The court should provide an interpreter for any Limited English Proficient Person who is involved in a legal proceeding as a party or witness. Consistent with the Americans with Disabilities Act and Illinois state statute (735 ILCS 5/8-1402), the court shall provide a qualified sign language interpreter for deaf or hard of hearing persons who are involved in any legal proceeding as a litigant, witness, victim, juror or spectator. Consistent with the Illinois Criminal Proceeding Interpreter Act, the court shall provide an interpreter for Limited English Proficient defendants in criminal proceedings via a written order (725 ILCS 140/2). Consistent with the Illinois Code of Civil Procedure, the court shall provide an interpreter for Limited English Proficient parties and witnesses in civil proceedings via a written order, pursuant to this Policy and the judicial circuit's Language Access Plan (735 ILCS 5/8-1403).

### **IV. DETERMINING NEED FOR INTERPRETER SERVICES**

For any legal proceeding, the court may determine that an interpreter is needed upon the request of the Limited English Proficient Person or his or her attorney or other advocate. If no such request is made, but if the court reasonably believes that an individual is a Limited English Proficient Person, the court shall examine this individual in open court. This examination shall consist of open-ended questions that will provide the court with the information necessary to determine whether the individual has a limited ability to speak or understand English. The court

should appoint an interpreter if it determines that the individual is a Limited English Proficient Person. After the examination, the court shall state its conclusion in open court.

Each circuit's chief judge shall decide how to collect and track the appointment of an interpreter for a Limited English Proficient party or witness (*e.g.*, via a written order, marking the case file, adding a notation to a case file or docket, adding information to a field in a case management system, using an electronic tracking system, or some other method deemed appropriate). The data collected should indicate, at a minimum, whether an interpreter was appointed and the requested language. The method of collecting this data shall be described in each circuit's Language Access Plan (see Section XI).

The fact that an individual for whom English is a second language knows some English should not prohibit that individual from being allowed to have an interpreter.

Currently, there is no reporting requirement for Illinois courts regarding limited English proficient litigants and interpreter usage. The lack of such data prevents meaningful determinations about the scope of need in Illinois courts and inhibits the development of programs designed to improve efficiency and fairness in the courts. To begin the collection of limited English proficient data, court personnel will be required to collect on a quarterly basis and share with the Administrative Office of Illinois Courts:

- The number of legal proceedings that included a limited English proficient party by case type and the language interpreted.
- The type of interpreter used in legal proceedings and whether the interpreter was a certified, qualified or registered foreign language interpreter listed on the Administrative Office of the Illinois Courts' interpreter registry, a sign language interpreter listed on the Administrative Office of the Illinois Courts' interpreter registry, or an unregistered interpreter.

## **V. TYPE OF INTERPRETER TO APPOINT**

Whenever a foreign language interpreter is appointed by the court, a certified or qualified interpreter shall be provided if one is available. After the court has made reasonable efforts to provide a certified or qualified interpreter and one is not available, a registered interpreter shall be provided if one is available.

A person who is certified and in good standing by the federal courts or by a state having a certification program shall be considered a certified interpreter under this policy, so long as the certification requirements that person has satisfied have been deemed sufficient by the Administrative Office of the Illinois Courts.

An unregistered interpreter should be appointed if the court made reasonable efforts to obtain a certified, qualified or registered interpreter and a certified, qualified or registered interpreter was not reasonably available, or if good cause is otherwise shown.

If an unregistered interpreter is appointed, the court shall examine the interpreter in open court to ensure that the interpreter is qualified to interpret in legal proceedings, has proficiency in English and the foreign language, and does not present a conflict of interest as identified in this section of this policy.

Whenever a sign language interpreter is appointed by the court, a sign language interpreter listed on the Administrative Office of the Illinois Courts interpreter registry shall be provided if one is available. After the court has made reasonable efforts to provide a sign language interpreter on the registry and one is not available, a qualified interpreter shall be provided pursuant to the Americans with Disabilities Act and Illinois state statute (735 ILCS 5/8-1402).

A court shall use reasonable efforts to avoid appointing an individual as an interpreter for a legal proceeding pursuant to Section III of this policy if any of the following apply:

1. The interpreter is compensated by a business owned or controlled by a party or a witness;
2. The interpreter is a friend, or a family or household member, of a party or witness;
3. The interpreter is a potential witness;
4. The interpreter is court personnel employed for a purpose other than interpreting;
5. The interpreter is a law enforcement officer or probation department personnel;
6. The interpreter has a pecuniary or other interest in the outcome of the case;
7. The interpreter does or may have a real or perceived conflict of interest, or the appointment of an interpreter has the appearance of impropriety;
8. If for any reason, the court believes the appointment of the interpreter is not appropriate.

## **VI. AN OATH REQUIREMENT FOR INTERPRETERS**

Before beginning to interpret in any legal proceeding, or before interpreting for several legal proceedings in one day, every unregistered interpreter shall swear or affirm in open court that he or she will make a true and impartial interpretation using his or her best skill and judgment in accordance with the standards prescribed by law and the ethics of the interpreter profession and that he or she will, in the English language, fully and accurately, repeat the statements of such person to the court before such proceeding takes place, and will repeat all statements made during such proceeding from English to sign language or a Limited English Proficient Person's native language fully and accurately.

*Comment: Interpreters listed on the Administrative Office of the Illinois Courts' registry shall sign a written oath that can be maintained on file by the local court. Unregistered interpreters may sign a written oath to keep on file at the local courts' discretion. This simplifies the court's*

*inquiries in open court during procedural hearings. It is recommended, however, that an oath be read and sworn to in open court in all proceedings conducted before a jury.*

## **VII. CONFIDENTIAL COMMUNICATIONS IN THE PRESENCE OF AN INTERPRETER**

An interpreter must not disclose confidential communications privileged by state or federal law to any person.

## **VIII. REMOVAL OF AN INTERPRETER**

The court may use its discretion to substitute a different interpreter for the interpreter initially appointed in a proceeding. The court may make a substitution at any time and for any reason, but any substitution must be made in open court and must follow procedures laid out in Section V of this policy.

If a Limited English Proficient Person or an attorney or advocate involved in the proceeding concludes that the appointed interpreter is not interpreting communications correctly, the Limited English Proficient Person or an attorney or advocate involved in the proceeding may request the appointment of a different interpreter.

## **IX. PAYMENT FOR AN INTERPRETER'S SERVICES**

No fee shall be charged to any Limited English Proficient Person for the appointment of an interpreter.

The cost of providing interpreter services shall be the responsibility of the county or court that has jurisdiction over the judicial proceeding for which the interpreter was appointed. In determining the amount of compensation to be paid to the interpreter, the presiding judicial officer shall follow the fee schedule for interpreters established by the chief circuit judge.

*Comment: Language access services ensure that all persons have equal access to justice and that information essential for the efficiency and integrity of legal proceedings can be understood by both English speakers and those who are limited English proficient. Courts should avoid placing the burden of paying for language access disproportionately on limited English proficient individuals in a manner that discourages access to the court or inhibits requests for language services necessary for full participation in the proceedings. The Illinois Supreme Court will work with all stakeholders to seek adequate funding for language access programs, which may include requests for increases in funding of judicial budgets, government grants, or other sources of funding.*

## **X. CERTIFICATION AND REGISTRATION PROGRAM**

The Administrative Office of the Illinois Courts is charged with establishing and administering a comprehensive certification and registration program for foreign language interpreters.

The Administrative Office of the Illinois Courts is further charged with establishing and adopting standards of proficiency, written and oral, in English and the language to be interpreted.

Upon Supreme Court approval, the Administrative Office of the Illinois Courts will maintain a Code of Ethics that defines a set of principles to guide interpreter conduct and educate judges on the level of conduct expected. All foreign language and sign language interpreters serving in any legal proceeding, whether listed on the statewide registry or not, shall abide by the Code of Ethics for Interpreters adopted by the Supreme Court of Illinois.

The Administrative Office of the Illinois Courts is charged with compiling, maintaining, and disseminating a current registry of foreign language interpreters certified, qualified and registered by the Administrative Office of the Illinois Courts.

The Administrative Office of the Illinois Courts may charge reasonable fees to foreign language interpreters, as authorized by the Supreme Court, for testing, training, certification, and registration. These fees shall be deposited into the Foreign Language Interpreter Fund.

The Administrative Office of the Illinois Courts will seek partnerships with community colleges and other private or public educational institutions and with other public or private organizations to establish a certification preparation curriculum and suitable training programs to ensure the availability of certified and qualified foreign language interpreters. Training programs may be made readily available throughout Illinois.

The Administrative Office of the Illinois Courts may conduct periodic examinations to ensure the availability of certified and qualified foreign language interpreters. Periodic examinations should be made readily available throughout Illinois.

The expenses of testing, training, and certifying foreign language court interpreters under the program, as authorized by the Supreme Court, may be paid, subject to appropriation, from the Foreign Language Interpreter Fund or any other source of funds available for this purpose.

Please note that the certification and licensure of sign language interpreters is governed by state statute under the Illinois Interpreter for the Deaf Licensure Act of 2007, federal standards under the Americans with Disabilities Act of 1990 and certifying entities, such as the National Association of the Deaf and the Registry of Interpreters for the Deaf. Sign language interpreters listed on the Administrative Office of the Illinois Courts' registry must be licensed at a "Master" or "Advanced" level with the Illinois Deaf and Hard of Hearing Commission and must meet any additional training and registration requirements pursuant to the program established by the Administrative Office of the Illinois Courts.

## **XI. LANGUAGE ACCESS PLAN**

Each circuit must develop an annual written Language Access Plan to provide a framework for the provision of Language Access Services for Limited English Proficient Persons. Circuit-specific Language Access Plans will enable each circuit to identify their most frequently requested languages, identify practices and procedures to guide courts in the circuit as to how to provide language assistance, list all available language access resources in frequently requested languages, and identify the circuit's goals for the coming year. In multi-county circuits, courts can draft county-specific Language Access Plans at their own discretion. The Language Access Plan should include, at a minimum, the following:

- Procedures for court personnel to identify and assess the language needs of Limited English Proficient Persons using the court system.
- Procedures for ensuring that Limited English Proficient Persons are provided with interpreters during legal proceedings.
- Procedures for notifying court users of the right to and availability of interpreter services.
- Procedures for court personnel and judges to collect and track the appointment of an interpreter for a Limited English Proficient party or witness, including the language requested.
- Procedures for evaluating the need for translation of written materials, prioritizing those translation needs, and translating the highest priority materials.
- A process for providing training to judges, court clerks, and other court staff on the elements of the Language Access Plan and how to effectively access and work with interpreters.
- A list of community organizations serving Limited English Proficient Persons that can provide support in addressing language access needs.
- A process for ongoing evaluation of the Language Access Plan and monitoring of the Language Access Plan.

Each circuit should update its Language Access Plan annually to reflect changes in the language needs of court users and changes in court procedures and practices implemented to meet those needs.

Each circuit's Language Access Plan and any subsequent updates will be annually reviewed by the Administrative Office of the Illinois Courts to ensure that it accurately reflects and addresses the need for Language Access Services.





# ILLINOIS JUDICIAL BRANCH

## Bench Card: Courtroom Interpreting

### How Do I Determine Whether A Person Needs An Interpreter?

Presume a need for an interpreter upon the request of a limited English proficient (LEP) person or his or her attorney or advocate. If a request is not made for an interpreter, but it appears a party or witness has limited English proficiency, a judge should ask questions **on the record** to assess the need for an interpreter for any legal proceeding.

#### Sample questions for determining the English proficiency of a person and the need for an interpreter:

*(Avoid questions easily answered with yes or no replies.)*

- What is your name?
- How long have you been in the United States?
- How did you learn English?
- What papers did you bring to Court today?
- Do you know why you are in Court today?

**You may have the right to a court-appointed interpreter.** Tell the court the best way to communicate with you and to let you know what is being said.

*If the person has difficulty answering these simple questions, an interpreter is recommended. Presumably, a person unable to answer these questions is unable to communicate well in high-stress matters involving legal terminology. Also, if the court cannot understand the person's spoken English, consider using an interpreter. Request that the person speak in her or his native language, so that the interpreter can interpret into English.*

**According to Illinois case law, a need for interpreter services will be found when** "it appears from the record that the witness was not 'understandable,' 'comprehensible' or 'intelligible' such that the lack of an interpreter deprived the defendant of a basic right." *People v. Bragg*, 68 Ill. App. 3d 622, 630 (1979).

### Is the Court Required to Provide an Interpreter?

**YES.** Counties are responsible for the arrangement and compensation of interpreters (some reimbursement available for using interpreters on the Registry).

- **Court is required to appoint an interpreter in criminal proceedings** for LEP defendants in misdemeanor and felony cases via a written order. Criminal Proceeding Interpreter Act, 725 ILCS 140/2.
- **Court is required to appoint an interpreter in civil proceedings** for LEP parties and witnesses via a written order. Code of Civil Procedure, 735 ILCS 5/8-1403.
- **Court is required to provide a qualified sign language interpreter** for deaf and hard of hearing persons who are involved in any legal proceeding as a litigant, witness, victim, or juror. Code of Civil Procedure, 735 ILCS 5/8-1402.
- **Court should appoint an interpreter for LEP parties and witnesses for any legal proceeding**, including criminal and civil cases, and any court-annexed proceeding such as mediation or arbitration. Illinois Supreme Court Language Access Policy, effective Oct. 1, 2014.

### Once appointed, what type of interpreter to appoint?

- (1) Courts must make reasonable efforts to appoint a certified or qualified foreign language interpreter from the AOIC Interpreter Registry ("Registry").
- (2) If none is available, the court must appoint a "registered" interpreter from the Registry.
- (3) If none is available from the Registry, the court may appoint an unregistered interpreter and must examine the interpreter in open court to ensure minimum qualifications and impartiality.

#### Sample Qualification Questions:

- Are you certified? If you are not certified, are you on the AOIC Interpreter Registry?
- Is your dialect compatible with Mr./Ms. \_\_\_\_\_?
- Do you understand that as an interpreter you must interpret everything, and that you may not summarize the testimony or other proceedings?
- What is your experience interpreting in court?
- Have you ever interpreted for any of the people involved in this case?
- Are you able to remain fair and impartial?
- **To the parties:** Does either party have any questions for the interpreter?

## Interpreter Oaths

- According to **Illinois state statute**, an interpreter must be **sworn to truly interpret** in criminal and civil cases. Criminal Proceeding Interpreter Act, 725 ILCS 140/2; Code of Civil Procedure, 735 ILCS 5/8-1403.
- According to **Supreme Court policy**, an interpreter must swear or affirm the following oath in open court before **any legal proceeding** or before interpreting for several legal proceedings in a court in one day, unless a signed oath is on file with the court:

### Sample Oath

*Do you swear (or affirm) that you will make a true and impartial interpretation using your best skill and judgment in accordance with the standards prescribed by law and the Illinois Interpreter Code of Ethics and that you will repeat the statements of such person to the court and all statements made from English to the party's native language fully and accurately?*

## Interpreter Role Admonishment

- To ensure that all participants understand the role of the interpreter, consider reading the following language at the start of a court proceeding:

***Before we proceed any further, I would like to make a few comments regarding the interpreter's role in today's proceedings.***

- *The interpreter can only interpret for one person at a time. Therefore, please do not speak or interrupt while someone else is testifying or speaking. The interpreter can only interpret testimony that is spoken. All responses given here must be verbal. You are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures or highly technical vocabulary.*
- *As for the interpreter(s), you are bound by the Illinois Interpreter Code of Ethics, and you are expected to follow its canons. You must interpret everything that is said in this courtroom, including this information. You are not allowed to engage in any conversation with the litigant/defendant/ witness. You are not allowed to give any legal advice, or express personal opinions about this matter to the litigant/defendant/witness. You are expected to maintain confidentiality and not publicly discuss this case. If for some reason you need to pause the proceedings so that you can refer to a dictionary, please raise your hand and speak up.*
- *Are there any questions or concerns?*

## Tips for Communicating Through Interpreters:

- Instruct all participants to speak loudly and clearly and to speak one at a time.
- Allow the interpreter to converse briefly with the non-English speaker to ensure understanding of accents, dialect or pronunciation differences.
- Speak directly to the non-English speaking person.
- Don't ask the interpreter to independently explain/restate anything said by the party.
- The interpreter must convey all questions, answers and courtroom dialogue, and therefore, is constantly working. Advise the interpreter to notify the court when breaks are needed.
- Allow the interpreter to review the court file prior to the hearing, to become familiar with names, dates and technical vocabulary.
- Monitor the interpreter so that side conversations with the non-English speaking person are eliminated.
- Recognize that court proceedings can be confusing and intimidating for a non-English speaker since other countries' legal systems and concepts often vary from those of the U.S.

**NOTE:** If the court expects the hearing or trial to last for several hours or days, the court may wish to appoint two interpreters. Due to the level of concentration required to accurately conduct a simultaneous interpretation, interpreters require frequent breaks. If the court appoints two interpreters, they can conduct a continuous interpretation by alternating, thereby allowing the court to conduct the proceedings without unnecessary delays or interruptions.

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**For Additional Assistance, please contact:**  
**Administrative Office of the Illinois Courts**  
**Access to Justice Division**  
[AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov)

ILLINOIS SUPREME COURT COMMISSION





# ILLINOIS JUDICIAL BRANCH

## Court Personnel Information Card: Limited English Proficient Individuals

Updated 10/20

### How Do I Determine Whether a Person should have an Interpreter Appointed?

According to the Illinois Supreme Court Language Access Policy (effective Oct. 1, 2014), the court should provide an interpreter for any Limited English Proficient (LEP) Person who is involved in a legal proceeding as a party or witness. "LEP Person" means someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak or understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate in a legal proceeding. "Legal proceeding" means any court proceeding (civil or criminal) and any mandatory court-annexed proceeding, such as court-annexed mediation or mandatory arbitration under Illinois Supreme Court Rules.

#### Four Steps for Securing Language Assistance:

##### Step 1: Determining language spoken

If you need to determine the language spoken by an individual, you may refer to the Language Identification Flashcard or "I speak" card developed by the U.S. Census at <http://www.lep.gov/ISpeakCards2004.pdf>. The individual can check or point to the box that indicates which language he or she speaks. Once the language has been identified, a court interpreter can be appointed if necessary.

##### Step 2: Communicating with LEPs outside of a legal proceeding

If you need to communicate with an LEP person at the clerk's counter or elsewhere in the courthouse outside of the courtroom, the following options are available to you to help facilitate communication:

- (1) bilingual staff in the courthouse,
- (2) the LEP person's bilingual advocate, family member or friend, or
- (3) remote interpreting services, such as LanguageLine. Please contact the Office of the Chief Judge in your circuit for dial-in information, or request that the service be installed (Language Line can be installed at no cost).

##### Step 3: Appointing an interpreter for a proceeding

Appointing an interpreter is a matter of judicial discretion. According to the Supreme Court Language Access Policy:

- (1) Courts must make reasonable efforts to appoint a "certified" or "qualified" foreign language interpreter from the AOIC Interpreter Registry. Certified and qualified interpreters have passed all exams and have met the highest level of requirements.
- (2) If none is available, the court must appoint a "registered" interpreter from the Registry. Registered interpreters have passed all exams at the minimum level of requirements.

- (3) When appropriate, **remote** interpreting services should be utilized, especially by companies that focus on the hiring of certified and qualified interpreters such as Interpretenet and InLingo.

- (4) If none is available from the Registry, the court may appoint an "**unregistered**" interpreter and must examine the interpreter in open court to ensure minimum qualifications and impartiality. *Illinois Supreme Court Language Access Policy*, effective Oct. 1, 2014.

**Note:** *When an unqualified or inexperienced court interpreter is used, there is a high possibility of misinterpretation or unethical behavior that can directly affect the outcome of a case.*

A court shall use reasonable efforts to *avoid* appointing the following types of individuals as an interpreter:

- (1) An individual compensated by a business owned or controlled by a party or witness;
- (2) A friend or family or household member of a party or witness;
- (3) A potential witness;
- (4) Court personnel employed for a purpose other than interpreter;
- (5) A law enforcement officer or probation department personnel;
- (6) An individual with a pecuniary or other interest in the outcome of a case; or
- (7) Any other individual that does or may have a real or perceived conflict of interest.

##### Step 4: Locating a certified or registered interpreter

The Administrative Office of the Illinois Courts (AOIC) website maintains a statewide registry of certified, qualified, and registered interpreters at [publicapps.illinoiscourts.gov](http://publicapps.illinoiscourts.gov). The registry is arranged alphabetically by language. If no interpreter is listed on the registry for the language you need, please contact the AOIC Language Access Program at [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).

### Sample Interpreter Qualification Questions:

- Are you certified? If you are not certified, are you on the AOIC Interpreter Registry?
- What is your experience interpreting in court? Have you completed any training to qualify you as an interpreter?
- Do you understand that as an interpreter you must interpret everything, and that you may not summarize the testimony or other proceedings?
- Do you have any experience in simultaneous interpreting? Do you have any experience in consecutive interpreting?
- Is your dialect compatible with [the litigant]?
- Are there any cultural or community concerns between you and [the litigant] that the court should be aware of?
- Have you ever interpreted for any of the people involved in this case?
- Are you able to remain fair and impartial?

### Courts Are Required to Provide and Pay for Interpreters

*Circuit county courts are responsible for the arrangement and compensation of interpreters.*

- **Courts are required to appoint an interpreter in criminal proceedings** for limited English proficient defendants in misdemeanor and felony cases via a written order. Criminal Proceeding Interpreter Act, 725 ILCS 140.
- **Court is required to appoint an interpreter in civil proceedings** for LEP parties and witnesses via a written order. Code of Civil Procedure, 735 ILCS 5/8-1403.
- **Courts are required to provide a qualified sign language interpreter** for deaf persons who are involved in any legal proceeding as a litigant, witness, victim, juror, or spectator. Code of Civil Procedure, 735 ILCS 5/8-1402.
- **Courts should appoint an interpreter for any legal proceeding**, including criminal, traffic and civil cases, and any court-annexed proceeding such as mediation or arbitration, for parties or witnesses. Illinois Supreme Court Language Access Policy, effective Oct. 1, 2014.

*Recognizing the limited resources for language access, funding priority should be given to providing interpreter services without charge to low and moderate income persons.*

### Reimbursement for interpreter costs from AOIC:

If your court or any entity in your county uses an interpreter listed on the AOIC Court Interpreter Registry, you can submit a reimbursement claim for either full or partial reimbursement. Please fill out a reimbursement voucher form, available through the Office of the Chief Judge, or by email to [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).

- **Full reimbursement is available for the use of certified and qualified interpreters** listed on the AOIC Registry, and for certified interpreters in other states. "Certified" means that they have passed the National Center for State Courts written and oral certification exams. "Qualified" means they have passed the National Center for State Courts written exam and an oral proficiency interview.
- **Full reimbursement is also available for the use of sign language interpreters** listed on the AOIC Registry, and for RID certified sign language interpreters in other states.
- **Partial reimbursement is available for the use of registered interpreters** listed on the AOIC Registry at a rate of \$30/hour.
- Completion of the voucher requires signatures from the County Treasurer and Chief Judge, or their designees.

**If the court expects the hearing or trial to last for several hours or days, the court may wish to appoint two interpreters.** Due to the level of concentration required to accurately conduct a simultaneous interpretation, interpreters require frequent breaks. If the court appoints two interpreters, they can conduct a continuous interpretation by alternating, thereby allowing the court to conduct the proceedings without unnecessary delays or interruptions.

### For Additional Assistance, please contact:

*Administrative Office of the Illinois Courts*

*Access to Justice Division*

[AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov)

ILLINOIS SUPREME COURT COMMISSION





# A Reference Guide When Working with a Court Interpreter

This list is not meant to be all-inclusive, but should be used as a helpful reference guide.



## Dos



Do speak to the Limited English Proficient (LEP) individual in first person, as though there is no language barrier.



Do give the interpreter and LEP individual a chance to speak to ensure language, variant and that they understand one another.



Do watch for signs of understanding and listen to the interaction with the interpreter.



Do pause frequently, it gives the interpreter the time to interpret what is being said.



## Don'ts



Don't hand an interpreter a document and ask to explain. The interpreters job is to interpret.



Don't use family members or children as interpreters. They often lack the vocabulary, impartiality, and neutrality to effectively interpret.



Don't use slang, puns, and idioms, when using an interpreter. Most often the translation or interpretation is not equivalent and can lead to confusion.



Don't have multiple people speaking. Only one person should be speaking when an interpreter is working. Overlapping conversation cannot be interpreted effectively.



# **Illinois Supreme Court**

## **Code of Interpreter Ethics**

**Effective November 20, 2020**

# **CODE OF ETHICS FOR INTERPRETERS IN THE ILLINOIS STATE COURT SYSTEM**

## **PREAMBLE**

Many persons who come before the courts are prevented from full participation in the proceedings due to limited English proficiency, or a speech or hearing impairment. It is essential that the resulting communication barrier be removed, to the extent possible, so that these persons are placed in the same position as similarly situated persons for whom there is no such barrier. As officers of the court, interpreters help assure that such persons may enjoy equal access to justice and that court proceedings and court support services function efficiently and effectively. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice.

## **PURPOSE**

This code seeks to:

1. Ensure meaningful access to all courts and court services for Limited English Proficient Persons;
2. Protect the constitutional rights of criminal defendants to the assistance of court interpreters during court proceedings;
3. Ensure due process in all phases of criminal and civil litigation for Limited English Proficient persons;
4. Ensure equal protection of the law for Limited English Proficient persons;
5. Increase efficiency, quality, and uniformity in proceedings which involve a court interpreter; and
6. Encourage the broadest use of certified and registered language interpreters by all those in need of such services within the courts.

## **APPLICABILITY AND ENFORCEMENT**

1. This code shall be binding upon all persons, and organizations who administer, supervise, use, or deliver spoken foreign or sign language interpreting services to the judicial system.
2. This code applies to court interpreters, including certified, registered, and unregistered interpreters, appearing:

- (a) In any proceeding before any court of the state;
  - (b) Before any attorney or court in connection with any matter that is brought before a court;
  - (c) In any other activity ordered by the court or conducted under the supervision of a court including but not limited to specialty courts, child custody mediations and mandatory arbitration proceedings.
3. Violations of this code may result in the interpreter being removed from a case, denied future appointments by the courts, being removed from the statewide interpreter registry maintained by the Administrative Office of the Illinois Courts, or losing credentials if the interpreter has been certified or registered pursuant to the rules of the Illinois Supreme Court.

## **Commentary**

The use of the term “shall” is reserved for the black-letter principles. Statements in the commentary use the term “should” to describe behavior that illustrates or elaborates upon the principles. The commentaries are intended to convey what the drafters of this code believe to be probable and expected behaviors. Wherever a court policy or routine practice appears to conflict with the commentary in this code, it is recommended that the reasons for the policy or practice as it applies to court interpreters be reviewed for possible modification.

## **DEFINITIONS**

For the purposes of this code, the following words shall have the following meaning:

“Certified interpreter” means a foreign language interpreter certified pursuant to the program established by the Administrative Office of the Illinois Courts and listed on the statewide registry maintained by the Administrative Office of the Illinois Courts.

“Cultural Fluency” means awareness and full comprehension of cross-cultural factors including but not limited to expectations, attitudes, values, roles, institutions, and linguistic differences and similarities.

“Interpretation” means the unrehearsed transmission of the spoken word or message from one language to another.

“Interpreter” means a person, who is fluent in both English and another language, who listens to a communication in one language and orally converts it into another language while retaining the same meaning. An interpreter need not be physically present to provide interpreter services.

“Limited English Proficient Person” means someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak, or understand



English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate.

“Registered interpreter” means a foreign language interpreter registered pursuant to the program established by the Administrative Office of the Illinois Courts and listed on the statewide registry maintained by the Administrative Office of the Illinois Courts.

“Sign language interpreter” means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a deaf, hard of hearing, or deaf blind party, witness, juror, or spectator through the use of sign language or other manual or oral representation of a spoken language. To be listed on the statewide registry maintained by Administrative Office of the Illinois Courts, sign language interpreters must be licensed at a "Master" level with the Illinois Deaf and Hard of Hearing Commission and must meet any additional training and registration requirements pursuant to the program established by the Administrative Office of the Illinois Courts.

"Source language" means the language of the original speaker, which the interpreter interprets into a second language. The term is always relative, depending on who is speaking.

“Summarize” means to make a summary of the chief points or thoughts of the speaker, *e.g.*, summary interpretation, a non-verbatim account of the statements made by the speaker.

"Target language" means the language of the listener, into which the interpreter renders the interpretation from the source language. This term is always relative, depending on who is listening.

“Translation” means the conversion of a written text from one language into written text in another language.

“Unregistered interpreter” means a foreign language interpreter who is not certified or registered pursuant to the program established by the Administrative Office of the Illinois Courts.

## **CANON 1: ACCURACY AND COMPLETENESS**

**Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to the meaning of what is stated or written, and without explaining the statements of the original speaker or writer.**

### **Commentary**

The interpreter has a twofold duty:

1. To ensure that the proceedings reflect, in English, precisely what was said by a Limited English Proficient Person, and

2. To place the Limited English Proficient Person on an equal linguistic footing with those who understand English for communication purposes.

This creates an obligation to conserve every element of information contained in a source language communication when it is rendered in the target language. Each court interpreter shall interpret the exact response of the witness or speaker even if the answer to a question is nonresponsive, leaving issues of admissibility of the response to the court and counsel.

Therefore, interpreters are obligated to apply their best skills and judgment to faithfully preserve the meaning of what is said in court, including the style or register of speech. Verbatim, “word for word” or literal oral interpretations are not appropriate when they distort the meaning of what was said in the source language, but every spoken statement, even if it appears non-responsive, obscene, rambling, or incoherent should be interpreted. This includes apparent misstatements.

A court interpreter shall not summarize court proceedings at any time unless instructed to do so by the court (*e.g.*, sidebar conference, jury selection, charge to the jury).

Interpreters should never interject any statement, elaboration, facial expression, or body language of their own. If the need arises to explain an interpreting problem (*e.g.* a term or phrase with no direct equivalent in the target language or a misunderstanding that only the interpreter can clarify), the interpreter should ask the court’s permission to provide an explanation. Spoken language interpreters should convey the emotional emphasis of the speaker without reenacting or mimicking the speaker’s emotions or dramatic gestures. Sign language interpreters, however, must employ all of the visual cues that the language they are interpreting for requires, including facial expressions and body language, in addition to hand gestures. Any challenge to the interpreter’s conduct should be directed to the judge.

If a witness testifying in a foreign language occasionally uses a few words in English, the court interpreter shall repeat such words for the record so that a person listening to the recorded proceeding may continue following the interpreter’s voice. However, should the witness utter a full English response, the interpreter will not ask the witness to respond in his/her native language. Rather, the interpreter will stand back so that the parties are aware of the English response and await the court’s direction.

Whenever an objection is made, the court interpreter shall interpret everything that was said up to the objection and instruct the witness by hand gesture not to speak until the court has ruled on the objection.

The obligation to preserve accuracy includes the interpreter’s duty to correct any errors of interpretation discovered by the interpreter during the proceeding. Interpreter should correct errors for the record as soon as possible. Interpreters should demonstrate their professionalism by objectively analyzing any challenge to their performance.

The ethical responsibility to accurately and completely interpret includes the responsibility of being properly prepared for interpreting assignments. Interpreters are encouraged to obtain documents and other information necessary to familiarize themselves with the nature and purpose of a proceeding. Prior preparation is especially required when testimony or documents include highly specialized terminology and subject matter.

## **CANON 2: REPRESENTATION OF QUALIFICATIONS**

**When interpreters represent their certifications, credentials, education, training, or pertinent experience they shall do so accurately and completely.**

### **Commentary**

Acceptance of a case by an interpreter conveys linguistic competency in legal settings. Withdrawing or being asked to withdraw from a case after it begins causes a disruption of court proceedings and is wasteful of scarce public resources. It is therefore essential that interpreters present a complete and truthful account of their training, certification, and experience prior to appointment so the officers of the court can fairly evaluate their qualifications for delivering interpreting services.

## **CANON 3: IMPARTIALITY AND AVOIDANCE OF CONFLICT OF INTEREST**

**Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias or favoritism. Interpreters shall disclose any real or perceived conflict of interest.**

### **Commentary**

The interpreter serves as an officer of the court and the interpreter's duty in a court proceeding is to serve the court and the public to which the court is a servant. This is true regardless of whether the interpreter is publicly retained at government expense or retained privately at the expense of one of the parties.

The interpreter of record should avoid any conduct or behavior that presents the appearance of favoritism toward any of the parties. Interpreters should maintain professional relationships with their clients, and should not take an active part in any of the proceedings. The interpreter should discourage a Limited English Proficient person's personal dependence on the interpreter.

During the course of the proceedings, interpreters of record should not converse with parties, witnesses, jurors, attorneys, or with friends or relatives of any party, except in the discharge of their official functions. It is especially important that interpreters, who are often familiar with attorneys, courtroom staff, and law enforcement officers, refrain from casual and personal conversations with anyone in court that may convey an appearance of a special relationship or partiality to any of the court participants. Official functions may include an informal pre-appearance assessment to include the following:

1. A determination of variety, mode, or level of communication;

2. A determination of potential conflicts of interest; and
3. A description of the interpreter's role and function.
4. Culturally appropriate introductions;

The interpreter should strive for professional detachment. Verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions should be avoided at all times.

Any condition that interferes with the objectivity of an interpreter constitutes a conflict of interest and must be disclosed to the judge. The interpreter should only divulge necessary information when disclosing the conflict of interest.

The following are circumstances that create potential conflicts of interest that must be disclosed:

1. The interpreter is a friend, associate, witness or relative of a party or counsel for a party involved in the proceedings;
2. The interpreter or the interpreter's friend, associate, or relative has a financial interest in the subject matter in controversy, a financial interest in a party to the proceeding, or any other interest that would be affected by the outcome of the case;
3. The interpreter has served in an investigative capacity for any party involved in the case at issue;
4. The interpreter has previously been retained by a law enforcement agency to assist in the preparation of the criminal case at issue;
5. The interpreter has been involved in the choice of counsel or law firm for that case at issue;
6. The interpreter is an attorney in the case at issue;
7. The interpreter has previously been retained for private employment by one of the parties to interpret in the case at issue; or
8. For any other reason, the interpreter's independence of judgment would be compromised in the course of providing services.

The existence of any one of the above-mentioned circumstances does not alone disqualify an interpreter from providing services as long as the interpreter is able to render services objectively. Despite the existence of an actual or perceived conflict of interest, an interpreter may serve if the judge and all parties consent to the interpreter's appointment. If an actual or apparent conflict of interest exists, the interpreter may, without explanation to any of the parties or the judge, decline to provide services.

Should an interpreter become aware that a Limited English Proficient Person views the interpreter as having a bias or being biased, the interpreter should disclose that knowledge to the judge.

Interpreters shall accept no remuneration, gifts, gratuities or any other valuable consideration in excess of their authorized compensation in the performance of their official interpreting duties. Neither should they accept invitations to events where their presence, admission, or participation can be construed as remuneration for professional services or assistance rendered in the course of the discharge of their duties. An interpreter should not serve in any matter in which payment for their services is contingent upon the outcome of the case

#### **CANON 4: PROFESSIONAL DEMEANOR**

**Interpreters shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible. Interpreters shall not engage in any conduct that could reasonably be perceived as sexual harassment, assault, or abuse.**

##### **Commentary**

Interpreters should know and observe the established protocol, rules, and procedures for delivering interpreting services. When speaking in English, interpreters should speak at a rate and volume that enables them to be heard and understood throughout the courtroom. Interpreters should work without drawing undue or inappropriate attention to themselves. If an interpreter is not actively interpreting, the interpreter should not engage in any distracting activity in the courtroom such as reading newspapers or magazines or engaging in conduct that may call inappropriate attention to the interpreter. Interpreters should dress in a manner that is consistent with the dignity of the proceedings of the court.

Interpreters should avoid obstructing the view of any of the individuals involved in the proceedings, but should be appropriately positioned to facilitate communication. Interpreters who use sign language or other visual modes of communication must, however, be positioned so that signs, facial expressions, and whole body movements are visible to the person for whom they are interpreting.

Interpreters are encouraged to avoid personal or professional conduct which could discredit the court. Interpreters are prohibited from soliciting business or making legal, medical, or other referrals at any time on court premises, or to any party for whom the interpreter has provided services during a court proceeding.

Interpreters should not engage in any speech, gestures, or other conduct towards any judge, party, witness, lawyer, or any member of Court staff or a lawyer's office staff while the interpreter is on court premises or acting in their official capacity , that could be reasonably perceived as sexual harassment, assault, or abuse.

This prohibition encompasses any inappropriate or unwanted speech of a sexual nature and/or any inappropriate or unwanted gestures or other conduct of a sexual nature, including direct

physical contact. According to the Supreme Court of Illinois Non-Discrimination and Anti-Harassment Policy Section IV: Examples of Prohibited Conduct, this includes unwelcome requests for dates or for sexual activity, demands for sexual favors or promises of preferential treatment with regard to an individual's employment status accompanied by implied or overt threats concerning an individual's employment status, sexual innuendoes, flirtation, suggestive comments, jokes of a sexual nature, sexual propositions, or sexual remarks.

## **CANON 5: CONFIDENTIALITY**

**Interpreters shall protect the confidentiality of all privileged and other confidential information. Interpreters must not disclose confidential communications privileged by state or federal law and other confidential information to any person.**

### **Commentary**

Interpreters must protect and uphold the confidentiality of all privileged information obtained during the course of their duties. This includes any notes or materials that may have been taken during the course of interpreting or translation. It is especially important that the interpreter understand and uphold the attorney-client privilege that requires confidentiality with respect to any communication between attorney and client. This rule also applies to other types of privileged communications. Interpreters must also refrain from repeating or disclosing information obtained by them in the course of their employment that may be relevant to the legal proceeding.

In the event that an interpreter becomes aware of information that indicates probable imminent harm to someone or relates to a crime being committed during the course of the proceedings, the interpreter should immediately disclose the information to the presiding judge. If the judge is not available, the interpreter should disclose the information to an appropriate authority in the judiciary services during a court proceeding judge

## **CANON 6: RESTRICTION OF PUBLIC COMMENT**

**Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential, except to facilitate training and education.**

### **Commentary**

Generally, interpreters should not discuss, outside of the interpreter's official duties, interpreter assignments, persons involved, or the facts of the case. However, interpreters may share information for training and educational purposes. Interpreters should only share as much information as is required to accomplish such purposes. An interpreter must not reveal privileged or confidential information.

Even when communications are not privileged, interpreters should be mindful not to discuss a case while it is pending or impending with any person or entity by any means.

## **CANON 7: SCOPE OF PRACTICE**

**Interpreters shall limit themselves to interpreting or translating and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating while serving as an interpreter.**

### **Commentary**

Since interpreters are responsible only for enabling others to communicate, they should limit themselves to the activity of interpreting or translating only, including official functions as described in the commentary to Canon 3. Interpreters may be required to initiate communications with the court during a proceeding when they find it necessary to seek direction in performing their duties. Examples of such circumstances include seeking direction from the court when unable to understand or express a word or thought, requesting speakers to moderate their rate of communication or repeat or rephrase something, correcting their own interpreting errors, or notifying the court of reservations about their ability to satisfy an assignment competently. In such instances, they should make it clear that they are speaking for themselves.

An interpreter may interpret legal advice from an attorney to a person only while that attorney is giving it. An interpreter should not explain the purpose or contents of forms, services, or otherwise act as counselor or advisor unless he or she is interpreting for someone who is acting in that official capacity. The interpreter may translate language on a form for a person who is filling out the form but should not explain the form or its purpose for such a person.

While engaged in the function of interpreting, interpreters should not personally perform official acts that are the official responsibility of other court officials including, but not limited to, court clerks, pretrial release investigators or interviewers, or probation counselors.

## **CANON 8: ASSESSING AND REPORTING IMPEDIMENTS TO PERFORMANCE**

**Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the appropriate judicial authority.**

### **Commentary**

If the communication mode or language variety of the Limited English Proficient Person cannot be readily interpreted, the interpreter should notify the appropriate judicial authority, which includes a supervisory interpreter, a judge, or another official with jurisdiction over interpreter matters.

Whenever there is a word, phrase, or concept that the court interpreter does not understand, the interpreter shall so inform the court so that, at its discretion, it may order an explanation, rephrasing, or repetition of the statement. The interpreter may request time to look up an unfamiliar word in a dictionary.

Whenever the court or counsel uses a word, phrase, or concept which the court interpreter

finds may confuse the Limited English Proficient Person, particularly when a concept has no cultural equivalent in the Limited English Proficient Person's language or when it may prove ambiguous in translation, the interpreter shall so inform the court.

Interpreters should notify the appropriate judicial authority of any environmental or physical limitation that impedes or hinders their ability to deliver interpreting services adequately, *e.g.*, the courtroom is not quiet enough for the interpreter to hear or be heard by the Limited English Proficient Person, more than one person at a time is speaking, or someone is speaking at a rate of speed that is too rapid for the interpreter to adequately interpret. Sign language interpreters must ensure that they can both see and convey the full range of visual language elements that are necessary for communication, including facial expressions and body movement, as well as hand gestures.

Interpreters should notify the judge of the need to take periodic breaks in order to maintain mental and physical alertness and prevent interpreter fatigue. Interpreters should recommend and encourage the use of team interpreting whenever necessary.

Interpreters are encouraged to make inquiries as to the nature of a case whenever possible before accepting an assignment. This enables interpreters to match more closely their professional qualifications, skills, and experience to potential assignments and more accurately assess their ability to satisfy those assignments competently.

Even competent and experienced interpreters may encounter situations where routine proceedings suddenly involve technical or specialized terminology unfamiliar to the interpreter, *e.g.*, the unscheduled testimony of an expert witness. When such situations occur, interpreters should request a brief recess in order to familiarize themselves with the subject matter. If familiarity with the terminology requires extensive time or more intensive research, interpreters should inform the judge.

Interpreters should refrain from accepting a case if they feel the language and subject matter of that case is likely to exceed their skills or capacities. Interpreters should notify the judge if they feel unable to perform competently, due to lack of familiarity with terminology, preparation, or difficulty in understanding a witness or defendant.

Whenever a court interpreter discovers his/her own error, the interpreter shall, , correct the error at once after first identifying himself or herself for the record. If the error is perceived after testimony has been completed, the court interpreter shall request a bench or sidebar conference with judge and counsel, explain the problem, and make the correction on the record.

Whenever an alleged error is perceived by someone other than the court interpreter, that person should, if testimony is still being taken from the stand, bring the allegation to the attention of the court. If the error occurs in a jury trial, the allegation should not be brought to the attention of the jury. A sidebar should be requested so that the matter may be brought to the attention of the court. At that time the court will determine first whether the issue surrounding the allegedly inaccurate interpretation is substantial enough to warrant correction. If the court agrees that the error could be prejudicial, then the court shall hear evidence as to what the correct interpretation should be from information submitted by both counsel, from the court interpreter, and from any



other experts selected by the judge. The judge shall make a final determination in view of the evidence as to the correct interpretation. If the determination is different from the original interpretation, then the court shall amend the record accordingly and so instruct the jury, if necessary.

## **CANON 9: DUTY TO REPORT ETHICAL VIOLATIONS**

**Interpreters shall report to the proper judicial authority any effort to impede their compliance with any law, any provision of this code, or any other official policy governing court interpreting and translating.**

### **Commentary**

Because interpreting service users frequently misunderstand the proper role of the interpreter, they may ask or expect the interpreter to perform duties or engage in activities that run counter to the provisions of this code or other law, rules, regulations, or policies governing court interpreters. It is incumbent upon the interpreter to explain his or her professional obligations to the user. If, having been apprised of these obligations, the person persists in demanding that the interpreter violate them, the interpreter should turn to a supervisory interpreter, a judge, or another official with jurisdiction over interpreter matters to resolve the situation. Interpreters should report any solicitation or effort by another to induce or encourage them to violate any law, canon, or any provision contained within this code of conduct.

## **CANON 10: PROFESSIONAL DEVELOPMENT**

**Interpreters shall continually strive to improve their skills and knowledge and advance the profession through activities such as professional training and education, as well as interaction with colleagues and specialists in related fields.**

### **Commentary**

Interpreters must continually strive to improve their interpreting skills and increase their cultural fluency and knowledge of the languages they work in professionally, including past and current trends in technology, , social or regional dialects related to court proceedings.

Interpreters should keep informed of all statutes, rules of court, and policies of the judiciary that govern the performance of their professional duties.

An interpreter should seek to elevate the standards of the profession through participation in workshops, professional meetings, interaction with colleagues, tutorials, and reading current literature in the field.

**Direct Inquiries To:**

**Administrative Office of the Illinois Courts  
Access to Justice Division  
Senior Program Manager, Noor Alawawda  
222 N. Lasalle Street, 13<sup>th</sup> Floor Chicago, IL  
60601  
Phone (217) 208-3327  
Fax (312) 793-1335  
Email: [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov)**

## Interpreter Payments

Every court in Illinois is responsible for providing interpreters for all court and court annexed proceedings. The cost of interpreters is the burden of the court and never the litigant. There are two ways that local courts can shift that financial burden to the Administrative Office of the Illinois Courts (AOIC).

### Option 1: Direct Bill to the AOIC

The AOIC has selected Interpretnet as the vendor for direct billing of remote interpreting services, following a competitive request for proposal process. The contract will run from January 1, 2025, to December 31, 2025. By leveraging a network of certified interpreters and extensive language expertise, Interpretnet ensures reliable and high-quality support for courts, meeting diverse language access needs.

This means that if local courts use Interpretnet's remote interpretation services, counties are not responsible for any cost up front when appropriate services used. Instead, those services will be directly billed to the AOIC. Interpretnet is a professional interpretation provider specializing in both onsite and remote services, though this contract is exclusively for remote interpreting. If a county requires in-person interpreting services, they may utilize Option 2, provided the interpreter is certified or registered. Interpretnet will not direct bill the AOIC for in-person services.

Circuits are welcome to continue using their preferred vendors for remote interpreting services; however, only Interpretnet is authorized to direct bill the AOIC under this agreement. If you would like to set up an account with Interpretnet or schedule an informational session to learn more about their services, please contact Kate Accetti, [Accetti.Kate@interpretnet.net](mailto:Accetti.Kate@interpretnet.net).

### Option 2: AOIC Reimburses Counties for Interpreters on the Registry

If local courts utilize interpreters from the AOIC Court Interpreter Registry, the local court/county pays the interpreter and the AOIC will reimburse the local court/county. The AOIC reimburses the full cost of Certified and Qualified court interpreters on the AOIC Court Interpreter Registry. The AOIC reimburses \$39 per interpretation hour for Registered Interpreters (but not for travel time or mileage). Local Courts must submit a reimbursement voucher signed by the County Treasurer and Chief Judge to receive reimbursement payments.

*The following information in the packet provides more information about the Court Interpreter Registry, Direct Billing, and Reimbursement. For any questions regarding direct bill or reimbursement options, feel free to reach out to Noor Alawawda, [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov). The AOIC remains committed to providing effective and accessible language services across all circuits.*





## Illinois Supreme Court – Language Interpreter Registry

The Administrative Office of the Illinois Courts maintains the following Court Interpreter Registry (Registry). The Registry lists four different types of interpreters that have met certain training and testing requirements: registered, qualified, and certified foreign language interpreters, and eligible sign language interpreters.

1. "Master" and "Advanced" American sign language (ASL) interpreters on the Registry are licensed with the Illinois Deaf and Hard of Hearing Commission (IDHHC). Master and Advanced level licenses have been determined by the IDHHC to be sufficient to interpret in legal settings. Individuals with Master or Advanced level licensure have passed examinations assessing their sign language interpreting skills. To be listed on the Registry, the sign language interpreters below also attended a two-day orientation that provided ethics training, interpreting skill-building and an overview of the Illinois court system.
2. "Certified" foreign language interpreters have completed the certification requirements in Illinois by 1) attending a two-day orientation, 2) passing a written examination that assesses English proficiency, and 3) passing the National Center for State Courts (NCSC) oral examination that assesses proficiency in both English and the foreign language, knowledge of legal terminology and interpreting skills. The oral examination is currently available in 20 languages. The passage rate for certification is scoring 70% or higher on each part of the exam. Some certified interpreters have federal certification or have completed the same certification requirements in other states and were extended reciprocity in Illinois.
3. "Qualified" foreign language interpreters speak a language that is not available for testing using the NCSC oral examination for court interpreting. To demonstrate language proficiency, "qualified" interpreters instead take an "oral proficiency interview" (OPI) that assesses whether someone has native-like language fluency in both English and the second language. "Qualified" interpreters have 1) attended a two-day orientation, 2) passed a written examination that assesses English proficiency, and 3) passed an OPI with a score of 10 or higher.
4. "Registered"
  - a. "Registered" foreign language interpreters have 1) attended a two-day court interpreter orientation, 2) passed the written examination, and 3) passed the NCSC oral examination with a score of 60% or higher on each part of the exam.
  - b. "Registered\*\*" foreign language interpreters with a double asterisk (\*\*) next to their certification status speak a language that cannot be tested by the NCSC oral exam or the OPI, and they have completed all available requirements to be listed on the AOIC Registry in their language.

The Registry is organized by certification status for foreign language interpreters (Certified, Qualified, Registered), and by IDHHC licensure status for sign language interpreters (Masters and Advanced). Within each certification status, the Registry is organized alphabetically by language, and within each language, the interpreters are listed alphabetically by last name. The "Circuits" column lists the circuits in which each interpreter is willing to work. Click on the [Illinois Judicial Circuits Map](#) to see which counties are included in each judicial circuit.

Language -- Select Language -- Status -- Select Status -- Last Name Circuit All Availability -- Select Availability --

No Interpreters found. Please try another search!!



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- Video Remote Interpretation
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(INTERPRETATION FOR RECORDED CONTENT)



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*We match you with the best suited interpreter.*



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Best for previously recorded video content that needs to be made available in other languages afterwards. With less production cost than a voiceover production, it can be fast-tracked to maximize your ROI.

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”



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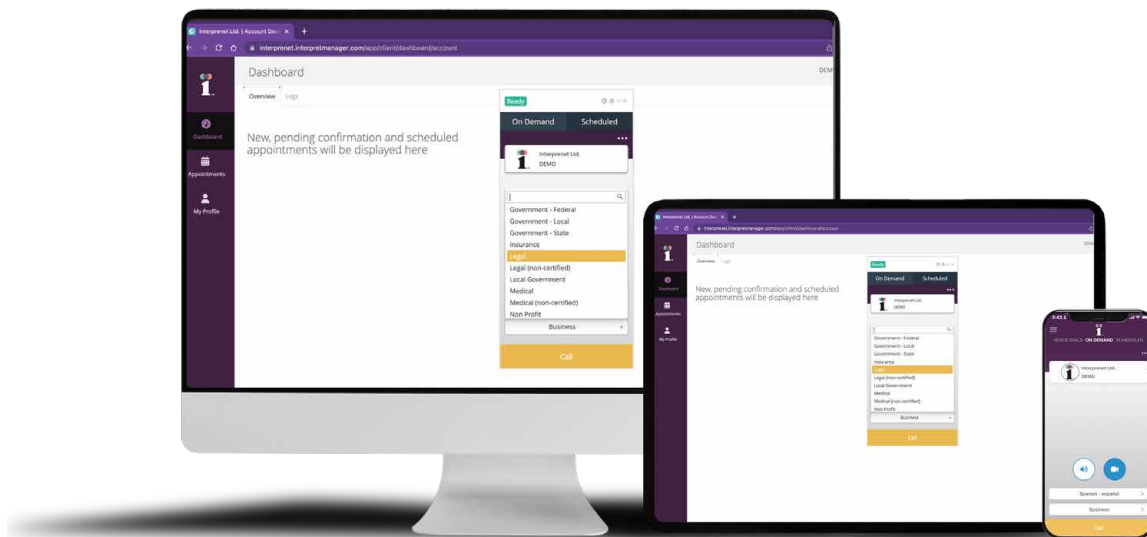


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\* SUBJECT TO VOLUME



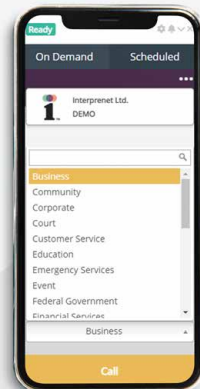
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## Language List

Languages we offer in different modalities; onsite, remote video, over the phone. Some languages may need to be pre-scheduled, and/or be remote depending on availability.

Acehnese	Finnish	Kurdish (Badini)	Sakapulteko
Achi (Rabinal, Calbulco)	Flemish	Kurdish (Kurman)	Sami (Inari)
Acoli	French	Kurdish (Sorani)	Sami (Lule)
Adele	French Canadian	Laotian	Sami (Northern)
Aderi	French Creole	Latvian	Sami (Skolt)
Afrikaans	French-Albanian	Lebanese (Arabic)	Sami (Southern)
Aguateco	French-Arabic	Lithuanian	Samoan
Akan	French-Italian	Lower Sorbian	Sango
Akateko	French-Spanish	Luganda	Sanskrit
Albanian	Frisian	Luxembourgish	Saraiki
Algerian	Fukienese	Maay Maay	Scottish Gaelic
American Sign Language (ASL)	Fukienese Chinese	Macedonian	Serbian
Amharic	Fulani	Malayalam	Sethang
Apoi	Fuqing	Malaysian	Setswana
Arabic	Fuzhou	Maldivian	Shona
Arakanese	Ga	Malinke	Sichuan
Aramaic	Galician	Maltese	Sicilian
Armenian	Garre	Mam	Sinhala
Asante	Georgian	Mandarin	Sinhalese
Ashanti	German	Mandingo	Sipakapense
Assamese	German Greek	Mandinka	Slovak
Assyrian	Ghulfan (Arabic)	Maori	Slovenian
Awakateko	Greek	Mapudungun	Somali
Azerbaijani	Greenlandic	Mara Chinn	Soninke
Azeri (Cyrillic)	Guarani	Marathi (Indian)	Sorani
Azeri (Latin)	Guere	Marshallese	Sotho
Azeri (Turkish)	Guinea-Bissau Creole	Matu Chin	Spanish
Bahasa (Malaysian)	Gujarati	Maya	Spanish-Italian
Bajuni	Hainanese	Mazateco	Spanish-Portuguese
Balochi	Haitian Creole	Mbay	Spanish-Romanian
Bamanankan	Hakha Chin	Mende	Sri Lankan (Tamil)
Bambara	Hakka Chinese	Mien	Sudanese Arabic Creole
Basa Sunda	Hausa	Mina (Togolese)	Swahili
Bashkir	Hebrew	Mirpuri	Swedish
Basque (Euskara)	Hiligaynon	Miskito	Sylheti
Bassa	Hindi	Mixteco Alto	Syriac

Belarusian	Hmong	Mixteco Bajo	Tachew
Bembe (Kibembe)	Hunan	Mizo (Chinn)	Tahitian
Bengali	Hungarian	Mohawk	Taiwanese
Berber	Igbo	Moldovian	Tajik
Bosnian	Ilocano	Mongolian	Tamazight
Breton	Ilonggo	Montenegrin	Tamil
Bulgarian	Indonesian	Mopán	Tatar
Burmese	Inuktitut	Mushunguli	Tedim Chin
Buryat	Iranian Farsi	Nahuatl	Tektiteko
Cambodian	Irish	Navajo	Telugu
Cantonese (Chinese)	isiXhosa	Neapolitan	Teochew
Cape Verde Creole	Isizulu	Nepali	Thai
Carolinean	Italian	Nigerian	Tibetan
Catalan	Italian-Romanian	Nigerian Pidgin	Tigre
Cebuano	Itza	Ningbo	Tigrinya
Ch'orti'	Ixil	Norwegian	Toisanese
Chadian (Arabic)	Jakaltek	Occitan	Tongan
Chaldean	Japanese	Oriya	Tosk
Chamorro	Jawanese	Oromifa	Trukese
Chao-Chow	Jiangsu	Oromo	Tshiluba
Chin (Lai)	Jola-Fonyi	Pahari	Tzotzil
Chinese (Hokkien)	Jordanian	Pampango	Turkish
Chinese Shanghainese	Kabiye	Pangasinan	Turkmen
Chinese Xiang	Kachin	Papamiento	Twi
Chinn	Kannada	Pashto	Tzeltal
Chuj	Kaqchikel	Patois (Jamaican)	Ukrainian
Chuukese	Kara	Persian, Iranian	Upper Sorbian
Corsican	Karen	Pidgin	Urdu
Cotocoli (Tem)	Karen Pow	Polish	Uspanteko
Croatian	Kazakh	Poptí	Uyghur
Czech	Khmer (Cambodian)	Poqomam	Uzbek
Danish	Kibajuni	Portuguese (Brazilian)	Vietnamese
Dari (Afghan Persian, Afghan Farsi)	K'iche	Portuguese (Continental)	Visayan (Filipino)
Dinka	Kikongo	Portuguese Creole	Walloon
Diola	Kikuyu	Pulaar	Welsh
Divehi	Kinkani	Punjabi	Wolof
Dutch	Kinyamulenge	Q'anjob'al	Yakut
Dyula	Kinyarwanda	Qeqchi (Kekchi)	Yi
Edo	Kirundi	Quechua	Yiddish
Estonian	Kiswahili	Quiche	Yoruba
Ewe	Kituba	Rahkine	Yupik
Falam Chin	Korean	Rohingya	Zapoteco
Fante	Kosraean	Romanian	Zomi
Farsi Iranian	Kpelle	Rundi (Kirundi)	Zulu
Filipino (Tagalog)	Kunama	Russian	Zyphe Chinn (Zophei Chinn)

## Interprenet

Service	Contact	Send to Noor Y/N	Contact Sales Manager to Request?	Time Needed to establish translator	Reimbursable Y/N
Remote Simultaneous and Consecutive Interpretation	<a href="mailto:info@interprenet.net">info@interprenet.net</a> ; 312-928-1188	Y	N	ASAP OR UPON RECIEPT OF REQUEST	Y
On-Demand Interpretation -Over the Phone	See SAM for Account setup, number and Pin	y	For setup only	none	Y
On-Demand Interpretation -Video Remote	See SAM for Account setup, number and Pin	Y	For setup only	none	Y
Translation	<a href="mailto:nalawawda@illinoiscourts.gov">nalawawda@illinoiscourts.gov</a>	Y	IF APPROVED BY AOIC	NONE	Y
CART Captioning	<a href="mailto:accetti.kate@interprenet.net">accetti.kate@interprenet.net</a>	N	Kate Accetti	3-5 days, expedited possible	N



## INTERPRETATION SOLUTIONS FOR COURTS



COURTS



LAW FIRMS



INSURANCE



HEALTHCARE &  
MEDICAL



### COURT CERTIFIED INTERPRETATION

When interpretation is done properly, nobody notices. When it is done poorly, everyone knows something is wrong.

With so many hearings nationwide, the need for interpreters who can facilitate equal language access to justice has never been greater. How do court administrators gain quick and easy access to interpreters who are qualified and available for all languages?

That is where Interprenet comes in. With an extensive network of remote Court Certified Interpreters approved for simultaneous interpretation, we help judges to manage their hearings efficiently by providing expert interpreters in all languages, even on short notice.

[interprenet.net](http://interprenet.net)

+1 877 928 1188

[info@interprenet.net](mailto:info@interprenet.net)



## REMOTE AND IN-PERSON SERVICES

Founded 18 years ago by court interpreters, Interprenet offers remote and in-person interpretation services to courts and legal services organizations across the United States.

Interprenet combines its specialized knowledge of Court Certified Interpretation with technological expertise. Our Web Conferencing and Over-the-Phone Interpretation (OPI) capabilities enable us to integrate interpretation into any platform (Zoom, WebEx and countless others).

With the help of our strategic court partners, we can install or optimize your courtroom's audiovisual system for a seamless interpretation experience, both for in-person and remote parties.



## SIMULTANEOUS AND CONSECUTIVE MODES

Interprenet recruits Court Certified Interpreters with consecutive and simultaneous interpretation skillsets.

While consecutive interpretation is often the preferred mode for in-person interpreter hearings with Q&A, simultaneous interpretation is ideal for remote interpreter settings because it can reduce the duration of the court proceeding by half without compromising the integrity of the record.

Our dedicated project management team supports interpreters through infrastructure compliance testing, platform training and continuous improvement to always ensure excellent audio and interpretation quality.

## SUPERIOR CUSTOMER SERVICE AND SUPPORT

Interprenet's commitment to excellence is built on our state and federal Court Certified Interpreters, who average more than ten years of experience and are sworn to adhere to stringent ethical standards of professional conduct and impartiality.

With an advanced scheduling system and a team of specialized court schedulers, every order is within our reach.

To help our court clients get off to a great start with court interpretation, we also provide customized workshops and tech support to judges and court administrators.

As a national leader in court interpretation, we are ready to assist you with Court Certified Interpreters in any language, anytime and anywhere.

Trust us to understand.





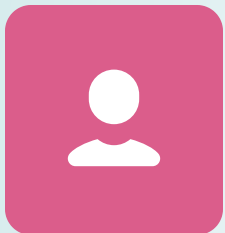
# ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (AOIC)

## COURT INTERPRETER REIMBURSEMENT



### What is covered?

**The full cost of services for Certified and Qualified court interpreters from the AOIC Court Interpreter Registry and/or a different state registry.**



### What if they are Registered status?

**The AOIC will reimburse \$39/hour for Registered status from the AOIC Court Interpreter Registry. The AOIC will not cover time or mileage for Registered status.**



### What is required?

**A reimbursement voucher must be completed and signed by both the County Treasurer and Chief Judge, then submitted to the AOIC.**



### Where can I access the AOIC Registry?

**The AOIC Court Interpreter Registry can be found at [publicapps.illinoiscourts.gov](https://publicapps.illinoiscourts.gov) or by scanning the QR code on the left, using your phone's camera.**



**INSTRUCTIONS FOR COMPLETION OF THE INVOICE VOUCHER FOR  
REIMBURSEMENT OF COSTS FOR AOIC REGISTRY INTERPRETERS**  
Form AOIC-CJDIVCIR

These instructions are intended to assist you in preparing the invoice voucher for partial reimbursement of costs associated with using a sign language interpreter, certified, qualified, or registered foreign language interpreter listed on the Administrative Office of the Illinois Courts' Interpreter Registry ("AOIC Registry Interpreters"). The AOIC will reimburse all costs associated with the use of certified and qualified interpreters listed on the AOIC Registry AND certified and qualified interpreters from other states, whether used in person or remotely over phone or video. Interpreters from other states are considered certified if they have met the same testing requirements for certification in Illinois (passage of the written exam at 80% and passage of the oral exam at 70%). Interpreters from other states are considered qualified if they have met the same testing requirements for qualified status in Illinois (passage of the written exam at 80% and highest score on an oral proficiency interview). The AOIC will offer partial reimbursement for the use of registered interpreters listed on the AOIC Registry at a rate of \$30/hour. Interpreters must have met certain requirements to be listed on the AOIC Registry. The Registry and program requirements can be found at:

<http://www.illinoiscourts.gov/CivilJustice/LanguageAccess/default.asp>

**PLEASE NOTE: Circuit courts can receive reimbursement of costs ONLY for AOIC Registry Interpreters and certified interpreters from other states. Also, costs associated with using full-time or part-time staff interpreters employed by the circuit court do NOT qualify for reimbursement, even if the interpreter is listed on the AOIC Registry.**

To help you complete the invoice voucher, please see instructions listed below.

**Box 1. General Instructions.** Please read the general instructions in this box for preparing the voucher and distributing the original signed voucher and copies.

**Box 2. County Information (optional).** Each county has the discretion to use the space provided in this box if they wish to keep track of the following: the month and year of the invoice voucher, the applicable county and applicable department.

**Box 3. County Information (required).**

- a. Enter the county's taxpayer identification (FEIN) number.
- b. Enter the county treasurer's name.
- c. Enter the county treasurer's address. **The reimbursement will be mailed to this address.**

**Box 4. AOIC use only.** Please leave blank.

**Box 5. Description of Claim.**

- a. **Date of Service.** Enter the date for the services listed on this voucher. Please note the date must be within the State's fiscal year (July 1- June 30). Please do not list the same interpreter for the same date on multiple lines. Please list the total amount that was paid to the interpreter for that date of service on one line.



- b. **Interpreter Name.** Enter the name of the interpreter that provided services on the date you indicated. Please do not list the same interpreter for the same date on multiple lines. Please list the total amount that was paid to the interpreter for that date of service on one line.
- c. **Interpreter ID.** Enter the interpreter's AOIC Registry identification number. Each interpreter listed on the AOIC Registry has a unique 4-digit identification number. If you have used a certified interpreter from another state, please write the state in this column (*e.g.*, Wisconsin). **Please note that costs associated with non-certified interpreters not listed on the AOIC Registry will not be reimbursed. Also, costs associated with using full-time or part-time staff interpreters employed by the circuit court will not be reimbursed, even if the interpreter is listed on the AOIC Registry.**
- d. **Interpreter Type.** Select the interpreter type from the dropdown menu.
  - 1. Select "Certified/ASL" for:
    - i. Certified foreign language interpreters,
    - ii. Qualified foreign language interpreters,
    - iii. Sign language interpreters listed on the AOIC Registry, or
    - iv. Interpreters that have met the same requirements for the above certification categories in other states.
  - 2. Select "Registered" for registered foreign language interpreters listed on the AOIC Registry.
- e. **Language.** Enter the language for which the interpreter provided services.
- f. **Total Charges Paid by County.** Enter the total amount of compensation that the county provided to the interpreter, inclusive of fees, per diem, mileage and travel time, if applicable.
- g. **Total Interpreter Services.** Enter the total amount of minutes for which the interpreter was compensated by the county. For example, if an interpreter charged a two-hour minimum, you would enter 120 in this column, even if the interpreter only provided services for 30 minutes.
- h. **Total AOIC Reimbursement.** Once the interpreter type is selected and the total charges paid by the county are entered, the total amount of reimbursement is automatically generated in this field. The AOIC will reimburse all costs associated with the use of certified interpreters and sign language interpreters listed on the AOIC Registry, and for certified interpreters from other states. The AOIC will reimburse \$30/hour (\$0.50/minute) for registered interpreters on the AOIC Registry. This field is locked and cannot be changed.
- i. **Voucher Total.** The total amount of reimbursement from each date of service entered will be automatically totaled and generated in this field. This field is locked and cannot be changed.

**Box 6. County Treasurer's Certification and Chief Circuit Judge's Approval.** In the first space, enter the treasurer's name. In the second space, enter the county name. The county treasurer or their designee should sign and date the invoice voucher on the first signature and date line. The Chief Judge or their designee should sign and date the invoice voucher on the second signature and date line.

Before acquiring signatures, please forward the excel version of the voucher to [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov) for data collection purposes.

Once the invoice voucher is completed with signatures, please retain a copy for your records and forward the original invoice voucher to the AOIC Program Coordinator, Language Access via:

- Email at [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov) OR
- Fax the voucher to 312-793-1335, Attn: Noor Alawawda OR
- Mail the voucher to Administrative Office of the Illinois Courts, Program Coordinator, Language Access, 222 N. LaSalle St., 13th floor, Chicago, IL 60601

Please also provide copies of the vouchers to the offices of the Chief Judge & County Treasurer or their designees.

## Invoice Voucher for Court Interpreter Reimbursement

NOTICE: All vouchers must be submitted prior to the 15th of each month for services rendered during the preceding month.

### Box 1. General Instructions

- Prepare the invoice voucher in accordance with the procedures set forth by the Administrative Office of the Illinois Courts and save the file.
- Print the invoice voucher and secure signatures from the Chief Judge and County Treasurer or their designees.
- Distribute the original invoice voucher and copies:

**Original:** Email or fax signed vouchers to the AOIC Senior Program Manager, Language Access at nalawawda@illinoiscourts.gov or 217-208-3327  
OR mail to Administrative Office of the Illinois Courts, Program Manager, 222 N. LaSalle St., 13th floor, Chicago, IL 60601.

**Copies:** Provide copies of the vouchers to the offices of the Chief Judge & County Treasurer.

Box 2. County Information (optional)	Box 3. County Information (required)	Box 4. AOIC USE ONLY		
<b>a. Claim Information</b>	<b>a. County FEIN</b>	<b>a. Control Number</b>		
<b>Month</b>	22-2222222			
<b>Year</b>	<b>b. County Treasurer Name</b>	<b>b. DOC Code</b>	<b>SUBA</b>	<b>SUBSUBA</b>
		4453	FLCR	
<b>County</b>	<b>c. Address</b>	<b>c. Appropriation Number</b>		
		001-20101-1900-9900		
<b>Department</b>	<b>City</b>	<b>d. AOIC Certification</b>		
		I certify that the services specified on this voucher were for the use of the Judicial Branch and that the expenditure for such services was authorized and lawfully incurred; that such services meet all the required standards set forth by the Administrative Office of the Illinois Courts Language Access Program to which this voucher relates; and that the amount shown on this voucher is correct and approved for payment.		
	<b>Zip Code</b>			
		<b>By Date</b>		

### Box 5. Description of Claim

a. Date of Service	b. Interpreter Name	c. Interpreter ID	d. Interpreter Type	e. Language	f. Total Charges Paid by County	g. Total Interp. Services	i. Total AOIC Reimbursement
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
<b>j. VOUCHER TOTAL</b>							<b>\$ -</b>

### Box 6. County Treasurer's Certification and Chief Circuit Judge's Approval

"I, \_\_\_\_\_, Treasurer, of the County of \_\_\_\_\_, do hereby certify that the information herein is correct and that the services were performed, said services were paid, and such payment is eligible for reimbursement by the Administrative Office of the Illinois Courts."

County Treasurer's Signature \_\_\_\_\_ Date \_\_\_\_\_

Chief Circuit Judge's Signature \_\_\_\_\_ Circuit \_\_\_\_\_ Date \_\_\_\_\_



# Need an interpreter?

If you don't speak English well, the Court may be able to give you an interpreter.

Ask the clerk in Room \_\_\_\_\_

## ¿Necesita intérprete?

Si no habla bien el inglés, es posible que la Corte le pueda dar un intérprete.

Hable con el secretario en la sala \_\_\_\_\_

## Potrzebujesz tłumacza?

Jeśli nie mówisz dobrze po angielsku, sąd może udzielić ci tłumacza.

Proszę zapytać o to sekretarza w sali \_\_\_\_\_

## Вам нужен переводчик?

Если вы плохо говорите по-английски, что суд сможет предоставить вам переводчика.

Обратитесь по этому вопросу в кабинет \_\_\_\_\_ к секретарю.

## هل تحتاج إلى مترجم فوري؟

إذا كنت لا تتحدث الإنجليزية بشكل جيد، فقد يمكن للمحكمة أن توفر لك مترجم فوري.

استفسر من الموظف في غرفة \_\_\_\_\_

## 需要口譯員嗎？

如果您的英語講得不好，法院可能為您提供口譯員服務。

請向 \_\_\_\_\_ 室的書記官洽詢。

## 통역사가 필요하십니까?

영어를 잘 못하시면 법원이 통역사를 제공할 수도 있습니다.

\_\_\_\_\_ 호실의 서기에게 문의하십시오.

Interpreter Services

You may have the right to a court-appointed interpreter in a court case. Please ask court staff.

<div><div>Spanish</div><div><div>Español</div><div>Puede tener derecho a un intérprete nombrado por la corte en un caso judicial. Pregúntele al personal de la corte.</div></div></div>	<div><div>Hindi</div><div><div>हिंदी</div><div>आपको अदालती मामले में अदालत द्वारा नियुक्त दुभाषिण का अधिकार हो सकता है। कृपया अदालत के स्टाफ से पूछें।</div></div></div>	<div><div>Punjabi</div><div><div>ਪੰਜਾਬੀ</div><div>ਤੁਹਾਨੂੰ ਕੋਰਟ ਦੇ ਕੇਸ ਵਿਚ ਕੋਰਟ ਵਲੋਂ ਦਿੱਤੇ ਜਾਣ ਵਾਲੇ ਦੋਭਾਸ਼ੀਏ ਦਾ ਹੱਕ ਹੋ ਸਕਦਾ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ ਕੋਰਟ ਦੇ ਸਟਾਫ ਤੋਂ ਪੁੱਛੋ।</div></div></div>
<div><div>Arabic</div><div><div>العربية</div><div>قد يحق لك أن تحصل على مترجم فوري معين من قبل المحكمة في قضية مرفوعة أمام المحكمة. برجاء الاستفسار من أحد موظفي المحكمة.</div></div></div>	<div><div>Indonesian</div><div><div>Bahasa Indonesia</div><div>Anda mungkin berhak mendapat penerjemah yang ditunjuk pengadilan saat di pengadilan. Tanyakanlah pada petugas pengadilan.</div></div></div>	<div><div>Romanian</div><div><div>Română</div><div>Într-un caz judiciar, puteţi avea dreptul la un interpret numit de tribunal. Vă rugăm întrebaţi personalul tribunalului.</div></div></div>
<div><div>Armenian</div><div><div>Հայերեն</div><div>Դատական գործի ընթացքում դուք կարող եք դատարանի կողմից նշանակված թարգմանչի իրավունք ունենալ: Խնդրվում է դիմել դատարանի աշխատակազմին:</div></div></div>	<div><div>Italian</div><div><div>Italiano</div><div>In un caso giudiziario si può avere diritto a un interprete nominato dal Tribunale. Chiedere al personale del Tribunale.</div></div></div>	<div><div>Russian</div><div><div>Русский</div><div>Возможно, у Вас есть право на услуги назначенного судом переводчика при рассмотрении Вашего дела в суде. Обратитесь за разъяснениями к сотрудникам суда.</div></div></div>
<div><div>Bulgarian</div><div><div>Български</div><div>При разглеждането на съдебно дело е възможно да имате право на предоставен от съда преводач. Моля, обърнете се към съдебния персонал.</div></div></div>	<div><div>Japanese</div><div><div>日本語</div><div>あなたは裁判において裁判所任命の通訳者を利用する権利があります。裁判所係員に依頼してください。</div></div></div>	<div><div>Serbo-Croatian</div><div><div>Srpsko-hrvatski</div><div>Možda imate pravo na jezičkog tumača koga odredi sud za vaš sudski predmet. Raspitajte se kod osoblja suda o tome.</div></div></div>
<div><div>Burmese</div><div><div>မန်မာ</div><div>တရားရုံးအစီတစ်ရပ်အတ ကံ တရားရုံးမ ခန့်အြော်ပေးသော စကား ပန်တစ်ဦးရပိုင်ခ င် သင့်တ င်ရပိုင်လ သည်။ တရားရုံးမ ဝန်ထမ်းမ ဘေးအား မေးလ ။</div></div></div>	<div><div>Karen</div><div><div>ကညီ</div><div>ဘဉ်သုဉ်သုဉ် နကအိဉ်ဒီးတၢ်ခွဲးတၢ်ယၢ်လၢ နကမၤန့ၢ် ပုၤကျိးထံတၢ်လၢ ကိၢ်ဘျီဉ်ဟံလိၤန့ၢ်န့ၤမဲ နထီဉ်ကိၢ်ဘျီဉ် အခါလိၤ. ဝံသးစူးသံကွၢ် ကိၢ်ဘျီဉ်ပုၤမၤတၢ်ဖိတက့ၢ်.</div></div></div>	<div><div>Somali</div><div><div>Soomaali</div><div>Waxa aad xaq u leedahay turjubaan maxkamaddu magacawday marka uu jiro kiis maxkamad. Fadlan weydii shaqaalaha maxkamadda.</div></div></div>
<div><div>Chinese</div><div><div>漢語</div><div>您可能有權在訴訟案例中獲得法院任命口譯員服務。請向法院工作人員洽詢。</div></div></div>	<div><div>Korean</div><div><div>한국어</div><div>여러분은 법정 소송 사건에서 법원이 지명한 통역사를 사용할 권리가 있을 수도 있습니다. 법원 직원에게 문의해 주십시오.</div></div></div>	<div><div>Swahili</div><div><div>Kiswahili</div><div>Unaweza kuwa na haki ya mkalimani kutoka korti kwenye kesi mahakamani. Tafadhali waulize wafanyakazi wa mahakama.</div></div></div>
<div><div>Czech</div><div><div>Čeština</div><div>Při jednání soudu můžete mít právo na tlumočnicka jmenovaného soudem. Zeptejte se prosím zaměstnanců soudu.</div></div></div>	<div><div>Laotian</div><div><div>ລາວ</div><div>ທ່ານອາດມີສິດຂໍໃຫ້ມີນາຍພາສາຊຶ່ງສານເປັນຜູ້ແຕ່ງຕັ້ງ ໃຫ້ ເພື່ອຊ່ວຍໃນຄະດີ. ກະຣຸນາຖາມພະນັກງານປະຈຳສານ.</div></div></div>	<div><div>Tagalog</div><div><div>Tagalog</div><div>Ikaw ay maaaring may karapatan sa isang itinalaga-ng-hukuman na interpreter o pasalitang nagsasalin ng wika sa kasong nasa hukuman. Mangtanong lang sa mga tauhan ng hukuman.</div></div></div>
<div><div>French (European)</div><div><div>Français (européen)</div><div>Vous avez éventuellement droit à un interprète désigné par le tribunal lors des audiences. Veuillez vous adresser au personnel du tribunal.</div></div></div>	<div><div>Mongolian</div><div><div>Монгол</div><div>Та шүүхээр орж байгаа бол шүүхээс орчуулагч томилуулж авах эрхтэй. Шүүхийн ажилтнаас асууна уу.</div></div></div>	<div><div>Thai</div><div><div>ไทย</div><div>ท่านอาจมีสิทธิขอล่ามซึ่งศาลเป็นผู้แต่งตั้งเพื่อช่วยในคดี กรุณาสอบถามพนักงานประจำศาล</div></div></div>
<div><div>German</div><div><div>Deutsch</div><div>Sie haben bei einer Verhandlung möglicherweise das Recht auf einen gerichtlich vereidigten Dolmetscher. Wenden Sie sich diesbezüglich bitte an die Mitarbeiter des Gerichts.</div></div></div>	<div><div>Nepali</div><div><div>नेपाली</div><div>अदालतमा परेको मुद्दाका लागि अदालतबाट नियुक्त दोभाषे पाउने अधिकार तपाईंलाई हुन सक्ने छ । कृपया अदालतका कर्मचारीहरुलाई सोको लागि सोध्नुहोस् ।</div></div></div>	<div><div>Urdu</div><div><div>اردو</div><div>یہ آپکا حق ہے کہ ایک عدالتی مقدمے میں آپکو عدالت کی طرف سے تعینات کیا گیا ایک ترجمان ملے۔ برائے مہربانی عدالت کے عملے سے پوچھئے۔</div></div></div>
<div><div>Greek</div><div><div>Ελληνικά</div><div>Μπορεί να έχετε το δικαίωμα να διορίσει το δικαστήριο διερμηνέα στη δικαστική σας υπόθεση. Παρακαλώ ρωτήστε τη γραμματεία του δικαστηρίου.</div></div></div>	<div><div>Persian (Farsi)</div><div><div>فارسی</div><div>شما این حق را دارید تا در پرونده قضایی از یک مترجم منصوب دادگاه استفاده نمایید. لطفاً از کارکنان دادگاه در این مورد بپرسید.</div></div></div>	<div><div>Vietnamese</div><div><div>Việt Ngữ</div><div>Quý vị có thể có quyền được tòa cung cấp thông dịch viên trong một vụ tòa xử. Xin hỏi nhân viên tòa án.</div></div></div>
<div><div>Gujarati</div><div><div>ગુજરાતી</div><div>કોઈ કેસમાં કોઈ નિયુક્ત દુભાષીયો (ઇન્ટરપ્રીટર) નિયુક્ત કરવાનો તમને હક્ક હોઇ શકે છે. મહેરબાની કરીને કોઈ સ્ટાફને પુછો.</div></div></div>	<div><div>Polish</div><div><div>Polski</div><div>Możesz mieć prawo do wyznaczonego przez sąd tłumacza w swojej sprawie. Należy poprosić o to personel sądu.</div></div></div>	<div><div>Yoruba</div><div><div>Yorùbá</div><div>O leè ni ètò yí sì ògbufò tí ilé-ẹjọ́ yán kan ni igba ibawijò kan ni ile-ẹjọ. Ọwọ́ bere lọwọ awọn ọṣiṣẹ ilé-ẹjọ.</div></div></div>
<div><div>Haitian Creole</div><div><div>Kreyòl Ayisyen</div><div>Ou ka gen dwa pou gen yon entèprèt tribinal la deziyen nan pwosè a. Tanpri mande anplwaye tribinal la.</div></div></div>	<div><div>Portuguese (European)</div><div><div>Português (Europeu)</div><div>Se for a tribunal, pode ter direito a um intérprete apontado pelo tribunal. Para mais informações contacte um funcionário do tribunal.</div></div></div>	

STATE OF ILLINOIS  
CIRCUIT, APPELLATE, OR SUPREME COURT  
REQUEST FOR INTERPRETER



1. Person who needs an interpreter:

- a. Name: \_\_\_\_\_  
First Middle Last
- b. Address: \_\_\_\_\_  
Street, Apt # City State ZIP
- c. Phone: \_\_\_\_\_ Email: \_\_\_\_\_
- d. Case number (listed in upper right corner of court documents): \_\_\_\_\_
- e. The person who needs an interpreter is: (choose one)
- ☐ a party who will need an interpreter for all court dates.
  - ☐ a person who brings or defends a case on behalf of a minor or adult disabled party for all court dates.
  - ☐ a parent/legal guardian of a minor party or minor victim who will need an interpreter for all court dates.
  - ☐ a parent/legal guardian of a disabled adult party who will need an interpreter for all court dates.
  - ☐ a witness who is testifying on: \_\_\_\_\_ Court Date & Time: \_\_\_\_\_
  - ☐ a victim in court on: \_\_\_\_\_ Court Date & Time: \_\_\_\_\_
  - ☐ a juror (sign language only) in court on: \_\_\_\_\_ Court Date & Time: \_\_\_\_\_
  - ☐ a spectator (sign language only) in court on: \_\_\_\_\_ Court Date & Time: \_\_\_\_\_

2. Person completing this form: (complete only if different than the person who needs the interpreter)

- a. Name: \_\_\_\_\_  
First Middle Last
- b. Address: \_\_\_\_\_  
Street, Apt # City State ZIP
- c. Phone: \_\_\_\_\_ Email: \_\_\_\_\_

3. Language needed: (select one)

- |   |   |                                     |   |
|---|---|-------------------------------------|---|
| <input type="checkbox"/> Spanish                | <input type="checkbox"/> Dinka          | <input type="checkbox"/> Kirundi    | <input type="checkbox"/> Russian        |
| <input type="checkbox"/> Albanian               | <input type="checkbox"/> Filipino       | <input type="checkbox"/> Korean     | <input type="checkbox"/> Serbo-Croatian |
| <input type="checkbox"/> American Sign Language | <input type="checkbox"/> French         | <input type="checkbox"/> Kunama     | <input type="checkbox"/> Somali         |
| <input type="checkbox"/> Amharic                | <input type="checkbox"/> German         | <input type="checkbox"/> Laotian    | <input type="checkbox"/> Swahili        |
| <input type="checkbox"/> Arabic                 | <input type="checkbox"/> Greek          | <input type="checkbox"/> Lithuanian | <input type="checkbox"/> Tagalog        |
| <input type="checkbox"/> Armenian               | <input type="checkbox"/> Gujarati       | <input type="checkbox"/> Macedonian | <input type="checkbox"/> Telugu         |
| <input type="checkbox"/> Assyrian               | <input type="checkbox"/> Haitian Creole | <input type="checkbox"/> Mongolian  | <input type="checkbox"/> Thai           |
| <input type="checkbox"/> Bosnian                | <input type="checkbox"/> Hindi          | <input type="checkbox"/> Nepali     | <input type="checkbox"/> Tigrinya       |
| <input type="checkbox"/> Bulgarian              | <input type="checkbox"/> Hungarian      | <input type="checkbox"/> Persian    | <input type="checkbox"/> Turkish        |
| <input type="checkbox"/> Burmese                | <input type="checkbox"/> Indonesian     | <input type="checkbox"/> Polish     | <input type="checkbox"/> Ukrainian      |
| <input type="checkbox"/> Chinese-Mandarin       | <input type="checkbox"/> Italian        | <input type="checkbox"/> Portuguese | <input type="checkbox"/> Urdu           |
| <input type="checkbox"/> Chinese-Cantonese      | <input type="checkbox"/> Japanese       | <input type="checkbox"/> Punjabi    | <input type="checkbox"/> Vietnamese     |
| <input type="checkbox"/> Czech                  | <input type="checkbox"/> Karen          | <input type="checkbox"/> Romanian   | <input type="checkbox"/> Yoruba         |
| <input type="checkbox"/> OTHER: _____           |   |                                     |   |

\_\_\_\_\_/s/\_\_\_\_\_  
Date Your Signature Print Your Name

Turn in this form into the Office of Interpreter Services or give to the judge or court/clerk staff.

**For use in any Court of the State of Illinois  
Grievance Form for Court Patrons on Interpretation Services**

This complaint form applies only to interpreters that are listed as active on the Illinois Court Interpreter Registry maintained by the Illinois Language Access Program.

**(REQUEST TO REMAIN CONFIDENTIAL)**

Date: \_\_\_\_\_

Name of person submitting grievance: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime phone number: \_\_\_\_\_ E-mail: \_\_\_\_\_

\_\_\_\_\_

Complaint against: \_\_\_\_\_

Date and location of alleged violation: \_\_\_\_\_

Reason for grievance:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe in as much detail as possible the interpreter's actions that may be in violation of the Illinois Supreme Court Code of Interpreter Ethics.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Identify witnesses to the interpreter's action or any person who may have additional information, along with their contact information.

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Please list any documents that help support your information and attach a copy if available:

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I understand that the information provided in this document may be shared with any of the parties involved during the course of the investigation, the complainant's name is not given to the interpreter and will remain confidential. However, specific information such as date and location are provided to the interpreter.

I certify that the statements and information provided in this, and any attached document are true and correct to the best of my knowledge.

Signature of Requesting Party \_\_\_\_\_

Please send a copy of the completed form by email to Noor Alawawda at [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov) for your courthouse.



# Court Interpreter FAQ'S

This sheet answers frequently asked questions for court interpreters.

## **Q: What is a court interpreter?**

A court interpreter is an individual that possesses native-like mastery of both English and another language and facilitates communication in the courtroom. Court interpreters take an oath to interpret accurately and to the best of their ability.

## **Q: What is the role of a court interpreter?**

Court interpreters enable all individuals in the courtroom (judges, jurors, etc.) to react in the same manner to a non-English speaking individual as they would to an English speaking individual. Court interpreters do not advocate for the limited-English proficiency (LEP) individual, but they directly interpret what is being said.

## **Q: What is the difference between an interpreter and a translator?**

An interpreter works with spoken language and interprets speech orally from a source language to a target language. A translator works with written text and translates written documents from one language to another.

## **Q: Does the AOIC hire court interpreters?**

No, the Administrative Office of the Illinois Courts (AOIC) does not hire court interpreters. The AOIC is responsible for the certification of court interpreters. Individual circuit courts hire court interpreters for assignments. If you are interested in a specific circuit court, reach out to that circuit court directly.

## **Q: What is the pay range for a court interpreter in Illinois?**

There is no set pay range in Illinois. Each circuit court has their own budget and resources available. As such, the rate of pay can vary by circuit court.

# Court Interpreter FAQ'S

## **Q: Does the AOIC offer interpreter reciprocity with other states?**

Yes, the AOIC offers reciprocity. Submit a reciprocity application, along with your exam results and /or orientation completed. If you are currently listed on a different state's registry, you must submit a letter or email of good standing from that state.

## **Q: Do I have to be certified to work as a court interpreter?**

No, it is currently not required. However, circuit courts are strongly encouraged to utilize certified or registered interpreters when available per the Illinois Supreme Court's Language Access Policy.

## **Q: Will I be employed as a court interpreter once certified and/or registered?**

No, being certified or registered does not guarantee employment with a circuit court. Unless a specific circuit court hires you as an employee, you will work as an independent contractor.

## **Q: Is being bilingual enough to be a court interpreter?**

No, being bilingual is a good starting point, but not nearly enough to be a court interpreter. Court Interpretation is a skill that needs continuous work and improvement.

## **Q: Who can I contact for more information on becoming a court interpreter?**

For additional questions, please reach out to Senior Program Manager, Language Access, Noor Alawawda at, [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov).



## INFORMACIÓN SOBRE SU CITA EN EL TRIBUNAL

El Juez ha reprogramado su cita en el tribunal, porque actualmente no se encuentra en el juzgado un intérprete que hable su idioma. El tribunal le proporcionará un intérprete en el lugar y fecha indicados a continuación sin costo alguno para usted.

- a. Fecha y hora: \_\_\_\_\_ a las \_\_\_\_\_ ☐ a.m. ☐ p.m.
- b. Dirección del juzgado: \_\_\_\_\_
- c. Tipo de diligencia: ☐ Declaración respecto a los cargos  
☐ Juicio ante un juez solamente  
☐ Juicio ante un jurado  
☐ Otro tipo de diligencia \_\_\_\_\_
- d. Número de la sala: \_\_\_\_\_
- e. Tipo de causa: \_\_\_\_\_
- f. Número de la causa: \_\_\_\_\_
- g. Datos del abogado: \_\_\_\_\_

## COURT DATE INFORMATION

The judge is rescheduling your case because the courthouse does not have an interpreter who speaks your language right now. The court will provide an interpreter at the location and date listed below at no cost to you.

- a. Date and time: \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.
- b. Courthouse address: \_\_\_\_\_
- c. Reason for court date: ☐ Plea ☐ Trial with judge ☐ Jury trial ☐ Other: \_\_\_\_\_
- d. Courtroom number: \_\_\_\_\_
- e. Type of case: \_\_\_\_\_
- f. Case number: \_\_\_\_\_
- g. Attorney's information: \_\_\_\_\_

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  _____ <b>COUNTY</b>	<b>JURY WAIVER</b>	<i>For Court Use Only</i>
_____ <b>Plaintiff</b>  v.  _____ <b>Defendant</b>		

I understand that I have the right to have a trial with a jury. I am giving up my right to have a trial with a jury and instead I want to:

☐ have a trial with a judge; OR

☐ plead guilty

Signed in the presence of:

\_\_\_\_\_  
*Signature of Defendant*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Date*

### Spanish

Comprendo que tengo derecho a un juicio por jurado. Renuncio a mi derecho a tener un juicio por jurado y en su lugar quiero:

- ☐ que el juicio sea decidido por el juez; O
- ☐ declararme culpable

### Polish

Rozumiem, że mam prawo do rozprawy z udziałem przysięgłych. Zrzekam się mojego prawa do rozprawy z udziałem przysięgłych i zamiast tego proszę o:

- ☐ rozprawę tylko z udziałem sędziego; LUB
- ☐ przyznaję się do winy

### Korean

본인은 배심원단으로부터 재판을 받을 권리가 있다는 것을 이해합니다. 본인은 배심원단으로부터 재판을 받을 권리를 포기하고 그 대신에 본인은 다음을 원합니다:

- ☐ 판사로부터 재판을 받음, 또는
- ☐ 유죄 인정

### Traditional Chinese

我理解，我有權要求陪審團審判。我在此放棄陪審團審判的權利，我希望：

- ☐ 由法官審判；或者
- ☐ 認罪

### Russian

Мне известно, что я имею право на рассмотрение моего дела судом присяжных заседателей. Я отказываюсь от своего права на рассмотрение дела судом присяжных заседателей и вместо этого:

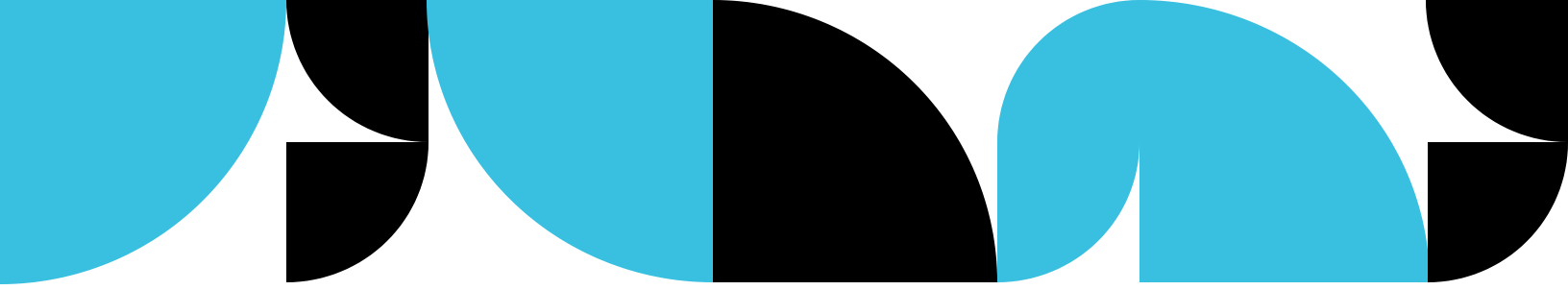
- ☐ ходатайствую о рассмотрении моего дела судьей единолично; ИЛИ
- ☐ признаю себя виновным (-ой)

### Arabic

أنا أدرك أنه لدي الحق في إجراء محاكمة أمام هيئة محلفين. أنا أتخلى عن حقي في إجراء المحاكمة أمام هيئة محلفين وبدلاً من ذلك أرغب في:

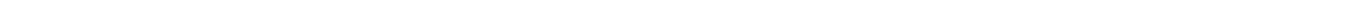
- ☐ إجراء المحاكمة أمام قاضٍ؛ أو
- ☐ الإقرار بالذنب





# Section 7

## Portable Electronic Devices





# **Illinois Supreme Court Policy**

## **On Portable Electronic Devices**

**Effective January 2022**



## **ILLINOIS SUPREME COURT POLICY ON PORTABLE ELECTRONIC DEVICES**

### **(a) Preamble.**

Portable Electronic Devices have become essential in society and are invaluable personal and business tools. People rely heavily on these devices for communication, organization, data storage, and ensuring personal security. Many trial courts throughout Illinois already have policies that address the needs of lawyers, jurors, and other court users and staff to carry and use Portable Electronic Devices in courthouses, recognizing that such devices may be critical for scheduling, communicating, and presenting evidence.

Yet, some courthouses in Illinois bar members of the public and self-represented litigants (SRLs) from carrying their devices. These prohibitions hinder equal access to justice and impose unfair burdens on individuals who already face tremendous barriers to accessing the courts. Having different policies or procedures for some court users and not others may violate the Illinois Supreme Court Policy on Assistance to Court Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers, which says that the court shall not “[d]eny a self-represented litigant access to the court or any services provided to other court patrons.”

A Portable Electronic Device may be a court visitor’s only available source of important and essential information for conducting courthouse business or presenting evidence relating to their case. For example, the device may store relevant records, emails, text messages, voice mails, still photos, and videos. Additionally, a Portable Electronic Devices may be the only way a court user can access court resources while in the courthouse. Accordingly, if Portable Electronic Devices are barred, SRLs may be prevented from accomplishing required procedural steps and effectively presenting evidence in their cases.

The implementation of certain court procedures, such as mandatory e-filing and remote appearances, has increased the need for SRLs to use Portable Electronic Devices in our courthouses, particularly where computers for public use are limited or nonexistent in the courthouses. Without access to their Portable Electronic Devices while in a courthouse, some SRLs may not be able to complete the e-filing process. For example, to create an e-filing account, a SRL must verify their e-filing account, but may only be able to access their email or verify a new email login via their Portable Electronic Device. Likewise, under new protocols SRLs who have been instructed to leave their devices at home, may now be prohibited from entering courthouses and told they must appear remotely on their personal devices. Without their devices on hand, SRLs may miss their court dates.

Without their Portable Electronic Devices, court users are without a way to communicate with their family, employers, or friends while in the courthouses and, therefore, are unable to seek assistance, coordinate rides, or inform their employers of being in court. As a result, they may lose time from work and fail to meet family responsibilities. This result can be especially problematic for low- and moderate-income individuals. Additionally, without Portable Electronic Devices, court users may be prevented from seeking assistance, particularly if they rely on their Portable Electronic Devices to assist with a disability or language translation.

Moreover, it is important for all court users to have notice and understand any restrictions on carrying or using Portable Electronic Devices in courthouses and in courtrooms. Without reasonable advance notice of prohibitions, court users who carry Portable Electronic Devices may be denied entry to a courthouse. And, when there is no available storage and court users did not travel to the courthouse using their own vehicles, they may be forced to leave their Portable Electronic Devices in unsecured

locations (e.g., hidden in bushes or behind trash cans), thereby risking the loss of their Portable Electronic Devices and the information which is stored there.

It is also recognized that inappropriate use of Portable Electronic Devices in courthouses can be a danger, cause distractions, and impact the orderly administration of justice. Legitimate security concerns exist from the possible misuse of Portable Electronic Devices, including the unauthorized creation of photographs; video and audio recordings which can be posted on social media or in other public forums; unauthorized communication with jurors or witnesses; and threats and intimidation directed toward parties, witnesses, jurors, or others. Additionally, the misuse of Portable Electronic Devices can cause either intentional or unintentional disruptions in the order and processes of the courts. The policy accepts the need to maintain security, safety, and order in Illinois courts while balancing the need for access.

In summary, SRLs and other court users have a significant need for their Portable Electronic Devices to navigate court procedures and forms, to present evidence in litigation, and to communicate while in the courthouses. In our current world where Portable Electronic Devices are so engrained and relied upon, it is simply indefensible to exclusively prohibit litigants who cannot afford an attorney from using such indispensable tools.

The policy sets forth a guide for courts to follow in establishing local policies for permitting the use of Portable Electronic Devices by all court users. By authorizing and encouraging the adoption of local rules and orders allowing all court users to possess and use Portable Electronic Devices for legitimate purposes in courthouses, the policy seeks to achieve equitable access to justice across our state. Further, the adoption and publication of local rules and orders in accord with the policy will increase judicial efficiency by establishing known processes and procedures and permit all litigants to effectively pursue their cases and visitors to access the courts. Additionally, the policy provides that restrictions on the use of Portable Electronic Devices in a courthouse for security and safety reasons may be included in a local rule or order relating to Portable Electronic Devices if the courthouse provides storage for the devices at no cost to the court visitor at the security entrance.

### **(b) Purpose and Scope.**

The purpose of this policy is to provide guidance for allowing Portable Electronic Devices, essential tools of our society, in all state courthouses. As discussed, many courts already have policies that address the needs of lawyers, jurors, and other court users and staff to carry and use Portable Electronic Devices on courthouse grounds, recognizing that such devices may be critical for them. This policy authorizes the extension of this same privilege to all court visitors, including SRLs. The policy seeks to respect the interests and needs of the people who enter the courthouses and courtrooms of Illinois, while recognizing and serving the need to maintain order and safety.

### **(c) Definitions.**

- (1) “Portable Electronic Devices” are mobile devices capable of electronically storing, accessing, or transmitting information and is defined to include personal computers, tablet computers, mobile telephones (including cell phones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices.
- (2) “Court visitor” means any individual present at a state courthouse in Illinois.

**(d) Portable Electronic Device Policy.**

Every courthouse in Illinois shall issue and publish a court order, standing order, or local rule allowing Portable Electronic Devices, subject to screening, including through courthouse screening devices. Every courthouse's policy shall include the following rules detailed in paragraphs (d)(1) and (d)(2) subject to the restrictions of paragraphs (d)(3)-(6):

- (1) Use in Common Areas:** All court visitors may use Portable Electronic Devices in the common areas of the courthouse, such as lobbies and hallways. Further restrictions, including restricting mobile telephone conversations to designated areas, may be imposed as needed to maintain safety, security, proper behavior, order, and the administration of justice. All Portable Electronic Devices must be placed in "silent" mode at all times within the courthouse.
- (2) Use in Courtrooms:** Case participants including lawyers, parties (including self-represented litigants), and witnesses may use a Portable Electronic Device inside a courtroom to check calendars or present case-related information. All other uses of Portable Electronic Devices inside courtrooms may be prohibited by the judge presiding in the courtroom. All Portable Electronic Devices must remain in "silent" mode at all times in courtrooms.
- (3) Prohibited Uses in Common Areas and Courtrooms:** The taking of photographs, audio and video recordings are generally prohibited without prior approval of a judge or as governed by [Illinois Supreme Court Rule 44](#). No court visitor may use a Portable Electronic Device to communicate or attempt to communicate with any potential juror or juror at any time. No court visitor may use a Portable Electronic Device to harass, intimidate, or communicate about given testimony with any witness at any time.
- (4) Other Electronic Devices:** Cameras, video cameras, video recording equipment and recording devices not classified as Portable Electronic Devices are not allowed in the courthouse, unless permitted by the Chief Judge of the Circuit, and on such conditions as ordered, for ceremonial events such as marriages, investitures, and graduations in problem solving courts or as outlined in the [Policy for Extended Media Coverage in the Circuit Courts of Illinois](#) and [Illinois Supreme Court Rule 44](#).
- (5) Confiscation of Equipment and Ejection:** Court visitors using a Portable Electronic Device, or possessing other electronic devices, in violation of this or any other court order or policy may be removed from the courthouse, found in contempt of court, or subject to penalties as provided by law. Any Portable Electronic Device used in violation of an order may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated Portable Electronic Device.
- (6) Restrictions on Portable Electronic Devices:** If a Chief Judge of the Circuit determines that Portable Electronic Devices interfere with the administration of justice or cause a threat to safety or security, they may prohibit Portable Electronic Devices from being carried into specific courtrooms (for example, courtrooms hearing certain criminal cases) or an entire courthouse if the courthouse provides storage for the devices at no cost to the court visitor at the security entrance.

- i. Locked storage locker units are recommended as the means for storing Portable Electronic Devices. Other secure forms of on-site storage may be provided and can be as simple as numbered plastic storage containers or envelopes.
- ii. Storage of Portable Electronic Devices may be limited to persons who represent to security personnel that they have no other means of storage available to them, such as a parked vehicle on or near the courthouse premises.

**(e) Posting Notice of Portable Electronic Device Policies.**

Courts shall post signs with information about their Portable Electronic Device policies prominently in the courthouses, including at the entrances, in the clerk's offices, and outside each courtroom. If a particular courtroom, for example a criminal courtroom, has possession and use policies that are different from the main courthouse, such information shall be posted outside of the particular courtroom. Signs shall be consistent with the [Illinois Supreme Court Policy on Plain Language](#) and the [Illinois Supreme Court Language Access Policy](#). This information shall also be publicized on the court's and clerk's websites and in other publicly available places.

Circuit Court of the \_\_\_\_\_ Judicial Circuit

\_\_\_\_\_ County, Illinois

Courthouse(s) located at \_\_\_\_\_

## **Local Policy/Rule/Order Regarding Portable Electronic Devices**

### **(a) Purpose and Scope.**

The purpose of this policy is to provide information to the public regarding the permitted and prohibited uses of portable electronic devices in the above mentioned courthouse(s). Any authorized use of a portable electronic device under this policy is subject to the authority of the judge presiding over a matter to terminate activity that is disruptive or distracting to a court proceeding, or that is otherwise contrary to the administration of justice.

Cameras, video cameras, video recording equipment and recording devices not classified as Portable Electronic Devices are not allowed in the courthouse, unless permitted by the Chief Judge of the Circuit, and on such conditions as ordered, for ceremonial events such as marriages, investitures, and graduations in problem solving courts or as outlined in the [Policy for Extended Media Coverage in the Circuit Courts of Illinois](#) and [Illinois Supreme Court Rule 44](#).

### **(b) Definitions.**

- (1) “Portable Electronic Devices” are mobile devices capable of electronically storing, accessing, or transmitting information and is defined to include personal computers, tablet computers, mobile telephones (including cell phones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices.
- (2) “Court visitor” means any individual present at a state courthouse in Illinois.
- (3) “Courthouse” includes all areas within the exterior walls of a court building, or if the court does not occupy the entire building, that portion of the building used for the administration and operation of the court. A “courthouse” also includes areas outside a court building where a judge conducts an event concerning a court case.
- (4) A “courtroom” includes the portion of a courthouse in which the actual proceedings take place.

### **(c) Uses of Portable Electronic Devices in Common Areas of Courthouse(s).**

All court visitors may use Portable Electronic Devices in the common areas of the courthouse, such as lobbies and hallways. No telephone conversation may be used on speakerphone, court visitors must speak at an appropriate volume, and no music or other sounds may be played in the

courthouse so as to minimize disruption of others. All Portable Electronic Devices must be placed in “silent” mode at all times within the courthouse.

- (d) Uses of Portable Electronic Devices in Courtrooms:** Case participants including lawyers, parties (including self-represented litigants), and witnesses may use a Portable Electronic Device inside a courtroom to check calendars or present case-related information. All other uses of Portable Electronic Devices inside courtrooms are prohibited, unless authorized by the judge presiding in the courtroom. All Portable Electronic Devices must remain in “silent” mode at all times in courtrooms.
- (e) Prohibited Uses of Portable Electronic Devices in Common Areas and Courtrooms:** The taking of photographs, audio and video recordings are generally prohibited without prior approval of a judge or as governed by [Illinois Supreme Court Rule 44](#). No court visitor may use a Portable Electronic Device to communicate or attempt to communicate with any potential juror or juror at any time. No court visitor may use a Portable Electronic Device to harass, intimidate, or communicate about given testimony with any witness at any time.
- (f) Confiscation of Equipment and Ejection:** Court visitors using a Portable Electronic Device, or possessing other electronic devices, in violation of this or any other court order, rule, or policy may be removed from the courthouse, found in contempt of court, or subject to penalties as provided by law. Any Portable Electronic Device used in violation of an order, rule or policy may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated Portable Electronic Device.

Circuit Court of the \_\_\_\_\_ Judicial Circuit

\_\_\_\_\_ County, Illinois

Courthouse(s) located at \_\_\_\_\_

### **Local Policy/Rule/Order Regarding Portable Electronic Devices**

**(a) Purpose and Scope.**

The purpose of this policy is to provide information to the public regarding the permitted and prohibited uses of portable electronic devices in the above mentioned courthouse(s).

**(b) Definitions.**

- (1) “Portable Electronic Devices” are mobile devices capable of electronically storing, accessing, or transmitting information and is defined to include personal computers, tablet computers, mobile telephones (including cell phones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices.
- (2) “Court visitor” means any individual present at a state courthouse in Illinois.
- (3) “Courthouse” includes all areas within the exterior walls of a court building, or if the court does not occupy the entire building, that portion of the building used for the administration and operation of the court. A “courthouse” also includes areas outside a court building where a judge conducts an event concerning a court case.

**(c) Restrictions on Portable Electronic Devices.** The Chief Judge of the \_\_\_\_\_ Circuit determined that allowing Portable Electronic Devices into the above mentioned courthouse(s) interferes with the administration of justice or causes a threat to safety or security, so all Portable Electronic Devices are prohibited from being carried into the courthouse(s) by any court visitor as defined above.

**(d) On-site storage of Portable Electronic Devices.** Since Portable Electronic Devices are prohibited from being carried into the courthouse(s), the court requests that the device be left at home or work, in a vehicle, or in another secure place of the court visitor’s choosing. If that is not possible or would cause the court visitor to be late to their proceeding, the court provides on-site secure storage for the device at no additional cost to the court visitor.

**(e) Confiscation of Equipment and Ejection:** Court visitors using a Portable Electronic Device, or possessing other electronic devices, in violation of this or any other court order or policy may be removed from the courthouse, found in contempt of court, or subject to penalties as provided by law. Any Portable Electronic Device used in violation of an order may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated Portable Electronic Device.

**A****T****J**

# CELL PHONES ALLOWED



All portable electronic devices, like cell phones, laptops, and tablets, are allowed.



**You can use your device quietly in the lobbies, hallways, and other common areas of the courthouse.**

**You can use your device to check your calendar or present case information in the courtroom. The judge must approve all other uses in the courtroom.**

- **Your device must be on silent at all times.**
- **You cannot take photos or video or sound recordings.**
- **You cannot try to communicate with a witness or juror.**

Contact \_\_\_\_\_ at \_\_\_\_\_ or visit \_\_\_\_\_  
to get a copy of the court's order or rule on portable electronic devices.



**A****T****J**

# CELL PHONES ARE NOT ALLOWED



Please return all portable electronic devices, like cell phones, laptops, and tablets, to your vehicle or use the free storage provided in the courthouse.



Please return your electronic device to your secure vehicle.



If you do not have a vehicle to put the device, you may use our secure storage at no additional cost.

Contact \_\_\_\_\_ at \_\_\_\_\_ or visit \_\_\_\_\_  
to get a copy of the court's order or rule on portable electronic devices.





# Section 8

## Referrals: Illinois Court Help & Other Legal Resources



STATEWIDE

# Self-Help Resources and Referrals

ILLINOIS SUPREME COURT COMMISSION

ACCESS

TO JUSTICE

EDUCATION. SUPPORT. EMPOWERMENT.



## ILLINOIS COURT HELP

Statewide hotline for general legal information & court process explanation:

➔ [ilcourthelp.gov](http://ilcourthelp.gov) (833) 411-1121



## STATEWIDE FORMS

Statewide forms & instructions, some available in six languages:

➔ [ilcourts.info/forms](http://ilcourts.info/forms)



## ILLINOIS LEGAL AID ONLINE

Free legal information and forms for most legal problems:

➔ [illinoislegalaid.org](http://illinoislegalaid.org)



## E-FILING MANUALS

Step by step instructions for how to e-file:

➔ [ilcourts.info/efile-info](http://ilcourts.info/efile-info)

## FREE LAWYERS (BASED ON INCOME)



**CARPLS (Cook County):** (312) 738-9200 ➤ [carpls.org](http://carpls.org)



**Prairie State Legal Services (Northern Illinois):** ➤ [pslegal.org](http://pslegal.org)



**Land of Lincoln (Southern Illinois):** (877) 342-7891 ➤ [lincolnlegal.org](http://lincolnlegal.org)



**Statewide IL Armed Forces Legal Aid Network (IL-AFLAN):**

For military personnel, veterans, and their families. 855-IL-AFLAN ➤ [ilaflan.org](http://ilaflan.org)



**Illinois Free Legal Answers**

Virtual Help Desk where you can ask lawyers questions about your civil cases in circuit court or appellate court: ➤ [il.freelegalanswers.org](http://il.freelegalanswers.org)

## REFERRALS TO LAWYERS (WITH FEES)



**Illinois LawyerFinder:** (800) 922-8757 ➤ [isba.org/public/illinoislawyerfinder](http://isba.org/public/illinoislawyerfinder)



## Supreme Court of Illinois

May 17, 2021

### ILLINOIS COURT HELP LAUNCHES IN RESPONSE TO COVID-19 PANDEMIC

Illinois Court Help was launched today in order to connect people to the resources and information they need to go to court in Illinois. It is the first personalized court information service offered by the Illinois Courts and one of the latest innovations created during the COVID-19 pandemic to make the courts and information more accessible.

People can **call or text 833-411-1121** to connect with a trained court guide who can provide up-to-date Illinois court information and answers to specific questions about the court process. Illinois Court Help guides will also connect people to the resources they need to go to court, from filing forms to accessing legal aid. Initial hours of operation are 10 a.m. – 2 p.m. Monday through Friday, with expanded hours to come over the next few months.

“Illinois Court Help really is a gamechanger for people who, due to economic hardship, must represent themselves in court and have had access to in-person assistance restricted due to the COVID-19 pandemic,” Illinois Supreme Court Justice Anne M. Burke said. “This easy-to-use service closes the information gap and helps people go to court with more confidence.”

COVID-19 has made going to court for in-person information and assistance a challenge due to social distancing restrictions. This comes at a time when more lower income residents are facing eviction and other legal issues and cannot afford a lawyer to help them navigate the court system.

Nationally, an estimated 3 out of every 5 people in all civil legal cases go to court without a lawyer, according to the Self-Represented Litigants Network. Here in Illinois, half of all family law cases and 56% of domestic violence cases had at least one person representing themselves in 2020. At the same time, less than a quarter of Illinois courts have dedicated self-help staff to assist people representing themselves.

Illinois Court Help guides will provide step-by-step instructions on how to file court documents and explain how to appear in court on Zoom. Users will also be able to access one set of easy-to-read forms that can be used in any Illinois court. Lawyers who practice in multiple Illinois counties can find courthouse information. The new service will not provide legal advice but allows for guides to connect people to legal aid and other community services.

This service builds on other innovative changes instituted in response to COVID-19 to improve people’s access to the court system.

“Just as people now attend court hearings through Zoom, Illinois Court Help allows people to find the court information they need no matter where they are,” said Justice Mary K. Rochford, Chair of the Illinois Supreme Court Access to Justice Commission. “By guiding people through the court process through an emphasis on customer service, Illinois Court Help has the added benefit of reducing court delays and helping our courts operate more smoothly and efficiently.”

More information on Illinois Court Help can be found by going to [www.ilcourthelp.gov](http://www.ilcourthelp.gov)

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**(FOR MORE INFORMATION, CONTACT: Chris Bonjean, Communications Director to the Illinois Supreme Court at 312.793.2323, [cbonjean@illinoiscourts.gov](mailto:cbonjean@illinoiscourts.gov). or Terri Cornelius, Illinois Court Help, 708.257.4010, [tcorncomms@gmail.com](mailto:tcorncomms@gmail.com))**



Your guide  
through  
the courts

# CELEBRATING FOUR YEARS OF ILLINOIS COURT HELP



100,075

Interactions



60,892

Users



1.64

Average number of  
interactions per user



102

Counties served



93%

% of 'Good' ratings

## Interactions by Channel



74%

by phone



13%

by text



13%

by email



73,959

Phone calls made to  
Illinois Court Help

## Testimonials from Illinois Court Help users

"Illinois Court Help has been the most fantastic service I have ever used! I am going through a divorce ProSe and they have walked me through every step with maximum understanding and empathy. I really could not have done this without them... Much love to the entire team!"

"The quality was very professional! I was given very helpful answers to my question. Very appreciative of this opportunity. I'm also thankful that I am not out on hold via a phone call. I can text and wait for the reply."

"The woman I spoke to was very patient and seemed genuinely concerned and eager to help me which she did. I'm very satisfied with the way my inquiry was handled. I'm so very grateful that this program was in place. I don't know what I would've done if it weren't."

"It was easy to go on the help line. I asked my questions and the assigned agent answered quickly. Totally answering my question in layman terms. A plus. Thank you."

"I am a pro se litigant and I have tried this service several times. Every time someone answers, I get a straightforward, concise, good answer. It's very helpful."



# Do you have questions about court?

Illinois Court Help connects you to the information you need to go to court. It's a free service from the Illinois Courts.

## Call or Text (833) 411-1121

- Find up-to-date information for the steps in your case
- Find the latest COVID-19 updates and how to attend court by phone or video
- Get specific answers to your questions about the court process, like how to file court documents
- Get connected to legal aid and community resources to help you solve your problem



Visit [ilcourthelp.gov](https://ilcourthelp.gov) to find more information



Your guide through the courts



# ¿Tiene usted preguntas acerca del tribunal?

Illinois Court Help le conecta con la información que usted necesite para ir al tribunal. Este es un servicio gratuito de los Tribunales de Illinois.

## Llame o Textee al (833) 411-1121

- Encuentre información actualizada para tomar los siguientes pasos en su causa judicial
- Reciba respuestas específicas a sus preguntas, por ejemplo: cómo presentar los documentos en el tribunal
- Encuentre las últimas noticias sobre COVID-19 y cómo comparecer en tribunal por teléfono o video
- Conéctese con los organismos de ayuda legal y recursos comunitarios para ayudarle a resolver su problema



Visite [ilcourthelp.gov](https://ilcourthelp.gov) para más información



Your guide  
through  
the courts



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Limited Scope Representation

ILLINOIS SUPREME COURT COMMISSION

ACCESS

TO JUSTICE

EDUCATION. SUPPORT. EMPOWERMENT.

A self-represented litigant may proceed with the partial assistance (“limited scope representation”) of a lawyer in some matters. For example, a self-represented litigant may be coached by a lawyer outside of court, may rely on pleadings prepared by a lawyer, or may be represented by a lawyer in court for only a discrete portion of the case. Illinois Supreme Court Rules permit limited scope representation in civil proceedings at the trial court level.

### General Authority for Limited Scope Representation

#### Ethics of Limited Scope

##### Illinois Rule of Professional Conduct [1.2\(c\)](#)

“A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.”

#### Limited Scope Appearances

##### Illinois Supreme Court Rule [13\(c\)](#)

- **Filing a Limited Scope Appearance.** Rule 13(c)(6) allows lawyers to make a limited scope appearance on behalf of a litigant in civil proceedings.
  - There must be a written representation agreement between the litigant and lawyer.
  - The lawyer must file a statewide standardized [Notice of Limited Scope Appearance](#) form with the court.
  - The Notice must specify the aspects of the proceeding to which the appearance pertains.
  - A lawyer may make more than one Limited Scope Appearance during the course of a proceeding.
- **Ending a Limited Scope Appearance.** There are two ways a limited scope appearance may end under Rule 13(c)(7):
  - The lawyer must submit a statewide form [Notice of Completion of Limited Scope Appearance](#) in one of two ways:
    - a. In court (in-person or virtually) by presenting the form without prior notice if the client is present in court at that time; or
    - b. By filing the Notice of Completion of Limited Scope Appearance and serving it, along with the statewide form [Objection to](#)

[Completion of Limited Scope Appearance](#), on the client as well as the court and other parties.

- In the absence of a timely objection (filed within 21 days of service), the appearance automatically terminates without a court order.
- **Objecting to Completion of a Limited Scope Appearance.** Rule 13(c)(7) allows a litigant to object to completion only by alleging the lawyer has not actually completed the representation specified in the Notice of Limited Scope Appearance.
  - If the client objects, SCR 13(c)(7) requires an evidentiary hearing on the issue of whether the specified representation has been completed.
  - Following the hearing, SCR 13(c)(7) requires the court to allow the lawyer to withdraw unless it finds, by clear and convincing evidence, that the lawyer has not completed the limited scope representation.

#### Document Preparation Assistance

##### Illinois Supreme Court Rule [137\(e\)](#)

A lawyer may assist in drafting or reviewing documents that will be filed by a party on a self-represented basis.

- The lawyer is not required to file an appearance (general or limited scope).
- The pleading, motion or other paper is to be signed by the party, not the lawyer providing assistance.
- The rule does not require the lawyer’s involvement in preparing a document to be noted.

# Bench Card: Limited Scope Representation

## Service Requirements Illinois Supreme Court Rule [11\(f\)](#)

SCR 11(f) requires that documents must be served on both a lawyer who has filed a Notice of Limited Scope Appearance and the party represented pursuant to the appearance until the appearance is withdrawn or terminates pursuant to SCR 13(c).

### Managing Limited Scope in the Courtroom

The **Comments to Rule 13** address several practical issues related to limited scope appearances:

- The rule does not limit the number of Limited Scope Appearances that can be filed in a given matter.
- There is no restriction on the purpose of a Limited Scope Appearance.
- Lawyers are encouraged to seek withdrawal in court (with litigant present) to ensure the withdrawal is timely and that the court is aware of it.
- The rule does not restrict the court's ability to manage cases or respond to abuses of limited scope representation.
- The comments caution against refusing to permit a lawyer's withdrawal or encouraging a lawyer to remain in a case. Such practices may discourage a lawyer from undertaking limited representation in the future.

## Standardized Forms

The Supreme Court Access to Justice Commission has produced three statewide forms that must be used in connection with limited scope appearances: Notice of Limited Scope Appearance, Notice of Completion of Limited Scope Appearance, and Objection to Completion of Limited Scope Appearance. All three are available from the Illinois Courts website through this link:

[http://illinoiscourts.gov/Forms/approved/procedures/limited\\_scope.asp](http://illinoiscourts.gov/Forms/approved/procedures/limited_scope.asp)

### Limited Scope Appearance Form

The Limited Scope Appearance should reflect the limitations agreed to by the lawyer and the party and should be signed by both.

- The lawyer should file a new Notice of Limited Scope Appearance if the lawyer seeks to appear in a proceeding not specified in the original appearance.
- The limitations specified in the Notice should be consistent with the scope of representation described in the representation agreement required under SCR 13(c).
- The key issue in hearing an objection to a lawyer's notice to withdraw is whether the lawyer has completed the representation as specified in section 3 of the Notice of Limited Scope Appearance (see below).

3. The Lawyer appears pursuant to Supreme Court [Rule 13\(c\)\(6\)](#). This appearance is **limited in scope to the following matter(s)** in which the Lawyer will represent the Client (*check and complete all that apply*):

- ☐ in the court proceeding (*specify*) \_\_\_\_\_  
on the following date: \_\_\_\_\_  
☐ and in any continuance of that proceeding
- ☐ at the trial on the following date: \_\_\_\_\_  
☐ and in any continuance of that trial
- ☐ and until judgment
- ☐ at the following deposition(s): \_\_\_\_\_
- ☐ Other (*specify the scope and limits of representation*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Legal Aid Organizations in Illinois Receiving Funding from CBF, IBF, LTF, or IEJF

Funders of each organization are identified following each organization's name.

### Cook County

- [Access Living](#) (CBF, LTF)
- [Ascend Justice](#) (CBF, LTF, IBF, IEJF)
- [Beyond Legal Aid](#) (IBF, IEJF)
- [Cabrini Green Legal Aid](#) (CBF, IBF, LTF, IEJF)
- [Catholic Charities of the Archdiocese of Chicago-Legal Assistance](#) (CBF, IEJF, LTF)
- [Center for Conflict Resolution](#) (CBF, IEJF)
- [Center for Disability & Elder Law \(CDEL\)](#) (CBF, IBF, IEJF, LTF)
- [Centro Romero-Latin American Legal Assistance Services](#) (CBF)
- [Chicago Alliance Against Sexual Exploitation-Sexual Assault Justice Project](#) (CBF, IBF, IEJF, LTF)
- [Chicago Coalition for the Homeless Law Project](#) (CBF, IEJF, LTF)
- [Chicago House & Social Service Agency](#) (IEJF)
- [Chicago Law & Education Foundation](#) (IBF)
- [Chicago Lawyers' Committee for Civil Rights](#) (CBF, IEJF, LTF)
- [Chicago Volunteer Legal Services \(CVLS\)](#) (CBF, IBF, IEJF, LTF)
- [Children's Legal Center](#) (IBF, LTF)
- [Chinese American Service League](#) (CASL) (LTF)
- [DePaul University Asylum & Immigration Clinic](#) (LTF)
- [Erie Neighborhood House](#) (LTF)
- [Farmworker and Landscaper Advocacy Project](#) (IBF, IEJF, LTF)
- [First Defense Legal Aid](#) (CBF)
- [Greater Chicago Legal Clinic \(GCLC\)](#) (CBF, IEJF, LTF)



- [James B. Moran Center for Youth Advocacy](#) (CBF, IEJF, IBF)
- [Kane Legal Clinic of the Chicago Lighthouse for the Blind](#) (IBF, LTF)
- [Ladder Up](#) (CBF, IEJF, LTF)
- [Latinos Progresando-Immigration Legal Services](#) (CBF)
- [Lawndale Christian Legal Center](#) (CBF, IBF)
- [Lawyers' Committee for Better Housing](#) (CBF, IBF, IEJF, LTF)
- [Lawyers for the Creative Arts](#) (CBF)
- [Legal Aid Chicago](#) (CBF, IEJF, LTF)
- [Legal Aid Society of Metropolitan Family Services](#) (CBF, IEJF, LTF)
- [Legal Council for Health Justice](#) (CBF, IBF, IEJF, LTF)
- [Life Span](#) (CBF, IBF, IEJF, LTF)
- [National Immigrant Justice Center](#) (CBF, IBF, LTF)
- [Metropolitan Tenants Organization](#) (IEJF)
- [Pro Bono Network](#) (CBF, IBF)
- [Resolution Systems Institute](#) (IBF, IEJF)
- [Roger Baldwin Foundation of the ACLU-Children's Initiative](#) (CBF)
- [Shriver Center on Poverty Law](#) (CBF, LTF)
- [Uptown People's Law Center](#) (CBF, IBF, IEJF, LTF)
- [Westside Justice Center](#) (IEJF, LTF)
- [World Relief/Chicago-Immigrant Legal Services](#) (CBF)
- [Young Center for Immigrant Children's Rights](#) (LTF)

### **Outside Cook County**

- [Administer Justice](#) (Elgin) (IBF, IEJF)
- [Centro de Informacion](#) (Elgin) (IEJF)
- [Dispute Resolution Institute](#) (Carbondale) (IEJF)
- [DuPage Bar Legal Aid Service](#) (Wheaton) (LTF)

- [Eldercare Options](#) (Decatur) (LTF)
- [Immigration Project](#) (Bloomington) (IBF, LTF)
- [Land of Lincoln Legal Aid](#) (Southern & Central IL) (IBF, IEJF, LTF)
- [North Suburban Legal Aid Clinic](#) (Highland Park) (IBF, LTF)
- [Northern Illinois Justice for our Neighbors](#) (Cook, Kane, Winnebago Counties) (IBF, LTF)
- [Migrant and Immigrant Community Action Project](#) (Southern IL) (IBF)
- [Prairie State Legal Services](#) (Northern and Central IL) (IBF, IEJF, LTF)
- [Riverview Center](#) (Jo Daviess and Carroll Counties)
- [Southern Illinois University Legal Clinic](#) (Carbondale)(LTF)
- [Turning Point](#) (McHenry) (IBF)
- [World Relief/DuPage and Aurora Immigrant Legal Services](#) (IBF, LTF)
- [YMCA of the University of Illinois](#) (Central IL) (IBF, IEJF)

#### **Statewide**

- [CARPLS](#) (CBF, IBF, IEJF, LTF)
- [Equip for Equality](#) (CBF, IBF, IEJF, LTF)
- [Greenlight Family Services](#) (IBF)
- [Illinois Coalition for Immigrant and Refugee Rights](#) (IBF)
- [Illinois Legal Aid Online](#) (CBF, IBF, IEJF, LTF)
- [Public Interest Law Initiative](#) (CBF, IBF, IEJF, LTF)

List found at <https://www.illinoislegalaid.org/legal-information/reporting-pro-bono-and-financial-contributions>







# Section 9

## Remote Appearances

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## **Rule 45. Remote Appearances in Circuit Court Proceedings**

### **(a) Definitions.**

(1) The terms “remote” or “remotely” mean the participation of all or some case participants in a court proceeding by telephone, video conference, or other electronic means. Except as otherwise specifically provided in this rule, a remote appearance or court proceeding shall be equivalent to an in-person appearance or court proceeding for all purposes.

(2) The term “in-person” means the participation of all or some case participants in a court proceeding by being physically present in the courtroom.

(3) “Case Participant” means any individual participating in a court proceeding including, but not limited to, the parties, criminal defendants, minors, lawyers, guardians *ad litem*, guardians, youth in the care of the Department of Children and Family Services (DCFS), witnesses, experts, interpreters, treatment providers, probation officers, pretrial officers, DCFS caseworkers and contract service providers, court reporters, clerks of court, and the judge presiding over the case. This term does not include jurors, the public, or members of the media that are not a party or witness in the case.

(4) For purposes of this rule:

(i) “Civil Matters” shall mean the following case types as defined in the [Manual on Recordkeeping](#), adopted by the Supreme Court under M.R. 1218, as most recently amended: Arbitration (AR), Chancery (CH), Eminent Domain (ED), Eviction (EV), Foreclosure (FC), Government Corporation (GC), Guardianship (GR), Law: Damages over \$50,000 (LA), Law: Damages \$50,000 or less (LM), Mental Health (MH), Miscellaneous Remedy (MR), Probate (PR), Small Claim (SC), Tax (TX), Adoption (AD), Dissolution with Children (DC), Dissolution without Children (DN), Family (FA), Contempt of Court (Civil) (CC), Civil Law Violation (CL), Miscellaneous Criminal (non-classified criminal actions) (MX), and Order of Protection (OP).

(ii) “Criminal Matters” shall mean the following case types as defined in the [Manual on Recordkeeping](#), adopted by the Supreme Court under M.R. 1218, as most recently amended: Criminal Felony (CF), Criminal Misdemeanor (CM), Conservation (CV), Driving Under the Influence (DT), Domestic Violence (DV), Major Traffic (MT), Ordinance (OV), Quasi-Criminal (QC), Minor Traffic (TR), and Contempt of Court (Criminal) (CC).

(iii) “Juvenile Delinquency Matters” shall mean the Juvenile Delinquent (JD) case type as defined in the [Manual on Recordkeeping](#), adopted by the Supreme Court under M.R. 1218, as most recently amended.

(iv) “Juvenile Abuse, Neglect, and Dependency Matters and Juvenile Intervention Matters” shall mean the Juvenile Abuse and Neglect (JA) and Juvenile (JV) case types as defined in the [Manual on Recordkeeping](#), adopted by the Supreme Court under M.R. 1218, as most recently amended.

### **(b) General Provisions.**

(1) A judge presiding over a case in which the option to appear remotely without any advance approval is permitted may, in the exercise of the judge’s discretion, require a case

participant to attend a court proceeding in person for reasons particular to the specific case, including the failure of a case participant to follow applicable standards of decorum. When exercising such discretion, the judge shall inform case participants on the record if they are required to attend a future court proceeding in person.

(2) When a circuit decides that in-person appearances are necessary for a particular case type or proceeding type, the Chief Judge shall by local rule exempt the case type or proceeding type from offering the option to appear remotely without any advance approval, in accordance with paragraph (b)(7). Case participants may then appear remotely in exempted case types or proceeding types only with the approval of the judge presiding over the matter.

(3) When a case participant testifies or otherwise participates in a trial or evidentiary hearing remotely, appropriate safeguards must be in place to ensure accurate identification of the case participant and to protect against inappropriate influences, including, but not limited to: persons communicating with the case participant without the court's knowledge and the case participant's inappropriate access to materials or information (such as documents or the Internet) during the case proceedings. The judge presiding over the matter shall confirm that such safeguards are available and operational prior to permitting the case participant to participate remotely.

(4) All summonses and notices for court proceedings that case participants are permitted to attend remotely shall include information necessary for a case participant to appear in person or remotely, including any information necessary for case participants to access the applicable technology platform to appear remotely.

(5) Where the option to appear remotely exists, courts shall not deny access to case participants who choose to participate by appearing in person or who cannot appear remotely without assistance and shall allow individuals who come to the courthouse to participate by appearing physically in the courtroom. If the courtroom, case type, or proceeding type cannot accommodate an in-person case participant, then courts shall inform case participants of this limitation in advance, if possible, and supply the appropriate technology and technical support for anyone who comes to the courthouse so that they may participate remotely.

(6) Courts shall ensure that any fees associated with the remote appearance technology platform utilized by the court, if any, are not a barrier to accessing the courts.

(7) Within 90 days of the effective date of this rule, the chief judge of each circuit shall submit to the Supreme Court, through its Administrative Office, a local rule explaining in plain language the option of participating in court proceedings remotely. The rule shall at a minimum address:

- (i) How to join a remote proceeding, either by phone, video conference, or other electronic means;
- (ii) Where to find information and assistance for remote proceedings;
- (iii) What case types or proceeding types, if any, are exempted under paragraph (b)(2);
- (iv) How to make the request to appear remotely, where applicable;

(v) What standards of decorum will be expected by the circuit for case participants in remote proceedings; and

(vi) How the above information will be made available to the public, case participants, and other justice system partners. This should include, but not be limited to: the circuit's website, posting in public areas, and/or any other easily accessible means.

Any amendments to the local rule must be submitted to the Administrative Office prior to implementation.

**(c) Civil Matters and Criminal Matters That Do Not Involve the Possibility of Jail or Prison Time.**

(1) Case participants shall be permitted to attend court via the circuit court's available remote appearance technology without any advance approval, except for the following proceeding types, which shall require the approval of the judge presiding over the matter:

(i) Evidentiary hearings, except for *ex parte* evidentiary hearings (such as emergency orders of protection hearings);

(ii) Settlement conferences;

(iii) Bench trials;

(iv) Jury trials; and

(v) Any case type or proceeding type exempted from remote participation in accordance with paragraphs (b)(2) and (b)(7).

**(d) Criminal Matters That Involve the Possibility of Jail or Prison Time and Juvenile Delinquency Matters.**

(1) Case participants shall be permitted to attend court via the circuit court's available remote appearance technology without any advance approval for the following proceeding types:

(i) Initial appearances;

(ii) In Juvenile Delinquency Matters, initial or subsequent appearances at which continued detention of a minor will be determined;

(iii) Status hearings;

(iv) Waiver of a preliminary hearing;

(v) Arraignments on an information or indictment at which a plea of not guilty will be entered;

(vi) Presentation of a jury waiver;

(vii) Non-evidentiary hearings; and

(viii) Hearings conducted under the Sexually Violent Persons Commitment Act (725 ILCS 207/1 *et seq.*) at which no witness testimony will be taken.

(2) Case participants shall be permitted to attend the following proceeding types via the circuit court's available remote appearance technology only with the approval of the judge presiding over the matter. In addition, before the defendant or minor may attend the following

proceedings remotely, the court must have accepted the defendant's or minor's waiver of an in-person appearance in accordance with paragraph (d)(3):

- (i) Negotiated pleas;
- (ii) Evidentiary hearings;
- (iii) Sentencing hearings;
- (iv) Probation revocation hearings;
- (v) Arraignments or other proceedings or appearances at which a plea of guilty will be entered;
- (vi) Hearings conducted under the Sexually Dangerous Persons Act (725 ILCS 205/0.01 *et seq.*);
- (vii) Bench trials or stipulated bench trials; and
- (viii) Any case type or proceeding type exempted from remote participation in accordance with paragraphs (b)(2) and (b)(7).

(3) Waiver of defendant's or minor's in-person appearance at court proceedings.

(i) In proceedings where a waiver of a defendant's or a minor's in-person appearance is required for a remote appearance, the decision whether to waive an in-person appearance shall belong to the defendant or minor and not to defense counsel.

(ii) Whether the waiver of defendant's or minor's in-person appearance at court proceedings is made orally, in writing, in person, or remotely is exclusively within the discretion of the judge presiding over the matter. However, when made orally in person or remotely, the waiver must be stated on the record.

(iii) Before a waiver of the defendant's or minor's in-person appearance is accepted by the judge presiding over the matter, it shall be the judge's responsibility to ensure that the defendant's or minor's waiver is knowing and voluntary and has been discussed with counsel prior to the hearing. The judge presiding over the matter shall ensure that the record is clear that the defendant or minor understands:

(A) That the defendant or minor has a right to be physically present in the courtroom for the proceeding;

(B) That remote appearance means the defendant or minor, the court, or other case participants will participate via telephone, video conference, or other electronic means;

(C) That in matters open to the public, any remote appearance may be viewable by the public over the Internet or other method of streaming or broadcasting (if applicable);

(D) That a remote proceeding may result in the defendant or minor and his or her counsel not being physically present together during the proceeding;

(E) That the legal effect of the remote proceeding will be the same as an in-person proceeding; and

(F) That the defendant or minor has discussed the waiver with counsel.

(iv) If the judge presiding over the matter finds the waiver to be knowing and voluntary, the prosecution shall be given an opportunity to object and state the grounds for that objection for the record. The decision to accept a waiver of in-person appearance at court proceedings is exclusively within the discretion of the judge presiding over the matter, and the judge shall put the reasons for that ruling on the record.

(v) A waiver of in-person appearance can be revoked at any time.

(4) In Criminal Matters that involve a possibility of jail or prison time, jury trials shall not be held remotely, except that witnesses, in case-specific situations, may be permitted to testify remotely with the approval of the judge presiding over the matter and by agreement of the parties.

(5) Nothing in this rule supersedes or abrogates any existing rule or statute designed to allow for the remote testimony of a particular witness in an otherwise in-person trial so long as the statutory and constitutional requirements for that witness's remote testimony are satisfied.

(6) Nothing in this rule modifies or alters crime victims' rights under article I, section 8.1, of the Illinois Constitution (Ill. Const. 1970, art. I, § 8.1). The Illinois Constitution grants to victims the right to be present in the same manner as the defendant. If the defendant appears remotely, then the victim shall be afforded the opportunity to appear either in person or remotely.

(7) Nothing in this rule modifies or alters any existing rules or statutes allowing remote appearances or requiring in-person appearances in Criminal Matters that involve the possibility of jail or prison time or Juvenile Delinquency Matters.

**(e) Juvenile Abuse, Neglect, and Dependency Matters and Juvenile Intervention Matters.**

(1) In Juvenile Abuse, Neglect, and Dependency Matters and Juvenile Intervention Matters, case participants shall be permitted to attend court via the circuit court's available remote appearance technology without any advance approval, except for the following proceeding types, which shall require the approval of the judge presiding over the matter:

- (i) Evidentiary hearings;
- (ii) Adjudication hearings;
- (iii) Permanency hearings;
- (iv) Disposition hearings;
- (v) Termination of parental rights hearings; and

(vi) Any case type or proceeding type exempted from remote participation in accordance with paragraphs (b)(2) and (b)(7).

Adopted Nov. 30, 2022, eff. Jan. 1, 2023.

**Committee Comments**

(Revised Feb. 2, 2023)

In enacting Rule 45 in May 2020, the Supreme Court recognized that telephone and video conference appearances can be used effectively and appropriately for both civil and criminal cases. The Committee Comments at that time stated that the use of remote participation was subject to the discretion of the court and that the court had wide latitude to allow remote appearances without a showing of good cause or any particular level of hardship. The Committee Comments emphasized that remote appearances should be easy to request and liberally allowed. The original Rule adopted the definitions in the Supreme Court Policy on Remote Appearances in Civil Cases, in particular the definition of case participant.

In 2022, the Illinois Judicial Conference determined that the use of remote appearances in both civil and criminal cases should be further encouraged and promoted. At the same time, the Supreme Court desired that courts continue their use of telephone and video conferences which was so prevalent during the COVID-19 pandemic and assisted circuits in obtaining necessary technology. For these reasons, the Illinois Judicial Conference presented a proposal to amend Rule 45 which identified non-evidentiary case proceeding types which were suited to remote appearances and provided that case participants should be given the opportunity to appear remotely without any advance court approval in those proceeding types. However, the proposal as set forth in paragraphs (b)(1) and (b)(2) afforded discretion to individual judges on a case-by-case basis and circuits by local rule to determine when an in-person appearance is necessary.

In proposing new Rule 45, the Illinois Judicial Conference sought to build on the effective use and acceptance of remote appearances in both criminal and civil cases by the courts since the enactment of Rule 45. The proposal continued to adopt the definitions in the Supreme Court Policy on Remote Appearances in Civil cases and where appropriate the original Committee Comments.

a. Individual circuits are encouraged to submit their local rules in advance of the deadline outlined in paragraph (b)(7). The 90-day deadline specified in paragraph (b)(7) is to afford circuits time to implement new technology, but courts may still comply with the Rule by offering the option to appear by telephone. [A model local rule is available on the Supreme Court website](#) to assist circuits in submitting and publishing their individual local rules in accordance with Rule 45.

b. When exercising discretion under paragraph (b)(1), the judge presiding over the matter shall consider whether the in-person appearance is necessary, the nature and purpose of the proceeding, the impact this decision will have on the case participant's ability to participate in the proceeding, and other issues of fairness and due process.

c. When exercising discretion under paragraph (b)(2), circuits shall consider whether there is a necessity for the exemption and the impact that the exemption may have on the ability of all case participants to participate in court proceedings and on the ability of lawyers to efficiently and cost effectively serve people, particularly those in need.

d. In accordance with the prior Committee Comments to the original Rule 45, any procedures and processes for seeking an approval for a remote appearance shall be easy, and an approval



should be liberally granted without requiring a showing of good cause or any particular level of hardship, unless otherwise provided by Supreme Court Rule (for example, Rule 241, on the use of remote appearances in civil trials and evidentiary hearings).

e. In remote proceedings, as in in-person proceedings, courts must maintain order and ensure that the proceedings are conducted with dignity, decorum, and without distraction. The local rules should set forth the standards of decorum and expectations as to appropriate behavior with the use of telephone and video conferencing.

f. Courts should first consider obtaining and using free telephone or video conference services before considering fee-based services. Services that are free for case participants to use are readily available. Any fees associated with the use of a particular remote appearance platform should not impose a barrier on a case participant who is not able to pay that cost and should be subject to waiver for case participants who cannot afford them. If a court chooses to use a service that requires the payment of fees, the court should consider whether the costs can be waived by the service, paid by another party, or paid by the court, or if the court should also use a free service. The focus should be on increasing accessibility to the courts and not on imposing an additional barrier to a remote court appearance in the form of a fee. The court or circuit clerk shall not impose their own fees for case participants to appear remotely.

g. Courts should consider related processes that may need to be adjusted to accommodate remote appearances, including, but not limited to, how case participants submit and obtain orders after remote appearances and how to best assist the public in accessing remote technology.





# **Illinois Supreme Court Policy on Remote Court Appearances in Civil Proceedings**

**Effective May 2020**

## I. PREAMBLE

The Illinois Supreme Court recognizes that meaningful access to the courts is essential to ensuring the integrity and fairness of the judicial process and to preserving trust in our legal system. Courts can use technology to improve the administration of justice, increase efficiency, and reduce costs. The Court recently approved a branch-wide [Strategic Agenda](#)<sup>1</sup> prepared by the Illinois Judicial Conference, and the first strategic goal is "Accessible Justice & Equal Protection Under the Law." One strategy for ensuring accessible justice is to promote and expand remote access in civil cases, allowing court patrons to have easier access to court services, court and case information, and court appearances.

The widespread popularity of mobile telephones, particularly smartphones and other personal devices, means that more people than ever before have the ability to participate in court proceedings electronically from a location outside of court. Moreover, large numbers of self-represented litigants navigate the civil justice system in Illinois every year. The costs and challenges of travel, childcare, and time off from work can deter them from going to court. For lawyers, the opportunity to appear remotely may allow them to appear efficiently in multiple courthouses and to represent more clients. While improving efficiencies, Remote Court Appearances offer significant cost savings for litigants, lawyers, and witnesses and reduce safety and public health concerns by minimizing the number of people entering the courthouse.

New Illinois Supreme Court Rule 45 and Supreme Court Rule 241 grant courts broad discretion to allow Remote Court Appearances. To improve access to the courts, increase efficiency, and reduce costs, courts should permit Remote Court Appearances to the extent reasonable, feasible, and appropriate. Rule 45 does not require a Case Participant to demonstrate hardship or good cause to appear remotely. Therefore, Remote Court Appearances under Rule 45 should be easy to request and liberally allowed, and courts should ensure that they have removed unnecessary financial and other barriers for Case Participants to appear remotely. The use of Video Conferences for testimony in civil trials and evidentiary hearings may be allowed for good cause and upon appropriate safeguards under Rule 241 (and Telephone Conferences may be allowed in compelling circumstances for testimony). Courts have wide discretion under both rules to allow Remote Court Appearances.

This Policy is intended to help courts implement, expand, and encourage the use of Remote Court Appearances in civil cases by any or all Case Participants, including judges. The Policy outlines several topics for courts to consider when developing remote appearance procedures and encourages courts to review their existing rules and orders to ensure none of them have the effect of creating financial or other barriers to Remote Court Appearances. Courts should also ensure that the technology available for Remote Appearances complies with the Americans with

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<sup>1</sup> The full Strategic Agenda is available at [https://courts.illinois.gov/SupremeCourt/Jud\\_Conf/IJC\\_Strategic\\_Agenda.pdf](https://courts.illinois.gov/SupremeCourt/Jud_Conf/IJC_Strategic_Agenda.pdf). For more information on the Illinois Judicial Conference, see [http://illinoiscourts.gov/SupremeCourt/Jud\\_Conf/default.asp](http://illinoiscourts.gov/SupremeCourt/Jud_Conf/default.asp).

Disabilities Act (ADA). This Policy should help courts to understand when Remote Court Appearances are appropriate and reasonable to promote meaningful access to the courts.

The need for Remote Court Appearances and innovative methods for allowing access to our courts became acute during the COVID-19 crisis. It is hoped that this Policy and Rules 45 and 241 will assist our courts in establishing local rules, orders, and procedures for Remote Court Appearances which will be in place to address not only the ordinary but also extraordinary necessity for Remote Court Appearances and assure the accessibility of our judicial system.

## **II. DEFINITIONS**

1. "Case Participant" – Any individual involved in a civil case including the judge presiding over the case, parties, lawyers, guardians *ad litem*, minors in the care of the Department of Children and Family Services (DCFS), witnesses, experts, interpreters, treatment providers, law enforcement officers, DCFS caseworkers, and court reporters.<sup>2</sup> This term does not include jurors, the public, or members of the media that are not parties or witnesses in a case. Members of the media or their lawyers may be considered Case Participants if they have filed a motion or pleading in a pending case.
2. "Remote Court Appearance" or "Remote Appearance" – Participation by at least one Case Participant in a court proceeding via Telephone or Video Conference.
3. "Telephone Conference," "Telephonic Court Appearance," or "Telephone Appearance" – Simultaneous two-way audio (sound only) communication with Case Participants in two or more different locations on a telephone or other electronic device. This may be done by a simple person-to-person phone call or by use of a conferencing line service that allows multiple people to participate simultaneously from multiple locations.
4. "Video Conference," "Video Court Appearance," or "Video Appearance" – Simultaneous two-way audio (sound) and/or visual communication with Case Participants in two or more different locations via electronic means.

## **III. BENEFITS OF REMOTE COURT APPEARANCES**

Remote Court Appearances in civil proceedings under Rules 45 and 241 provide many benefits to Case Participants, including judges and court personnel, while creating easier access to our courts. For example, Remote Court Appearances:

1. Decrease the time and expense of coming to court. As a result, represented parties will pay less for their lawyers' time and travel and self-represented parties or other Case Participants, will miss less work, pay less for childcare, and pay less for transportation.
2. Increase accessibility to the courts for Case Participants who are:
  - a. Living with disabilities and/or debilitating illnesses.
  - b. Elderly.

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<sup>2</sup> Court reporters must comply with all requirements of the Court Reporter Act 705 ILCS 70.

- c. Serving in the military and particularly in deployed status.
  - d. Confined in a prison or jail.
  - e. Hospitalized or otherwise suffering from medical conditions.
  - f. In inpatient treatment for physical health, mental health, or substance abuse reasons.
  - g. Residing in nursing homes or long-term care facilities.
  - h. In a different state or country.
  - i. Residing a far distance from the courthouse or having other difficulties with traveling to the courthouse.
  - j. Serving other public needs such as medical providers, DCFS caseworkers, therapists, and law enforcement officers.
  - k. Part of emergency situations requiring courts to limit their operations.
3. Assist lawyers, including legal aid and *pro bono* lawyers who often serve large geographic areas, by providing a more efficient and convenient method for appearing in court. The resulting time savings and reduced travel may allow lawyers to take on more clients and expand their practices into more jurisdictions within Illinois.
  4. Reduce the numbers of persons in courthouses which reduces the burden on security, lessens risks to public health and safety, and allows court staff to manage their time more efficiently.
  5. Provide the Case Participants with more scheduling flexibility. This could be particularly valuable in critical cases such as emergency orders of protection.
  6. Allow judges in rural jurisdictions to hear cases from outlying courthouses in one location minimizing the time they spend traveling to outlying courthouses.
  7. Benefit law enforcement, correctional institutions, hospitals, and mental health facilities involved in civil cases by allowing Case Participants to appear from their premises rather than at courthouses and reduce the costs of transportation and security.
  8. Allow Case Participants such as witnesses, experts, caseworkers, and treatment providers a more efficient and convenient way to provide testimony and reduce costs relating to witness and expert testimony. Provide caseworkers and treatment providers with time saving measures which allow them to better manage their other duties and cases.
  9. Increase public perception of the court system as in step with the myriad of private and public sector institutions which conduct business remotely and as responsive to the needs of the community.

## **IV. CIRCUMSTANCES FOR REMOTE COURT APPEARANCES**

Remote Court Appearances under Rule 45 are appropriate in many types of civil proceedings. Ideally, Remote Court Appearances should be an available option regardless of the type of case, nature of the hearing, or circumstances of the Case Participant. Some Case Participants may appear by telephone, some by video, and some in person all on the same case. Courts have the discretion to determine how many Case Participants may appear remotely and in what way based on the courts' capabilities.

Non-evidentiary civil court proceedings may be more conducive to Remote Court Appearances, but full trials and evidentiary hearings may also be appropriate for Remote Court Appearances depending on the specific circumstances under Rule 241. When considering a request from a Case Participant to appear remotely for testimony, the Court should take into consideration any hardships such as those outlined in Section III (2) above.

Courts should make all efforts to maintain the transparency and public nature of court proceedings involving Remote Court Appearances. The court also maintains its responsibility in remote proceedings to make an authorized record pursuant to Supreme Court Rule 46 when necessary.<sup>3</sup>

## **V. TECHNOLOGY SPECIFICATIONS**

Successful Remote Court Appearances need proper technology. Courts should assess the current status of their technology, procure new technology as necessary, and identify reliable and affordable solutions (preferably free services) for Remote Court Appearances. Courts should ensure that technology is ADA-compliant and make accommodations as necessary to allow Remote Court Appearances by court patrons with disabilities. Courts should continue to follow the guidance of the Supreme Court regarding the taking of the official court record. The following are minimum technological recommendations for successful Remote Court Appearances.

### **A. TELEPHONIC COURT APPEARANCES**

For Telephonic Court Appearances, at a minimum, a court should have:

1. A telephone or other electronic device that can convey the voices of in-person and remote Case Participants in an audible and understandable manner through internal or external speakers.
2. A call bridge or conference line which is a service that allows multiple Case Participants calling from different devices to participate in the same telephone conversation or proceeding. Free conference services may be available for use.
3. Plain language instructions for Case Participants to dial-in for their appearances and to mute their calls to prevent disruptive background noise.

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<sup>3</sup> For example, the proceeding involving Remote Appearances may be recorded through the court's electronic recording system or by a court reporter. The court reporter may appear remotely via Telephone or Video Conference or be in the courtroom while others are appearing remotely.

4. Trained staff to assist in operating equipment and troubleshooting technical issues as needed.

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For Telephonic Court Appearances, at a minimum, all other Case Participants appearing remotely should have:

1. A telephone or other electronic device that allows audio (sound) transmission, preferably with a mute function.
2. If the telephone is a cellular phone, it should have reliable service from the location where the Case Participant will be during the call.
3. Case Participants should be instructed that they are not allowed to record the proceeding in any way.

## **B. VIDEO COURT APPEARANCES**

For Video Court Appearances, at a minimum, a court should have:

1. A high-speed internet connection.
2. A wireless router or hard wire connection enabling devices in the courtroom to access the internet.
3. A computer with a webcam or embedded video camera.
4. A screen or screens visible to the judge, the court reporter, the jury (if applicable), the other Case Participants in the courtroom, and the public who are observing court proceedings. The screens do not need to be permanently available and can be moved to the courtroom as needed. The courtroom must be able to accommodate the screens.
5. An online Video Conference service, preferably with the ability to share documents between Case Participants and the ability to allow private conversations between Case Participants in a breakout room. Free conference services may be available for use.
6. Plain language instructions for Case Participants to appear for their Video Appearances and to mute their videos to prevent disruptive background noise.
7. Trained staff to assist in operating equipment and troubleshooting technical issues as needed.

For Video Appearances, Case Participants appearing remotely, at a minimum will need:

1. A computer, telephone, or mobile device with a webcam or embedded video camera, an internal or external microphone, and internal or external speakers.
2. A high-speed internet connection and access to the same Video Conference service used by the court. (Most Video Conference services allow for Case Participants to test their connectivity before the scheduled a Video Conference).

3. Case Participants should be instructed that they are not allowed to record the proceeding in any way.

## **VI. RULES, ORDERS, AND REQUESTS FOR REMOTE COURT APPEARANCES IN CIVIL PROCEEDINGS**

Courts should post signs with information about Remote Appearances prominently in the courthouse, including in the clerk's office. Signs should be written in plain language and should include information about the availability of Remote Court Appearances and the process for requesting them. This information should also be publicized on the court's and clerk's websites and in other publicly available places. Courts should issue and publish a court order, standing order, or local rule detailing information about the process for requesting and participating in a Remote Court Appearance. Courts should also consider procedures to ensure court patrons with disabilities can participate in Remote Court Appearances.

This order or rule should, in plain language, include:

4. The available Remote Court Appearance options based on the court's technological capabilities (Telephone, Video, or both).
5. The technical requirements for Remote Court Appearances.
6. The procedures for requesting a Remote Court Appearance and for seeking relief as a result of missing a Remote Court Appearance.
7. Instructions for how to log in or call into the relevant technology to appear remotely.
8. The process for drafting orders and distributing signed orders to all Case Participants when there is a Remote Appearance.

A request to appear remotely may be made orally in person at any time when parties or their lawyers are present in court or may be made in writing. Additionally, under Rules 45 and 241, courts have the discretion to allow a Remote Court Appearance on its own order.

When ruling on a request to appear remotely where there is an objection, a court may consider:

1. Access to the courts.
2. The court's available technology.
3. Whether any undue prejudice would result.
4. The degree of inconvenience or hardship.
5. Whether there are security or safety concerns for allowing the Remote Court Appearance.
6. Whether the Case Participants have waived personal appearances or agreed to Remote Appearances.
7. The purpose of the court date.
8. Previous abuse of Remote Court Appearances by the requesting Case Participant or objections by the objecting Case Participant.

9. Any other factors or fairness considerations that the court may determine to be relevant. If the court denies the request, it should state the reasons for the denial.

Case Participants should not be penalized for technical failures or difficulties with a Remote Court Appearance. If there is a technical failure or difficulty caused either by the court's technology devices or those of the Case Participants, the remote Case Participants should be allowed to continue the hearing to another date or to seek other appropriate relief from the court, upon good cause shown.

## **VII. COSTS OF REMOTE COURT APPEARANCES**

Courts should first consider obtaining and using free Telephone or Video Conference services before considering fee-based services. Free services are readily available. In this way, a Remote Appearance will not impose a cost on a Case Participant who is not able to pay that cost or would not otherwise incur a comparable cost if appearing in person.

For example, some courts' telephone lines may already allow for conference calls with speaker phones by making calls directly or obtaining conference call numbers for more than one remote Case Participant. The Access to Justice Division of the Administrative Office of the Illinois Courts (ATJ-AOIC) can assist courts in determining whether there are possible upgrades to their telephone services which would allow for enhanced Telephone Conferences.

Some jurisdictions currently use Telephone or Video Conference services which charge fees. However, to promote access to justice and to remove financial barriers to Remote Court Appearances, courts should consider obtaining and using both paid and free services. Local rules and practices should not prohibit the use of free services for Remote Court Appearances.

Additionally, any fees associated with a Remote Court Appearance should be subject to waiver for Case Participants who cannot afford them. ATJ-AOIC can assist courts in finding Telephone or Video Conference services which are free, charge licensing fees that courts could absorb, or will honor fee waivers. If a court chooses to use a service which requires the payment of fees, the court should consider whether the costs can be waived by the service, paid by another party, paid by the court, or if the court should use a free service instead. The focus should be on increasing accessibility to the courts and not on imposing an additional barrier to a Remote Court Appearance in the form of a fee. The court or circuit clerk shall not impose their own fees for Case Participants to do Remote Court Appearances.

## **VII. ASSISTANCE OF THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS**

ATJ-AOIC will assist courts in developing Remote Court Appearance programs including investigating technology, drafting instructions, procedures, or rules, or other assistance necessary to facilitate Remote Court Appearances. Courts should cooperate with ATJ-AOIC in evaluating the ongoing success of Remote Court Appearances including by tracking its usage. Courts shall provide a copy of their Remote Court Appearance procedures to ATJ-AOIC and provide certain tracked information upon request.

Although this Policy discusses only Telephone and Video Appearances, the Illinois Supreme Court Commission on Access to Justice and ATJ-AOIC will study other possible methods for accessing the courts and suggest updates to the Remote Court Appearance Policy based on their studies and



on advancements in technology. Courts should include in their reporting to ATJ-AOIC all ways in which they are enhancing access to court services, court information, and court appearances to help in determining the feasibility of other methods of remote access.<sup>4</sup>

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<sup>4</sup> For example, during the COVID-19 crisis, some jurisdictions implemented methods of email correspondence with courts to resolve matters rather than requiring Telephone or Video Appearances for any Case Participant.



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Remote Appearances in Circuit Court

Jan. 2025

### When can Case Participants appear remotely?

- Remote appearances are **appropriate, effective, and efficient** in many cases (particularly routine or uncontested proceedings), and comport with a judge's obligation to perform duties fairly, impartially, competently, and diligently. See Illinois Code of Judicial Conduct, Canon 2, [Rule 2.2](#) and [Rule 2.5](#).
- [Supreme Court Rule 45](#) governs remote appearances generally. [Rule 44](#) pertains to photos and recordings of remote appearances. For civil cases, [Rule 241](#) governs remote appearances in trials and evidentiary hearings and [Rule 242](#) directs remote jury selection.
- Rule 45 is organized by case type and identifies proceedings where remote appearance is usually appropriate and Case Participants should be allowed to appear remotely without prior permission, and proceedings where remote appearance may not be appropriate and prior permission is required.
- Rule 45 requires circuits to adopt **local remote appearance rules** explaining remote appearance options in plain language. These local rules may identify additional proceeding types where prior permission is required to appear remotely. Local rules should be consistent with the spirit of Rule 45.

### Requests for remote appearance

- Any procedures and processes for seeking approval for a remote appearance should be easy.
- Under Rule 45, approval should be liberally granted without requiring a showing of good cause or any particular level of hardship, unless otherwise provided by Supreme Court Rule.
- Some factors courts may consider include:
  - Whether an in-person appearance is necessary;
  - The nature and purpose of the proceeding;
  - The court's available technology;
  - Whether any undue prejudice would result;
  - The degree of inconvenience or hardship;

- Whether there are security or safety concerns for allowing or denying remote appearances;
- Whether the Case Participants have waived in-person appearances or agreed to remote appearances;
- Previous abuse of remote appearances by the requesting Case Participant, including failure to follow applicable standards of decorum;
- Objections by any other Case Participants; and
- Any other issues of fairness and due process that the court may determine relevant.

If the court denies the request to appear remotely, it should state the reasons for the denial.

### Benefits of remote appearances

1. Saves time and expenses for Case Participants and courts.
2. Reduces childcare and transportation costs and time off from work for Case Participants.
3. Increases access to the courts for people with disabilities, older adults, people with transportation barriers, and others.
4. Enables lawyers to serve large geographic areas efficiently and conveniently so they can handle more cases.
5. Expands access to qualified spoken and sign language interpreters.
6. Allows judges in rural jurisdictions to preside over cases from outlying courthouses from a single location.
7. Creates scheduling flexibility and greater ability to accommodate case workers, probation officers, GALs, witnesses, experts, and others.
8. Increases the public perception of the courts as in step with other institutions which conduct business remotely and as responsive to the needs of the community.
9. Allows courts to continue to operate during inclement weather and other emergency situations.

### Remote appearance resources:

- *Preparing for a Court Appearance via Zoom* video in English and Spanish (available at [ilcourts.info/preparing-for-zoom-court-eng](https://ilcourts.info/preparing-for-zoom-court-eng) and [ilcourts.info/preparing-for-zoom-court-spa](https://ilcourts.info/preparing-for-zoom-court-spa))
- *Illinois Supreme Court Policy on Remote Appearances* (available at [ilcourts.info/remote-app-policy](https://ilcourts.info/remote-app-policy))
- *Tips for Court Users for Attending Court by Phone or Video* (available at [ilcourts.info/remote-faqs](https://ilcourts.info/remote-faqs))
- *How to Zoom on a Phone or Computer*: Written instructions in English, Spanish, Arabic, Polish, Russian, Mandarin, and Korean and short videos on how to Zoom from an iPhone, Android device, and Computer (available at: [ilcourts.info/remote-resources](https://ilcourts.info/remote-resources))
- *Illinois Court Help* ([ilcourthelp.gov](https://ilcourthelp.gov))

## Special considerations for remote appearances

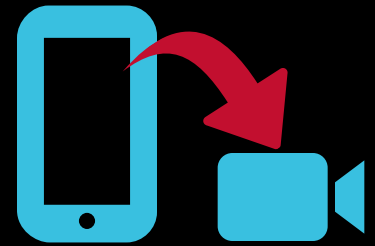
- **Hybrid proceedings.** Ensure that your courtroom is well equipped for hybrid proceedings, where some Case Participants appear in-person and some appear remotely. All Case Participants should be able to hear and see each other, regardless of whether they are appearing in-person or remotely.
- **Implicit bias.** Remote appearances, especially by video, create opportunities to observe people's homes or personal environments. Lawyers may have more professional equipment or be more adept with remote appearance technology than self-represented litigants. Avoid assumptions or judgments based on personal surroundings or technical abilities.
- **Language access.** Courts must meet the language access needs of Case Participants during remote appearances. Video remote interpreting (VRI) increases the complexity of communication but can also increase the availability of interpreters. Courts should ensure the effectiveness of VRI throughout a remote proceeding. Consecutive, rather than simultaneous, interpretation may be necessary.
- **Case Participants with disabilities.** Courts should ensure that the technology used is ADA-compliant and grant accommodations as necessary to allow remote appearances by Case Participants with disabilities.
- **International Case Participants.** If Case Participants join from a location outside the U.S., make sure accounts are set to permit international participation.

## Practical tips for effective remote appearances

- **You set the tone.** Demonstrate equal respect and gravity to people who appear in-person and those who appear remotely.
- **Practice** using Zoom breakout rooms, muting participants, turning off a participant's video, removing a participant from the meeting, and sending messages to participants including those in the waiting room or break out rooms.
- Regularly **test the sound and video** in your courtroom.
- Coordinate within your circuit to ensure **consistent, uniform, and predictable** practices for when and how Case Participants may appear remotely without prior permission and when and how Case Participants may request advance approval to appear remotely.
- Use **brief opening admonishments or waiting room slideshows or videos** to set expectations.
- Limit **lengthy use of waiting rooms** for matters that are open to the public. In addition to increasing transparency, this allows Case Participants to observe other matters and reduces confusion about whether they are in the correct Zoom room. When a waiting room is used and there is a long delay, send a message to those who are waiting.
- When using certain features, like **Zoom's chat**, make sure all participants can use and access the feature.
- Consider **staggered court calls** or different times for different types of cases or procedural postures (e.g., status, agreed orders, routine, etc. versus contested matters) to increase efficiency and reduce wait times.
- Provide clear **instructions about the order in which cases will be called** and whether and how Case Participants need to check in. Make the docket sheet accessible to all Case Participants by link, shared screen, and/or copying and pasting it into the chat if necessary.
- **Use breakout rooms** for pre- and post-appearance conversations between the parties to help recreate "hallway" discussions. Consider routinely placing parties in a breakout room just before and immediately after their case is called.
- Ensure **orders setting future court dates** specify whether a Case Participant may appear remotely and how. If an in-person appearance is required, explicitly state this in writing and/or orally on the record.
- Establish and publicize clear and easy instructions about the preparation, submission, and return of **proposed orders**.
- **Be patient!** Just like attending court in-person for the first time is not intuitive, Case Participants may not know what is expected during a remote appearance. Remember that remote appearances enable Case Participants to attend court at times when an in-person appearance might not be practical or economical for work, childcare, health, or other reasons. While certain standards of decorum must be met, it is not necessarily inappropriate for a Case Participant to appear from work, a hospital bed, or while caring for children for example.

# ZOOM FROM YOUR PHONE

How to use Zoom on your smart phone  
for your remote court hearing



1

## GO TO YOUR APP STORE

On iPhones, it is called the App Store. On Androids, it is called Google Play. If the court gave you a link, click the link and follow the instructions.



2

## DOWNLOAD THE ZOOM APP

Search for the Zoom Cloud Meetings app in the search bar and download the FREE app called "ZOOM Cloud Meetings."



ZOOM Cloud Meetings  
Meet Happy  
★★★★★ 965K



3

## OPEN THE ZOOM APP

You can open the Zoom app immediately after downloading it by clicking the "Open" button in your App Store or you can open the Zoom app that is now on your phone.

OPEN



4

## CLICK "JOIN A MEETING"

You do not need to "Sign Up" or "Sign In" to join a meeting.

Join a Meeting

5

## TYPE YOUR INFORMATION AND CLICK "JOIN"

Type in the Meeting ID the court gives you in the box labeled **A**.  
Type in your full name in the box labeled **B**.

Cancel Join a Meeting

Meeting ID **A**

Join with a personal link name

Screen Name **B**

Join

6

## TYPE THE ZOOM MEETING PASSWORD

Type in the Zoom Meeting Password the court gives you in the box labeled **C** and click "Continue."

Please enter your meeting password

Password **C**

Cancel Continue

7

## CLICK "JOIN WITH VIDEO"

You will be automatically asked to connect to video. If you are not asked, look for the camera symbol and click "Start Video."

Join with Video

8

## CLICK "JOIN AUDIO" AND CHOOSE "CALL OVER INTERNET" OR "DIAL IN"

You will be automatically asked to connect to audio. If you are not asked, look for the headphones symbol, click "Join Audio," and select "Call Over Internet." "Dial in" requires the phone number the court gives you.

Join Audio Start Video Share Content Participants More

To hear others please join audio

Call Over Internet

Dial in

Cancel

ILLINOIS SUPREME COURT COMMISSION

ACCESS

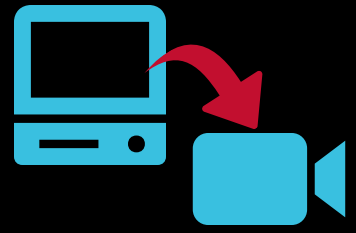
TO JUSTICE

EDUCATION. SUPPORT. EMPOWERMENT.  
(08/20)

Flip for Computer Instructions and Tips

# ZOOM FROM YOUR COMPUTER

How to use Zoom on your computer or laptop (with a webcam) for your remote court hearing



1

## GO TO [zoom.us/join](https://zoom.us/join)

If the court gave you a link, click the link and follow the instructions.



2

## TYPE YOUR INFORMATION AND CLICK "JOIN"

Type in the Meeting ID the court gives you in the box labeled **A** and click "Join."

Join a Meeting

3

## CLICK "OPEN ZOOM MEETINGS"

If you don't have Zoom installed on your computer, click on "download and run Zoom" and open the .exe file to install Zoom.

4

## TYPE YOUR INFORMATION AND CLICK "JOIN"

Type in the Meeting ID the court gives you in the box labeled **B**. Type in your full name in the box labeled **C**.

5

## TYPE THE ZOOM MEETING PASSWORD

Type in the Zoom Meeting Password the court gives you in the box labeled **D** and click "Join Meeting."

6

## CLICK "JOIN WITH VIDEO"

You will see a video preview before you join with video. If you do not want to appear with video, click "Join without Video."

7

## CLICK "JOIN WITH COMPUTER AUDIO"

You can test your speaker and microphone by clicking the words under "Join with Computer Audio."

### Getting Ready for Your Remote Hearing:

- Check your internet or phone connection.
- Charge your computer or phone. Make sure you have enough minutes.
- Use earbuds or headphones if you can. This makes it easier to hear you speak.
- Look for the microphone symbol to mute and un-mute yourself.
- Keep yourself on mute when your case is not before the judge.
- Use an empty, quiet space where no one will interrupt you and with no background noise.
- Set the camera at eye level. If using a phone, prop it up so your hands are free.
- Pause before speaking in case there is audio/video lag.
- Even if you are at home, remember that a remote hearing is still an official court hearing and you should dress and behave appropriately.

# Attending Court by Phone or Video:

## Questions and Tips for Court Users



### ***How do I know if my court date is by phone or video rather than at the courthouse?***

The court will notify you if your hearing is remote. You may be contacted by mail, email, text message, or phone so check all of your messages regularly.

### ***Can I ask to appear for court by phone or video?***

You can request to appear remotely by phone or video. Call the Clerk's office for information.

### ***How do I attend a remote hearing?***

The court will send you instructions on how to join your remote hearing by phone or video. If you still have questions, you can call the Clerk's office.

### ***Will it cost me money to attend remotely?***

There are many free options for appearing remotely. If cost is a concern, you can ask the court to use a free service or ask for a fee waiver.

### ***Can I reschedule my remote hearing?***

You must contact the Clerk's office ahead of time if you cannot attend your scheduled remote hearing.

### ***What if I don't have a computer or phone?***

If you do not have a computer, you can ask to appear by phone. If you do not have a phone, ask the Clerk what other options are available.

### ***Can I still get an interpreter or disability accommodation for a remote hearing?***

Yes, the court should provide the same services they would provide at an in-person hearing. Contact the Clerk's office to let them know you need help.

### ***What should I expect during the hearing?***

- You may be placed on hold or in a "waiting room" before the hearing starts.
- If you are appearing by video, set your screen name to appear as First Name Last Name.
- Introduce yourself when the hearing starts.
- Your hearing is live, and everyone can hear what you say. It may even be recorded by the court or viewable by the public.
- You should ask what will happen next in your case and how to get a copy of the court order.

## Getting Ready for Your Remote Hearing



Check your Internet or phone connection.



Download the program the court tells you to use (for example, Zoom or Skype). Practice until you feel comfortable using it.



Charge your computer or mobile device. Make sure your phone has enough minutes.



Use earbuds or headphone if you can. This makes it easier to hear you speak.



Check with the court ahead of time if you have evidence to share (including documents and photos) or witnesses to call.



If you communicate directly with the judge (not the clerk), you are required to also include the other party in your messages.



Use an empty, quiet place where no one will interrupt you and with no background noise.



Set the camera at eye level. If using a phone, prop it up so your hands are free.



Pause before speaking in case there is any audio/video lag. Mute yourself when not speaking to improve sound quality. Let the judge know immediately if you cannot hear what is being said.



Even if you are at home, remember that a remote hearing is still an official court hearing and you should dress and behave appropriately.

**If you have any questions, reach out to the Clerk's office as soon as possible. If you wait until right before your hearing, it may be too late to get help.**



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ILLINOIS SUPREME COURT COMMISSION

ACCESS

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# YOUR NEXT COURT DATE CAN BE BY PHONE OR VIDEO



## HOW TO ASK

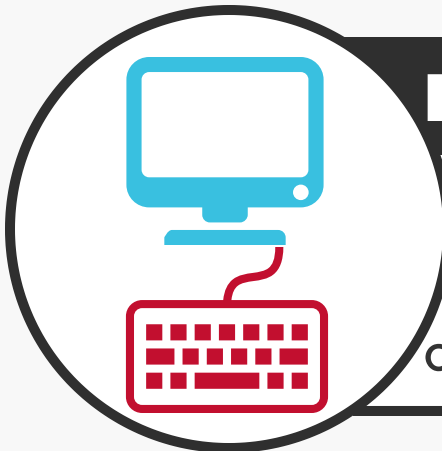
You can ask to appear remotely  
at your next court date by:

---



## HOW TO ATTEND

You can ask to appear  
by phone or video.



## HOW TO PREPARE

<https://bit.ly/ILRemoteFAQ>

Questions?

Contact: 

---

**More Information:**

---

**NO SMART  
PHONE?**



**NO  
CAMERA?**



**NO  
INTERNET?**



**NO PROBLEM!**

**You can still attend court  
from home by calling in.**

If you have a phone but no internet or camera, you can still join a remote court appearance by calling the phone number and using the Meeting ID and Passcode that the court gives you.

If you need more information or have questions, reach out to the Clerk's office as soon as possible. If you wait until right before your court date, it may be too late to get help.



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(02/2021)





## Section 10

# Self-Represented Litigants (SRLs) in the Courtroom





# ILLINOIS JUDICIAL BRANCH

## Bench Card: Self-Represented People in the Courtroom

Jan. 2023 v. 3

### Illinois Judicial Code of Conduct 2023

**RULE 2.2 IMPARTIALITY & FAIRNESS:** A judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially. COMMENT [4] It is not a violation of this Rule for a judge to make reasonable accommodations, consistent with law and court rules, to ensure *pro se* litigants the opportunity to have their matters fairly heard.

**RULE 2.6: ENSURING THE RIGHT TO BE HEARD:** A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to the law.

### Tips to ensure all court users are fairly heard:

1. Use simple, plain language; avoid legal jargon; and explain legal concepts.
2. Explain all court processes (including evidentiary and foundational requirements) and what will happen in court.
3. Ask court users what questions they have and check for understanding throughout court proceedings.
4. Ask neutral questions for clarification or to focus the proceedings and consider modifying the traditional order of taking evidence.
5. Explain why you are doing something and your basis for decisions and rulings.
6. Remember procedural fairness principles: voice, neutrality, respect, trust, understanding, and helpfulness.
7. Recognize that self-represented court users may be scared and nervous.
8. Be courteous, patient, and an active listener to ease tension.
9. Use certified interpreters for limited English proficient or hearing-impaired court users.
10. Appreciate your unconscious biases and increase your cultural competence.
11. Liberally construe pleadings: look to the substance of a pleading rather than its title.
12. Provide self-represented court users with checklists, handouts, and other resources or referrals.

### 1. Plain Language

The Supreme Court adopted a Policy on Plain Language that states "All informational documents and informational instructions shall be drafted in plain language whenever practicable. There are times that legal terms may be necessary in informational documents and/or informational instructions and should continue to be used; in those cases, judges...should provide plain language definitions of those legal terms."

### 2. Explain Court Process

Many self-represented court users have no understanding of court processes. You should ensure that they have a basic understanding of processes for the day they are in court and for the entire case. When explaining processes, you can do so in the same way that you explain them to a jury. You may wish to provide explanations of substantive and procedural matters at the beginning of court and post helpful signage around the courtroom to identify staff and document basic procedures (e.g., turn off cell phones).

### 3. Check for Understanding

At every court appearance, ask self-represented court users if they have questions and if they understand what happened. Consider asking them to summarize what they think happened and what they need to do next. Provide detailed written court orders, checklists, or instruction sheets to take with them.

### 4. Ask Questions & Consider Modifying Process

Ask open-ended questions to elicit general information and obtain clarification from parties or witnesses. Explain why you are asking questions and that your questions do not indicate your opinion of the case. Consider modifying the order of court proceedings as a way to focus on material matters and elicit relevant information more efficiently.

### 5. Explain What You're Doing

Explain why you are doing something (like looking at your computer to read a pleading or calling cases in an order that permits interpreters or lawyers to get to other courtrooms) to avoid implying disinterest or bias. Explain your rulings, particularly on the admissibility of evidence.

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ)

# Bench Card: Self-Represented People in the Courtroom

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ)

## 6. Procedural Fairness

Research shows that higher perceptions of procedural fairness lead to better acceptance of court decisions and compliance with orders. The elements are:

- **Voice:** all court users are able to be heard
- **Neutrality:** consistent treatment & unbiased decisions
- **Respect:** court users are treated with courtesy & respect
- **Trust:** judge perceived as sincere and caring
- **Understanding:** court users understand procedure, decisions, and how decisions are made
- **Helpfulness:** staff perceived as interested and helpful

## 7. Self-Represented People are Stressed

Although the cases you hear may be routine for you, they are of the utmost importance to the people involved. Court is confusing and the stakes can be high. To ease anxiety or tension a judge may: call a recess to allow a person to calm down; provide people with an opportunity to leave the courtroom or have a glass of water; and consider safety in the placement of parties and witnesses in relation to each other in the courtroom.

## 8. Active Listening & Patience

Some ways to further ease tension for all court users are by smiling and actively listening (make eye contact, nod, stop other work). Introduce yourself and greet all parties by name. Many self-represented people report feeling ignored when judges appear friendly with lawyers, but not with them. Things might take longer when self-represented people are involved and, generally, that is ok. Also, they may be late or miss court dates due to transportation, employment, or childcare challenges. Be patient in hearing their explanations. Offer remote appearances under SCR 45 for status dates to avoid these issues.

## 9. Language Access

In both civil and criminal proceedings, limited English proficient or hearing-impaired litigants are entitled to court-provided interpreters. See 735 ILCS 5/8-1402-1403, 725 ILCS 140/2, and the Illinois Supreme Court Language Access Policy. A Bench Card on Courtroom Interpreting contains information about how to determine the need for an interpreter and tips for communicating through interpreters.

## 10. Unconscious Bias & Cultural Competence

Implicit or unconscious bias is a psychological process that influences decision-making without our awareness. Everyone has unconscious biases because that's how our brains work. One way to address discriminatory tendencies is by increasing knowledge and understanding of cultures different than our own. Another technique is paying attention to and appreciating differences. Also, rely more on deliberative decision-making than intuition and impressions and open oneself to positive, counter-stereotypical individuals and attitudes. For more information, see additional materials and a bench card on Achieving Fairness Free of Unconscious Bias.

## 11. Liberally Construe Pleadings

Self-represented people may use the wrong forms or label pleadings incorrectly. Focus on the content of the documents they present and the issues raised, not on details that may serve mostly as barriers.

## 12. Resources & Referrals

Judges and all court, library, and clerk staff may provide court users with legal information and referrals. Discuss with your staff their role in providing that information under the Supreme Court Policy on Assistance to Court Patrons ("Safe Harbor Policy"). Most resources and referrals are local, so learn about what is available in your area. Statewide information that may be helpful to self-represented court users includes:

- Illinois Court Help: 833-411-1121, [ilcourthelp.gov](http://ilcourthelp.gov)
- Illinois Legal Aid Online (ILAO): [illinoislegalaids.org](http://illinoislegalaids.org)
- Standard Court Forms: [ilcourts.info/forms](http://ilcourts.info/forms)
- Legal Aid:
  - Illinois Armed Forces Network: 855-452-3526
  - Cook County - CARPLS: 312-738-9200
  - Northern IL - Prairie State: 800-531-7057
  - Southern IL - Land of Lincoln: 877-342-7891
- Referral services: ISBA Lawyer Finder: 800-922-8757 (offers ½ hour attorney consultation for \$25)

Confirm referral information regularly to make sure the resources are current. If you send court users to another office in the courthouse or community, take time to visit that office so you can give them informed directions on how to get there and guidance on what to expect.



Digitally signed by  
Reporter of Decisions  
Reason: I attest to the  
accuracy and integrity  
of this document  
Date: 2023.10.27  
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## CANON 2, RULE 2.2

A judge shall perform the duties of judicial office  
impartially, competently, and diligently.

### RULE 2.2: IMPARTIALITY AND FAIRNESS

A judge shall uphold and apply the law\* and shall perform all duties of judicial office fairly and impartially.

#### COMMENTS

- [1] To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.
- [2] Although each judge comes to the bench with a unique background and personal philosophy, a judge must interpret and apply the law without regard to whether the judge approves or disapproves of the law in question.
- [3] Good-faith errors of fact or law do not violate this Rule.
- [4] It is not a violation of this Rule for a judge to make reasonable accommodations, consistent with the law and court rules, to ensure *pro se* litigants the opportunity to have their matters fairly heard.



## CANON 2, RULE 2.6

A judge shall perform the duties of judicial office  
impartially, competently, and diligently.

### **RULE 2.6: ENSURING THE RIGHT TO BE HEARD**

- (A) A judge shall accord to every person who has a legal interest in a proceeding or that person's lawyer the right to be heard according to law.\*
- (B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute, but a judge shall not act in a manner that coerces any party.

### COMMENTS

- [1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.
- [2] The judge plays an important role in overseeing the settlement of disputes but should be careful that efforts to further settlement do not undermine any party's right to be heard according to law.
- [3] Judges should be mindful of the effect settlement discussions can have, not only on their objectivity and impartiality but also on the appearance of their objectivity and impartiality. Despite a judge's best efforts, there may be instances when information obtained during settlement discussions could influence a judge's decisionmaking during trial, and in such instances, the judge should consider whether disqualification may be appropriate. See Rule 2.11(A)(1).



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Achieving Fairness Free of Unconscious Bias – Deliberative Decision-Making

### **Unconscious bias is also known as implicit bias, hidden bias, unintentional bias, and automatic bias.**

- It is a psychological process that influences decision-making outside of conscious awareness. Implicit associations form in memory through repeated exposure to group stereotypes in everyday life. These automatic associations can form in memory even if you consciously disagree with them.
- Accept that everyone carries these biases. Unnoticed, these biases affect thoughts and decisions, unless you proactively take measures to minimize their effects. One of the best strategies for combating bias is through deliberative decision-making.

### **Factors that increase the influence of unconscious bias**

- Limited capacity (time pressure, distraction, fatigue).
- Habitual, intuitive, spontaneous decisions.
- Subjective decision criteria.

### **Become aware of the existence of unconscious bias, ask yourself**

- Am I experiencing a positive or negative emotional reaction in terms of my attitude, views, or tone, knowing nothing about the case participants or matter before me?
- Am I requiring more or less from this person than I would from others?
- Am I reacting to this person based on assumptions, values, and beliefs rather than facts and evidence?
- Am I assessing or treating this person differently than I would if they belonged to a different racial, gender, socioeconomic, or social group?
- Is my decision-making process, not just the decision, the same as it would be for people of other racial, gender, socioeconomic class, or social groups?

### **Address the effects of unconscious bias**

- Use inclusive and welcoming language. Listen well. Keep an open mind. Learn about other cultures and consider how your own culture may influence your perceptions or perspective.
- Notice, challenge, and educate yourself on words or conduct that demean, intimidate, or harass an individual or group based on personal characteristics,

including race, gender, religion, ethnicity, disability, national origin, sexual orientation, age, or socioeconomic status.

- Keep track of your decisions and periodically inspect them for any pattern of bias.
- Remember that the more aware you are of the possibility of the unconscious bias, the less effect it will have on your decision making.
- Discuss with colleagues or mentors how they might handle or perceive a person or situation.

### **Reduce the influence of Unconscious Bias**

- Pay attention to your feelings.
- Rely on notes rather than on memory.
- Examine your thinking and reasoning process before committing to a decision.
- Slow down and think things through particularly when deciding under stress, pressure, distraction, cognitive overload, or when angry.
- Avoid snap judgments, gut feelings, generalizations, or making a decision based on sympathies or personal likes or dislikes.
- Identify, then correct, unsupported assumptions, stereotyping, and negative perceptions.
- Consider what evidence supports the conclusions you have drawn and challenge any unsupported assumptions.
- Before announcing your reasoning, articulate the reasoning behind your decisions to yourself to critically review your decision-making process.





# ILLINOIS JUDICIAL BRANCH

## Bench Card: Achieving Fairness Free of Unconscious Bias – Deliberative Decision-Making

### Common Barriers to Deliberativeness for Judges

- Time pressure from heavy caseloads.
- Time pressure from complex cases.
- Time pressure from broad case types.
- Fatigue.
- Multi-tasking.
- Workplace distractions.
- Threats to safety.

### Actions to address those barriers and promote deliberative decision-making:

- Always
  - Use bench cards and checklists, even in areas of law that are well known to you; resist the temptation to feel that you've already seen this case before and know the answer.
  - Take notes to rely on later.
  - Talk to colleagues and staff for advice.
  - Delegate as many administrative tasks as possible.
  - Write out an opinion for yourself (even if a written opinion isn't required); write down your own decision-making steps.
  - Don't put more pressure on yourself than necessary; don't impose arbitrary decision deadlines on yourself; schedule another hearing or take more time to decide if you need it.

### Time Pressure

- Heavy Caseloads
  - Ask staff and case participants to provide more background information.
  - Restructure dockets to reduce inefficiencies with the schedule.
  - Communicate clearly and often with staff about workflow, schedules, and when interruptions are/aren't appropriate.
- Complex Cases
  - Be proactive in case management and scheduling to reduce roadblocks along the way.

- Set aside blocks of time for thinking and case preparation.
- Re-arrange the schedule so there are longer blocks of time for a specific case or case type.
- Take a little time before issuing a decision.
- Consult statistics or summary information about similar cases.
- Be aware of procrastination habits.
- Broad Case Types
  - Restructure how hearings and meetings are scheduled so there are longer blocks of time for specific case types and fewer transitions between case types.
  - Ask for more material from the parties and review all pleadings.

### Fatigue

- Take care of health, sleep, work-life balance.
- Do some non-legal activities or hobbies.
- Practice mindfulness, exercise, meditate.
- Use back-up judges effectively.
- Take more breaks or recesses.
- Take time before issuing a decision.

### Multi-tasking & Workplace Distractions

- When thinking through a case, close doors, close email, don't take phone calls, and move to a different workspace with fewer interruptions.
- Map out the week's or month's schedule in advance and set aside specific time for the kinds of tasks that often feel rushed.
- Work with staff and security to prevent disruptions.

### Threats to Safety

- Reevaluate safety plans and make sure you feel ready in case of an emergency.
- Provide resources to self-represented litigants, lawyers, or sensitive populations in advance to prevent frustration and defuse tense situations.

ILLINOIS SUPREME COURT COMMISSION



For additional information, please contact:

Administrative Office of the Illinois Courts, Access to Justice Division

[AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov) Last updated 08/20



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Promoting Gender Inclusivity at Court

NOV. 2024 v. 1

### Language, Dignity, and Respect in Court

Per the Code of Judicial Conduct, court proceedings are required to be inclusive, respectful, and free from harassment or discrimination. By using a person's correct title, name, and pronouns, judges can create welcoming court environments, promote fairness and equality, and build trust. Gender-inclusive language helps judges correctly address court users and staff, lawyers, and other judges, thereby affirming identity and dignity for all.

### What are pronouns?

**Pronouns** are simply words used as substitutes for nouns. *Personal pronouns* are substitutes for names or nouns referring to people and are often gendered.

#### Examples of personal pronouns:

She/her/hers – *feminine gender*

He/him/his – *masculine gender*

They/them/theirs – *gender neutral*

Pronouns are *never preferred*, but rather just are and should be respected as part of a person's identity.

Pronouns can represent the gender binary, be gender neutral, or a mix of both (e.g., she/they).

**Gender Binary:** understanding and describing a person's gender in terms of the categories of "man/masculine" or "woman/feminine."

**Gender Neutral:** not using gender to describe someone (e.g., "person" instead of "man" or "woman.")

All people use pronouns in language to refer to themselves and refer to others. Transgender people are not the only people who use pronouns. Cisgender people do also. If you are uncomfortable using a person's correct pronouns, use the person's name instead of using a pronoun in place of the name.

### Sharing Pronouns creates an inclusive environment for transgender court users

For more information, please see, [Illinois Judicial Bench Card: Transgender People at Court](#).

For more information on addressing bias in court, please see [Illinois Judicial Bench Card: Achieving Fairness Free of Unconscious Bias](#).

### How to Share Pronouns

You might think you can assume a person's pronouns based on their appearance, but the only way to be certain of this information is if the person tells you. If you do not know the person's pronouns, use their name instead.

Sharing your own pronouns is one way to signal that it is safe for another person to share their pronouns with you if they wish. *Here are places you could share your pronouns:*

**During your court call:** "Good morning, everyone, my name is Judge Doe and I use she/her pronouns."

**In your Zoom name:** You can personalize your Zoom name to include your pronouns. Sign in to the Zoom web portal. In the navigation panel, click Profile. On the right side of your name, click Edit. In the Pronouns field, enter your pronouns. In the "How would you like to share your pronouns?" drop-down field, choose an option. Click Save.

Examples include:

Judge Jane Doe (she/her)

Judge Sam Doe, they/them

Judge Jack Doe - he/him

**On your bench name placard:** Consider personalizing a permanent part of your desk to share your pronouns with people in your courtroom.

#### In your email signature:

Judge Chris A. Doe

Pronouns: he/him/his

Circuit Judge

**Note:** Pronouns are used in languages other than English too. When considering how to share your pronouns, consider incorporating pronouns in languages used by the communities you serve.

#### Examples of pronouns in English and Spanish:

She/her/ella

He/him/él

They/them/elle

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ)



## Bench Card: Promoting Gender Inclusivity

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](https://ilcourts.info/allATJ)

### Gender Neutral Practices

#### Etiquette and Procedure

Courts have procedures and formalities that are gendered. Being careful about what terms you use will ensure you are as inclusive as possible.

- When using formality in addressing the person, such as using “ma’am” and “sir” or “Ms.” and “Mr.” before a person’s name and you do not know how a person wants to be referred, use the person’s case role and last name (“Attorney Garcia”; “Petitioner Smith”; “Defendant Jones”). Alternatively, use “Mx.” (pronounced “mix”) with the person’s last name.
- Use gender neutral alternatives if you do not know how parties identify. For example, rather than saying “mother and father”, default to “parents.” Once parties have self-identified, use the terms they have identified with.
- When describing a person, replace “woman,” “man,” or a gendered position (“policeman”, “fireman”) with the person’s role at court, which is usually gender neutral (“the witness”; “the clerk”; “the court reporter”).
- When describing a person’s relationship with someone else, use the gender neutral, “partner,” “sibling,” “child,” etc. instead of “wife,” “brother,” “daughter,” etc. until you know the terms the parties use.
- **Note:** judges should address misgendering if case participants use incorrect terms in court. Please see Illinois Judicial Bench Card: Transgender People at Court.

#### Gender Neutral Writing

When writing about or to an unknown person or group of people, use gender neutral pronouns and nouns. Use inclusive language and avoid gender-based assumptions in your writing, such as assuming a person’s role, profession, or experience based on gender. Note: If gender is not relevant, do not mention it. When writing legal documents, consider the level of specificity that is needed when describing a person.

### Singular They

The singular *they* is an accepted grammatical convention that allows you to refer to an individual without a gendered pronoun. The singular *they* can be used to refer to people whose gender is not known or who do not identify along the gender binary (e.g., non-binary people). When writing about an unknown group of people, or a person who does not identify as a “man” or “woman”, avoid the use of “he/she” and “he or she” because it implies that the person identifies in the gender binary, and instead use the singular “they.”

### Gender Neutral Spoken or Signed Language

When addressing groups: replace gendered language with gender neutral alternatives.

- Instead of “ladies and gentlemen” or “men and women of the jury” try: “Good morning, everyone.” or “Hello, jury or jurors.”

When addressing individuals: Start by sharing your pronouns. Sharing your pronouns invites others to share their pronouns. (For more information on pronouns, see page 1.) You must know a person’s name or pronouns in order to know how to address them. If the person has not already shared their pronouns or name, **you can ask in the following ways:**

- “My pronouns are she/hers. Would you like to share your pronouns?”
- “How would you like me to address you?”
- “How would you like to be referred to?”
- “I don’t want to use the wrong name. What name do you use?”

As discussed in “Transgender People at Court”, it is impossible to tell who is transgender and who is not. It is the trans person’s right to share this information. You should not ask. However, on some occasions, gender identity is necessary and relevant because you need to explain specific information or make other case determinations that center on gender identity. In that situation, you could say:

- “When it comes to services that may be gender-based, what do you need?”

### What if the legal name for a litigant is different from the name they have chosen?

Always use the chosen name unless you *must* use the legal name. Then, explain why you must use their legal name in that particular instance and *always use their shared pronouns*.



# ILLINOIS JUDICIAL BRANCH

## Bench Card: Transgender People at Court

NOV. 2024 v. 1

Transgender (or trans) people can be found in every community in Illinois. There are transgender court users, employees, judges, and lawyers who work at or go to the courthouse every day.

- **Gender identity** is an internally held concept of self that indicates how a person perceives themselves and can be based on sex (biological characteristics like chromosomes and phenotypes) and gender norms (the rules and expectations society holds regarding gender identity and expression).
- **Transgender** people are those who do not identify with the gender identity they were assigned at birth.
- **Cisgender** people are those who identify with the gender identity they were assigned at birth.

Judges must foster an inclusive, safe court environment where transgender people are not threatened, singled out, or discriminated against. Judges and their staff should learn about the specific considerations transgender people experience to further foster a respectful, safe, inclusive court environment. Judges must actively prevent and address any form of discrimination in the courtroom, including disrespectful behavior, whether it comes from court staff, lawyers, or others.

### Judicial Duty to Extend Respect and Dignity to Transgender People

Judges have an ethical duty to extend respect and dignity, impartiality, and fairness to transgender people. [Code of Judicial Conduct](#):

**Canon 2, Rule 2.3(B):** A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice or engage in harassment, including but not limited to bias, prejudice, or harassment based upon...gender identity...

**Canon 1, Rule 1.2:** A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

**Canon 2, Rule 2.2:** A judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially.

For information on gender inclusive language, writing, and practices, please see **Illinois Judicial Bench Card: Promoting Gender Inclusivity at Court**. For more information on addressing bias in court, please see **Illinois Judicial Bench Card: [Achieving Fairness Free of Unconscious Bias](#)**

### A Note about Lawyers:

Misgendering can be a form of discrimination. According to the [Illinois Rules of Professional Conduct](#), which guide the practice of law, lawyers are instructed to treat their clients with respect and provide effective assistance of counsel. Lawyers are in violation of the ethical rules if they intentionally misgender their clients or other case participants.

Judges should correct this behavior. For example: "Counsel, the petitioner uses she/her pronouns. Please refer to her correctly."

### Judges should avoid, prevent, address, and stop instances of bias, prejudice, or harassment based on gender identity in court.

#### What could bias or discrimination look like?

- Treating a person differently because they are transgender or treating a person differently after assuming they are transgender.
- Purposely using a person's *deadname* (the name they no longer use) or *misgendering* them (using inaccurate pronouns) in court or when speaking about them to others.
- Writing about a transgender person using gendered language and pronouns that do not align with the person's gender identity.

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](https://ilcourts.info/allATJ)

## Bench Card: Transgender People at Court

All materials referenced in this bench card, as well as sample resources and referral sheets, can be found at: [ilcourts.info/allATJ](http://ilcourts.info/allATJ)

### Frequently Asked Questions

- 1. Can I tell or ask if someone is trans? No.**  
You cannot. It is impossible to determine by observation or assumption who is transgender and who is not. It is the trans person's right to share this deeply personal information. Generally, do not ask whether someone is trans; this is usually not relevant to court proceedings, and it is inappropriate to ask if someone is transgender in generally any setting.
- 2. How should I extend respect and dignity to trans people?** If a person chooses to share their pronouns and chosen name, use them. Address people how they ask to be addressed and avoid making assumptions about someone's gender. If you're unsure, use gender inclusive language until a person shares their pronouns (learn more about pronouns in "Illinois Judicial Bench Card: Promoting Gender Inclusivity at Court").
- 3. What if I misgender someone?** Mistakes happen. If you do make a mistake or notice that someone is being misgendered, politely correct the error and move on. Do not dwell on it or excessively apologize. This can be uncomfortable for the misgendered person.
- 4. What if I hear others making disrespectful comments about a person's gender?** If you witness or hear deadnaming, misgendering, or other disrespectful comments in court, address the comment directly: "We respect everyone's gender identity here and use people's chosen names and pronouns." If needed, raise the issue with supervisors or court administrators to help reinforce an inclusive environment.
- 5. Can I ask about gender-affirming medical care?** A transgender person's decisions about how they express their gender identity is unique to each person, cannot be qualified, and therefore should not be questioned in nearly all circumstances. Not all transgender people have access to or seek gender-affirming medical care and questions around this topic should *only* be asked sensitively, and only if relevant and if necessary for court proceedings. *Example:* "I want to make sure you continue to receive the care you need. Do you receive gender-affirming medical care?"
- 6. What if a person's legal name, or the case captions, are different from the name they have asked me to use?** Deadnaming a transgender person can be a form of discrimination. It is important to use the person's chosen name, even if this differs from the legal name or the name used in case captions. If you *must* use a person's deadname, explain why you must use their legal name in that instance and *always use their shared pronouns*.



# **Illinois Supreme Court Policy on Plain Language**

**Effective April, 2018**

## **ILLINOIS SUPREME COURT POLICY ON PLAIN LANGUAGE**

### **(a) Purpose and Scope.**

The Illinois legal system is significantly text-based and utilizes unique terminology and complex procedures and rules. Often legal documents and terms are difficult for the general public to understand; and comprehension is more difficult for those with language or literacy challenges. The use of plain language increases and aids the public to understand their rights and choices so they may make informed decisions and fully participate in our legal system.

The Illinois Supreme Court, in recognition of the important role plain language plays in procedural fairness and access, has adopted this Policy on Plain Language. The purpose of this policy is to provide guidance to judges, court staff, circuit clerks, law librarians and other justice partners when developing written materials and when communicating to members of the public about legal information, court process, rules and forms.

### **(b) Definitions.**

1. "Plain language" means words and statements, which when written or spoken are clear, concise, well-organized, appropriate to the subject and intended audience, and communicated at a sixth grade reading level.
2. "Legal information" means general factual information about the law and the legal process, as provided by the Illinois Supreme Court Patron Policy for Circuit Clerks, Court Staff, Law Librarians and Court-Based Volunteers.
3. "Forms" mean standardized forms and related instructions that have been approved pursuant to Supreme Court Rule 10-101; forms included in the Illinois Supreme Court Rules; and local circuit and appellate court forms adopted to facilitate compliance with local procedures.
4. "General public" means all people living in Illinois, as well as any people interested in the Illinois legal system residing outside of Illinois.
5. "Informational documents" means written communications drafted by or on behalf of the court system to the general public that provide legal information on court process, rules and forms. These include but are not limited to pamphlets, posters, signs, packets, single documents, website postings and social media communications.
6. "Informational instructions" means spoken communications made by judges, court staff, circuit clerks, law librarians and other justice partners on behalf of the court system to the general public that provide legal information on court process, rules and forms.

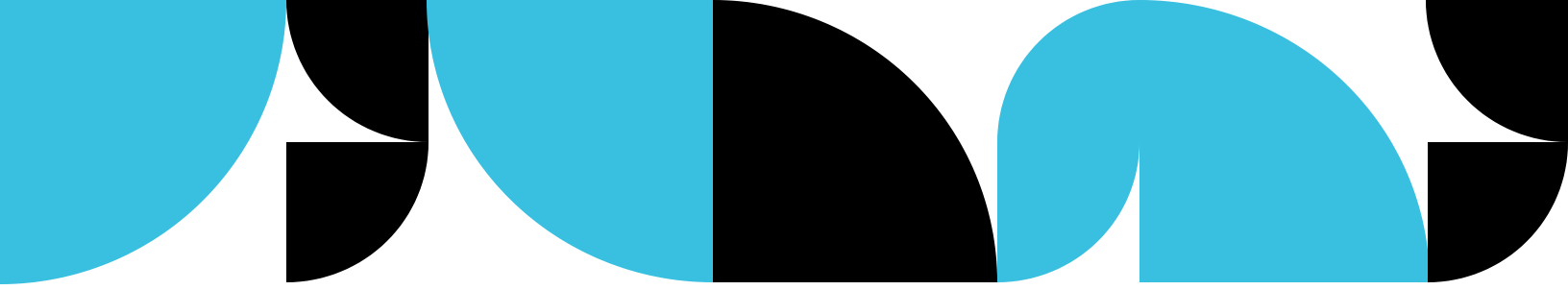
### **(c) Plain Language Policy.**

All informational documents and informational instructions shall be drafted in plain language whenever practicable. There are times that legal terms may be necessary in informational documents and/or informational instructions and should continue to be used; in those cases, judges, court staff, circuit clerks, law librarians and other justice partners should provide plain language definitions of those legal terms.

**(d) Plain Language Guidance.**

The Court assigns the Illinois Supreme Court Commission on Access to Justice to develop and maintain a plain language reference guide for judges, court staff, circuit clerks, law librarians and other justice partners.

Effective April 1, 2018



# Section 11

## SRLs Interacting with Court Staff & Grants to Serve SRLs

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**Illinois Supreme Court Policy**

**On Assistance to Court Users by Circuit Clerks,**

**Court Staff, Law Librarians,**

**and Court Volunteers**

**(“Safe Harbor Policy”)**

**Amended January 2024**  
**Amended November 2018**  
**Originally effective April 2015**



**ILLINOIS SUPREME COURT POLICY ON ASSISTANCE TO COURT USERS  
BY CIRCUIT CLERKS, COURT STAFF, LAW LIBRARIANS, AND COURT  
VOLUNTEERS  
("SAFE HARBOR POLICY")**

**(a) Purpose and Scope.**

This policy provides guidance to circuit clerks, court staff, law librarians, and court volunteers about services they may and may not offer to assist court users in achieving fair and efficient resolution of their cases. Staff or volunteers who are licensed lawyers are bound by the limitations of this policy when working as staff or volunteers, unless serving in a lawyer capacity, like at a court-based legal advice desk, and have a lawyer-client relationship with the court user.

Services provided to court users under this policy must be provided in a nondiscriminatory manner without regard to race, color, religion, ancestry, national origin, immigration status, ethnicity, age, sex, disability, sexual orientation, gender identity, English proficiency, military or discharge status, marital or familial status, pregnancy, income level or source of income, on the basis of being a self-represented litigant, the subject matter or the role of the court user in the case, or any category prohibited by federal or Illinois law.

**(b) Definitions.**

- (1) "Approved forms" mean standardized forms and related instructions approved under Supreme Court Rule 10-101; forms included in the Illinois Supreme Court Rules; forms created by the Conference of Chief Judges or other judicial offices, and local circuit court forms adopted to facilitate local case-processing procedures.
- (2) "Court user" means an individual who seeks information about court procedures, operations, or cases, including information to file, pursue, or respond to a case.
- (3) "Court volunteer" means an individual who assists court users regarding court matters and is not an employee of a court or circuit clerk's office. Volunteers may include, but not be limited to, individuals receiving training through the collaboration between the Illinois Access to Justice Community Navigator program and the Supreme Court Commission on Access to Justice, public librarians, or Illinois JusticeCorps members.
- (4) "Legal information" means general factual information about the law and the legal process. Legal information differs from legal advice, which involves giving guidance regarding an individual's legal rights and obligations in light of the particular facts and circumstances. Legal information is neutral.
- (5) "Limited English Proficient (LEP) person" means someone whose primary language is other than English and has a limited ability to read, write, speak, or understand English, as defined in the Illinois Supreme Court Language Access Policy.
- (6) "Person providing assistance" means anyone who is employed or acting as a circuit clerk, court staff, law librarian, or court volunteer.
- (7) "Self-represented litigant" means an individual who seeks information to file, pursue, or respond to a case without lawyer representation.

- (c) Permitted Services.** To assist court users, the person providing assistance may, as resources and expertise permit, provide services consistent with the intent of this policy, including but not limited to the following:

*Court Access and Process*

- (1) Provide information about court rules, court terminology, and court procedures, including but not limited to providing information regarding requirements for service, electronic and conventional filing, scheduling hearings, appearing remotely by video or telephone conference, and compliance with local procedure;
- (2) Assist a Limited English Proficient (LEP) person outside of court proceedings through a court interpreter, bilingual court staff, or court volunteer, assistive products such as Google Translate, “I speak” cards or LanguageLine; provide translated resources and forms; and inform court users who are limited English proficient or deaf or hard of hearing of how to request an interpreter for the court proceeding, including providing approved forms;
- (3) Inform court users of the process for requesting a reasonable accommodation due to a disability, including providing approved forms;
- (4) Inform court users of the process for requesting a waiver of court fees due to inability to pay and provide the required approved form;
- (5) Provide information about electronic filing (e-filing) including, but not limited to:
  - a. Explaining where to find and how to select an Electronic Filing Service Provider (EFSP);
  - b. Explaining how to register for an EFSP account, including but not limited to, how to set up an email to verify the EFSP account if the user does not have a working email address;
  - c. Explaining how to sign into the EFSP after creating an account or how to reset an account should the user forget the login information;
  - d. Explaining how to file in an existing case including, but not limited to, information about searching for an existing case by case number or party, creating a payment account, selecting a location, selecting a category, selecting a case type, entering party information, the format and size of the document, uploading documents to file, selecting a filing code, and differentiating between lead documents and attachments;
  - e. Explaining how to file into a new case including, but not limited to, information about creating a payment account, selecting a location, selecting a category, selecting a case type, entering party information, the format and size of the document, uploading documents to file, selecting a filing code, and differentiating between lead documents and attachments;
  - f. Explaining how to convert a paper or electronic document to the required file type (PDF), including through equipment available at the courthouse;
  - g. Explaining why a filing was rejected;
- (6) Inform court users of the exemptions from e-filing, including:
  - a. The automatic exemptions for incarceration, having a disability which prevents e-filing, filing under the Juvenile Court Act, or filing a will;
  - b. The process for obtaining a good cause exemption from e-filing due to lack of technology equipment in the home, a literacy or language barrier, filing a document of a sensitive nature such as a Petition for an Order, or unsuccessful e-filing and being unable to get assistance, including providing the approved certification form;

- c. Any other bases outlined in Supreme Court Rule 9;
- (7) Provide information about security protocols at the courthouse and directions around the courthouse, including, but not limited to, photocopier and telephone locations, children's waiting room locations, and other courthouse offices;
- (8) Offer educational classes and informational materials;
- (9) Assist court users pursuing self-guided research;
- (10) Provide specific assistance as authorized by rule or law, such as additional assistance provided by domestic violence advocates or counselors;

#### *Approved Forms*

- (11) Assist court users in identifying approved forms and related instructions based on the court user's description of what the user wants to request from the court. When necessary, explain the nature of the information required by the approved forms. When appropriate, share information about approved and translated forms and instructions. Where no approved form exists to accomplish the court user's request, inform the court user of that fact and provide other legal resources;
- (12) Record verbatim information provided by the court user on approved forms:
  - a. When a statute or rule allows or requires, such as under the Illinois Domestic Violence Act; or
  - b. If the court user is unable to complete the forms due to:
    - i. A permanent or temporary disability. A disability is any physical or mental impairment substantially limiting a major life activity. The person providing assistance should not request information about the nature of the disability;
    - ii. A literacy barrier (difficulty reading or writing in English);
    - iii. Limited English proficiency and the information is provided by a court interpreter or bilingual court staff from the court user.
- (13) Review finished forms and documents to determine whether forms are complete, including checking for signature, correct county name, and case number;

#### *Referrals*

- (14) Inform court users of legal resources and referrals if available, including but not limited to:
  - a. *Pro bono* (free) legal services or lists of lawyers or firms that may handle cases *pro bono*;
  - b. Low-cost or sliding-scale legal services;
  - c. Limited scope legal services;
  - d. Legal aid programs and hotlines;
  - e. Law and public libraries;
  - f. Non-profit alternative dispute resolution services;
  - g. Lawyer referral services;
  - h. Internet-based resources;
  - i. Illinois Court Help;
  - j. Court-sponsored or -affiliated educational classes, including but not limited to, parenting education and traffic safety classes;
  - k. Alternative dispute resolution services;
  - l. Units or departments of government;
  - m. Domestic violence resources;
- (15) Encourage self-represented litigants to obtain legal advice from a lawyer;

### *Court Records*

- (16) Provide docket information, including but not limited to:
  - a. Stating whether an order has been issued;
  - b. Explaining how to get a copy of an order or other filing;
  - c. Reading filings or orders to the individual if requested;
  - d. Providing instructions about how to access such information;
- (17) Provide a court user with access to a case file that has not been restricted by statute, rule, or order, or instructions about how to obtain such access, including through online means such as reSearchIL.

- (d) **Information Provided by the Court User.** The person providing assistance provides services based on the assumption that the information provided by the court user is accurate and complete. There is no responsibility to verify that the information provided is accurate.
- (e) **Unauthorized Practice of Law.** Services provided under section (c) of this policy do not constitute the unauthorized practice of law.
- (f) **No Privilege, Lawyer-Client Relationship, or Conflict.** Information exchanged under this policy is neither confidential nor privileged except as otherwise protected by law. Services provided do not create a lawyer-client relationship. Providing services and information under this policy to one party does not create a lawyer-client relationship or conflict that would preclude providing the same information to the other party in the same case. The person providing assistance should inform court users of this verbally and/or through signage.
- (g) **Rules of Professional Conduct.** Persons providing assistance who are licensed lawyers, law students or graduates licensed under Rule 711, or persons working under the supervision of lawyers must abide by all applicable Rules of Professional Conduct when providing services and information under this policy.
- (h) **Prohibitions.** The person providing assistance cannot:
  - (1) Recommend whether a case should be filed or comment on the merits of a pending case;
  - (2) Give an opinion about what will happen if a case or document is filed, or act on a personal opinion about whether a filing is legally sufficient or meritorious (*i.e.* reject a filing or discourage someone from filing);
  - (3) Refer a court user to a specific lawyer or law firm for fee-based representation unless allowed in section (c)(14);
  - (4) Represent litigants in court;
  - (5) Provide legal analysis, strategy, or advice to a court user or perform legal research other than assisting a court user with self-guided legal research;
  - (6) Engage in the unauthorized practice of law as prohibited by law;
  - (7) Disclose information in violation of a court order, statute, rule, case law, or court directive;
  - (8) Tell a court user anything the person providing assistance would not repeat in the presence of any other party involved in the case.



# What is Legal Information?

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A Guide to Using the Illinois Supreme Court Policy on Assistance to Court Users by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers



# Legal Information and Advice: Why Does It Matter?

Court staff, court volunteers, law librarians, self-help center navigators, and circuit clerks (collectively "court personnel") play an important role in the operation of our state court system. Together, you share an enormous responsibility -- making fair, equal, and efficient justice available to all. Not only are you essential to the operation of the court system, but you also play a key role in helping the public access, understand, and use the courts. You frequently interact with the public and have the power to shape the public's perception of the legal system. By your actions, you can demonstrate that the courts operate in a fair and impartial manner and that they exist for everyone regardless of income, gender, race, disability status, nationality, language proficiency, or legal status.

As an employee or volunteer of the court or the circuit clerk, you serve as the public face of the court system. For many court users, you may be the primary person they interact with during their court case. You can help build confidence in the court system by treating them in a fair, neutral, unbiased, and helpful manner. When a court user feels they have been heard and treated fairly, they will have more trust and confidence in the courts, regardless the outcome of their case.

You have a difficult, but important and rewarding, job to perform. You will be asked many different questions, sometimes by challenging court users. You must maintain a careful balance between answering questions in a respectful and courteous manner while remaining impartial and neutral. Your job allows you to empower and educate, but not to represent or advise.

Keep this guide available as a reference in conjunction with the Illinois Supreme Court Policy on Assistance to Court Users by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers (also called the "Safe Harbor Policy")<sup>1</sup> amended in January 2024 in case you are unsure how to answer a question or need more information about a possible referral. If you are ever unsure about how to respond, please consult your supervisor to determine the best course of action. You can always reach out to the Access to Justice Division of the Administrative Office of the Illinois Courts at [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov) for additional training on this topic. Thank you for all that you do in the service of our state and its court system.

## About This Guide<sup>2</sup>

This guide is intended as a supplement to the Safe Harbor Policy. It explains, in detail, what services are permitted and prohibited under the policy. This guide shows the breadth of services and resources that fall under the umbrella term of "legal information." In many situations, court personnel are eager to assist court users, but are worried about overreaching and mistakenly giving legal advice. This guide is intended to provide additional clarification about what information, services, and resources court personnel can and should feel comfortable sharing without violating ethical rules or crossing the line into legal advice.

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<sup>1</sup> The full text of the Policy is on the Illinois Supreme Court website at [illinoiscourts.gov/public/training-material-and-educational-programs#tab\\_pages-appearance](https://illinoiscourts.gov/public/training-material-and-educational-programs#tab_pages-appearance).

<sup>2</sup> This guide was modeled after, with permission, "What Can I Do to Help You," Maryland Access to Justice Commission, Maryland Judiciary, 2010 (<http://www.mdcourts.gov/mdatjc/pdfs/manual.pdf>). The Illinois Supreme Court Commission on Access to Justice (ATJ Commission) thanks the following individuals for their efforts in creating the original guide in 2017: Cindy Braden, Circuit Clerk of Moultrie County; Halle Cox, Director of the Kane County Law Library & Self Help Legal Center; Kahalah Clay, Circuit Clerk of St. Clair County; Maureen Josh, Circuit Clerk of DeKalb County; Gina Noe, Circuit Clerk of Marshall County; Kelly Smeltzer, General Counsel for the Cook County Circuit Clerk; Tammy Weikert, Circuit Clerk of Rock Island County; Samira Nazem, Administrative Office of the Illinois Courts, Self-Represented Litigant Services Specialist; and Members of the Illinois Supreme Court Access to Justice Commission's Court Guidance and Training Committee: Chief Judge Michael Sullivan of the 22<sup>nd</sup> Judicial Circuit, David Holtermann of the Lawyers Trust Fund of Illinois, and Joe Dailing. Lastly, the Commission would like to thank the staff of the Administrative Office of Illinois Courts Access to Justice Division: Jill Roberts, Sophia Akbar, Danielle Hirsch, and Alison Spanner, as well as Halle Cox, Self-Represented Litigant Coordinator for working on updates in 2018.

# Legal Information & Legal Advice: What's the Difference?

## Legal Information

- The RULES of the game
- General factual information about the law or legal process intended to help a court user navigate the court system

- **Legal information is neutral**

Information should not advance one party's legal position over another party's position.

- **Legal information is universal**

Information should be the same regardless of which party is asking for it.

- **Legal information is objective**

Information does not require knowledge about specific details of the case.

- **Legal information is unrestricted**

Information can come from anyone, not just licensed lawyers.

## Legal Advice

- The STRATEGY of how to win the game
- Guidance regarding a court user's legal rights and obligations in light of their unique facts and circumstances

- **Legal advice is biased**

Advice is tailored to advance one party's legal position over another party's position.

- **Legal advice is customized**

Advice will vary depending on who is asking for it and the desired outcome.

- **Legal advice is subjective**

Advice will change depending on the specific facts of the case.

- **Legal advice is restricted**

Advice should only come from licensed lawyers, acting as a lawyer (even if court or clerk staff is a licensed lawyer, they are limited to only providing information because their role is staff).

## Legal Information Is...

### Explaining Court Procedures and Giving Procedural Information

Many court users are unfamiliar with the legal system and have questions about filing and responding to lawsuits. You can help move their cases forward by explaining basic court procedure and giving them the information they need to make informed decisions.

#### "What Should I Do Next?"

You probably hear this question many times every day. During every interaction, try to provide enough information for the court user to understand the next step in the process and their available options. If you hear certain questions repeatedly, consider creating a handout, brochure, or sign to address them (contact the AOIC for examples).

#### Give Options, Not Advice



Some court users will expect you to act as a lawyer, giving them clear instructions as to what to do next. They may be confused, scared, overwhelmed, or emotional and want someone to reassure them that they are making the right decision. *Your role is not to help make decisions or offer reassurances. Your role is to share information that helps court users make their own decisions.* You can empower court users to make informed decisions simply by explaining which options are available and how they can learn more. Remember, when answering a question or explaining a process with multiple options, you should try to explain *all* the available options or where to find more information on them, so as not to steer the court user to choose a particular one.

#### **Should versus Could: Responding when asked for legal advice**

Many court users ask for legal advice ("What should I do?") and not legal information ("What can I do?"). You can still respond by providing legal information, instead of advice.

**Example:** How should I serve the other side?

**Answer:** I can't tell you what you should do, but I can tell you what options are available. There are three approved methods of service. You could pick any of them to serve the other party. [If the user needs more information, you can share another resource such as a standardized form, self-help center, or website]

I Can... 	I Cannot... 
Tell a court user what they can do	Tell a court user what they should do
Explain a process to a court user	Make a prediction for a court user
Share all available options	Suggest one particular option
Give a court user information that may help them make an informed decision	Make a decision on behalf of a court user
Provide forms and basic instructions	Fill out forms (except for specific exceptions)
Refer to bar associations and legal aid	Refer to individual private lawyer for fees



## Remaining Neutral and Impartial

Even if you think you know what a court user should do, it is not appropriate for you to tell them. First, you must remain neutral and impartial in the case and cannot offer advice that would unfairly advantage one side over the other. Second, you may not have all the information needed to make the best decision for a court user. If you follow the Safe Harbor Policy and this guide, you will be able to assist court users without engaging in the unauthorized practice of law.

## Helping Court Users Who Need Legal Advice

Some questions go beyond basic court rules and procedural information. When responding, you can direct the court user to another resource where they can get the legal assistance needed. This may involve referring the court user to court rules, statutes, and regulations that govern the case (see page 14) or to a legal aid agency, bar association, or another legal service provider (see page 11-12).

### Use Your Toolbox



- Frequently Asked Questions and Tip Sheets (varies by county)
- Procedural Guides and Self-Help Packets (varies by county)
- Courthouse Signs (varies by county)
- Referral Sheets (varies by county, already exist for Illinois JusticeCorps sites)
- IL Supreme Court Forms and Instructions (see page 10)
- ATJ Commission and the Administrative Office of the Illinois Courts (AOIC) Access to Justice Division. For templates, resources, and training sessions, contact us at [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).

Helpful materials can be found at [ilcourts.info/allATJ](http://ilcourts.info/allATJ) or:

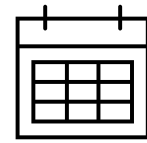


### Safe Harbor Policy

The policy allows court personnel to provide legal information about court rules, court terminology, and court procedure (c)(1). The policy prohibits court personnel from giving legal analysis, strategy, research (other than self-guided research assistance), or advice to court users (h)(5).

## Legal Information Is...

### Answering Questions about Court Dates



Most cases involve court dates and deadlines. Some of these dates may be set by statute or local rule, while others are set at the discretion of the court or scheduled by the parties. This information is usually public, but it is not always easy to find.

### Understanding Court Dates and Deadlines

You can let court users know about existing court dates and deadlines. If your county has an online docket, you can show court users how to use it to check upcoming court dates. You can answer questions about due dates, but only if they are clear from a court document, local rule, or statute (e.g. Notices of Appeal must be filed within 30 days of the judgment or order). You can also give a court user relevant information (e.g., upcoming court holidays). You should not refuse documents because you think they are late, a judge will determine if a filing is timely.

#### Statutes of Limitations

Rules governing the statutes of limitations are very complicated and may require more knowledge about a case than you have available. You should not attempt to explain the laws and rules governing the statute of limitations. Instead, you can tell a court user that there *may* be a statute of limitations and direct them to a legal resource where they can determine for themselves what it is.

### Scheduling Court Dates

Some court users need help scheduling a new court date or changing a previously scheduled one. You can explain what the process is for scheduling or changing a court date at your courthouse. If the court user is seeking to change an existing court date, you can let them know that the request may need to be approved by a judge and is not guaranteed. When scheduling new court dates, you can also share information about a judge's court schedule.



#### Use Your Toolbox

- Online Docket (if available)
- Illinois Legal Aid Online ([illinoislegalaid.org/](http://illinoislegalaid.org/))
- Illinois Compiled Statutes ([ilga.gov/legislation/ilcs/ilcs.asp](http://ilga.gov/legislation/ilcs/ilcs.asp))



#### Safe Harbor Policy

The policy allows court personnel to provide requirements for scheduling hearings (c)(1) and docket information (c)(12).

# Legal Information Is...

## Helping Limited English Proficient (LEP) Court Users

“Limited English Proficient (LEP) person” means someone who speaks a language other than English as their primary language and has a limited ability to read, write, speak, or understand English, as defined in the [Illinois Supreme Court Language Access Policy](#).

### Did You Know?

Over one million Illinois residents are limited English proficient (LEP), representing 23% of the state. Illinois also has over 380,000 deaf or hard of hearing residents, representing 3% of the adult population.

Many Illinois residents need language assistance when interacting with the courts. If you encounter an LEP litigant, you can tell that person that they are entitled to an interpreter for all court proceedings, both civil and criminal. You can also use a bilingual staff member or a telephonic interpretation service to communicate directly with the litigant in the courthouse.

## Language Access Plans

The Illinois Supreme Court has adopted a statewide Language Access Policy, and each judicial circuit has its own local plan (see [illinoiscourts.gov/public/find-a-language-interpreter](http://illinoiscourts.gov/public/find-a-language-interpreter)). Become familiar with your local language access plan and understand how to respond when a litigant needs assistance in a language other than English. The AOIC has created two bench cards, one for judges and one for court personnel, to serve as a quick reference for services, statutes, and policies.

## In-Person and Remote Interpreting Services

The AOIC maintains a registry of interpreters who have demonstrated proficiency in both interpreting skills and language fluency. You can use the registry to contact interpreters directly. The AOIC offers some reimbursement for the use of interpreters from the registry. Additionally, there are currently two companies that offer interpreters from the registry that are directly billed to the AOIC: Interprenet and inLingo. For outside of court conversations, like in the clerk's office or law library, you may consider using bilingual staff, online services like Google Translate, or LanguageLine, a phone service which can connect you with interpreters remotely (that cost is not reimbursable).



### ILLINOIS JUDICIAL BRANCH Court Personnel Information Card: Limited English Proficient Individuals

Updated 10/20

#### How Do I Determine Whether a Person should have an Interpreter Appointed?

According to the Illinois Supreme Court Language Access Policy (effective Oct. 1, 2014), the court should provide an interpreter for any Limited English Proficient (LEP) Person who is involved in a legal proceeding as a party or witness. "LEP Person" means someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak or understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate in a legal proceeding. "Legal proceeding" means any court proceeding (civil or criminal) and any mandatory court-annexed proceeding, such as court-annexed mediation or mandatory arbitration under Illinois Supreme Court Rules.

#### Four Steps for Securing Language Assistance:

(3) When appropriate, remote interpreting services should be utilized, especially by companies that focus

##### Step 1: Determining language

If you need to determine the language individual, you may refer to the Language Flashcard or "I speak" card developed at <http://www.ilep.gov/SpeakCards>. Individual can check or point to the I which language he or she speaks. Once been identified, a court interpreter can be necessary.

##### Step 2: Communicating with

outside of a legal process If you need to communicate with an individual in the clerk's counter or elsewhere in the court, the following options are available to help facilitate communication:

(1) Bilingual staff in the courthouse.

##### Sample Interpreter Qualification Questions:

- Are you certified? If you are not certified, are you on the AOIC Interpreter Registry?
- What is your experience interpreting in court? Have you completed any training to qualify you as an interpreter?
- Do you understand that as an interpreter you must interpret everything, and that you may not summarize the testimony or other proceedings?
- Do you have any experience in simultaneous interpreting? Do you have any experience in consecutive interpreting?
- Is your dialect compatible with the litigant?
- Are there any cultural or community concerns between you and the litigant that the court should be aware of?
- Have you ever interpreted for any of the people involved in this case?
- Are you able to remain fair and impartial?

##### Reimbursement for interpreter costs from AOIC:

If your court or any entity in your county uses an interpreter listed on the AOIC Court Interpreter Registry, you can submit a reimbursement claim for either full or partial reimbursement. Please fill out a reimbursement voucher form, available through the Office of the Chief Judge, or by email to [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).

- Full reimbursement is available for the use of certified and qualified interpreters listed on the AOIC Registry, and for certified interpreters in other states. "Certified" means that they have passed the National Center for State Courts written and oral certification exams. "Qualified" means they have passed the National Center for State Courts written exam and an oral proficiency interview.
- Full reimbursement is also available for the use of sign language interpreters listed on the AOIC Registry, and for RID certified sign language interpreters in other states.



## Use Your Toolbox

- Interpreter Registry ([publicapps.illinoiscourts.gov/](http://publicapps.illinoiscourts.gov/))
- "I Speak" cards ([bit.ly/48u6ttJ](http://bit.ly/48u6ttJ))
- AOIC resources including bench cards, multilingual signs, and translated forms ([illinoiscourts.gov/public/find-a-language-interpreter](http://illinoiscourts.gov/public/find-a-language-interpreter))



## Safe Harbor Policy

The policy allows court personnel to assist court users with requesting a foreign or sign language interpreter (c)(2). The policy also allows court personnel to provide court forms, including translated ones, to court users & assist with the forms (c)(11) & (12).



# Accommodating Court Users with Disabilities or Special Needs

### Did You Know?

The most recent U.S. Census Bureau reports over 42 million Americans live with disabilities. Nearly 3 million Illinois residents have a disability.

Many court users need help accessing the courts because of disabilities. You can help them request a “reasonable accommodation” and connect them with the local Court Disability Coordinator. The Illinois Attorney General’s Office maintains a manual about disability access and the courts: [bit.ly/48xiyOL](http://bit.ly/48xiyOL)

## Understanding the ADA

The Americans with Disabilities Act (ADA) applies to any individual who has a “physical or mental impairment that substantially limits one or more major life activities.” The ADA applies to *all* court users, including witnesses and court observers, and not just to litigants. Under the ADA, a court user can ask for a “reasonable accommodation,” a modification of court rules or procedures, to help them fully access the court. Some examples include:

- Allowing phone or video appearances for a litigant who cannot travel due to a disability
- Scheduling a court date around a litigant’s medical appointments
- Requesting a sign language interpreter for a deaf witness
- Reading a document out loud for a court user with a visual impairment
- Permitting food and beverage in the courthouse for medical reasons

### “Do You Need Assistance Because of a Disability?”

Some disabilities are “invisible” and not immediately apparent. Some court users with “visible” disabilities may not need an accommodation. Do not make assumptions about a court user’s disability or the level of assistance required. Instead, use the question above – “Do you need assistance because of a disability?” – to ask, in a neutral way, if a court user would like additional assistance.

## Forms Assistance

If a court user has a disability that affects their writing, you can assist with filling out forms. You should write exactly what the court user says without any changes. You may want to ask another staff person to act as a “witness” or have the court user complete a disclaimer stating that you are simply writing their words. This can protect you if there is any dispute about your role.

## Use Your Toolbox



- Local Court Disability Coordinator (every court has one and you should be familiar with them and the process for requesting accommodations)
- Illinois Supreme Court Policy on Access for Persons with Disabilities [illinoiscourts.gov/courts/supreme-court/access-for-people-with-disabilities/](http://illinoiscourts.gov/courts/supreme-court/access-for-people-with-disabilities/)
- IL Lawyer General’s Office – Disability Rights Bureau, Technical Assistance: Chicago 312-815-5684; Springfield 217-524-2660



### Safe Harbor Policy

The policy provides for informing users of the process for requesting a reasonable accommodation (c)(3). The policy echoes the ADA requirement that court personnel help complete forms if they are unable to do so because of a disability (c)(12) and to assist with requesting sign language interpreters (c)(2).

## Legal Information Is...

### Informing Court Users about Court Fees/Assessments and Waivers

In most civil cases, court users must pay a fee before filing a new case or responding to an existing one. Filing fees can vary by county and case type, and often change from year to year. Make sure you have current fee information available. In criminal cases, defendants are ordered to pay fees (called assessments) at sentencing.

#### Waiver Statutes

For civil cases, court users can apply for a waiver of court fees pursuant to [735 ILCS 5/5105](#). In criminal cases, defendants can apply for waiver of assessments pursuant to [725 ILCS 5/124A-20](#). They submit an application, then the application is then reviewed by a judge who determines whether the applicant meets the financial criteria set forth in the statute. The waiver statutes also require that circuit clerks post signs advising court users that they can apply for a fee waiver in English and Spanish. The AOIC has created signs for court personnel to use.

**Can't Afford Your Court Fees?**  
*¿No puede pagar las cuotas de la corte?*

If you cannot pay your civil fees or criminal assessments you may ask the judge to waive all or a portion of them.

*Si no puede pagar las cuotas de la corte civil o "assessments" de la corte criminal, puede pedirle al juez que renuncie a todas o una parte de ellas.*

The applications\* and instructions are available from the clerk of court and online.

*Las solicitudes\* y las instrucciones están disponibles del "clerk" de la corte y en la página de web.*

[illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-forms/)

\*NOTE: There are two different applications, one for civil cases and one for criminal cases. Make sure to ask for the correct form for your type of case.  
\*NOTA: Hay dos solicitudes diferentes, una para casos civiles y otra para casos criminales. Asegúrese de pedir el formulario correcto para su tipo de caso.

This notice complies with the requirements of 735 ILCS 5/124A-20 & 735 ILCS 5/5-105

ACCESS TO JUSTICE

#### Did You Know?

Over one quarter of Illinois families are living below or near the Federal Poverty Level (FPL). Fee waivers can make the courts accessible for families and individuals who might otherwise have to choose between paying their bills and exercising their legal rights and remedies.

#### Waiver Standardized Forms and Instructions

The Illinois Supreme Court waiver forms are required for use in every county. The form is at [ilcourts.info/forms](http://ilcourts.info/forms) and will be translated into six languages (Spanish, Polish, Arabic, Korean, Mandarin Chinese, and Russian).



#### Use Your Toolbox

- AOIC Fee Waiver Sign [ilcourts.info/allATJ](http://ilcourts.info/allATJ)
- Judicial Bench Card and FPL chart for judges [ilcourts.info/allATJ](http://ilcourts.info/allATJ)
- Illinois Supreme Court Forms and Instructions [ilcourts.info/forms](http://ilcourts.info/forms)
  - ILAO Guided Interviews & Translated Forms [illinoislegalaid.org/](http://illinoislegalaid.org/)

#### When Are Court Fees Waived?

Court personnel are not responsible for deciding who can and should have their court fees waived. If someone asks about fees, comments about the rate, or requests a waiver application, you must give them the information and form regardless of whether or not you think they are eligible or whether you want to receive the fee. Be careful not to make assumptions about a court user's ability to pay as it is ultimately the judge's responsibility to make that determination. When reviewing fee waiver applications, judges will look at several factors including annual household income, eligibility for means-based public benefit programs, and other factors that could demonstrate financial hardship. They can be granted in full 100% waiver, or in-part 75%, 50%, or 25% of the fees waived.



#### Safe Harbor Policy

The policy permits court personnel to provide information about and forms for requesting a fee waiver due to inability to pay (c)(4).



## Providing assistance with Electronic Filing (e-filing)

E-filing has changed how court users interact with the court system. Some court users e-file from outside of the court building, but many others are calling in or coming to the courthouse and require guidance to be able to successfully e-file.

### What information can court personnel provide?

All of the instructions needed to walk someone through e-filing is allowable legal information that can be provided to court users including, but not limited to: where to find and select an Electronic Filing Service Provider (EFSP); how to register for an EFSP account and set up an email address; how to sign into the EFSP or how to reset an account; how to file into a case including information about: searching for an existing case by case number or party; creating a payment account; selecting locations, case category, and case type; entering party information; uploading documents to file in the correct format and size; selecting filing codes and differentiating between lead documents and attachments; how a paper or electronic document can be converted to the required file type (PDF) through equipment available within the courthouse; and why a filing was rejected.

### What if someone can't e-file?

[Illinois Supreme Court Rule 9](#) governs the mandatory nature of e-filing, but also lists exemptions from e-filing. Self-represented litigants are automatically exempt from e-filing if they are incarcerated in a local jail or correctional facility or have a disability that prevents them from e-filing. Wills and anything filed under the Juvenile Court Act are also automatically exempted from e-filing. Automatic exemptions do not require any additional paperwork.

Self-represented litigants are exempt from e-filing for good cause if they turn in a Certification for Exemption from E-filing form stating that they:

- Don't have a computer or internet in their home;
- Have difficulty reading or writing in English;
- Are filing a sensitive pleading like an Order of Protection; OR
- Tried to e-file, but was unable to complete the process because the equipment or assistance needed was not available

You are able to inform court users of the existence of the exemption and the process for getting an exemption. Remember, the Certification does not require approval, if the form is presented to the circuit clerk's office along with paper documents, everything should be accepted.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT COUNTY	CERTIFICATION FOR EXEMPTION FROM E-FILING	For Court Use Only
<p><b>Instructions</b></p> <p>Directly above, enter the name of the county where the case was filed.</p> <p>Enter the name of the person who started the lawsuit as Plaintiff/Petitioner.</p> <p>Enter the name of the person being sued as Defendant/Respondent.</p> <p>Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one.</p>	<p>Plaintiff / Petitioner (First, middle, last name)</p> <p>v.</p> <p>Defendant / Respondent (First, middle, last name)</p> <p>Case Number</p>	
<p>In 1, check the reasons you are asking to file by mail, in person, or by other means. You should check all that apply.</p> <p>You are exempt from e-filing and you do not need to file this Certification if:</p> <ul style="list-style-type: none"> <li>• you are in jail or prison;</li> <li>• you are filing a will;</li> <li>• you are filing into a juvenile case; OR</li> <li>• your disability prevents you from e-filing.</li> </ul>	<p>1. I am not able to e-file documents in this case for the following reasons (check all that apply):</p> <p><input type="checkbox"/> I am representing myself and do not have the Internet or a computer in my home. My only access is through a public terminal at a courthouse, library, or other location. This poses a financial or other hardship.</p> <p><input type="checkbox"/> I am representing myself and have trouble reading, writing, or speaking in English.</p> <p><input type="checkbox"/> I am filing a document in a sensitive case, such as a petition for an order of protection or a civil no contact/stalking order.</p> <p><input type="checkbox"/> I tried to e-file my documents, but I was unable to complete the process because the equipment or assistance I need is not available.</p> <p>2. Illinois Supreme Court Rule 9(c)(5) allows for an exemption from e-filing for good cause. For the above reasons, I need a good cause exemption from e-filing for my entire case or until I am able to e-file.</p> <p>I certify that everything in the Certification for Exemption from E-filing is true and correct. I understand that making a false statement on this form is perjury and has penalties by law under <a href="#">28 ILCS 65-100</a>.</p> <p>Under the Code of Civil Procedure, <a href="#">23 ILCS 5-1-100</a> making a statement on this form that you know to be false is perjury, a Class 1 Felony.</p> <p>After you finish this:</p> <p>Your Signature _____ Street Address _____</p>	



### Use Your Toolbox

- Statewide e-filing guides in English and Spanish as well as some videos can be found at: [illinoiscourts.gov/self-help/how-to-e-file/](http://illinoiscourts.gov/self-help/how-to-e-file/)



### Safe Harbor Policy

The policy lists the type of e-filing information that may be provided (c)(5) and permits providing information about the e-filing exemption and process for getting it (c)(6).

## Legal Information Is...

### Providing Forms and Instructions



One of the most common requests from court users is for court forms. Directing court users to the appropriate form and providing the information needed to complete and file it can enable them to effectively use the court system to resolve a legal problem.

The forms are in the process of being redesigned. As the redesign is being rolled out, you will see two different types of designs for a couple of years. Circuit clerks should not reject the older statewide form design since litigants and lawyers are able to use any forms they want (with a few exceptions).

### How Much Help is Too Much Help?

Some court users need help selecting the correct form and filling it out. They may ask you to choose the form for them or to review the form before it is filed. You should be careful not to cross the line into legal advice. You can explain the function and purpose of different forms and can identify which form they need based on their description of their situation. You can also review a form for completeness, but should not check the accuracy of the answers.

You can answer basic information about the terms used on a form or the type of information requested, but should not help a court user answer the questions. You should not second guess a court user's choice of form when they are filing it, even if you believe it to be the wrong one, but you can let them know the other options. You should file all forms exactly as they are given to you without modification (although you can tell a court user if it is incomplete). A judge will make the ultimate decision about the forms' accuracy.

#### Did You Know?

Every Illinois Supreme Court form is written in plain language by a group of clerks, court staff, private lawyers, judges, and legal aid lawyers and goes through user testing and public comment before publication. The forms also come with detailed instructions and frequently asked questions. Forms are reviewed annually, but suggestions can always be submitted. Forms are available at: [ilcourts.info/forms](http://ilcourts.info/forms)

### Assisting Low Literacy Court Users

Court users with limited literacy may struggle to complete forms. You can assist by reading the form to the court user, answering basic questions about the terms used, and writing their answers word-for-word. However, you should not interpret or summarize the document or help the user come up with answers. For information on assisting court users with disabilities, see page 7.

#### Use Your Toolbox



- Illinois Supreme Court Forms and Instructions [ilcourts.info/forms](http://ilcourts.info/forms) (Some forms in English, Polish, Spanish, Korean, Arabic, Russian, & Chinese)
- Illinois Legal Aid Online Automated Interviews (like TurboTax for court forms) [illinoislegalaid.org/](http://illinoislegalaid.org/)

#### Safe Harbor Policy



The policy permits court personnel to assist court users in accessing forms and related instructions and to answer basic questions about the forms (c)(11). The policy also permits court personnel to review forms for completeness (c)(13) and assist court users with low literacy or a disability with reading and completing court forms (c)(12).

## Legal Information is...

### Giving Lawyer Referral Information

National surveys show that most self-represented litigants wish they had a lawyer; they simply cannot afford or find one. Connecting litigants with bar associations and legal aid or *pro bono* lawyers, is one way you can help court users get the legal help they need.

### Understanding Different Legal Services

Not all lawyers are alike, and to make the best possible referrals, you should understand the different types of lawyers and legal service organizations that are available to assist low-income litigants.

- **Lawyer Referral Services:** These services, often organized by local or state bar associations, can connect a court user with a local lawyer who will offer an initial consultation for a small fee. The litigant can then decide if they want to hire the lawyer for a fee.
- **Legal Aid Agencies:** These are non-profit agencies that offer free or low-cost legal services to low-income people. Each agency has different eligibility criteria, especially around case type and income level.
- **Free Legal Answers:** Illinois Free Legal Answers can help people with civil cases at the trial or appellate levels, [il.freelegalanswers.org/](http://il.freelegalanswers.org/). Users can submit up to three legal questions by email and receive a response from a lawyer within one week.
- **Hotlines and Help Desks:** These resources offer brief legal assistance, either over the phone or in-person. Most are restricted to certain case types and may only operate during certain hours of the day or days of the week. These services are free, and do not usually include representation in court. *For example:* Illinois Armed Forces Legal Aid Network (IL-AFLAN) statewide veteran's hotline 1-855-452-3526.
- **Pro Bono Services:** These services are provided by private practice lawyers at no cost to low-income litigants. Many *pro bono* lawyers represent clients through court-based *pro bono* programs, legal aid agencies, or bar associations. Some *pro bono* lawyers host clinics or walk-in hours at their local courthouses.
- **Mediation Programs:** These programs connect litigants with impartial mediators (who may also be lawyers) to help resolve disputes voluntarily outside of court. Some mediation programs offer free services to low-income litigants.

#### Did You Know?

Every county in Illinois is served by one of the following LSC funded legal aid organizations that provide free legal services:

- ❖ LAF (Cook County)  
[lafchicago.org/](http://lafchicago.org/)
- ❖ Prairie State Legal Services (Northern Illinois)  
[pslegal.org/](http://pslegal.org/)
- ❖ Land of Lincoln Legal Assistance Foundation (Southern Illinois)  
[lollaf.org/](http://lollaf.org/)

Many services have restrictions based on case type, income, or other criteria. When making referrals, do not make assumptions about someone's income level or circumstances, but do make them aware of any eligibility criteria.



### Use Your Toolbox

- Local Bar Associations (varies by county)
- Local Legal Aid and Pro Bono Organizations (varies by county)
- Illinois State Bar Lawyer Finder ([illinoislawyerfinder.com/](http://illinoislawyerfinder.com/))
- Resource and Referral List (template available from the AOIC)



## Limited Scope Representation

For litigants who have some money, but not enough to hire a lawyer for an entire case, limited scope representation may be a good option. [Illinois Supreme Court Rule 13](#) allows lawyers to file a "Limited Scope Appearance" to represent a litigant for a certain court date or discrete portion of a case. Lawyers can also offer limited scope services like document preparation and coaching outside of court. This is generally cheaper than hiring a lawyer for the entire case. Every litigant can ask lawyers if they will handle cases on a limited scope basis.



## Safe Harbor Policy

The policy prohibits court personnel from referring court users to specific lawyers or law firms who offer fee-based services (h)(2). The policy allows court personnel to make general referrals to lawyer referral services, legal aid agencies, *pro bono* lawyers, limited scope legal services, law and public libraries, and web-based resources, as well as for different kinds of non-legal resources, including domestic violence services (c)(14).

## Legal Information Is...

### Providing Referrals to Legal Resources/Community Organizations

There are many legal resources available in Illinois beyond just lawyers, although they vary greatly from county to county. Some of these resources exist inside the courthouse (court-based legal resources) while others may require the court user to travel outside the courthouse or to visit a website (community-based legal resources). You may not have all the following resources in your county, but you likely have several of them. Take a few minutes to familiarize yourself with the services available in your courthouse and community so you can best assist court users.

## Illinois Court Help

Illinois Court Help is a statewide program run by the Court that anyone can contact with questions about their court case and receive legal information. People can call or text 833-411-1121 or fill out a web form at [ilcourthelp.gov](http://ilcourthelp.gov).



Court-Based Legal Resources	Community-Based Legal Resources
Legal Self-Help Center	Illinois Legal Aid Online
Law Library	Public Library
JusticeCorps	Bar Association
Mediation (Pro Bono)	Mediation (Fee-Based)
Legal Help Desk	Legal Aid Providers
Pro Bono Hours	Pro Bono Attorneys
Self-Help Resources	Self-Help Resources

## Making Good Referrals

A bad referral can be worse than no referral as it may waste time or set unrealistic expectations. To make a good referral, you should know the types of information and services available, any eligibility criteria, and contact information including hours of operation. Remember to check your referral list periodically to make sure your information is up-to-date.

## Illinois Legal Aid Online (ILAO)

One helpful statewide resource is Illinois Legal Aid Online ([illinoislegalaid.org/](http://illinoislegalaid.org/)). ILAO offers web-based legal information and forms in several areas of law including family, housing, consumer, immigration, public benefits, and traffic. When referring to ILAO, or any web-based resource, check on personal internet access or direct them to a public library or other public-access computer.

## Community Organizations

Most legal problems do not begin or end in the courthouse. Many court users will also need non-legal help to completely resolve their legal problems. By referring court users to social service providers or community organizations, you can help them continue working to solve their problems, even outside of the courthouse.

There are many situations where a court user can benefit from a non-legal referral, including:

- Someone facing eviction asking for information about homeless shelters
- A veteran with a debt collection case asking how to apply for public benefits
- A survivor of domestic violence asking for counseling services

Social service resources are highly localized. Take a few minutes to learn which service providers operate in your area and their basic information including the services provided, hours of operation, and eligibility criteria.

### The Illinois Domestic Violence Act (IDVA)

Section 750 ILCS 60/202(d) of the IDVA states that "The court ***shall*** provide, through the office of the clerk of the court, simplified forms and ***clerical assistance to help with the writing and filing*** of a petition under this Section by any person not represented by counsel."

The best practice is still to refer court users to local DV advocates who have specialized training. However, if that option is not available, you can and should help court users. The IDVA applies to all persons filing for protection, regardless of gender, sexual orientation, immigration status, or language proficiency.

## Find Your Local Service Providers

The State of Illinois has compiled several lists to help you find your local social service providers:

- Supportive Housing Providers: [dhs.state.il.us/page.aspx?item=30361](http://dhs.state.il.us/page.aspx?item=30361)
- Help is Here: Talk to Someone (Mental Health): [dhs.state.il.us/page.aspx?item=123539](http://dhs.state.il.us/page.aspx?item=123539)
- Illinois Helpline (Substance Abuse): [helplineil.org/app/home](http://helplineil.org/app/home)
- Local DV Advocates [dhs.state.il.us/page.aspx?module=12&officetype=17](http://dhs.state.il.us/page.aspx?module=12&officetype=17)
- Illinois DV Hotline: (1 877 TO END DV)
- Public Benefits Information: [abe.illinois.gov/abe/access/](http://abe.illinois.gov/abe/access/)



## Legal Information Is...

### Providing Court Records, Rules, Statutes, and Public Information

Sometimes court users have questions that can be answered simply by connecting them with the appropriate case file, court rule, or statute. You can direct them to publicly available information by explaining the different ways to access it, both in-person and online.

#### Using Your Local Librarians

Public librarians and law librarians can help court users find the rules and statutes that govern their cases. Find out who your local librarians are, what services they can provide, and their hours of operation.

#### Commonly Used Statutes and Court Rules

Many court users need help finding the laws, regulations, and rules that govern their case. While you should not explain the rules yourself, you can assist court users in finding the rules so they can read them on their own. Public libraries and law libraries may have access to legal texts, electronic legal databases like WestLaw or LexisNexis, or both.

#### Court Files and Docket Information

Court files can seem confusing to court users. You can help by explaining what types of information they will find in a court file and how to request it. You can answer questions or define terms that the user may not understand in the court file, but should not interpret the legal information and court orders found in the file. You can also show a court user how to read an electronic or print docket sheet by defining abbreviations and acronyms mean.

#### Public and Private Court Records

Not all court files are public records. Make sure that you know how to recognize a sealed or impounded file. Some categories of cases are always hidden from the public (e.g., juvenile delinquency cases) while others are sealed by order of the judge. In some circumstances, specific documents in a case file may be sealed while others may be public.

#### Use Your Toolbox



- Local law library or public library (varies by county)
- WestLaw or LexisNexis (if available)
- Illinois Compiled Statutes ([ilga.gov/legislation/ilcs/ilcs.asp](http://ilga.gov/legislation/ilcs/ilcs.asp))
- Illinois Supreme Court Rules ([illinoiscourts.gov/rules-law/supreme-court-rules](http://illinoiscourts.gov/rules-law/supreme-court-rules))



#### Safe Harbor Policy

The policy allows court personnel to provide legal information about court rules and terminology (c)(1) and to share public case files and information on how to access them electronically (c)(17). The policy also allows court personnel to assist court users in pursuing self-guided legal research (c)(9).

# What Information Can I Provide to Court Users?

The [Illinois Supreme Court Policy on Assistance to Court Users by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers](#) ("Safe Harbor Policy") outlines the services that can be provided to court patrons. Services offered in accordance with this policy do not constitute the unauthorized practice of law. You can read the policy and find additional resources at: [illinoiscourts.gov](http://illinoiscourts.gov).



## Legal Information Is...

general, factual information about the law and the legal process that is both neutral and objective.



## Legal Advice Is...

guidance regarding an individual's legal rights and obligations in light of their unique facts and circumstances.












### **Should versus Could: Responding when court users ask for legal advice**

Court users may ask for legal advice ("What **should** I do?"). You can still respond by providing legal information, instead of advice.

Example: How **should** I serve someone?  
Answer: I can't tell you what to do, but I can explain your options. There are three approved methods of service you **could** choose... Here are some resources with more information....

I Can... 	I Cannot... 
Tell a court user what they can do	Tell a court user what they should do
Explain a process to a court user	Make a prediction for a court user
Share all available options	Suggest one particular option
Give a court user information that may help them make an informed decision	Make a decision on behalf of a court user
Provide forms and basic instructions	Fill out forms (except for specific exceptions)
Refer to bar associations and legal aid	Refer to individual private lawyer for fees
Help individuals with disabilities or low literacy by reading documents out loud and/or writing down their answers word-for-word	Make suggestions about what to write on a form or change a court user's words in any way
Refer to legal and non-legal resources inside or outside the courthouse	Represent someone in the courtroom
Assist with self-guided research	Provide legal analysis or legal research
Share publicly available case information	Share information from sealed cases
Review forms for completeness	Review forms for accuracy
Give information about requesting interpreters and reasonable accommodations	Limit access or deny service for those with limited English proficiency or disabilities
Inform all court users about fee waivers	Decide who should get their fees waived
Answer questions about drop down menus in the e-filing system and walk them through the process	Make a determination about who is eligible for an e-filing exemption

# Statewide Self-Help Resources and Referrals

<b>Illinois Court Help</b>		Statewide hotline for legal information & court process explanation: Call or text 833-411-1121 or go to <a href="http://ilcourthelp.gov">ilcourthelp.gov</a>
<b>Illinois Legal Aid Online</b>		Free legal information and forms for most legal problems: <a href="http://illinoislegalaid.org">illinoislegalaid.org</a>
<b>Statewide Forms</b>		Statewide forms & instructions, some available in six languages: <a href="http://ilcourts.info/forms">ilcourts.info/forms</a>
<b>Language Access Tools</b>		Language access plans, interpreter certification information, and statewide interpreter registry: <a href="http://illinoiscourts.gov/public/find-a-language-interpreter/">illinoiscourts.gov/public/find-a-language-interpreter/</a>
<b>Private Lawyer</b>		Illinois LawyerFinder: Call (800) 922-8757 or visit <a href="http://isba.org/public/illinoislawyerfinder">isba.org/public/illinoislawyerfinder</a>
<b>Legal Aid &amp; Pro Bono Lawyers</b>		<ul style="list-style-type: none"> <li>CARPLS (Cook County): Call (312) 738-9200 or visit <a href="http://carpls.org">carpls.org</a></li> <li>Prairie State Legal Services (Northern Illinois): Visit <a href="http://pslegal.org">pslegal.org</a></li> <li>Land of Lincoln (Southern Illinois): Call (877) 342-7891 or visit <a href="http://lincolnlegal.org">lincolnlegal.org</a></li> <li>Statewide IL Armed Forces Legal Aid Network (ILAFLAN): Call 855-IL-AFLAN or visit <a href="http://ilaflan.org">ilaflan.org</a></li> </ul>
<b>Illinois Free Legal Answers</b>		Virtual Help Desk where you can ask lawyers questions about your civil cases in circuit court or appellate court: <a href="http://il.freelegalanswers.org">il.freelegalanswers.org</a>
<b>Legal Self-Help Centers</b>		List of programs in Illinois: <a href="http://illinoislegalaid.org/get-legal-help/lshc-directory">illinoislegalaid.org/get-legal-help/lshc-directory</a>
<b>Mental Health &amp; Social Service Providers</b>		<ul style="list-style-type: none"> <li>Help is Here: Talk to Someone: <a href="http://dhs.state.il.us/page.aspx?item=123539">dhs.state.il.us/page.aspx?item=123539</a></li> <li>Illinois Helpline: <a href="http://helplineil.org/app/home">helplineil.org/app/home</a></li> <li>Supportive housing programs in Illinois: <a href="http://dhs.state.il.us/page.aspx?item=30361">dhs.state.il.us/page.aspx?item=30361</a></li> </ul>
<b>Domestic Violence Programs</b>		<ul style="list-style-type: none"> <li>DV programs in Illinois: <a href="http://dhs.state.il.us/page.aspx?module=12&amp;officetype=17">dhs.state.il.us/page.aspx?module=12&amp;officetype=17</a></li> <li>IL Coalition Against Domestic Violence Provider Directories: <a href="http://ilcadv.coalitionmanager.org/contactmanager/contact/publicdirectory?SearchProgramTypes=14">ilcadv.coalitionmanager.org/contactmanager/contact/publicdirectory?SearchProgramTypes=14</a></li> </ul>
<b>Other</b>		Check your local resources for mediation, arbitration, public and law libraries, pro bono clinics, and help desks

## Tips for Making Strong Referrals



### Double Check

Check your resources periodically to see if services, hours, eligibility, or contact information has changed.



### Write It Down

People may be overloaded with information at court. Write it down or use a referral sheet to help.



### Be Specific

Provide information about the scope of services available, the application process, and any eligibility criteria.



### Manage Expectations

Inform people of possible limitations (e.g. referral cannot take all cases, may require waiting).



**The Access to Justice Division Can Help!** For more information or training on access to justice resources including the Safe Harbor Policy, standardized forms, language access tools, courthouse signs, and self-help templates, please contact [AccessToJustice@illinoiscourts.gov](mailto:AccessToJustice@illinoiscourts.gov).



# HOW CAN WE HELP YOU?

Court staff and volunteers can help court users,  
but we are not allowed to do some things.



## We Can....



## We Cannot....



- Tell you general information about court rules, terms, and procedures.



- Tell you how to electronically file (e-file) court documents or get an exemption from e-filing.



- Tell you about free or low-cost legal help.



- Tell you what court forms you need for your case and explain how to fill them out.



- Tell you how to ask to waive your court fees.



- Tell you how to get a an interpreter.



- Tell you how to ask for reasonable accommodations for a disability.

- Tell you information about a case in violation of an order, statute, or rule.



- Refer you to a lawyer or firm that charges fees.



- Give you legal advice or represent you in court.



- Give an opinion about what will happen in court.



- Tell you if a case should be started or help you decide how to handle your case.





## ***Illinois Supreme Court Commission on Access to Justice Disability Accessibility Improvement Grant***

### **Grant Policy**

**Originally Approved April 25, 2024**

**Updated December 2024**

## **I. Background**

In 2012, the Illinois Supreme Court established the Commission on Access to Justice (ATJ Commission) to promote, facilitate, and enhance equal access to justice by developing policies and programs to reduce barriers to the court system. The Access to Justice Division of the Administrative Office of the Illinois Courts (ATJ Division) staffs the ATJ Commission.

Under the principle of equal access stated in the [ATJ Commission's 2023-2028 Strategic Plan](#):

Court users should have access to justice through full participation in the judicial process, regardless of their circumstances, socioeconomic status, English language proficiency, cultural background, *disability status*, or legal representation status.

Recognizing the critical need to collaboratively examine access to justice issues for people with disabilities, the ATJ Commission received Supreme Court approval to form a new Disability Access Committee (Committee) in 2022. The Committee, comprised of disability access and advocacy leaders across the state with diverse backgrounds and experience, adopted the mission “to promote equal access to the court system for people with disabilities by partnering with the disability community and by engaging all stakeholders, from the community to the courtroom, to identify and address barriers to the court and legal process.”

In 2024, the Supreme Court approved a revised [Illinois Supreme Court Policy on Access for People with Disabilities](#) (Policy) with significant amendments suggested by the Committee. The Policy states:

The Supreme Court of Illinois (Court) is committed to ensuring equal access to all court facilities, hearings and proceedings, activities, services, communications, and programs (collectively referred to as court activities) for people with disabilities and to maintaining an environment in which all people, including those with disabilities, are treated with dignity, respect, and courtesy.

## **II. Grant Program Overview**

While all courts must address the issue of accessibility, the ATJ Commission recognizes that resources differ across jurisdictions; where one court may have funding to provide state of the



art accessibility aids, make changes to physical spaces, and seamlessly process reasonable accommodations, others may want to improve accessibility but lack the funding to realize their goals.

To forward the ATJ Commission and Committee's purpose, and to support courts in complying with the Policy, the Americans with Disabilities Act (ADA), and the Illinois Human Rights Act (IHRA), the ATJ Commission will award grant funds in support of projects or activities from local courts that advance accessibility and reduce barriers to equal access to courts for people with disabilities.

The purpose of this grant policy is to record and state the ATJ Commission's process and criteria for awarding grants to public entities seeking funding for programs that will promote equal access to the court system for people with disabilities.

Requests for funding through the Disability Access Improvement Grant Program *must* directly address accessibility barriers for people with disabilities participating in court activities, which include, but are not limited to, access to all court facilities, hearings and proceedings, services, communications, and programs. Recognizing that, while projects that address disability accessibility will promote accessibility for all, this policy does not apply to general requests for funding that promote accessibility for all court users, as those requests will be reviewed under the policy for the Access to Justice Improvement Grant Program.

Proposals for one-year grants will be considered. Each grant will be for a one-year period with the funds being paid at the beginning of the grant period.

### **III. Grant Parameters**

The Disability Access Improvement Grant can be used for any activity or project that addresses a barrier to equal access to court for people with disabilities. Grant funds for projects are meant to support, enhance, expand, or create projects that address barriers to equal access at court for people with disabilities, which may include, but are not limited to inaccessible physical elements, communication barriers, and challenges understanding case proceedings or processes.

The needs of each applicant for grant funding are unique and particularized to the needs of the surrounding community; projects or activities that are funded will also be distinct. Grant funds may be used to enhance existing projects and activities or may be used for new or pilot projects.

The ATJ Commission encourages creativity and innovation, informed by the individualized needs of people with disabilities served by the grant recipient. To this end, the ATJ Commission encourages applications that are informed by qualitative or quantitative data demonstrating the need, the project or activity, and the accessibility barrier that will be addressed. Examples of helpful data include surveys, statistics, reports, listening or feedback sessions, town halls, or other examples of public input.



The ATJ Commission also encourages collaboration across court departments, offices, communities, and people with disabilities served by the grant applicant. Applications incorporating examples of collaboration with stakeholders are encouraged.

Each grant recipient must enter into a Grant Agreement with the ATJ Commission, which will detail important features of the grant award such as constraints on spending, reporting requirements, and fund disbursement.

#### **IV. Grant Eligibility, Requirements, and Expectations**

Each application for grant funding must be submitted by an Illinois:

- Court or court system,
- Clerk's office,
- Sheriff or bailiff's office,
- State's attorney's office, or
- Public defender's office.

Applications must identify someone who will be the "Project Lead." The Project Lead may be anyone working at a courthouse in Illinois who has a demonstrated knowledge of the challenges faced by people with disabilities, familiarity with court operations and the local legal community, and an interest in reducing barriers to equal access to court activities for people with disabilities. This includes staff or personnel in the offices of chief or presiding judges, appellate clerks, circuit clerks, court law libraries, self-help centers, sheriffs or bailiffs' offices, state's attorney's offices, public defender's offices, or other relevant courthouse offices.

The court-appointed Court Disability Coordinator (CDC) may serve as the Project Lead. If the CDC is not the Project Lead, the application must also identify and include a short statement from the CDC for the local courthouse where the project or activity will take place.<sup>1</sup>

Each grant recipient is expected to:

- Agree to submit regular reports, as requested, to the AOIC ATJ Division about project activities, opportunities and challenges, number of individuals served (if applicable), and grant expenditures;
- Secure a replacement Project Lead from the jurisdiction if the original one is unable to continue work as Project Lead;
- Cooperate, coordinate, and collaborate with court departments, offices, communities, and people with disabilities; and

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<sup>1</sup> Court Disability Coordinator contact information can be found on court pages listed on the [Illinois Supreme Court's directory](#) and on signage posted at each court. For more information, please see [Exhibit A of the Policy](#), attached.

- Periodically partner with the ATJ Commission, Committee, AOIC, and other grant recipients to share data and information to better identify statewide needs, emerging trends, and create innovative solutions.

The ATJ Commission will:

- Meet regularly with grant recipients to provide guidance, directly or by providing technical assistance referrals to the Illinois Attorney General Disability Rights Bureau, to guide grant recipients throughout the implementation of the project or activity;
- Provide support to the Project Lead to further the Grant Purpose; and
- Disburse funds to support Grantee upon execution by the parties of a Grant Agreement.

More information, including the application form, will be included in the annual Request for Proposals (RFP). The proposals shall be submitted electronically by email as explained in the RFP by the deadline stated.

## **V. Application Process**

To be responsive to needs, the ATJ Commission will accept proposals once per year. A Request for Proposals (RFP) explaining the grant parameters, eligibility, requirements, and expectations will be posted on the ATJ Commission's and the Illinois Courts' website.

Applicants may apply for the requested funding amount to be used for granting reasonable accommodation requests and programs that will promote equal access to the court system for people with disabilities. Each proposal for grant funds must include the following components:

- Section I      Application Form
- Section II      Program Narrative (including letters of support from partners and the local Court Disability Coordinator, if applicable)
- Section III      Grant Amount Request and Rationale

More information, including the application form, will be included in the RFP. The proposals shall be submitted electronically by email, as explained in the RFP, by the deadline stated.

## **VI. Proposal Review and Evaluation Process**

The Disability Accessibility Improvement Grants are awarded through a comprehensive screening and evaluation process. All award decisions will be made by the Disability Access Committee's Disability Accessibility Improvement Grant Selection Subcommittee. The Disability Accessibility Improvement Grant Selection Subcommittee will review all grant applications and make awards based on the information contained in the application, examining for the following criteria.

- Specific, demonstrable examples of how the award could support a project or activities that address accessibility barriers for people with disabilities,
- A connection to the requirements of the Policy,
- A demonstrated need for the award,
- Evidence (data, feedback, qualitative or quantitative information) connecting the need, the project or activity, and the accessibility barrier that will be addressed,
- Local support for the grant activities,
- Description of short-term efficacy and/or long-term sustainability, depending on the project or activity proposed,
- Evidence of and ability to work collaboratively with stakeholders, including other court offices and people with disabilities,
- Evidence of the practicality of the project or activity being completed,
- A willingness to innovate and think creatively, and
- For returning applicants, how effectively previous funds have been utilized.

## **VII. Funding**

These grants are funded by the ATJ Commission. The ATJ Commission is funded via publication royalties, *pro hac vice* fees, and attorney registration fees. No government funds are used for the grants. Each year, the ATJ Commission's budget will include a line item for these grant awards. Any unused grant funds from one program year's budget may be carried over to the following program year's budget to be used for grant funds.

All grant awards will be based on availability of funds and the criteria mentioned above. The ATJ Commission may fully or partially fund a project or decline to fund a project. Grants will be paid by check or direct deposit to the person or entity designated by the recipient after selection as a grantee.

## CONTACT INFORMATION FOR ILLINOIS COURT DISABILITY COORDINATORS

### Court Disability Coordinator for the Supreme Court

Clerk of the Supreme Court  
200 East Capitol Avenue,  
Springfield, IL 62701  
[ADACoordinator@IllinoisCourts.gov](mailto:ADACoordinator@IllinoisCourts.gov)

### Court Disability Coordinators for the Appellate Courts

Clerk of the Appellate Court, First District,  
Fourth 160 North LaSalle Street, Room S1400  
Chicago, IL 60601  
[ADA1stDistrict@IllinoisCourts.gov](mailto:ADA1stDistrict@IllinoisCourts.gov)  
Phone: (312) 793-5484

Clerk of the Illinois Appellate Court,  
District  
201 West Monroe Street  
Springfield, IL 62704  
[ada4thdistrict@IllinoisCourts.gov](mailto:ada4thdistrict@IllinoisCourts.gov)  
Phone: (217) 782-2586

Clerk of the Appellate Court, Second District  
Fifth 55 Symphony Way  
Elgin, IL 60120  
[ada2nddistrict@IllinoisCourts.gov](mailto:ada2nddistrict@IllinoisCourts.gov)  
Phone: (847) 695-3750  
TDD: (847) 695-0092

Clerk of the Illinois Appellate Court,  
District  
14th & Main St., P.O. Box 867  
Mt. Vernon, IL 62864  
[ada5thdistrict@IllinoisCourts.gov](mailto:ada5thdistrict@IllinoisCourts.gov)  
Phone: (618) 242-3120

Clerk of the Illinois Appellate Court, Third District  
1004 Columbus Street  
Ottawa, IL 61350  
[ada3rddistrict@IllinoisCourts.gov](mailto:ada3rddistrict@IllinoisCourts.gov)  
Phone: (815) 434-5050

### Court Disability Coordinators for the Circuit Courts

Find contact information for Court Disability Coordinators of the circuit courts  
at: <https://www.illinoiscourts.gov/courts-directory>

Illinois Court Help can help finding contact information for the Court Disability Coordinator  
at <https://www.ilcourthelp.gov> or call (833) 411-1121.

***Illinois Supreme Court Commission on Access to Justice***  
**Access to Justice Improvement**  
**Grant Policy**  
**Originally Approved April 25, 2024**  
**Updated December 2, 2024**

## **I. Background**

In 2012, the Illinois Supreme Court established the Commission on Access to Justice (ATJ Commission) to promote, facilitate, and enhance equal access to justice. To that end, under the leadership of the Supreme Court, the ATJ Commission and the Access to Justice Division of the Administrative Office of the Illinois Courts (ATJ Division) focus on developing improvements, resources, and programs within the judicial system to assist self-represented litigants (SRLs) with accessing our courts and providing support for the judiciary and other court personnel in ensuring justice for all.

The core goal of the ATJ Commission and the ATJ Division is to help make the entire judicial system fairer and more efficient for court users, judges, circuit clerks, court personnel, and all other stakeholders. To do that, the ATJ Commission and the ATJ Division have worked on a number of statewide initiatives to assist SRLs and the judges and court staff who serve them. However, the ATJ Commission and the ATJ Division also recognize that in many instances, a top-down approach will not work—especially given the size and diversity of Illinois. So, local programs are essential.

## **II. Grant Program Overview**

The goal of this program is twofold. The first is to provide funds to jurisdictions so that they are able to develop access to justice initiatives locally (the ATJ Improvement Grant). The second is to offer training and support to people working at courthouses throughout the state who assist SRLs and other court users as part of the Court Navigator Network (Network). Network members serve as a bridge, linking courthouses throughout the state, to share ideas, develop new resources, and establish programs for assisting SRLs. The base of this Network has been the Illinois JusticeCorps program and the grant program, but now it has expanded to any clerk and court staff. In compliance with the Illinois Supreme Court's Strategic Agenda, it is our mission to maintain this Network with at least one member in every Judicial Circuit in the state.

Courts and Clerk's Offices may apply for grant funds to cover expenses related to the development, modification, or expansion of resources and services to improve access to justice. Each grant will be for a one-year period with the funds being paid at the beginning of the grant period.



### **III. Grant Parameters**

The ATJ Improvement Grants can be used for any project or need that advances access to justice, diversity, equity, inclusion, or procedural fairness in a courthouse. The needs of each local courthouse are unique, so the projects that are funded are as well.

Grant funds are meant to be used to create, expand or improve programs which enhance access to our courts particularly for vulnerable litigants, like those facing barriers being self-represented, having disabilities, dealing with financial burdens, or experiencing language barriers, while addressing issues of diversity and inclusion. The ATJ Commission encourages creativity and innovation as well as experimentation through pilot projects. The ATJ Commission also encourages collaboration across court departments.

Each grant recipient must enter into a Grant Agreement with the ATJ Commission, which will detail important features of the grant award such as constraints on spending, reporting requirements, and fund disbursement.

### **IV. Grant Eligibility, Requirements, and Expectations**

Each application for grant funding must be submitted by a Court or Clerk's office in Illinois and must identify someone who will be the "Project Lead." The Project Lead may be anyone working at a courthouse in Illinois who has a demonstrated knowledge of the challenges faced by SRLs, familiarity with court operations and the local legal community, and a passion for improving access to justice. This includes staff or personnel in the offices of chief or presiding judges, appellate clerks, circuit clerks, court law libraries, self-help centers, sheriffs or bailiffs, or other relevant courthouse staff.

Each grant recipient is expected to:

- Submit reports to the ATJ Division about project activities, opportunities and challenges, number of individuals served, and grant expenditures;
- Present to the Court Navigator Network about the project;
- Secure a replacement Project Lead from the jurisdiction if the original one is unable to continue work as Project Lead;
- Participate in orientation and ongoing monthly virtual trainings on relevant topics;
- Cooperate, coordinate, and collaborate with Network members;
- Partner with the ATJ Commission, ATJ Division, AOIC, and Network members to identify statewide needs and emerging trends and to collaborate on larger scale solutions.

The ATJ Commission and Division will:

- Facilitate an annual Court Navigator Network orientation training and monthly virtual meetings with the ATJ Division and other Court Navigator Network members;
- Provide support to the Project Lead to further the Grant Purpose; and
- Disburse funds to support Grantee upon execution by the parties of a Grant Agreement.

## **V. Application Process**

To be responsive to needs, the ATJ Commission will accept proposals once per year. A Request for Proposals (RFP), explaining the grant parameters, eligibility, requirements, and expectations, based on what is included in this grant policy, will be posted on the ATJ Commission's and the Illinois Courts' website. Each proposal for grant funds must include the following components:

- Section I Application Form
- Section II Program Narrative (including partnership letters of support if applicable)
- Section III Grant Amount Request

More information, including the application form, is included in the annual RFP. The proposals shall be submitted electronically by email, as explained in the RFP, by the deadline stated.

## **VI. Proposal Review & Evaluation Process**

The ATJ Improvement Grants are awarded through a comprehensive screening and evaluation process. All award decisions will be made by the ATJ Commission's Grant Selection Committee. The Committee will review all grant applications and make awards based on the information contained in the application looking at several criteria including:

- Demonstrated need,
- Local support,
- Long-term sustainability,
- Ability to work collaboratively,
- Practicality of the project being completed,
- Willingness to innovate and think creatively, and
- For returning applicants, how effectively previous funds have been utilized.

## **VII. Funding**

The ATJ Improvement Grants are funded by the ATJ Commission. The ATJ Commission is funded via publication royalties, *pro hac vice* fees, and attorney registration fees. No government funds are used for the grants. All grant awards will be based on availability of funds and the criteria mentioned above. The ATJ Commission may fully or partially fund a project or decline to fund a project. Grants will be paid by check or direct deposit to the person or entity designated by the recipient after selection as a grantee.

Each year, the ATJ Commission's budget will include a line item for grant awards as well as for Court Navigator Network training. In any given year, funds allocated for Court Navigator Network training that will not be used may be reallocated for grants for the same program year. Any unused grant or Network training funds from one program year's budget may be carried over to the following program year's budget to be used for grant funds.

## Access to Justice Improvement Grant Recipient Summaries

First issued in late 2017, the Illinois Supreme Court Commission on Access to Justice (ATJ Commission) has now awarded over \$2 million total in grant funds to improve access to justice and services for self-represented litigants (SRLs) across the state.

Thousands of litigants appear in the Illinois courts without a lawyer every year. The growing number SRLs in court is not unique to any one circuit, county, or case type. The ATJ Commission and the Administrative Office of the Illinois Courts Access to Justice Division (ATJ Division) recognize, given the size and diversity of Illinois, that local partners are critical to fully understand and address the needs of the SRL population. For these reasons, the ATJ Commission created a grant program for local courts, the Access to Justice Improvement Grant.

Proposals can be anything that improves access to justice for court users. Each proposal must have a designated Project Lead who may be anyone working at a courthouse in Illinois who has a demonstrated knowledge of the challenges faced by SRLs, familiarity with court operations and the local legal community, and an interest in improving access to justice. This includes staff or personnel in the offices of chief or presiding judges, appellate clerks, circuit clerks, court law libraries, self-help centers, sheriffs or bailiffs, or other relevant courthouse staff.

Listed below are summaries of the grant projects that have been funded each year of the program.

### **Aug. 1, 2024-July 31, 2025 Grant Recipients**

- **First Judicial Circuit:**
  - Brenda Sprague, Administrative Assistant to the Chief Judge, will serve all nine counties in the circuit to conduct an access to justice conference, launch a therapy dog program in Jackson County, expand the Lawyer in the Library program to three new locations, attend the SRLN conference, and support the Illinois JusticeCorps fellow with circuit-wide mileage costs.
  - Massac County Circuit Clerk Marcus Grace will buy paper, ink, and printers to print statewide forms.
  - Saline County Circuit Clerk's Office staff Ashley Bryant will implement a text message reminder program and add a new computer space for SRLs.
  - Union County Circuit Clerk Keri Clark will expand the Counsel in the Courthouse program, attend the SRLN Conference, and pay for copier, texting, supplies, and app maintenance.
- **Second Judicial Circuit:** Erica Summers, Administrative Assistant, maintain the Lawyer in the Library program to in four counties and expand to one new county.
- **Third Judicial Circuit:** received two grant awards for:
  - Law Librarian Angela Wille to continue domestic violence services and outreach, design and print literature for SRLs, obtain digital library materials, provide SRL convenience items, cover GAL and drug testing costs, and purchase a new copier.
  - Madison County Circuit Clerk's Office employee Susan Faulkner to continue previous resources (filing forms, text message reminders, Ad Gator digital screens, etc).
- **Fourth Judicial Circuit:**





- Trial Court Administrator Jaime Warren will facilitate and support the Illinois JusticeCorps member's travel throughout the circuit.
- Marion County Circuit Clerk Tiffany Schicker will improve signage inside and outside the courthouse.
- **Fifth Judicial Circuit:**
  - Clark County Circuit Clerk Ami Shaw will rework the public access terminal area for court patrons.
  - Cumberland County Circuit Clerk Rhonda Wilson will create a work station that is accessible to all.
- **Sixth Judicial Circuit:** Champaign County Circuit Clerk Susan McGrath will address communication barriers, provide public Westlaw access, and get a new laptop for the Self-Help Center.
- **Eighth Judicial Circuit:** Court Administrator Molly Caughlan will create SRL computer stations in each courthouse and provide cell phone locker storage.
- **Ninth Judicial Circuit:**
  - Hancock County Circuit Clerk Keara Weber will provide printed forms for SRLs.
  - Trial Court Administrator Sandy Redington will update the existing self-help station, create an additional station, provide a children's area and baby changing stations, and office supplies in Henderson County.
- **Tenth Judicial Circuit:**
  - Jennifer Shadid, CFO, will oversee the hiring of a staff member in the Peoria Law Library and Self-Help Center.
  - Court Administrator Tricia Richmond will improve help staff the library and self-help center in Tazewell County.
- **Eleventh Judicial Circuit:** Library Staff Mary Sellmyer will obtain ipads for language access, cell phone lockers, and baby changing stations for McLean County.
- **Twelfth Judicial Circuit:** Court Staff Anne Swanson will continue facilitating a Lawyer in the Library program for small claims, child support/custody, and expungement.
- **Thirteenth Judicial Circuit:**
  - Bureau County Circuit Clerk Dawn Reglin will print forms, utilize lobby docket, run a mobile app, use a text message reminder program, and update the SRL filing stations.
  - LaSalle County Circuit Clerk staff Diane Lebeau-Gerber will expand the offerings of the self-help center and SRL resources and use digital monitors with docket information.
  - Trial Court Administrator Lori Wakeman will create a self-represented litigant help center with staff and to compensate court-appointed mediators in SRL involved cases in LaSalle County.
- **Fifteenth Judicial Circuit:** Stephenson County Circuit Clerk Shanelle Bardell will obtain monitors for the daily docket and print statewide forms sets.
- **Sixteenth Judicial Circuit:** Law Librarian Halle Eichert continue Lawyer in the Library and Lawyer in the Lobby programs and improve materials for SRLs.
- **Seventeenth Judicial Circuit:** Deputy TCA Kim Ackmann will obtain software for legal dictation, update public access terminals and digital docket signage in Winnebago and create public access terminals in Boone.
- **Eighteenth Judicial Circuit:**
  - DuPage County Circuit Clerk's office staff Jesse Goehl will continue the text message reminder program and digital monitors, and to create and deploy a customer satisfaction survey.
  - Court staff Alyssa Fortino will fund the Family Engagement Mediation Program with CASA.
- **Nineteenth Judicial Circuit:** Beth Bogie will continue the early resolution program for divorces (in partnership with Prairie State Legal Services) and continue an online chat function on the court's website.

- **Twentieth Judicial Circuit:** St. Clair County Law Librarian Karina Santos will enhance services in the Law Library for an interactive Zoom room and additional private workstations.
- **Twenty-First Judicial Circuit:** Trial Court Administrator Lori Wolf and Administrative Assistant to the Chief Judge Heather Ruel will continue to provide Westlaw access for SRLs and order OP carbonless forms.
- **Twenty-Third Judicial Circuit:** Marilyn Stromborg and Benji Meier from the DeKalb County Circuit Clerk's Office, will expand the offerings of the self-help center by expanding technology throughout the courthouse, continuing to support the SHC, expand partnerships, and evaluate equipment/supplies.
- **Twenty-Fourth Judicial Circuit:**
  - Monroe County Circuit Clerk's office staff member Sheila Jerls will create workspace for SRLs.
  - Trial Court Administrator Jeff Twardowski and Perry County Circuit Clerk Kim Kellerman will enhance court facilities with office furniture and technology and self-help center supplies.
  - Randolph County Circuit Clerk Julie Carnahan will improve the self-help center with Westlaw and other software, supplies, and courthouse seating.
  - Trial Court Administrator Jeff Twardowski and Administrative Assistant to the Chief Judge Lynn Combs will add additional monitors and technology equipment, office chairs, and software to the self-help center.
- **Circuit Court of Cook County:**
  - Circuit Clerk's Offices staff Sam Williams will improve the self-help center and will attend the SRLN conference.
  - Office of the Chief Judge's staff Lanice Mitchell will improve the current space of the Resource Center for People without Lawyers at the Daley Center.
  - District 3 – Rolling Meadows: will fund an advice desk for SRL court calls for Judge Rossanna Fernandez with Legal Aid Society.
  - District 4 - Maywood: Audrey Garner will continue to oversee a partnership with Chicago Volunteer Legal Services for a help desk for Judge Tzinberg's court call

#### **Aug. 1, 2023-July 31, 2024 Grant Recipients**

- **First Judicial Circuit:** Brenda Sprague, Administrative Assistant to the Chief Judge, will serve all nine counties in the circuit to do trauma-informed training, expand Lawyer in the Library programs, support a new Illinois JusticeCorps fellow, and launch a therapy dog pilot.
- **First Judicial Circuit:** Jackson County Circuit Clerk Cindy Svanda will update computer equipment in the office for clerks who assist self-represented litigants.
- **First Judicial Circuit:** Union County Circuit Clerk Keri Clark will work on a mobile app, start a Lawyer in the Courthouse program, and partner with the Chief Judge's office to create best practices documents.
- **First Judicial Circuit:** Williamson County Circuit Clerk's office staff member Gagan Bedi will create two self-help stations in the clerk's office.
- **Second Judicial Circuit:** Erica Summers, Administrative Assistant, will expand a Lawyer in the Library program to three additional counties in the circuit.
- **Third Judicial Circuit:** received three grant awards for:
  - Law Librarian Angela Wille to coordinate two assistants to serve petitioners in Order of Protection cases.
  - Foreclosure Mediation Administrator Jennifer Dunham to enhance the foreclosure mediation program.
  - Madison County Circuit Clerk's Office employee Gina Hargrave to continue their text-message reminder system, create a chat bot, and camera equipment for passport photos.

- **Fourth Judicial Circuit:** Trial Court Administrator Jaime Warren will facilitate and support the new Illinois JusticeCorps member.
- **Fourth Judicial Circuit:** Marion County Circuit Clerk Tiffany Schicker will update signage, equipment, and furniture and will launch a text message reminder system.
- **Fifth Judicial Circuit:** Coles County Public Defender Assistant Amanda Gossett will equip the PD's office with Zoom capabilities for their conference rooms.
- **Seventh Judicial Circuit:** Trial Court Administrator Suzann Maxheimer will create or improve SRL workspaces in the Macoupin and Sangamon County courthouses.
- **Ninth Judicial Circuit:** Trial Court Administrator Sandy Redington will revamp the Illinois JusticeCorps space in Knox County, add self-help stations by the clerk's office, and add baby changing stations to bathrooms.
- **Tenth Judicial Circuit:** Jennifer Shadid, CFO, will oversee the hiring of a staff member in the Law Library and Self-Help Center.
- **Twelfth Judicial Circuit:** Law Librarian Jeane Fillipitch will continue facilitating a Lawyer in the Library program for small claims, child support/custody, and expungement.
- **Fifteenth Judicial Circuit:** Stephenson County Circuit Clerk Shanelle Bardell will obtain monitors for the daily docket and print statewide forms sets.
- **Fifteenth Judicial Circuit:** Carroll County Circuit Clerk Patty Hiher will maintain a mobile app and daily docket.
- **Sixteenth Judicial Circuit:** Law Librarian Halle Cox will continue to improve informational materials, do outreach to public librarians and participate in community events, and do an immigration law clinic.
- **Seventeenth Judicial Circuit:** Deputy TCA Kim Ackmann will create space in the Winnebago County courthouse for people to attend Zoom court and will integrate Boone County's ODR program.
- **Eighteenth Judicial Circuit:** Law Librarian Kathy Willis will update self-help materials, host workshops, and create a private consulting area.
- **Nineteenth Judicial Circuit:** Beth Bogie and Frances Papparigian will continue the early resolution program for divorces (in partnership with Prairie State Legal Services), continue an online chat function on the court's website, and create a self-help wayfinding kiosk.
- **Twentieth Judicial Circuit:** St. Clair County Law Librarian Karina Santos will obtain headsets for Zoom court and purchase new conference table and chairs for SRLs to complete papers.
- **Twenty-First Judicial Circuit:** Trial Court Administrator Lori Wolf and Administrative Assistant to the Chief Judge Heather Ruel will obtain Westlaw access for SRLs, create reminder cards for next court date, and distribute divorce packet folders.
- **Twenty-Third Judicial Circuit:** Marilyn Stromborg, Legal Counsel for DeKalb County Circuit Clerk's Office, will staff their self-help center five hours each day, increase advertisement of services, print notification cards with QR codes, and provide incentives to the bar association and mental health board for programming.
- **Twenty-Fourth Judicial Circuit:** Monroe County Circuit Clerk's office staff member Julie Rusteberg will create workspace for SRLs.
- **Twenty-Fourth Judicial Circuit:** Randolph County Circuit Clerk Julie Carnahan will update law library space for an SRL workstation.
- **Twenty-Fourth Judicial Circuit:** Trial Court Administrator Jeff Twardowski and Administrative Assistant to the Chief Judge Lynn Combs will update the technology in Washington County's law library to create SRL stations.
- **Circuit Court of Cook County:** received three grants for:
  - Domestic Relations Division - District 1 Chicago - Nairee Hagopian to continue to equip hearing officers and mediators with Zoom licenses and equipment to continue the early resolution triage program.

- District 3 – Rolling Meadows: Danielle Monahan will help coordinate an advice desk for SRL court calls for Judge Rossanna Fernandez with Legal Aid Society.
- District 4 - Maywood: Audrey Garner will continue to oversee a partnership with Chicago Volunteer Legal Services for a help desk for Judge McMahon Zeller's court call.

#### **Aug. 31, 2022-July 31, 2023 Grant Recipients**

- **First Judicial Circuit:** Brenda Sprague, Administrative Assistant to the Chief Judge, will serve all nine counties in the circuit to do trauma-informed training, work with the Circuit Clerk offices, expand Lawyer in the Library programs, and continue community outreach.
- **First Judicial Circuit:** Union County Circuit Clerk Keri Clark will start Community Legal Aid Clinics and work with Brenda to engage all the Circuit Clerks in the region.
- **Second Judicial Circuit:** Dee Dee O'Bright, Administrative Assistant will start a lawyer in the library program and reach out to all 12 counties in the Circuit to determine SRL needs.
- **Third Judicial Circuit:** received three SRL Coordinator grant awards for:
  - Law Librarian Angela Wille to coordinate two assistants to serve petitioners in Order of Protection cases.
  - Foreclosure Mediation Administrator Jennifer Dunham to work on foreclosure mediation.
  - Madison County Circuit Clerk's Office employee Gina Hargrave to launch a text-message reminder system.
- **Fourth Judicial Circuit:** Marion County Circuit Clerk Tiffany Schicker will install public Wi-Fi and telephones in the self-help center.
- **Sixth Judicial Circuit:** Trial Court Administrator Lori Hansen will purchase equipment for the self-help center and reimburse Land of Lincoln Legal Aid for the staffing they provide in the self-help center.
- **Seventh Judicial Circuit:** Trial Court Administrator Suzann Maxheimer will create SRL work spaces in the Jersey and Scott County courthouses.
- **Ninth Judicial Circuit:** Trial Court Administrator Sandy Redington will create space in Hancock County for SRLs and install diaper changing stations, install virus wiping software to all counties in the Circuit, and purchase some technology equipment.
- **Tenth Judicial Circuit:** Jennifer Shadid, CFO, will oversee the hiring of a staff member in the Law Library and Self-Help Center.
- **Eleventh Judicial Circuit:** Mary Sellmyer, Library Navigator, will work with 4 of the 5 counties to provide technology equipment or furniture/space/resources to better serve SRLs.
- **Eleventh Judicial Circuit:** Woodford County Circuit Clerk's Office employee Diane Anderson will create 4 SRL work stations.
- **Twelfth Judicial Circuit:** Law Librarian Jeane Fillipitch will begin a Lawyer in the Library program for small claims, child support/custody, and expungement.
- **Fifteenth Judicial Circuit:** Stephenson County Circuit Clerk Shanelle Bardell will expand Zoom capabilities in courtrooms, upgrade and create SRL work stations, and update monitors with docket information.
- **Sixteenth Judicial Circuit:** Law Librarian Halle Cox will create new signage and materials and utilize interpreters with their legal aid partnerships to serve more patrons.
- **Nineteenth Judicial Circuit:** Beth Bogie and Frances Paparigian will continue the early resolution program for divorces (in partnership with Prairie State Legal Services), continue an online chat function on the court's website, and provide eviction mediation services.
- **Twentieth Judicial Circuit:** St. Clair County Law Librarian Juli Donahue will upgrade five computer stations and add a sixth station in the Law Library.

- **Twenty-First Judicial Circuit:** Trial Court Administrator Lori Wolf and Administrative Assistant to the Chief Judge Heather Ruel will complete the relocation of the self-help and Illinois JusticeCorps services to the same place near the Circuit Clerk's office.
- **Twenty-Third Judicial Circuit:** received two SRL Coordinator grant awards for:
  - Marilyn Stromborg, Legal Counsel for DeKalb County Circuit Clerk's Office, will get portable equipment for Zoom and self-help services, partner with Community Mental Health Board and the Bar Association's Ask-A-Lawyer program, design and administer surveys for SRL needs, start "Court Talks" outreach sessions, improve signage, work on making their website more SRL friendly, and implement a digital reminder system for court dates.
  - Shelly Holbach in the Kendall County Circuit Clerk's Office will improve the Law Library and Self-Help Center spaces, have dedicated staff assist court patrons, and strengthen relationships with partners.
- **Circuit Court of Cook County:** received four SRL Coordinator grant funds for:
  - Domestic Relations Division - District 1 Chicago - Nairee Hagopian to continue to equip hearing officers and mediators with Zoom licenses and equipment to continue the early resolution triage program.
  - District 3 – Rolling Meadows: Susan Castans will help coordinate an advice desk for SRL court calls with Legal Aid Society.
  - District 4 - Maywood: Audrey Garner will continue to oversee a partnership with Chicago Volunteer Legal Services for a help desk.

#### **Aug. 1, 2021-July 31, 2022 Grant Recipients**

- **First Judicial Circuit:** received SRL Coordinator grant funds for Brenda Sprague, Administrative Assistant to the Chief Judge, to serve all nine counties in the circuit to determine the needs of SRLs and provide training to community partners.
- **First Judicial Circuit:** Union County Circuit Clerk Keri Clark received SRL Coordinator grant funds to create a training protocol and an SRL Center.
- **Third Judicial Circuit:** received three SRL Coordinator grant awards for:
  - Law Librarian Angela Wille to coordinate two assistants to serve petitioners in Order of Protection cases.
  - Foreclosure Mediation Administrator Jennifer Dunham to set up an eviction mediation program with partners.
  - Madison County Circuit Clerk's Office employee Gina Hargrave to oversee implementing a Case Management System triage program.
- **Fourth Judicial Circuit:** Marion County Circuit Clerk Tiffany Schicker received SRL Coordinator grant funds to audit and adapt local court forms (where there are no standardized court forms for the same remedy) and update the website to be more user friendly.
- **Sixth Judicial Circuit:** received two SRL Coordinator grants for:
  - Champaign County Circuit Clerk Susan McGrath to run an Expungement Summit with a variety of partner organizations.
  - Trial Court Administrator Lori Hansen to explore creating self-help kiosks in the courthouse.
- **Seventh Judicial Circuit:** received SRL Coordinator grant funds for the Trial Court Administrator Suzann Maxheimer to coordinate videoconferencing equipment in Macoupin, Jersey, and Scott Counties.
- **Ninth Judicial Circuit:** received SRL Coordinator grant funds for Trial Court Administrator Sandy Redington to purchase and implement monitors to inform litigants of their courtroom and other useful information.

- **Tenth Judicial Circuit:** received SRL Coordinator grant funds for Deputy Trial Court Administrator Jennifer Shadid to oversee the creation of an ATJ Coordinator for the Law Library/Self-Help Center and ODR program.
- **Eleventh Judicial Circuit:** received grant funds for Mary Sellmyer, Library Navigator, to assess SRL needs in all 5 counties and explore a chatbot platform.
- **Twelfth Judicial Circuit:** received SRL Coordinator grant funds Law Librarian Jeane Fillipitch and SRL Coordinator Alfreda Baran to continue the Early Resolution Program for divorces.
- **Sixteenth Judicial Circuit:** received SRL grant funds for Law Librarian Halle Cox to serve Kane County by improving messaging and information for SRLs and purchase more technology equipment for SRLs.
- **Nineteenth Judicial Circuit:** received SRL Coordinator grant funds for Beth Bogie and Frances Paparigian to continue the early resolution program for divorces (in partnership with Prairie State Legal Services), continue an online chat function on the court's website, and do eviction mediation services.
- **Twentieth Judicial Circuit:** St. Clair County received SRL Coordinator grant funds for Law Librarian Juli Donahue to equip the computers in the Law Library for Zoom.
- **Twenty-First Judicial Circuit:** received SRL Coordinator grant funds for Trial Court Administrator Lori Wolf and Administrative Assistant to the Chief Judge Heather Ruel to relocate the self-help and Illinois JusticeCorps services to the same place near the Circuit Clerk's office.
- **Twenty-Third Judicial Circuit:** received two SRL Coordinator grant awards for:
  - Marilyn Stromborg, Legal Counsel for DeKalb County Circuit Clerk to create a self-help center.
  - Caryn Collins in the Kendall County Circuit Clerk's Office to create a Connection to the Courts Center (CCC).
- **Circuit Court of Cook County:** received four SRL Coordinator grant funds for
  - Clerk of the Circuit Court of Cook County- Samuel Williams to create a family law SRL customer service center in the Daley Center, Chicago
  - Domestic Relations Division-District 1 Chicago- Nairee Hagopian to continue to equip hearing officers and mediators with Zoom licenses and equipment to continue the early resolution triage program.
  - District 3 – Rolling Meadows: Susan Castans will help coordinate an advice desk for SRL court calls with Legal Aid Society.
  - District 4 - Maywood: LaShanda O'Quinn will continue to oversee a partnership with Chicago Volunteer Legal Services for a help desk.

#### **Aug. 1, 2020-July 31, 2021 Grant Recipients**

- **First Judicial Circuit:** received SRL Coordinator grant funds for Brenda Sprague, Administrative Assistant to the Chief Judge, to serve all nine counties in the circuit to determine the needs of SRLs and provide training to community partners.
- **Third Judicial Circuit:** received SRL Coordinator grant funds for Law Librarian Angela Wille to create a new system for assisting patrons with Order of Protection cases in Madison County.
- **Fifth Judicial Circuit:** Coles County Assistant Court Administrator Jessica Elliot is participating in the Network.
- **Sixth Judicial Circuit:** Champaign County Circuit Clerk Katie Blakeman received SRL Coordinator grant funds to upgrade and launch an advanced text message reminder and notification system.
- **Seventh Judicial Circuit:** received SRL Coordinator grant funds for the Trial Court Administrator Suzann Maxheimer to coordinate videoconferencing equipment in Macoupin and Greene counties.



- **Ninth Judicial Circuit:** received SRL Coordinator grant funds for Trial Court Administrator Sandy Redington and navigator Deja Jenkins to create an online presence for self-help information for the whole Circuit and revamp the self-help space in the Knox County Courthouse.
- **Tenth Judicial Circuit:** received SRL Coordinator grant funds for Trial Court Administrator Rena' Parker to serve Peoria & Tazewell Counties by continuing an Online Dispute Resolution Program, finalize an Order of Protection Guide & File interview, and explore other technology advancements.
- **Eleventh Judicial Circuit:** received grant funds for Mary Sellmyer, Library Navigator, to assess SRL needs in all 5 counties and explore a chatbot platform.
- **Twelfth Judicial Circuit:** received SRL Coordinator grant funds for Caitlin Schaffer to serve as a new Remote Services Coordinator to help the library and self-help center provide remote services.
- **Fifteenth Judicial Circuit:** received SRL Coordinator grant funds for Trial Court Administrator LeAnn Brandenburg to supervise Resource Person Helen Doig to serve SRLs in all five counties remotely.
- **Sixteenth Judicial Circuit:** received SRL grant funds for Law Librarian Halle Cox to serve Kane County by improving messaging and information for SRLs and purchase more technology equipment for SRLs.
- **Seventeenth Judicial Circuit:** received SRL Coordinator grant funds for Deputy Trial Court Administrator to oversee the development of an Online Dispute Resolution program.
- **Nineteenth Judicial Circuit:** received SRL Coordinator grant funds for Beth Bogie and Frances Paparigian to continue the early resolution program for divorces and develop an online chat function on the court's website.
- **Twenty-First Judicial Circuit:** received SRL Coordinator grant funds for Administrative Assistant to the Chief Judge Lori Wolf to install printer stations for SRLs to be able to print forms and information.
- **Twenty-Second Judicial Circuit:** Law Librarian Susy Huffman will continue to run the early resolution program for divorce cases where both sides are SRLs.
- **Circuit Court of Cook County**
  - **District 1 – Chicago Domestic Relations Division** received SRL Coordinator grant funds for Nairee Hagopian and Lauren Wynne to equip hearing officers and mediators with Zoom licenses and equipment to continue the early resolution triage program (in Chicago and some suburban districts) and mediation services remotely.
  - **District 1 – Chicago Circuit Clerk's Office** received SRL Coordinator grant funds for Dawn Porter, Associate Clerk of the Family Bureau to purchase equipment to have a self-service center with digital access terminals for SRLs in tents outside of Daley Center.
  - **District 4 - Maywood:** LaShanda O'Quinn continues to participate in the Network and maintain the SRL equipment in the family law courtroom.

#### **Dec. 1, 2019-July 31, 2020 Grant Recipients**

- **First Judicial Circuit:** Brenda Sprague will serve all nine counties in the circuit by working with a circuit-wide committee made up of court stakeholders and community members to discuss the needs of SRLs, providing professional training to legal professionals, the public, and SRLs, and increasing community awareness of available resources.
- **Third Judicial Circuit:** Angela Wille will create mediation program for divorce cases where both sides are self-represented.
- **Eighth Judicial Circuit:** Jennifer Power will serve Adams County by continuing a self-represented litigant help desk created last year and by establishing a self-help area with resources in Pike County.
- **Tenth Judicial Circuit:** Rena' Parker will serve Peoria & Tazewell Counties by continuing an Online Dispute Resolution Program (ODR) for family law cases to complete mandatory mediation.
- **Eleventh Judicial Circuit:** Mary Sellmyer will serve McLean County to improve the physical space in the law library for SRLs.

- **Twelfth Judicial Circuit:** Alfred Baran will serve Will County by coordinating an early resolution program for divorce and paternity cases.
- **Fifteenth Judicial Circuit:** LeAnn Brandenburg will serve Lee, Ogle, and Carroll counties by supervising Helen Doig, a resource person who staffs a resource room in those three counties and assists SRLs.
- **Sixteenth Judicial Circuit:** Halle Cox will serve Kane County by upgrading and strengthening SRL resources, translating materials into Spanish, expanding the "Lawyer in the Library" program, and training public librarians on basic legal research.
- **Seventeenth Judicial Circuit:** Brian Buzzard will serve Winnebago County to create "resource centers" of helpful materials outside of particular courtrooms with high volumes of SRLs.
- **Nineteenth Judicial Circuit:** Beth Bogie will serve Lake County by helping to continue the pro se family law court call and early resolution program for divorces while also revamping the law library space for SRLs.
- **Twenty-Second Judicial Circuit:** Susy Huffman will serve McHenry County by continuing their early resolution program for divorce cases where both sides are SRLs.
- **Circuit Court of Cook County**
  - Chicago: Nairee Hagopian, Maggie Miller, and Lauren Wynne will continue work on an early resolution triage program involving hearing officers for domestic relations cases filed by SRLs.
  - Maywood: LaShanda O'Quinn will create a partnership with a legal aid organization to staff a legal advice help desk for SRLs in District 4.

#### **Dec. 1, 2018-Nov. 30, 2019 Grant Recipients**

- **First Judicial Circuit:** Brenda Sprague will serve all nine counties in the circuit by working with a circuit-wide committee made up of court stakeholders and community members to discuss the needs of SRLs, providing professional training to legal professionals, the public, and SRLs, and increasing community awareness of available resources.
- **Eighth Judicial Circuit:** Jennifer Power will serve Adams County by updating and staffing a self-represented litigant help desk and creating better signage and materials for SRLs.
- **Tenth Judicial Circuit:** Rena' Parker will serve Peoria County by launching an Online Dispute Resolution Program (ODR) for family law cases to complete mandatory mediation.
- **Twelfth Judicial Circuit:** Jeane Fillipitch will serve Will County by translating self-help materials into Spanish and increasing interpreter access for non-courtroom events.
- **Fifteenth Judicial Circuit:** LeAnn Brandenburg will serve Lee, Ogle, and Stephenson counties by supervising Helen Doig, a resource person who staffs a resource room in those three counties and assists SRLs.
- **Sixteenth Judicial Circuit:** Halle Cox will serve Kane County by upgrading and strengthening SRL resources, translating materials into Spanish, expanding the "Lawyer in the Library" program, and training public librarians on basic legal research.
- **Seventeenth Judicial Circuit:** Brian Buzzard will serve both Winnebago and Boone Counties in circuit by re-imagining the self help center in Boone County as well as overseeing other projects to streamline e-filing, distributing mediation brochures, and continuing to develop the e-reminder project and pictogram flowcharts.
- **Nineteenth Judicial Circuit:** Beth Bogie will serve Lake County by helping to establish a pro se family law court call and creating an early resolution program for divorces.
- **Twenty-First Judicial Circuit:** Adrienne Haley will serve Kankakee County by obtaining a digital monitor to display courtroom information and other helpful court information.
- **Twenty-Second Judicial Circuit:** Susy Huffman will serve McHenry County by continuing their early resolution program for divorce cases where both sides are SRLs.



## Dec. 1, 2017-Nov. 30, 2018 Grant Recipients

- **First Judicial Circuit:** Brenda Sprague will serve all counties in the circuit by creating committees of self-represented litigants, attorneys, paralegals, and community members to discuss the needs of SRLs; providing professional training to legal professionals, the public, and SRLs; and increasing community awareness of available resources.
- **Third Judicial Circuit:** Angela Warta will serve both counties in the circuit by creating a self-help center in Bond county, changing the physical space and adding work stations in the Madison County self-help center, and improving distribution of standardized forms.
- **Twelfth Judicial Circuit:** Jeane Fillipitch will serve Will County by reconfiguring resources and equipment in the self-help center and creating user guides for e-filing.
- **Fifteenth Judicial Circuit:** LeAnn Brandenburg will serve Lee, Ogle, and Stephenson counties by appointing a resource person to rotate through the three counties and establish meeting space and equipment for SRLs.
- **Sixteenth Judicial Circuit:** Halle Cox will serve Kane County by developing family court 'prescription pads' for referrals, translating SRL resources into Spanish, expanding "Lawyer in the Library" to public libraries, and providing training on basic legal research.
- **Seventeenth Judicial Circuit:** Brian Buzzard will serve both Rockford and Boone Counties in circuit by creating and implementing a text reminder system for court dates and creating pictogram charts for family/divorce, OP, small claims, eviction cases.
- **Twenty-First Judicial Circuit:** Adrienne Haley will serve Kankakee County by translating resources into Spanish, creating self-help brochures and booklets, and ensuring resource distribution to all partners.
- **Twenty-Second Judicial Circuit:** Susy Huffman will serve McHenry County by facilitating an Early Resolution Program for Divorce cases with SRLs.
- **Circuit Court of Cook County:** Domestic Relations Division staff Maggie Miller and Nathalie Silva will serve Cook County by expanding SRL services to suburban districts, compiling guides for how to do legal research, and conducting personal consultations with SRLs.



The first program to focus on personal assistance to self-represented litigants locally was Illinois JusticeCorps (ILJC). It is an innovative [AmeriCorps](#) program that places volunteers in courthouses around Illinois to help people without lawyers navigate the civil justice system and is a partnership that officially began in 2012 between the ATJ Commission, Illinois Bar Foundation, and Chicago Bar Foundation (CBF). CBF started the program first as a pilot in 2009 in Cook County, then it quickly expanded to two counties and became a formal AmeriCorps program.

ILJC now serves 17 jurisdictions in the state. The next document shows which judicial circuits/counties where ILJC fellows currently serve: 1<sup>st</sup> Circuit (multiple counties), 3rd Circuit (Madison), 4th Circuit (multiple counties), 6th Circuit (Champaign), 7th Circuit (Sangamon), 8<sup>th</sup> Circuit (Adams), 9th (Circuit Knox), 10th Circuit (Peoria), 11th Circuit (McLean), 12th Circuit (Will), 16th Circuit (Kane), 17th Circuit (Winnebago), 19th Circuit (Lake), 21st Circuit (Kankakee), 22nd Circuit (McHenry), 23rd Circuit (DeKalb), Cook County (based at Daley Center in Chicago, but also serves the five suburban courthouses).

Subsequently, in late 2017, the ATJ Commission launched what was then called the Self-Represented Litigant Coordinator grant program (now Access to Justice Improvement Grant), which identified individuals in local courts who would develop resources and offer assistance to SRLs. To fulfill a major goal of the Illinois Judicial Conference's [strategic agenda](#), the ATJ Commission expanded those existing networks to encompass named representatives in all Judicial Circuits. This Court Navigator Network (Network) of circuit clerks and court staff based in courthouses throughout the state serves as a bridge, linking their courthouses with others throughout the state to share ideas, develop new resources, and establish programs for assisting SRLs.

Although the base of this Network has been the Illinois JusticeCorps program and ATJ Improvement grant recipients, anyone working at a court in Illinois can join. We currently have 173 members participating in the Network. It is our mission to maintain a Network with at least one member in every Judicial Circuit and Appellate District in the state.

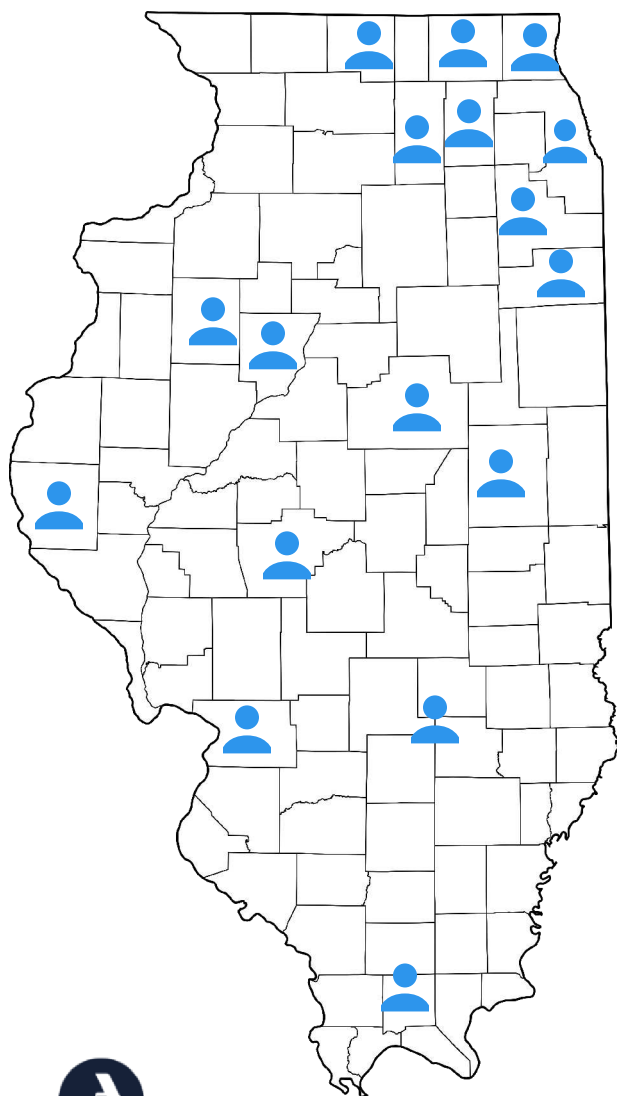
Network members share resources and best practices across county lines and judicial circuits to more effectively address access to justice gaps seen throughout the state. Network members become aware of what their counterparts throughout the state are doing, learn from each other's successes (and missteps), share resources and updates, and provide the best possible service for SRLs. Network members repeatedly report that this cross-jurisdictional information sharing is the most beneficial aspect of the program. In addition to information sharing, Network members receive an orientation program each year including topics such as an Illinois courts overview, information vs. legal advice, and plain language. The Network continues to receive training monthly throughout the year on a variety of relevant topics.



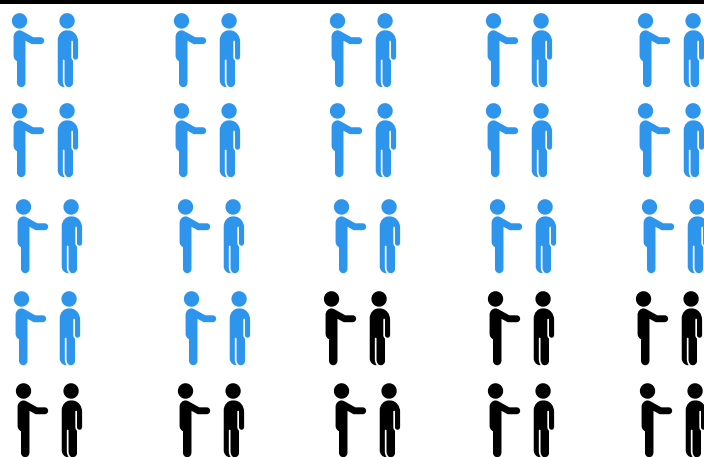
# Where is Illinois JusticeCorps?



IL JusticeCorps fellows currently serve in 17 different judicial circuits.



AmeriCorps



**68% of Circuits**

are served by Illinois JusticeCorps

EVERY JUSTICECORPS  
FELLOW SERVES  
AT LEAST

**300 HOURS**

OVER THE COURSE OF  
ONE YEAR (some minimum time  
members may serve less)



## Circuits and Counties Served:

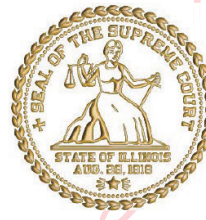
1st (multiple), 3rd (Madison),  
4th (multiple), 6th (Champaign),  
7th (Sangamon), 8th (Adams),  
9th (Knox), 10th (Peoria),  
11th (McLean), 12th (Will),  
16th (Kane), 17th (Winnebago),  
19th (Lake), 21st (Kankakee),  
22nd (McHenry), 23rd (DeKalb), Cook



# Section 12



**Statewide  
Standardized  
Forms**



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Reporter of Decisions  
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### **Rule 10-101. Standardized Court Forms**

(a) The Illinois Supreme Court Commission on Access to Justice shall establish a process to develop and approve standardized, legally sufficient forms for areas of law and practice where the Commission determines that there is a high volume of self-represented litigants or that standardized court forms will enhance access to justice or court efficiency.

(b) The Commission shall establish a process for publication, review and approval of any proposed standardized court form in accordance with the Supreme Court's administrative order, M.R. 25401, regarding standardized court forms.

(c) Standardized court forms may be used by any litigant or lawyer whenever they are applicable. All courts must accept standardized court forms.

(d) After a standardized court form is published, no court may (1) maintain, create, or disseminate alternate court forms that seek the same legal remedy; (2) require, promote, or encourage the use of any other court form that seeks the same legal remedy; (3) require that a standardized court form be used in a manner that is contrary to its intended purpose of enhancing access to justice; or (4) require that litigants or lawyers use a modified standardized court form, except as permitted in paragraph (e).

(e) A court may supplement a standardized court order as necessary or appropriate.

(f) A litigant or lawyer may add additional material to a standardized court form as long as the form is not altered.

(g) All courts must promote and encourage the use of standardized court forms in English and promote the published instructional material and the translated versions of the standardized court forms for assistance, by making them available to the public—in both electronic and paper formats as appropriate—by clerks, law libraries, self-help centers, judicial websites, and through other reasonable methods.

(h) Courts and clerk offices and their websites must use the promotional materials designed and distributed by the Illinois Supreme Court Commission on Access to Justice to promote standardized court forms to litigants or lawyers.

*Adopted Nov. 28, 2012, eff. immediately; amended Mar. 26, 2021, eff. Sept. 1, 2021.*

Committee Comment

(November 28, 2012)

(Revised March 26, 2021)

(a) This rule and the Court's accompanying administrative order, M.R. 25401, were adopted to set out a formal process for the development, review and approval of standardized court forms for use in the Illinois courts. Utilizing standardized court forms in areas of law and practice where there is a high volume of self-represented litigants in the Illinois courts will enhance access to justice for these litigants and at the same time will improve the overall administration of justice.

(b) An open and inclusive process for the development and improvement of standardized court forms will be necessary to achieve the goals of this rule.

(c) Standardized court forms can only be effective if they are required to be accepted by all courts in the state. Technology and assistance that can make forms more user-friendly and accessible for people without lawyers and allow for necessary translations into other languages and formats cannot be efficiently provided if there are multiple variations of the same forms.

(d) For the same reasons noted in comment (c), allowing courts to require alterations of standardized court forms would defeat the purposes of having standardized court forms. The one exception is for court orders where findings or particular rulings from the court may need to be added to standard court form orders. In addition, a court cannot require the litigant to use a standardized court form in a way that defeats its intended purpose of enhancing access to justice for litigants.

(e) In some cases, such as an action involving a written contract, an exhibit may be necessary for a pleading to be legally sufficient. Litigants may wish to include other exhibits or supporting information with a complaint or filing as well. For privacy and other practical reasons, it also may be advisable that certain confidential, personal or private information be submitted through a supplementary process rather than included in a standardized court form. All pleadings, exhibits or other supporting information filed with the court must be consistent with the requirements of Supreme Court Rule 15 (social security numbers in pleadings and related matters) and Supreme Court Rule 138 (personal identity information).

IN THE  
SUPREME COURT OF ILLINOIS

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In re: Supreme Court Commission on	)	M.R. 25401
Access to Justice	)	

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ORDER

In accordance with Supreme Court Rule 10-101, the Court adopts the following Administrative Order to provide further guidance and detail about the process for developing, reviewing and approving standardized court forms and ensuring that these forms remain current:

- (1) In addition to meeting the basic requirements set forth in Supreme Court Rule 10-101, in developing standardized forms pursuant to the Rule, the Supreme Court Commission on Access to Justice ("Commission") shall ensure that each form:
  - a. meets the requirements of Illinois law;
  - b. uses plain language in accordance with the federal government's plain language guidelines ([www.plainlanguage.gov](http://www.plainlanguage.gov)) to the maximum extent possible;
  - c. will be available in both print and interactive electronic formats, provided that forms may be approved for use before they are available in an interactive electronic format;
  - d. includes instructions, a checklist, and a background statement for self-represented litigants in both print and electronic formats that can be translated into other common languages;
  - e. is developed by a diverse group of judges, clerks, court personnel, and lawyers practicing in the area and tested with the public; and
  - f. allows for electronic filing and accounts for privacy and logistical concerns associated with that process.
  
- (2) In order to help ensure consistency and coordination among different form groups, the Administrative Office of the Illinois Courts ("Administrative Office") shall designate staff ~~a Forms Officer~~ to work with the Commission and any Commission committees or subcommittees involved with the development of standardized forms.
  
- (3) When the Commission has drafts of standardized forms that the Commission believes should be given final approval, the Commission shall take ~~notify~~ the following steps: ~~Administrative Office.~~
  - ~~a. The Administrative Office shall then take the following steps:~~
    - ~~i. a.~~ forward a copy of the draft standardized forms to the Conference of Chief Circuit Judges with a notice that the Conference shall have twenty-one (21) ~~forty-five (45)~~ days to provide the Commission with any feedback or suggestions regarding the proposed standardized forms.

**FILED**  
June 26, 2023  
SUPREME COURT  
CLERK



~~ii.~~ b. post a copy on the Supreme Court website with a notice that any concerned stakeholder shall have twenty-one (21) ~~forty-five (45)~~ days to provide the Commission with any feedback or suggestions regarding the proposed standardized forms.

~~iii.~~ c. notify the clerks of circuit and appellate courts, the Illinois State Bar Association, the Chicago Bar Association and local county bar associations that proposed standardized forms have been posted.

~~b.~~ Once the twenty-one (21) ~~forty-five (45)~~ day notice period has passed, the Commission is authorized to review any feedback or suggestions received, make any revisions it deems necessary, and give final approval to the standardized forms.

(4) With prior Supreme Court approval, and where exigent circumstances require expedited approval of a standardized form or forms suite, the Commission's Forms Committee may modify the process to the extent necessary. In so doing, the Forms Committee must use appropriate safeguards to ensure the accuracy and usability of the expedited standardized forms and make all reasonable efforts to allow for public testing, comments, or amendments to any expedited standardized form before or after their approval.

(5) For all standardized forms that have received final approval from the Commission, the Administrative Office shall post the forms on the Supreme Court website.

a. The website shall include a notice that these forms are approved by the Court ~~Commission~~ for use and are required to be accepted in all Illinois courts, and the forms themselves shall also include this notice. The website also should include links to any interactive tools and associated resources developed for each form.

b. The website shall also include a form and procedure where stakeholders can identify potential updates or changes that may need to be made to the forms.

c. Upon receipt of any communication identifying a proposed update or change to a standardized form in accord with this process, the Administrative Office shall forward that communication to the Commission for review.

d. When someone submits a comment, they will be notified that all comments or suggestions will be reviewed by the appropriate subcommittee and if they have additional questions or want to follow up, they can email the Forms staff.

~~d e.~~ The Commission shall then determine whether either suggest revisions to the standardized form are warranted and, if so, make changes in accord with Supreme Court Rule 10-101 and this Order ~~or respond to the party identifying the update or change with reasons why a change is not deemed necessary and forward that response to the Administrative Office for posting on the website.~~

(6) The Supreme Court website shall provide a method by which interested stakeholders can suggest that new and/or additional forms be created and approved by the Commission.

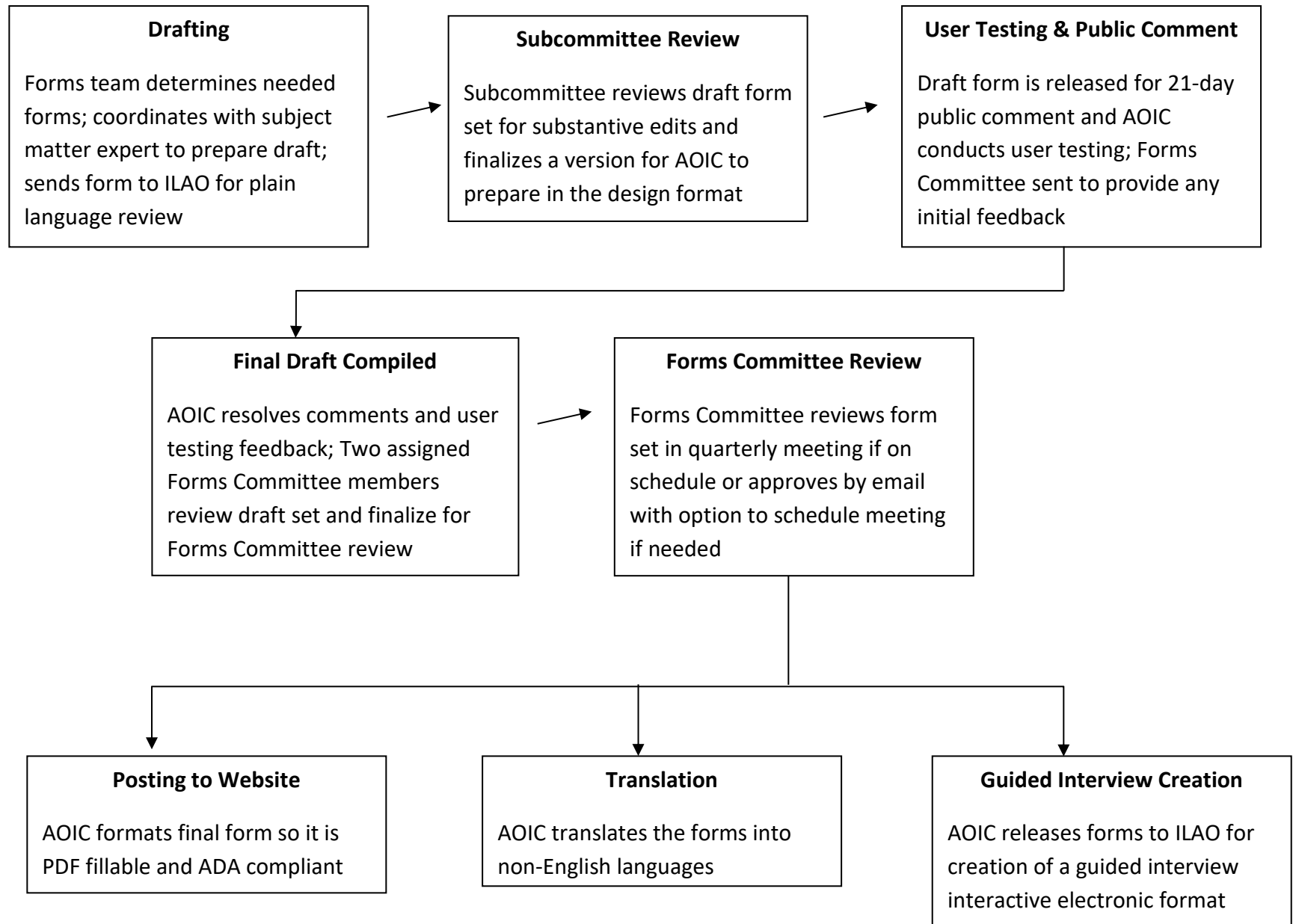
a. Upon receipt of any communication suggesting that new and/or additional forms be created and approved, the Administrative Office shall forward that communication to the Commission for review.

b. When someone submits a comment, they will be notified that all comments or suggestions will be reviewed by the appropriate subcommittee and if they have additional questions or want to follow up, they can email the Forms staff.

- ~~b~~ c. The Commission shall then determine whether those standardized forms can and should be created and, if so, begin the development process in accord with Supreme Court Rule 10-101 and this Order. ~~address the suggestion by either:~~
- ~~i. creating and approving new or additional forms in accordance with Paragraphs (1) and (3) of this Order, or~~
  - ~~ii. responding to the party making the suggestion with reasons why the suggested new and/or additional forms are not deemed necessary, and forwarding that response to the Administrative Office for posting on the website.~~

Dated November 28, 2012. Amended January 8, 2021, amended June 26, 2023.

## FORMS DEVELOPMENT FLOWCHART



## Mandatory-Use Forms

These forms have to be used and no others pursuant to statute or rule:

1. Eviction Order
2. Civil Fee Waiver
3. Criminal Assessment Waiver
4. Financial Affidavit (Domestic Relations cases)
5. E-filing Exemption Certification
6. Limited Scope Appearance and Completion forms
7. Minor Name Change (Petition only)
8. Adult Name Change (Petition only)

## All Forms

Suite	Form	Version #	Date
<b>Supreme Court Forms</b>			
<b><i>Supreme Court Fee Waiver</i></b>			
	Getting Started Application for Waiver of Court Fees (Supreme Court)	3905.4	09/23
	How to Ask the Supreme Court to Participate in an Appeal for Free or at a Reduced Cost	3906.4	09/23
	Application for Waiver of Court Fees (Supreme Court)	3907.5	09/23
<b><i>Supreme Court Certification for Exemption from E-Filing</i></b>			
	Certification for Exemption from E-Filing	3401.4	08/20
<b><i>Supreme Court Motion</i></b>			
	Getting Started Supreme Court Motion	3900.1	05/18
	How to File a Supreme Court Motion	3901.1	05/18
	Supreme Court Motion	3902.1	05/18
	Supreme Court Motional Additional Proof of Services	3904.1	05/18
	Supreme Court Motion Order	3903.1	05/18
<b><i>Supreme Court Petition for Rehearing</i></b>			
	Getting Started Petition for Rehearing	3908.1	05/18
	How to File a Petition for Rehearing	3909.1	05/18
	Petition for Rehearing	3910.1	05/18
<b><i>Supreme Court Petition for Leave to Appeal</i></b>			
	Getting Started Petition for Leave to Appeal	4000.1	08/24
	How To Prepare and File a Petition for Leave to Appeal with the Illinois Supreme Court	4001.1	08/24
	Petition for Leave to Appeal	4002.1	08/24
	Additional Statement of Facts	4004.1	08/24
	Additional Argument – Petition for Leave to Appeal	4003.1	08/24
<b><i>Supreme Court Answer to Petition for Leave to Appeal</i></b>			
	Getting Started Answer to Petition for Leave to Appeal (Illinois Supreme Court)	4100.1	08/24
	How to Prepare and File an Answer to Petition for Leave to Appeal with the Illinois Supreme Court	4101.1	08/24
	Answer to Petition for Leave to Appeal	4102.1	08/24
	Additional Argument – Answer to Petition for Leave to Appeal	4103.1	08/24

<b>Supreme Court Notice of Election</b>		
Getting Started Notice of Election (Illinois Supreme Court)	4200.1	08/24
How to File a Notice of Election with the Illinois Supreme Court	4201.1	08/24
Notice of Election	4202.2	08/24
<b>Supreme Court Appellant's Brief</b>		
Getting Started Appellant's Brief (Illinois Supreme Court)	4300.1	08/24
How to File an Appellant's Brief with the Illinois Supreme Court	4301.1	08/24
Appellant's Brief (Illinois Supreme Court)	4302.1	08/24
Additional Points and Authorities	4303.2	08/24
Additional Issues Presented for Review	4304.1	08/24
Additional Statutes Involved	4305.1	08/24
Additional Statement of Facts	4306.1	08/24
Additional Argument	4307.1	08/24
Additional Common Law Record	4308.1	08/24
Additional Report of Proceedings	4309.1	08/24
Additional Index of Witnesses	4310.1	08/24
<b>Supreme Court Appellee's Brief</b>		
Getting Started Appellee's Brief (Illinois Supreme Court)	4400.1	08/24
How to File an Appellee's Brief with the Illinois Supreme Court	4401.1	08/24
Appellee's Brief (Illinois Supreme Court)	4402.1	08/24
Additional Points and Authorities – Appellee's Brief	4403.1	08/24
Additional Issues Presented for Review – Appellee's Brief	4404.1	08/24
Additional Argument – Appellee's Brief	4405.1	08/24
<b>Supreme Court Appellant's Reply Brief</b>		
Getting Started Appellant's Reply Brief (Illinois Supreme Court)	4500.1	08/24
How to File an Appellant's Reply Brief with the Illinois Supreme Court	4501.1	08/24
Appellant's Reply Brief (Illinois Supreme Court)	4502.1	08/24
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<b>Supreme Court Additional Proof of Delivery</b>		
Additional Proof of Delivery	4600.1	08/24
<b>Appellate Court Forms</b>		
<b>Appellate Certificate of Exemption from E-Filing</b>		
Certificate of Exemption from E-Filing	3401.3	08/20
<b>Appellate Court Fee Waiver</b>		
Getting Started Application for Waiver of Court Fees (Appellate Court)	1301.6	09/23
How to Ask the Appellate Court to Participate in an Appeal for Free or at a Reduced Cost	1302.6	09/23
Application for Waiver of Court Fees (Appellate Court)	1303.7	09/23
Order for Waiver of Court Fees (Appellate Court)	1304.7	09/23
<b>Notice of Appeal</b>		
Getting Started Notice of Appeal	2801.4	05/22
How to File a Notice of Appeal	2802.4	05/22
Notice of Appeal	2803.6	05/22
Additional Proof of Delivery	2804.3	07/21
<b>Request for Preparation of the Record on Appeal</b>		
Getting Started Request for Preparation of the Record on Appeal	4301.3	07/21
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Request for Preparation of the Record on Appeal	4303.3	07/21
<b>Request for Report of Proceedings (Transcripts)</b>		
Getting Started Request for Report of Proceedings (Transcripts)	4501.1	05/19
How to Request for Report of Proceedings (Transcripts)	4502.1	05/19
Request for Report of Proceedings (Transcripts)	4503.1	05/19
Additional Transcripts	4504.1	05/19

Additional Parties or Lawyers	4505.1	05/19
Additional Proof of Service	2804.3	07/21
<b><i>Bystander's Report or Agreed Statement of Facts</i></b>		
Getting Started Bystander's Report and Agreed Statement of Facts	4401.1	05/19
How to Prepare a Bystander's Report and Agreed Statement of Facts	4402.1	05/19
Bystander's Report	4403.1	05/19
Agreed Statement of Facts	4404.1	05/19
Additional Bystander's Report	4406.1	05/19
Additional Agreed Statement of Facts	4407.1	05/19
Additional Signature Form	4405.1	05/19
<b><i>Docketing Statement</i></b>		
Getting Started Docketing Statement (Civil)	4601.2	07/21
How to Complete the Docketing Statement (Civil)	4602.2	07/21
Docketing Statement (Civil)	4603.2	07/21
Additional Appellant Information	4604.1	05/19
Additional Lawyer on Appeal Information	4605.1	05/19
Additional Appellee Information	4606.1	05/19
Additional Court Reporter Information	4607.1	05/19
Additional Proof of Service	2804.3	07/21
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How to File an Appellate Motion	2702.2	01/18
Appellate Motion	2703.2	01/18
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Additional Issues Presented for Review	2105.2	10/17
Additional Statutes Involved	2106.1	09/16
Additional Statement of Facts	2107.2	10/17
Additional Argument	2108.2	10/17
Additional Proof of Service	2804.2	03/18
Additional Common Law Record	2109.1	09/16
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<b><i>Appellee's Brief</i></b>		
Getting Started - Appellee's Brief	2301.2	10/17
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Appellee's Brief	2303.2	10/17
Additional Points and Authorities	2304.2	10/17
Additional Issues Presented for Review	2305.2	10/17
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Additional Statement of Facts	2107.2	10/17
Additional Argument	2306.2	10/17
Additional Proof of Service	2112.2	10/17
Additional Common Law Record	2109.1	09/16
Additional Report of Proceedings	2110.1	09/16
Additional Index of Witnesses	2111.1	09/16

<b><i>Appellant's Reply Brief</i></b>		
Getting Started - Appellant's Reply Brief	2501.2	11/17
How to File an Appellant's Reply Brief	2502.2	11/17
Appellant's Reply Brief	2503.2	11/17
Additional Argument	2504.2	11/17
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<b><i>Answer / Response</i></b>		
How to Answer or Response to a Court Case	1402.6	05/24
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Additional Paragraphs for Answer or Response	1404.3	05/24
Affirmative Defenses	1405.1	05/24
Counterclaims	1406.1	05/24
<b><i>Appearance</i></b>		
How to File an Appearance or Request a Jury	502.7	10/24
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<b><i>Certificate of Good Conduct</i></b>		
Getting Started - Request for Certificate of Good Conduct	2401.2	07/21
How to ask for a Certificate of Good Conduct	2402.3	07/21
Request for Certificate of Good Conduct	2403.3	07/21
Notice of Court Date for Request for Certificate of Good Conduct	2404.3	07/21
Order for Request for Certificate of Good Conduct	2405.2	07/21
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<b><i>Circuit Court Certification for Exemption From E-Filing</i></b>		
Certification for Exemption From E-Filing	3401.3	08/20
<b><i>Civil Asset Forfeiture-Appearence</i></b>		
Getting Started (Civil Asset Forfeiture)	4200.1	03/21
How to File an Appearance (Civil Asset Forfeiture)	4201.1	03/21
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Additional information for Hardship Motion	4005.1	03/21
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Order on Hardship Motion	4004.1	03/21
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<b><i>Civil Asset Forfeiture-Answer to Complaint for Forfeiture (Not Involving Drugs or Money Laundering)</i></b>		
Getting Started Answer to Complaint for Forfeiture (Not Involving Drugs or Money Laundering)	4100.1	03/21
How to Prepare and Send and Answer to Complaint for Forfeiture (Not Involving Drugs or Money Laundering)	4101.1	03/21
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<b><i>Divorce, Child Support, Maintenance: Dissolution of Marriage/Civil Union (Divorce with Children)</i></b>		
Getting Started Dissolution of Marriage/Civil Union (Divorce with Children)	101.2	11/21
How to Get a Divorce (with Children)	102.2	11/21
Petition for Dissolution of Marriage/Civil Union (Divorce with Children)	105.2	11/21
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Parenting Plan	108.3	03/22
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Additional Minor Children	123.2	12/19
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Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)	104.3	08/21
Summons Petition for Dissolution of Marriage/Civil Union	113.5	08/21
Entry of Appearance (Dissolution of Marriage/Civil Union)	111.4	10/21
Non-Marital Real Estate	112.2	01/18
Additional Debts & Liabilities (Petition for Dissolution of Marriage/Civil Union)	109.3	09/18
Additional Person Property & Bank Accounts (Dissolution of Marriage/Civil Union)	110.3	09/18
Certification Agreement	150.1	10/21
Letter to the Sheriff (Serving a Summons and Forms)	115.1	05/16
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Interim Fee Award Order	1201.2	11/21
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Agreed Settlement Order with Status Date (Defendants Will Move)	3604.4	06/24
Agreed Settlement Order with Status Date (Defendants Will Pay & Stay)	3603.4	06/24
Compliance (Follow-Up) Order in Eviction Case	3606.1	02/21



Eviction Order	3500.5	06/24
Judgment for Money Only in Eviction Case	3605.1	02/21
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How to File & Present an Eviction Complaint	3511.4	06/24
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Additional Notice of Court Date for Motion to Vacate & Expunge Eligible Cannabis Convictions	4705.2	03/22
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Notice of Filing for Juvenile Expungement	3204.3	10/23
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How to Ask the Judge to Participate in a Court Case for Free or at a Reduced Cost	602.9	01/24
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<b>Fee / Assessments Waiver for Criminal Cases</b>		
How to Ask the Judge to Waive Criminal Court Assessments	622.4	06/24
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# ILLINOIS STATEWIDE STANDARDIZED COURT FORMS



- ▶ Free and easy to use
- ▶ Fill out on the computer or by hand
- ▶ Helpful instructions on how to file
- ▶ Select forms available in multiple languages

**Forms available to start cases, respond to cases, file motions and more!**

**Get forms at [ilcourts.info/forms](https://ilcourts.info/forms) or scan the QR Code.**

# STANDARDIZED COURT FORMS HAVE A NEW LOOK!

- Forms for every court in Illinois: Circuit, Appellate, and Supreme.
- Available as fillable PDFs, in print, or through ILAO's easy form guided interviews

Need help filling it out?

Call Illinois Court Help: 833-411-1121  
or go to [ilcourthelp.gov](http://ilcourthelp.gov)

This form is approved by the Illinois Supreme Court and is required to be used in all Illinois Circuit Courts.  
Forms are free at [icourts.info/forms](http://icourts.info/forms).

## APPLICATION FOR WAIVER OF COURT FEES (CIVIL)

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY \_\_\_\_\_  
*County Where You are Filing the Case*

PLAINTIFF/PETITIONER  
WHO STARTED THE CASE \_\_\_\_\_  
*First, Middle, and Last Name*

DEFENDANT/RESPONDENT  
WHO THE CASE WAS FILED AGAINST \_\_\_\_\_  
*First, Middle, and Last Name*

Case Number  
(Clerk Fills In) \_\_\_\_\_

Use this form to ask the judge to waive your court fees, costs, and charges in a civil court case. If your case is a criminal case, use the *Application for Waiver of Criminal Court Assessments* form.

If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information on this form instead of your own information.

### 1. BASIC INFORMATION

A. I am completing this form: (check one)

☐ For myself ☐ On behalf of a minor or incompetent adult  
(Use the minor or incompetent adult's information on this form)

B. Name: \_\_\_\_\_  
*First Middle Last Name*

C. Address: \_\_\_\_\_  
*Street, Apt. # City State Zip Code*

D. I cannot afford to pay the court fees, costs and charges in this case.

### 2. HOUSEHOLD INFORMATION

List the number of people who live with you who you support. Support means the people rely on you financially. If on behalf of a minor or an incompetent adult, use their information.

A. I support \_\_\_\_\_ adults (not counting myself) who live with me.  
*# of Adults*

B. I support \_\_\_\_\_ children under 18 who live with me.  
*# of Children Under 18*

### 3. PUBLIC BENEFITS

Check all the benefits that you currently receive. Be prepared to provide proof that you currently receive at least 1 of the checked benefits (if asked).

I currently receive the following public benefits (check all that apply):

☐ SSI (Supplemental Security Income, not Social Security) ☐ AABD (Aid to the Aged, Blind and Disabled) ☐ General Assistance Program (GAP), Transitional Assistance, or State Children and Family Assistance

☐ SNAP (Supplemental Nutrition Assistance Program) / Food Stamps ☐ TANF (Temporary Assistance for Needy Families)

DIV-P 105.1 Find Illinois Supreme Court approved forms at: [icourts.info/forms](http://icourts.info/forms) Page: 1 of 6 (08/23)

# HOW TO FILE AND SEND A MOTION AND NOTICE

1

## FILL OUT THE REQUIRED FORMS.

If you want to ask the judge to do something in your case – like dismiss the case, change something you already filed, or order the other party to do something – you must file a motion and have a hearing on the motion. Begin by filling out the forms in this form set. Think carefully about what you want to ask the judge to do and explain it clearly on your *Motion* form.

2

## FILE AND GET YOUR COURT DATE.

If you do not already have a court date for your *Motion*, you will need to get one and file a *Notice of Motion*. When you file your *Motion*, ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically. In some counties, you may get the court date when you e-file. Include that court date in your *Notice*.

After you fill out your forms, file them with the Circuit Clerk's office in the county where your case is taking place. See the How to File the Form section on page 4 of this packet for more information.

There may be a fee to file your *Motion*. See the Costs and Fees section on page 3 of this packet for information on how to ask to file your forms for free or at a reduced cost.

3

## SEND FORMS TO THE OTHER PARTY.

You must send your forms to the other people in the case. If a person in the case has a lawyer, send the forms to the lawyer. Make sure you have completed the Proof of Delivery section on your forms, so the court knows how you sent your documents.

4

## PREPARE AND ATTEND COURT.

Your court date may be in person, by phone, or by video.

Make notes for yourself about what you want to say to the judge. Bring any additional documents needed.

Explain your *Motion* to the judge. The judge might make a decision on your *Motion* in court, or they might decide later. Make sure to get a copy of the *Order on Motion* signed by the judge.

Laws covering these forms: Illinois Supreme Court Rules [11](#), [12](#), [104](#), [105](#), [106](#), [137](#), [182](#), [184](#), [191](#), [192](#), [274](#), and [287](#); [735 ILCS 5/2-601](#) *et seq.*





# STEP 1

## FILL OUT AND FILE FORMS.

# ARE THESE FORMS FOR ME?

You may use these **Motion** forms to ask for something in your case when:

- Your case is a **civil case**. For example, divorce, family, guardianship, eviction, small claims, foreclosure cases, and cases for injury or property damage.

**Do not use these forms** if:

- Your case is a **criminal, traffic, or juvenile court case**.
- You are asking the judge to reschedule a court date that has already been scheduled or to extend a deadline. Use the *Motion to Continue (Reschedule) or Extend Time* found at [ilcourts.info/motion-forms](http://ilcourts.info/motion-forms).
- You are trying to start a new court case. You cannot use a motion to start a new case.

Forms required:

- *Motion*: use this form to explain what you want the judge to do and any reasons why the judge should agree to your request.
- *Notice of Court Date for Motion*: use this form to notify the other parties in the case about the court date for your *Motion*. This form:
  - Lists the date, time, and place of your court date; and
  - Lists the names and addresses of the other parties or their lawyers.

Some courts will send their own *Notice* to the other parties. Ask the Circuit Clerk whether they will notify the parties, or whether you need to send notice of the court date.

- *Order on Motion*: is used by the judge to say if your *Motion* is granted or denied.

You can find all of the statewide forms online at: [ilcourts.info/forms](http://ilcourts.info/forms).



This packet 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.

# EXTRA HELP WITH THE FORMS

## Motion 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/motion-easy-form](http://ilao.info/motion-easy-form) or scan the QR code to use the Easy Form.



**IL Court  
Help**

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](http://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](http://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](http://ilao.info/lshc-directory).



## COSTS AND FEES

There may be costs and fees to take part in a court case. These fees and costs can include fees for filing court documents and Sheriff's fees for providing notice. Depending on the type of court case, there may be other costs and fees charged. 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](http://ilcourts.info/fee-waiver-forms).

# HOW TO FILE THE FORMS



## 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 "Not E-filing" below) or
  - Your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileIL at [ilcourts.info/efile](http://ilcourts.info/efile).
- There may be fees to file your forms. See the previous Costs & Fees page for more information.
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at [ilcourts.info/EfileHowTo](http://ilcourts.info/EfileHowTo).
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
- 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 Clerks' office. These places offer public computers where you can e-file your forms.
  - Depending on your courthouse, you can bring your forms on paper and there may be 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.



## 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, and it is hard for you to travel.
  - Have trouble reading, writing, or speaking English.
  - Are filing documents in a sensitive case, such as an order of protection.
  - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
- To ask for an exemption from e-filing, use the form at [ilcourts.info/ExemptionCircuit](http://ilcourts.info/ExemptionCircuit). 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 previous Costs & Fees page 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.



# WHAT'S NEXT

## STEP 3

### Get a court date and send your forms.

- Make sure that you have a court date and that you have filed the *Notice of Court Date for Motion* if it is required.
- Send a copy of your *Motion* forms to the other party.
  - You must send your forms to the other people in the case. If a person in the case has a lawyer, send the forms to the lawyer.
- If you and the person you're sending the *Motion* to each have an email address, you must send it by email or electronically through the e-filing system. If either you or the person you're sending the *Motion* to do not have an email address, you may give it to the other person by personal hand delivery, mail, or third-party commercial carrier (for example, FedEx or UPS).

## STEP 4

### Prepare and attend court.



#### 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/CircuitClerks](http://ilcourts.info/CircuitClerks).

#### Your court date could be in person, by phone or by video.

- If your court date is in person:
  - Get to the courthouse at least 30 minutes early so you have enough time to get through security.
  - 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 someone at the Circuit Clerk's office.
  - Check in with the courtroom staff and wait for your name and case number to be called.
- 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.
  - Start trying to log-in to your courtroom at least 15 minutes before the start time in case you have any problems with technology.
  - Follow these tips to attend court by phone or video: [ilcourts.info/AllRemoteCourtResources](http://ilcourts.info/AllRemoteCourtResources).
- When your case is called, introduce yourself to the judge. If you are attending by phone or video remember to unmute yourself.
- Have these items with you on your court date:
  - Photo I.D.;
  - Copies of all the documents you filed with the Circuit Clerk;
  - Other papers or proof related to your case; AND
  - If you are having a hearing or trial, bring your witnesses and evidence.
  - Check with the Circuit Clerk for any other local requirements.

## **Talk to the judge and get a signed copy of the final order.**

### **Present your *Motion* to the judge.**

- Be ready to tell the judge what you are asking for and why the judge should agree with your request. The judge might ask you questions about your *Motion*.
  - The judge might give the other party time to respond to your *Motion* in writing and schedule another court date.
- For some motions, you might have evidence, including documents and photos.
  - Give a copy to the judge and a copy to the other party.
  - Be prepared to explain why the document or photo is important.
- For some motions, you might have witnesses.
  - Tell the judge the name of your witnesses.
  - Ask the witnesses questions you prepared in advance.
  - The judge and the other party can ask questions of your witnesses when you are done.
- The judge decides whether the documents, photos, or witness testimony can be considered in making a decision about your case.

### **The other party can respond to your *Motion*.**

- The other party will get to respond to your *Motion*. This might include testifying, giving evidence like documents and photos, and questioning witnesses.
- You will get to see any documents and photos the other party 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 other party's witnesses. Write down your questions while they are speaking to the other party or judge.

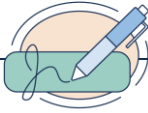
### **The judge makes a decision after both sides present their case.**

- The judge will decide whether to grant or deny your *Motion*. The judge might make a decision in court or they might make a decision later.
- If the judge needs more information to make a decision, the judge may schedule another court date. Make sure you understand what information is needed and get it before the new court date.
- If the judge needs to think about it more, the judge may let you know the decision later by sending you a court order or at another court date.
- If the judge has enough information, the judge may decide in court and fill out the *Order on Motion*.
  - Get a copy of the *Order* signed by the judge.
  - If the other party was not in court, you must send them a copy of the *Order*. Fill out and file a *Proof of Delivery* form to show that you sent the copy. You may find the *Proof of Delivery* at [ilcourts.info/forms](http://ilcourts.info/forms).



**DEFENDANTS/RESPONDENTS:** \_\_\_\_\_  
*Who the case was filed against.* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
*First, Middle, and Last Name, or Business Name*

(05/24)



## SIGN

Under [735 ILCS 5/1-109](#), your signature means that you:

1) certify that everything in this document is true and correct, and 2) understand that making a false statement on this form is perjury and has penalties provided by law.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Your Signature /s/ \_\_\_\_\_ Print Your Name \_\_\_\_\_

Your Address \_\_\_\_\_  
Street, Apt. # City State Zip Code

Your Phone Number \_\_\_\_\_ Attorney Number (if any) \_\_\_\_\_

Your Email (if you have one) \_\_\_\_\_

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.

## 4. PROOF OF DELIVERY

Fill out the information below to show how you are sending this document to the other people in the case. If a person in the case has a lawyer, **you must send this document to their lawyer.**

### a. I am sending this document to:

Name: \_\_\_\_\_  
First Middle Last Name

Address: \_\_\_\_\_  
Street, Apt. # City State Zip Code

Email Address: \_\_\_\_\_

By: ☐ Electronically to the email address in **4a**:

☐ By email (*not through an EFSP*).

☐ Using an approved electronic filing service provider (EFSP).

☐ I or the person I am sending the document to do not have an email address. I am sending the document by:

☐ Mail or third-party carrier to the address in **4a**, with postage or delivery charge prepaid.

Location of mailbox or third-party carrier: \_\_\_\_\_  
City State

☐ Personal hand delivery at this address:

NOTE: You can only deliver to the party, party's family member over 13 at party's residence, party's lawyer, or party's lawyer's office

Address \_\_\_\_\_  
Street, Apt. #, City, State, and Zip Code

☐ Mail to the address in **4a**, from a prison or jail: \_\_\_\_\_  
Name of Prison or Jail

**This document will be sent on:** Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Month, Day, Year Include AM or PM







# WHAT'S NEXT

## NEXT STEP FOR PERSON FILLING OUT THIS FORM:

If you do not already have a court date for your *Motion*, you will need to get one and file a *Notice of Court Date for Motion*. When you file your *Motion*, ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically. In some counties, you may get the court date when you e-file. Include the court date on your *Notice*.

After you fill out your forms, file them with the Circuit Clerk's office in the county where your case is taking place. Then, send your forms to the other people in the case. Find your Circuit Clerk: [ilcourts.info/CircuitClerks](http://ilcourts.info/CircuitClerks).



Learn more about each step in the process and how to file in our Instructions:

[ilcourts.info/motion-instructions](http://ilcourts.info/motion-instructions).

## NEXT STEP FOR PERSON RECEIVING THIS DOCUMENT:

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](http://ilcourthelp.gov).

If there are any words or terms that you do not understand, please **visit Illinois Legal Aid Online** at [ilao.info/glossary](http://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](http://ilao.info/lshc-directory).



# NOTICE OF COURT DATE FOR MOTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

**COUNTY:** \_\_\_\_\_  
*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

**PLAINTIFF/PETITIONER OR IN RE:** \_\_\_\_\_  
*Who started the case. First, Middle, and Last Name, or Business Name*

**DEFENDANTS/RESPONDENTS:** \_\_\_\_\_  
*Who the case was filed against.*  
\_\_\_\_\_  
*First, Middle, and Last Name, or Business Name*

**Case Number** \_\_\_\_\_



## 1. MOTION TITLE

*Explain in a few words what you are asking the judge to do. This should match the title you write in 1 on the Motion.*

Motion to: \_\_\_\_\_

## 2. COURT DATE INFORMATION

*Information about getting a court date and how to attend is available from the Circuit Clerk. You can find their contact information at [ilcourts.info/CircuitClerks](http://ilcourts.info/CircuitClerks). If you are e-filing in Cook County, you may get the court date when you e-file.*

a. The court date for the *Motion* I filed is scheduled on:

\_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. in \_\_\_\_\_.  
*Month, Day, Year Time Courtroom Number*

*Court dates may be scheduled in-person, remotely or a combination of in-person and remotely. Find out how your court date will be scheduled and provide that information here. Add the Clerk's phone number and website.*

b. Attend court in any of the ways checked:

☐ **In person at:** \_\_\_\_\_  
*Courtroom Address Courtroom Number*

☐ **Remotely** (video or telephone option)

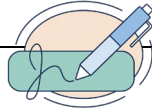
**By video conference at:** \_\_\_\_\_  
*Video Conference Website*

**Log-in information:** \_\_\_\_\_  
*Video Conference Log-in Information, Meeting ID, Password, etc.*

**By telephone at:** \_\_\_\_\_  
*Call-in Number for Telephone Remote Appearance*

To find out more about remote court options:

Phone: \_\_\_\_\_ or Website: \_\_\_\_\_  
*Circuit Clerk's Phone Number Website URL*

**SIGN**Under [Illinois Supreme Court Rule 137](#), your signature means that you:

1) read the document, 2) believe it is true and correct, and 3) are not filing it to cause delay or for another bad reason.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Your Signature /s/ \_\_\_\_\_ Print Your Name \_\_\_\_\_Your Address \_\_\_\_\_  
*Street, Apt. # City State Zip Code*

Your Phone Number \_\_\_\_\_ Attorney Number (if any) \_\_\_\_\_

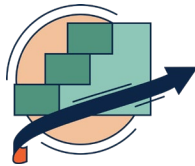
Your Email (if you have one) \_\_\_\_\_

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.**3. PROOF OF DELIVERY**Fill out the information below to show how you are sending this document to the other people in the case. If a person in the case has a lawyer, **you must send this document to their lawyer.****a. I am sending this document to:**Name: \_\_\_\_\_  
*First Middle Last Name*Address: \_\_\_\_\_  
*Street, Apt. # City State Zip Code*

Email Address: \_\_\_\_\_

**By:** ☐ Electronically to the email address in **3a**:☐ By email (*not through an EFSP*).☐ Using an approved electronic filing service provider (EFSP).☐ I or the person I am sending the document to do not have an email address. I am sending the document by:☐ Mail or third-party carrier to the address in **3a**, with postage or delivery charge prepaid.Location of mailbox or third-party carrier: \_\_\_\_\_  
*City State*☐ Personal hand delivery at this address:*NOTE: You can only deliver to the party, party's family member over 13 at party's residence, party's lawyer, or party's lawyer's office*Address \_\_\_\_\_  
*Street, Apt. #, City, State, and Zip Code*☐ Mail to the address in **3a**, from a prison or jail: \_\_\_\_\_  
*Name of Prison or Jail***This document will be sent on:** Date: \_\_\_\_\_ Time: \_\_\_\_\_  
*Month, Day, Year Include AM or PM*





## WHAT'S NEXT

### NEXT STEP FOR PERSON FILLING OUT THIS FORM:

After you fill out your *Motion* and *Notice of Court Date for Motion*, file them with the Circuit Clerk's office in the county where your case is taking place. Then, send your forms to the other people in the case. Find your Circuit Clerk here: [ilcourts.info/CircuitClerks](https://ilcourts.info/CircuitClerks).



Learn more about each step in the process and how to file in our Instructions:  
[ilcourts.info/motion-instructions](https://ilcourts.info/motion-instructions).

### NEXT STEP FOR PERSON RECEIVING THIS DOCUMENT:

For more information about responding to a case and going to court, call or text **Illinois Court Help** at 833-411-1121 or go to [ilcourthelp.gov](https://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](https://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](https://ilao.info/lshc-directory).

# Getting Started

## Small Claims Complaint

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**IMPORTANT:** This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to file a *Small Claims Complaint*. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *HOW TO FILE & SERVE A SMALL CLAIMS COMPLAINT & SMALL CLAIMS SUMMONS* instruction sheet and the instructions on the forms.

<b>Names of forms:</b>	<ul style="list-style-type: none"><li>• <i>Small Claims Complaint</i></li><li>• <i>Additional Reasons (Small Claims Complaint)</i> (if needed)</li><li>• <i>Additional Defendants (Small Claims Complaint)</i> (if needed)</li><li>• <i>Small Claims Summons</i></li><li>• <i>Letter to Sheriff (Serving a Small Claims Summons and Small Claims Complaint)</i></li><li>• <i>Small Claims Order</i></li></ul>
<b>Purpose of the forms:</b>	To sue a person or business for \$10,000 or less.
<b>Types of cases the forms CAN be used for:</b>	These forms can only be used in civil cases seeking money damages in the amount of \$10,000 or less.
<b>Types of cases the forms CANNOT be used for:</b>	Criminal cases, evictions, foreclosures, family cases, injunctions, civil cases seeking more than \$10,000, and all cases asking for something other than money.
<b>Cost to file the forms:</b>	There is a fee for filing. If you cannot afford to pay the filing fee, you can ask the court to file for free or at a reduced cost by filling out and filing the <i>Application for Waiver of Court Fees</i> found at <a href="http://illinoiscourts.gov/documents-and-forms/approved-forms">illinoiscourts.gov/documents-and-forms/approved-forms</a> .
<b>Special information or papers needed to complete the forms:</b>	If you are suing because a person or business has broken a written agreement you have with them, you must attach a copy of the agreement to the <i>Small Claims Complaint</i> , if you have it.
<b>Statutes and rules covering the forms:</b>	<a href="#">Illinois Supreme Court Rules 101, 281-289</a> <a href="#">735 ILCS 5/2-603-606</a>
<b>Where to find the forms and instruction sheet:</b>	<a href="http://illinoiscourts.gov/documents-and-forms/approved-forms">illinoiscourts.gov/documents-and-forms/approved-forms</a>
<b>For more information:</b>	Read the <i>HOW TO FILE &amp; SERVE A SMALL CLAIMS COMPLAINT &amp; SMALL CLAIMS SUMMONS</i> instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local legal self-help center at <a href="http://illinoislegalaid.org">illinoislegalaid.org</a> .

# HOW TO FILE & SERVE A SMALL CLAIMS COMPLAINT & SMALL CLAIMS SUMMONS

**NOTE:** If there are any words or terms used in these instructions that you do not understand, please visit Illinois Legal Aid Online at [illinoislegalaid.org/lexicon/glossary](http://illinoislegalaid.org/lexicon/glossary). 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](http://ilcourthelp.gov).

## What is Small Claims Court?

- Small Claims Court is a place where you can sue a person or business, if the amount you are seeking is \$10,000 or less. The case may be based on an agreement or the fact that someone has harmed you or your property.
- Examples of cases that can be filed in Small Claims Court include:
  - Someone physically injured you or damaged your property and refuses to pay for your loss;
  - Your landlord refuses to return your security deposit;
  - Someone owes you money for work you have done, but refuses to pay you; or
  - You paid for work to be done, but the work was done poorly and the contractor refuses to fix it.

## What can I get in Small Claims Court?

- Small Claims judges can order a judgment only for money.
- The judge cannot require a person or business to do something or stop doing something, or to return property.

## What should I consider before filing a *Small Claims Complaint*?

- Try contacting the other person or business to solve the problem out of court. If you are successful, you save time, effort, and expense. Call or write the other party to explain your position and the settlement you want.
- Consider whether the Defendant has money, income, or property. If the Defendant does not have any money, you may not be able to collect even if the judge decides the Defendant owes you money.

## Who can file a *Small Claims Complaint*?

- Any person 18 years or older may file a *Small Claims Complaint* with or without a lawyer. People under 18 must have a lawyer.
- A corporation can also file a *Small Claims Complaint*. However, it must be represented by a lawyer.

## Does it cost to file a *Small Claims Complaint*?

- Yes. There is a fee to file a *Small Claims Complaint*.
- There are also costs related to filing and serving the *Small Claims Summons*.
- If you cannot afford to pay the filing fee, you can ask the court to file for free or at a reduced cost by filing the *Application for Waiver of Court Fees* found at [ilcourts.info/forms](http://ilcourts.info/forms).

## Who do I file a *Small Claims Complaint* against?

- You cannot collect money against a Defendant who is incorrectly named on the *Small Claims Complaint*.
- Decide if your lawsuit is against a person or a business.
  - If it is against a **person**, use the individual's full name to the best of your knowledge.
  - If it is against an **incorporated business**, use the full legal name and address of the business.
    - To find the full legal name and address of an incorporated business, you can search the online database of the Illinois Secretary of State for the full legal name of the business at [ilsos.gov/departments/business\\_services/business\\_searches.html](http://ilsos.gov/departments/business_services/business_searches.html)
    - Unincorporated businesses, sole proprietorship, or general partnerships will not appear in this database.
  - If it is against an **unincorporated business, sole proprietorship or general partnership**, you should name the owner of the business itself as the Defendant, along with the abbreviation "d/b/a" (doing business as). For example: David D. Donald d/b/a Donald Towing.
    - You can look for the name of the owner of the business on your agreement, the website for the business, signs for the business, or advertisements.
    - If the unincorporated business operates under an assumed name (advertising name, such as "Action Plumbing"), you may be able to find out the name of the owner (whom you must name as the Defendant) by consulting the county clerk or local municipality.

## Where do I file my *Small Claims Complaint*?

- Generally, you must file in the county where the Defendant lives or where the events of the case happened. For example, where the accident occurred, or where the contract was signed.



- A business may be sued in any county where it does business or has an office. You can find out their locations by visiting the business's website or calling them.
- Once you figure out what county to file in, you should file your case with the clerk of the circuit court in that county.
- Filing your claim in the wrong county may result in the judge dismissing your case or transferring it to the correct courthouse. If you are not sure which county is right, talk to a lawyer.

#### What forms do I need?

- **Small Claims Complaint:** This form asks the court for a money judgment and gives information needed to begin the case. The email address (if you have one) and mailing address you put on the *Small Claims Complaint* is where important legal documents will be sent to you. You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.
- **Small Claims Summons:** This form tells each Defendant that you are asking the court for a money judgment.
- **Letter to Sheriff:** You should use this form when suing a Defendant located outside of the county where you file your *Small Claims Complaint* or outside of Illinois.
- **Application for Waiver of Court Fees:** You only need this form if you cannot pay the filing fee (see immediately below). You file the *Application for Waiver of Court Fees* to ask the court to file for free or at a reduced cost.

#### Where can I find the forms I need?

- You can find the forms at [ilcourts.info/forms](http://ilcourts.info/forms).

#### How do I fill out my *Small Claims Complaint*?

- At the top of the *Small Claims Complaint*, write your name as the Plaintiff. Write the name of the person or business you are suing as the Defendant.
- The *Small Claims Complaint* must include the correct legal name, address, and phone number of the Defendant. If you sue an incorporated business, you must use its legal name. This may be different from the name you know it by.
- In paragraph 5 of the *Small Claims Complaint*, write the facts that explain why the Defendant owes you money. You must also include the amount of money you are asking for (must be \$10,000 or less). You do not need to include court costs. The judge may award court costs to the party that wins.
- At the bottom of the *Small Claims Complaint*, you must sign it.

- If the *Small Claims Complaint* is based upon a written document of any kind (like a lease or contract), you must attach a copy of it to the *Small Claims Complaint*. The copy must be readable. If you do not have a copy of it, you must explain why it is not available in the *Small Claims Complaint*.

#### How do I fill out my *Small Claims Summons*?

- **If you are suing an individual:**
  - If you are suing more than 1 Defendant, complete a separate *Small Claims Summons* for each Defendant.
  - You must fill out the top of the *Small Claims Summons* the same way you filled it out on your *Small Claims Complaint*. You will also need the address of the Defendant.
  - The *Small Claims Summons* must include your contact information and the address where the Defendant can be served with the *Small Claims Summons*.
  - Ask the Circuit Clerk for the court date, time, and location (including courtroom, phone, or video conference information) and enter that date in Section 3.
  - Ask the Circuit Clerk for the phone number and website for their office to list in Section 3.
  - To find the phone number for your Circuit Clerk, visit [ilcourts.info/CircuitClerks](http://ilcourts.info/CircuitClerks).
  - You will need to decide how to serve the Defendant. You can have the Circuit Clerk send the *Small Claims Summons* and *Small Claims Complaint* by certified mail. Or, you can have the Sheriff or a special process server serve the Defendant.
- **If you are suing a business:**
  - *First*, find out if it is incorporated. Do this by going to the Illinois Secretary of State's website at [ilsos.gov/departments/business\\_services/business\\_searches.html](http://ilsos.gov/departments/business_services/business_searches.html). If you find the business in the database, look for the full legal name of the business.
  - The business may also have a Registered Agent. A Registered Agent is a person or company who agrees to accept legal papers for an Illinois business. If a business has a Registered Agent, you must serve the Registered Agent.
  - Put the name of the business and the name of the Registered Agent, if any, on the *Small Claims Summons* below "Defendant's address and service information."



- *Second*, if the business is not in this database, you must serve the owner. The owner can be served at their place of business or home. Put the name of the owner on the *Small Claims Summons* below "Defendant's address and service information."
- If you are suing more than 1 Defendant, complete a separate *Small Claims Summons* for each Defendant.
- You must fill out the top of the *Small Claims Summons* the same way you filled it out on your *Small Claims Complaint*.
- The *Small Claims Summons* must include your contact information.
- Ask the Circuit Clerk for the court date, time, and location (including courtroom, phone, or video conference information) and enter that date in Section 3.
- Ask the Circuit Clerk for the phone number and website for their office to list in Section 3.
- You will need to decide how to serve the Defendant. You can have the Circuit Clerk send the *Small Claims Summons* and *Small Claims Complaint* by certified mail. Or, you can have the sheriff or a special process server serve the Defendant.

### **What do I do after I fill out the *Small Claims Complaint* and *Small Claims Summons*?**

#### **Step 1: File your forms with the Circuit Clerk.**

- You must file the *Small Claims Complaint* and *Small Claims Summons* with the Circuit Clerk.

#### **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 "Not E-Filing" below) or
  - your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileLL at [ilcourts.info/efile](http://ilcourts.info/efile).
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at [ilcourts.info/EfileHowTo](http://ilcourts.info/EfileHowTo). When you need to enter the filing code, look for the title of this form in the drop-down menu.
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
  - 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 Clerks' office. These places offer public computers where you can e-file your forms.
  - Depending on your courthouse, you can bring your forms on paper and there may be 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.

#### **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, and it is hard for you to travel.
  - Have trouble reading, writing, or speaking English.
  - Are filing documents in a sensitive case, such as an order of protection.
  - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
- To ask for an exemption from e-filing, use the form at [ilcourts.info/ExemptionCircuit](http://ilcourts.info/ExemptionCircuit). If you cannot print this form, then ask for it at your local courthouse.
  - File your *Certification for Exemption from E-Filing* form 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 to make copies. 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 then send your copies back to you in the envelope.

#### **Step 2: Serve the other party with copies of your *Small Claims Complaint* and *Small Claims Summons*.**

- To "serve" a form means to deliver it to the person you are suing.
- If you are suing more than one person, you must serve every person you are suing.
- You can serve each Defendant in one of three ways: through the Circuit Clerk (see Step 2a), through the sheriff (see Step 2b), or through a special process server (see Step 2c).

### Step 2a: Serve through the Circuit Clerk

- You can have the Circuit Clerk serve the Defendant by mailing your *Small Claims Complaint* and *Small Claims Summons* to them by certified mail. The Circuit Clerk will then fill out the *Proof of Service* section on the *Small Claims Summons*. This is proof that the Defendant was (or was not) served.
- Only the Circuit Clerk, not you, may mail the *Small Claims Complaint* and *Small Claims Summons*.
- This method is less expensive than the other ways to serve the Defendant. Pay the Circuit Clerk the fees for each party or give the Clerk a copy of your *Order for Waiver of Court Fees* (if you have one) to receive a full or partial waiver of the fees.
- If you think the Defendant will not sign the receipt (green card) that shows they got the forms, you may not want to use this method of service.
- If there are multiple Defendants, you must fill out a separate *Small Claims Summons* for each one.

### Step 2b: Serve through the sheriff

- You can have the sheriff serve the Defendant. If there are multiple Defendants, you must fill out a separate *Small Claims Summons* for each one. A deputy will hand-deliver the *Small Claims Complaint* and *Small Claims Summons*. They will then fill out the *Proof of Service* section on the *Small Claims Summons*. This is proof that the Defendant was (or was not) served.
- This method is more expensive than certified mail.
- Attach the *Small Claims Summons* to the front of the copy of your *Small Claims Complaint*.
- In person or by mail, ask the sheriff in the county where the person to be served lives to serve your *Small Claims Summons* and *Small Claims Complaint*.
  - In person:
    - Bring copies of your *Small Claims Summons* and *Small Claims Complaint* to the sheriff's office.
    - Pay the sheriff's fees for each party OR give the sheriff a copy of your *Order for Waiver of Court Fees* (if you have one) to receive a full or partial waiver of the fees.
  - By mail
    - Mail copies of your *Small Claims Summons* and *Small Claims Complaint* to the sheriff's office.
    - Include the *Letter to the Sheriff* found at [ilcourts.info/forms](http://ilcourts.info/forms).
    - Include a self-addressed and stamped envelope for the sheriff to mail the *Proof of Service* to you.
    - Pay the sheriff's fees for each party OR mail the sheriff a copy of your *Order for Waiver of Court Fees* to receive a full or partial waiver of the fees.

- If the Defendant does NOT live in the same county or state where the case was filed:
  - Get the name, address, and telephone number of the sheriff for the county or the state where the Defendant lives.
  - Call the sheriff in that county or state to find out:
    - If it is the correct sheriff's department for the address where you want the other party served;
    - The address where you should bring or mail your *Small Claims Summons* and *Small Claims Complaint*;
    - The number of copies of your *Small Claims Summons* and *Small Claims Complaint* to bring or send; AND
    - The sheriff's fees for service and if they will honor your *Order for Waiver of Court Fees* (if you have one). A sheriff in Illinois must honor it. Sheriffs outside of Illinois do not have to honor it, but they may.

### Step 2c: Serve through a special process server

- If you do not wish to use the sheriff, you may be able to use a special process server to serve the *Small Claims Summons* instead.
- For information about how to use a special process server, see *How to File and Send a Motion to Appoint Special Process Server* at [ilcourts.info/forms](http://ilcourts.info/forms).

### Step 3: Confirm service

- The person who serves the *Small Claims Summons* and *Small Claims Complaint* will fill out the *Proof of Service* section of the *Small Claims Summons*. They will then either file it with the Circuit Clerk or mail it to you.
- If the Circuit Clerk mailed the forms to the Defendant, the receipt (green card) will be mailed back to the Circuit Clerk. You can call the Circuit Clerk to see if the receipt has been returned and whether it shows that the Defendant was served. You may be able to look up this information online if your Circuit Clerk offers this option.
- If the sheriff or special process server files the *Proof of Service* with the Circuit Clerk, call the Circuit Clerk to find out if it has been filed. If it has been filed, ask the Circuit Clerk how to get a copy.
- If the sheriff or special process server mails the *Proof of Service* to you, make a copy for yourself.
  - File the original with the Circuit Clerk.
    - If you e-file the *Proof of Service*, it will already be stamped for your records.
    - If you have an e-filing exemption and you paper file your *Proof of Service*, have the Circuit Clerk stamp your copy.

- If you used the sheriff or a special process server, and they were not able to serve the other party, ask them why. This can happen for a number of reasons. For example:
  - No one was home when the sheriff or process server came;
  - The wrong address was given; OR
  - The Defendant is avoiding service by refusing to answer the door.
  - After learning why the Defendant was not served, you will need to try again. To do this, you fill out another *Small Claims Summons*, check the box for "Alias Summons," and ask the sheriff or special process server to try to serve the Defendant again.

#### Step 4: How to get a court date.

- Ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically.
- If you need to schedule the court date, ask the Circuit Clerk how to do so. The Circuit Clerk may schedule the court date or you may have to speak with other court staff.
- When you get your court date, ask if the court will send notice of the court date to the other party or if you need to.

#### Step 5: Get ready for your court date.

- You may be able to attend the court date by phone or video. This is called a "Remote Appearance." Call the Circuit Clerk or visit their website to find out how to do this. To find the phone number for your Circuit Clerk, visit [ilcourts.info/CircuitClerks](http://ilcourts.info/CircuitClerks).
- Decide and write down:
  - What you want to ask the judge to do for you;
  - What you will say to the judge if asked to tell your side of the case; AND
  - Questions you have for witnesses, including Defendants, if there are any.
- Gather and make copies of pictures and documents you want the judge to see. Bring the original for the judge and one copy for you and each of the Defendants in the case.
- If you want the judge to hear from other people, those people will have to come to court and be witnesses. You cannot use a written statement from the witness instead of having them come in person.

#### Step 6: Go to your court date.

- You may have received a court date or written appearance date from the Circuit Clerk when you filed your *Small Claims Complaint*, or you may have received a written notice later from the Defendant or Circuit Clerk. If you cannot find your court date and time notice, call the Circuit Clerk.

- 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/AllRemoteCourtResources](http://ilcourts.info/AllRemoteCourtResources).

#### **Make sure you know how you are 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/CircuitClerks](http://ilcourts.info/CircuitClerks).

- Bring these items with you to court:
  - Copies of all the documents you filed with the Circuit Clerk.
  - Any witnesses you want to testify.
  - Any documents you want the judge to look at.
  - A photo I.D.
- 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 up to the judge and introduce yourself.

#### Step 7: Present your case.

- You, as Plaintiff, will present your case first. To present your case, tell the judge the facts and details of the case. If you brought witnesses, ask the judge to bring up your witnesses. Ask the witnesses questions about the case so that the judge can hear their answers. Give any evidence, such as paperwork or photos, to the judge. After each witness testifies, the Defendant can question that witness, including you.
- When presenting your case, be brief and stick to the facts. Say what happened in the order it happened. Do not interrupt or argue with any witness. Listen carefully so you can tell the judge why you disagree when it is your turn to speak.
- After you finish presenting your case, the Defendant will present their case. The Defendant may testify, ask questions of witnesses, and present physical

evidence. You may question each of the Defendant's witnesses, including the Defendant.

- If the judge asks you questions, answer them clearly and directly. Show respect to everyone in the courtroom, including the Defendant.
- After hearing both sides, the judge will make a decision called a judgment and put it in writing in the *Small Claims Order* or write their own order. The judge may award you all or part of the money claimed or find that the Defendant does not owe you any money.
- Get a copy of the *Order* before you leave the courtroom.
- The *Order* often requires the losing party to pay the winning party's court costs.
- Just because the judge gives you an *Order*, it does not mean you will be paid the money. If you are not paid, then you must then take steps to enforce the *Order*. For information on how to do this, see the *Post Judgment Collection* forms at [ilcourts.info/forms](http://ilcourts.info/forms).

**Step 8: After the *Small Claims Order* is entered**

- If you win the case, the Defendant owes you the amount on the *Order*.
- If you lose, you have 30 days to file a *Motion* for the judge to reconsider the ruling or file an appeal to a higher court.
- You can use the *Motion* form found here for a motion to reconsider or the forms on the Appeals tab to file an appeal: [ilcourts.info/forms](http://ilcourts.info/forms).

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  _____ <b>COUNTY</b>		<b>SMALL CLAIMS SUMMONS</b>	<i>For Court Use Only</i>
<b>Instructions ▼</b>	<b>Plaintiff</b> (First, middle, last name) _____  v.  <b>Defendants</b> (First, middle, last name or business name): _____ _____ _____  <input type="checkbox"/> <b>Alias Summons</b> (Check this box if this is not the 1 <sup>st</sup> Summons issued for this Defendant.)		<b>Case Number</b> _____
Directly above, enter the name of the county where you are filing the case.			
Enter your name as Plaintiff.			
Enter the names of all people or businesses you are suing as Defendants.			
Enter the Case Number given by the Circuit Clerk and the amount Defendants owe to you.			<b>Amount Owed: \$</b> _____ Enter amount of money owed to you as entered in section 3 of your complaint.

### IMPORTANT: You have been sued.

- Read all documents attached to this *Summons*.
- You **MUST** attend court on the date in this *Summons*. If you do not, the judge may decide the case without hearing from you. This is called “default.” As a result, you could lose the case.
- You may have to file a document called an *Appearance* that officially informs the court that you would like to participate in the case. If you do not file required court documents on time, the judge may decide the case without hearing from you. This is called “default.” As a result, you could lose the case.
- You do not have to file a document called an *Answer/Response* in a small claims case unless ordered to by the judge.
- All documents referred to in this Summons can be found at [ilcourts.info/forms](http://ilcourts.info/forms). Other documents may be available from your local Circuit Court Clerk’s office or website.
- After you fill out the necessary documents, you need to electronically file (e-file) them with the court. To e-file, you must create an account with an e-filing service provider. For more information, go to [ilcourts.info/efiling](http://ilcourts.info/efiling). If you cannot e-file, you can get an exemption that allows you to file in-person or by mail.
- You may be charged filing fees, but if you cannot pay them, you can file an *Application for Waiver of Court Fees*.
- It is possible that the court will allow you to attend the first court date in this case in-person or remotely by video or phone. Contact the Circuit Court Clerk’s office or visit the Court’s website to find out whether this is possible and, if so, how to do this.
- Need help? Call or text Illinois Court Help at 833-411-1121 or go to [ilcourthelp.gov](http://ilcourthelp.gov) for information about going to court, including how to fill out and file documents. You can also get free legal information and legal referrals at [illinoislegalaid.org](http://illinoislegalaid.org). All documents referred to in this Summons can be found at [ilcourts.info/forms](http://ilcourts.info/forms). Other documents may be available from your local Circuit Court Clerk’s office or website.
- ¿Necesita ayuda? Llame o envíe un mensaje de texto a Illinois Court Help al 833-411-1121, o visite [ilcourthelp.gov](http://ilcourthelp.gov) para obtener información sobre los casos de la corte y cómo completar y presentar formularios.

**Plaintiff:** If you are suing more than 1 Defendant, fill out a *Small Claims Summons* form for each Defendant.

In 1a, enter the name and address of a Defendant. If you are serving a Registered Agent, include the Registered Agent’s name and address here.	<b>1. Defendant's address and service information:</b>
	a. Defendant's primary address/information for service:
	Name (First, Middle, Last): _____
	Registered Agent's name, if _____
	Street Address, Apt #: _____
	City, State, ZIP: _____
	Telephone: _____
	Email Address: _____



In **1b**, enter a second address for Defendant if you have one.

In **1c**, check how you are sending your documents to that Defendant.

In **2**, enter your contact information.

Enter your complete address, telephone number, and email address, if you have one.

- b. If you have more than one address where Defendant might be found, list that here:

Name (First, Middle, Last): \_\_\_\_\_  
 Street Address, Apt #: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

- c. Method of service on Defendant

☐ certified copy by certified or registered mail ☐ sheriff OR  
☐ special process server

**2. Contact information for the Plaintiff:**

Name (First, Middle, Last): \_\_\_\_\_  
 Street Address, Apt #: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**GETTING COURT DOCUMENTS BY EMAIL:** You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

**Important information for the person receiving this Small Claims Summons (Defendant):**

You have been sued. Read all the documents attached to this *Small Claims Summons*.

You must attend court on the court date below. The judge may want to have a trial on that day. If you do not attend, you could lose the case. If you are not ready for trial on your court date, you may ask the judge for more time. The judge does not have to give you more time.

In **3**, the plaintiff should enter:

- The court date and time (this will be a date 40-61 days from filing).
- The address of the courthouse.
- The call-in or video conference information for remote appearances (if applicable).
- The clerk's phone number and website.

All of this information is available from the Circuit Clerk.

For more information about how to complete **3**, see *How to File & Serve a Small Claims Complaint* at [ilcourts.info/forms](http://ilcourts.info/forms).

**STOP!**

The Circuit Clerk will fill in this section.

**STOP!**

The officer or process server will fill in the Date of Service.

**3. Instructions for the person receiving this Small Claims Summons (Defendant):**

You must attend court on the date below:

\_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. in \_\_\_\_\_  
 Date Time Courtroom

**In-person at:**

\_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Courthouse Address

OR

**Remotely** (you may be able to attend this court date by phone or video conference. This is called a "Remote Appearance.")

By telephone: \_\_\_\_\_  
 Call-in number for telephone remote appearance

By video conference: \_\_\_\_\_  
 Video conference website

\_\_\_\_\_ Video conference log-in information (meeting ID, password, etc)

Call the Circuit Clerk at: \_\_\_\_\_ or visit their website  
 Circuit Clerk's phone number

at: \_\_\_\_\_ to find out more about how to do this.  
 Circuit Clerk's website

**Witness this Date:** \_\_\_\_\_

Seal of Court

**Clerk of the Court:** \_\_\_\_\_

Date of \_\_\_\_\_  
 (Date to be entered by an officer or process server on the copy of this Summons left with the Defendant or other person.)

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  _____ <b>COUNTY</b>		<b>PROOF OF SERVICE OF SMALL CLAIMS SUMMONS &amp; SMALL CLAIMS COMPLAINT</b>	<i>For Court Use Only</i>
<b>Instructions ▼</b>	<b>Plaintiff</b> (First, middle, last name) _____  v.  <b>Defendants</b> (First, middle, last name or business name): _____ _____ _____  <input type="checkbox"/> <b>Alias Summons</b> (Check this box if this is not the 1st Summons issued for this Defendant.)		<b>Case Number</b> _____
Directly above, enter the name of the county where you are filing the case.			
Enter your name as Plaintiff.			
Enter the names of all people or businesses you are suing as Defendants.			
Enter the Case Number given by the Circuit Clerk.			

**\*STOP. Do not complete the rest of this form. The Circuit Clerk, sheriff, or special process server will fill in the form.\***

**My name is** \_\_\_\_\_, **and I state:**  
*First, Middle, Last*

☐ **that I served the *Small Claims Summons* and *Small Claims Complaint* on the Defendant,**  
\_\_\_\_\_ **as follows:**

*First, Middle, Last*

**By Circuit Clerk:**

☐ By certified mail mailed by the Circuit Clerk:  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
Street Address, Unit #: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

**By sheriff or special process server:**

☐ Personally on the Defendant:  
☐ Male ☐ Female ☐ Non-Binary Approx. Age: \_\_\_\_\_ Race \_\_\_\_\_  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
Street Address, Unit #: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

☐ On someone else at the Defendant's home who is at least 13 years old and is a family member or lives there:  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
Street Address, Unit #: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_  
And left it with: \_\_\_\_\_

*First, Middle, Last*

☐ Male ☐ Female ☐ Non-Binary Approx. Age: \_\_\_\_\_ Race \_\_\_\_\_

and by sending a copy to this Defendant in a postage-paid, sealed envelope to the above address on \_\_\_\_\_  
*Date*

☐ On the Corporation's agent, \_\_\_\_\_  
*First, Middle, Last*  
☐ Male ☐ Female ☐ Non-Binary Approx. Age: \_\_\_\_\_ Race \_\_\_\_\_  
On this date: \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
Street Address, Unit #: \_\_\_\_\_  
City, State, ZIP: \_\_\_\_\_

☐ **I was not able to serve the *Small Claims Summons* and *Small Claims Complaint* on the Defendant,**

\_\_\_\_\_  
First, Middle, Last

I made the following attempts to serve the *Small Claims Summons* and *Small Claims Complaint* on the Defendant:

1. On this \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 Street Address, Unit #: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Other information about service attempt: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
2. On this \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 Street Address, Unit #: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Other information about service attempt: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
3. On this \_\_\_\_\_ at this time: \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 Street Address, Unit #: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Other information about service attempt: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**DO NOT** complete this section. The sheriff or private process server will complete it.

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

**If you are a special process server, or licensed private detective, your signature certifies that everything on the *Proof of Service of Small Claims Summons & Small Claims Complaint* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.**

**By:**

\_\_\_\_\_  
*Signature by* ☐ Sheriff  
☐ *Special process server/*  
 licensed private  
 detective

**FEES**

By certified registered mail: \$ \_\_\_\_\_  
 Service and Return: \$ \_\_\_\_\_  
 Miles: \$ \_\_\_\_\_  
 Total \$ \_\_\_\_\_

\_\_\_\_\_  
*Print Name*

If *Summons* is served by licensed private detective or private detective agency:

License Number: \_\_\_\_\_