

Rule 291. Proceedings Under the Administrative Review Law

(a) Form of Summons. The summons in proceedings under the Administrative Review Law shall be prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

(b) Service. The clerk shall promptly serve each defendant by mailing a copy of the summons by registered or certified mail as provided in the Administrative Review Law. Not later than 5 days after the mailing of copies of the summons, the clerk shall file a certificate showing that the defendants were served by registered or certified mail pursuant to the provisions of the Administrative Review Law.

(c) Appearance. The defendant shall appear not later than 35 days after the date the summons bears.

(d) Other Rules Applicable. Rules 181(b), 182(b), 183, and 184 shall apply to proceedings under the Administrative Review Law.

(e) Record on Appeal. The answer of the administrative agency, consisting of the record of proceedings (including the evidence and exhibits, if any) had before the administrative agency, shall be incorporated in the record on appeal unless the parties stipulate to less, or the trial court after notice and hearing, or the reviewing court, orders less.

Amended July 30, 1979, effective October 15, 1979; amended May 28, 1982, effective July 1, 1982; amended April 27, 1984, effective July 1, 1984; amended October 30, 1992, effective November 15, 1992; amended May 30, 2008, effective immediately; amended Dec. 9, 2015, eff. Jan. 1, 2016; amended Dec. 29, 2017, eff. Jan. 1, 2018.

Committee Comments (Revised April 27, 1984)

As originally adopted, Rule 291 carried forward the provisions of former Rule 71 without substantial change. Paragraphs (a) through (d) remain as originally adopted. In 1979, paragraph (e) was amended in four respects. First, language was added to make it clear that the exhibits, as well as any other “evidence,” constitute a part of the record of proceedings had before the administrative agency. Second, it was provided that the parties may stipulate for inclusion in the record on appeal of less than the full record of proceedings. Third, it was provided that, if the trial court orders less, it must do so after notice and hearing. Fourth, it was provided that the reviewing court, without notice and hearing, may order less.

Section 3-105 of the Code of Civil Procedure was amended, effective July 13, 1982, and, in 1984, paragraph (b) of this rule was amended to allow service of summons by certified mail, as well as registered mail.