

M.R. 3140

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered June 26, 2018.

(Deleted material is struck through, and new material is underscored.)

Effective July 1, 2018, Illinois Supreme Court Rule 16 is adopted, and Rule 101, Rule 313, the Article II Forms Appendix, and the Article III Forms Appendix are amended, as follows.

New Rule 16

Rule 16. Certification Instead of Notarization

Any affidavit filed under oath in any court of this State may be made by certification set forth in section 1-109 of the Illinois Code of Civil Procedure (735 ILCS 5/1-109).

Adopted June 26, 2018, eff. July 1, 2018.

Amended Rule 101

Rule 101. Summons and Original Process—Form and Issuance

(a) General. The summons shall be issued under the seal of the court, identifying the name of the clerk. The summons shall clearly identify the date it is issued, shall be directed to each defendant, and shall bear the information required by Rule 131(d) for the plaintiff's attorney or the plaintiff if not represented by an attorney. All summons issued in civil cases in Illinois must contain the following language:

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

(b) Summons Requiring Appearance on Specified Day.

(1) In an action for money not in excess of \$50,000, exclusive of interest and costs, or in any action subject to mandatory arbitration where local rule prescribes a specific date for appearance, the summons shall require each defendant to appear on a day specified in the summons not less than 21 or more than 40 days after the issuance of the summons (see Rule 181(b)), and shall be prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

(2) In any action for forcible detainer or for recovery of possession of tangible personal

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property, the summons shall be in the same form, but shall require each defendant to appear on a day specified in the summons not less than ~~seven~~⁷ or more than 40 days after the issuance of summons.

(3) If service is to be made under section 2-208 of the Code of Civil Procedure the return day shall be not less than 40 days or more than 60 days after the issuance of summons, and no default shall be taken until the expiration of 30 days after service.

(c) Summons in Certain Other Cases in Which Specific Date for Appearance is Required. In all proceedings in which the form of process is not otherwise prescribed and in which a specific date for appearance is required by statute or by rules of court, the form of summons shall conform as nearly as may be to the form set forth in paragraph (b) hereof.

(d) Summons Requiring Appearance Within 30 Days After Service. In all other cases the summons shall require each defendant to file his answer or otherwise file his appearance within 30 days after service, exclusive of the day of service (see Rule 181(a)), and shall be prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

(e) Summons in Cases under the Illinois Marriage and Dissolution of Marriage Act. In all proceedings under the Illinois Marriage and Dissolution of Marriage Act, the summons shall include a notice on its reverse side referring to a dissolution action stay being in effect on service of summons, and shall state that any person who fails to obey a dissolution action stay may be subject to punishment for contempt, and shall include language:

(1) restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party; and

(2) restraining both parties from concealing a minor child of either party from the child's other parent. The restraint provided in this subsection (e) does not operate to make unavailable any of the remedies provided in the Illinois Domestic Violence Act of 1986.

(f) Waiver of Service of Summons. In all cases in which a plaintiff notifies a defendant of the commencement of an action and requests that the defendant waive service of summons under section 2-213 of the Code of Civil Procedure, the request shall be in writing prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

(g) Use of Wrong Form of Summons. The use of the wrong form of summons shall not affect the jurisdiction of the court.

Amended effective August 3, 1970, July 1, 1971, and September 1, 1974; amended May 28, 1982, effective July 1, 1982; amended October 30, 1992, effective November 15, 1992; amended January 20, 1993, effective immediately; amended December 30, 1993, effective January 1, 1994; amended February 1, 1996, effective immediately; amended May 30, 2008, effective immediately; amended Dec. 9, 2015, eff. Jan. 1, 2016; amended Aug. 16, 2017, eff. immediately; amended Dec. 29, 2017, eff. Jan. 1, 2018; amended June 26, 2018, eff. July 1, 2018.

Committee Comments

(Revised September 1, 1974)

As adopted in 1967, Rule 101 was derived from former Rule 2, with changes in paragraph (b). Paragraph (b) was inserted in former Rule 2, effective January 1, 1964, to provide, for relatively small cases, the form of summons that had been in use in the Municipal Court of Chicago prior to that date. In cases up to \$10,000, the time was changed to not less than 21 or more than 40 days. Effective August 3, 1970, the \$10,000 limit was changed to \$15,000. The appearance day in small claims is covered by Rule 283.

The appearance day in forcible entry and detainer cases was left at not less than seven or more than 40 days. To conform the practice to the requirements of notice in actions seeking restoration of property wrongfully detained, set forth by the Supreme Court of the United States in *Fuentes v. Shevin* (1972), 407 U.S. 67, subparagraph (b)(2) of the rule was amended in 1974 to provide for a summons in such cases returnable on a day specified in the summons, not less than seven or more than 40 days from issuance, as in forcible entry and detainer cases. Under the rule as amended, independent of the statutory remedy of replevin, a party seeking return of personal property may proceed in an action in the nature of an action in detinue at common law, and serve process in the manner provided.

Subparagraph (b)(3), added to former Rule 2 in 1964 and carried forward into Rule 101 in 1967, set 40 days as the return day on service made under section 16 of the Civil Practice Act. Effective July 1, 1971, this provision was amended to substitute for "40 days" the somewhat more flexible provision "not less than 40 days or more than 60 days."

The provision of paragraph (b) of this rule permitting specific instructions under the heading "Notice to Defendant" has probably not been adequately implemented by the judges of the trial courts. It is the committee's view that the summons should give as much specific information to the defendant as possible. For instance, the particular court room number and place of holding court ought to be given. Instructions regarding the method of entering an appearance and a statement whether an answer must be filed with the appearance, or the date for filing an answer after an appearance, can be stated in the "Notice to Defendant." Rule 181, relating to appearance, expressly recognizes that the "Notice to Defendant" under Rule 101(b) is controlling.

In 1974, paragraph (d) was amended to insert in the specimen summons reference to the fact that a copy of the complaint is attached, thus conforming the language of the summons under paragraph (d) in this respect to the language in the summons under paragraph (b).

Amended Rule 313

Rule 313. Fees in the Reviewing Court

(a) Docket Fees. Unless excused by law, in all cases docketed in the reviewing court all appellants or petitioners shall pay a filing fee of \$50.00, and all other parties upon entry of appearance or filing any document shall pay a fee of \$30.00. Any non-party in a case filing any paper, including a motion for leave to file a brief *amicus curiae* pursuant to Rule 345, shall pay a fee of \$30.

(b) Document Request Fees. The clerks of the reviewing courts shall charge a fee of 25 cents per page for providing documents filed in their respective offices, except that the clerks

shall furnish opinions or orders to parties in interest or their attorneys of record without cost. In furtherance of the public interest, the clerk may furnish opinions or orders to other individuals or entities without cost. The fee shall apply to both physical paper output and electronic delivery of documents.

The clerks may allow a requestor to use personal equipment, such as a portable scanner or camera, to obtain scans or images of filed documents and shall charge no fee for such access. When considering such requests, the clerk shall determine whether the equipment is likely to cause damage to the documents and whether the equipment and/or request will interfere with the clerk's office operations. Automatic feed features or stack feeders are not permitted.

(c) Certificate and Seal. The fee for each official certificate and seal is \$5.

(d) Law License. In the Supreme Court, the fee for preparing a law license, certifying it with the seal, administering the oath, and transcribing the name on the roll of attorneys is \$50. The fee for a replacement law license shall be \$25.

(e) Attorney Certificates of Good Standing. In the Supreme Court, the fee for an attorney certificate of good standing shall be \$15. If multiple certificates for the same attorney are requested, each additional certificate shall be \$5.

(f) Application for Waiver of Fees in the Reviewing Court. An applicant for a waiver of fees in the reviewing court shall use the "Application for Waiver of Court Fees (Appellate Court)" or the "Application for Waiver of Court Fees (Supreme Court)" adopted by the Illinois Supreme Court Access to Justice Commission, which can be found in Article III Forms Appendix. In all other respects, the provisions of Rule 298 shall apply in the reviewing court.

Adopted December 17, 1993, effective February 1, 1994; amended Jan. 23, 2014, eff. Jan. 1, 2015; amended Dec. 7, 2015, eff. July 1, 2016; amended June 22, 2017, eff. July 1, 2017; amended June 26, 2018, eff. July 1, 2018.

Commentary
(December 17, 1993)

Because the authority for collecting reviewing court fees is contained in statutory provisions (see 30 ILCS 220/12 (West 1992); 705 ILCS 25/3 (West 1992)), a fee rule is provided for informational purposes.

Amended Article II Forms Appendix

Rule 101. Summons and Original Process-Form and Issuance

(b) Summons Requiring Appearance on Specified Day.

In the Circuit Court of the _____ Judicial Circuit, _____ County,
Illinois
(Or, In the Circuit Court of Cook County, Illinois)

A.B., C.D., etc.
(naming all plaintiffs),

Plaintiffs,

v.

No. _____

Amount Claimed _____

H.J., K.L. *etc.*,

(naming all defendants),

Defendants

SUMMONS

To each defendant:

You are hereby summoned and required to appear before this court at _____ at _____ o'clock _____ M., on _____ 20 , to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with indorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

Witness _____

(Seal of Court)

Clerk of Court Plaintiff's

Attorney (or plaintiff, if he is not represented by attorney)

Address Telephone _____
No. _____
Facsimile Telephone No. _____
E-mail Address _____

(If service by facsimile transmission will be accepted, the telephone number of the plaintiff or plaintiff's attorney's facsimile machine is additionally required.)

Date of service _____, 20 (to be inserted by officer on copy left with defendant or other person).

NOTICE TO DEFENDANTS

[Here simple and specific instructions, conforming to local practice, shall be set out outlining procedure for appearance and trial of the type of case covered by the summons.]

(2) In any action for forcible detainer or for recovery of possession of tangible personal property, the summons shall be in the same form, but shall require each defendant to appear on a day specified in the summons not less than seven or more than 40 days after the issuance of summons.

(3) If service is to be made under section 2-208 of the Code of Civil Procedure the return day shall be not less than 40 days or more than 60 days after the issuance of summons, and no default shall be taken until the expiration of 30 days after service.

(d) Summons Requiring Appearance Within 30 Days After Service.

In the Circuit Court of the _____ Judicial Circuit, _____ County,
Illinois (Or, In the Circuit Court of Cook County, Illinois)

A.B., C.D., *etc.*
(naming all plaintiffs),

Plaintiffs,

v.

No. _____

H.J., K.L. *etc.*,
(naming all defendants), Defendants

SUMMONS

To each defendant:

You are summoned and required to file an answer to the complaint in this case, a copy of

which is hereto attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with indorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

Witness _____

(Seal of Court)

Clerk of Court Plaintiff's

Attorney (or plaintiff, if he is not represented by attorney)

Address Telephone _____

No. _____

Facsimile Telephone No. _____

E-mail Address _____

(If service by facsimile transmission will be accepted, the telephone number of the plaintiff or plaintiff's attorney's facsimile machine is additionally required.)

Date of service, 20 (to be inserted by officer on copy left with defendant or other person).

Rule 108. Explanation of Rights of Heirs and Legatees When Will Admitted or Denied Probate

(a) Wills Originally Proved.

Form 1

Notice to Heirs and Legatees

Attached to this notice are copies of a petition to probate a will and an order admitting the will to probate. You are named in the petition as an heir or legatee of the decedent.

Within 42 days after the effective date of the original order of admission, you may file a petition with the court to require proof of the will by testimony of the witnesses to the will in open court or other evidence, as provided in section 6-21 of the Probate Act of 1975 (755 ILCS 5/6-21).

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

You also have the right under section 8-1 of the Probate Act of 1975 (755 ILCS 5/8-

1) to contest the validity of the will by filing a petition with the court within 6 months after admission of the will to probate.

Form 2

Notice to Heirs and Legatees

Attached to this notice are copies of a petition to probate a will and an order denying admission of the will to probate. You are named in the petition as an heir or legatee of the decedent.

You have the right under section 8-2 of the Probate Act of 1975 (755 ILCS 5/8-2) to contest the denial of admission by filing a petition with the court within 6 months after entry of the order of denial.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Form 3

Notice to Heirs and Legatees

Notice is given to _____ (names), who are heirs or legatees in the above proceeding to probate a will and whose name or address is not stated in the petition to admit the will to probate, that an order was entered by the court on _____, admitting the will to probate.

Within 42 days after the effective date of the original order of admission you may file a petition with the court to require proof of the will by testimony of the witnesses to the will in open court or other evidence, as provided in section 6-21 of the Probate Act of 1975 (755 ILCS 5/6-21).

You also have the right under section 8-1 of the Probate Act of 1975 (755 ILCS 5/8-1) to contest the validity of the will by filing a petition with the court within 6 months after admission of the will to probate.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Form 4

Notice to Heirs and Legatees

Notice is given to _____ (names), who are heirs or legatees in the above proceeding to probate a will and whose name or address is not stated in the petition to admit the will to probate, that an order was entered by the court on _____, denying admission of the will to probate.

You have the right under section 8-2 of the Probate Act of 1975 (755 ILCS 5/8-2) to contest the denial of admission by filing a petition with the court within 6 months after entry of the order of denial.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

(b) Foreign Wills Proved by Copy.

Form 1

Notice to Heirs and Legatees

Attached to this notice are copies of a petition to probate a foreign will and an order

admitting the foreign will to probate. You are named in the petition as an heir or legatee of the decedent.

You have the right under section 8-1 of the Probate Act of 1975 (755 ILCS 5/8-1) to contest the validity of the foreign will by filing a petition with the court within 6 months after admission of the foreign will to probate.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Form 2

Notice to Heirs and Legatees

Attached to this notice are copies of a petition to probate a foreign will and an order denying admission of that foreign will to probate. You are named in the petition as an heir or legatee of the decedent.

You have the right under section 8-2 of the Probate Act of 1975 (755 ILCS 5/8-2) to contest the denial of admission by filing a petition with the court within 6 months after entry of the order of denial.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Form 3

Notice to Heirs and Legatees

Notice is given to _____ (names), who are heirs or legatees in the above proceeding to probate a foreign will and whose name or address is not stated in the petition to admit the foreign will to probate, that an order was entered by the court on _____, admitting the foreign will to probate.

You have the right under section 8-1 of the Probate Act of 1975 (755 ILCS 5/8-1) to contest the validity of the foreign will by filing a petition with the court within 6 months after admission of the foreign will to probate.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

<http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Form 4

Notice to Heirs and Legatees

Notice is given to _____ (names), who are heirs or legatees in the above proceeding to probate a foreign will and whose name or address is not stated in the petition to admit the foreign will to probate, that an order was entered by the court on _____, denying admission of the foreign will to probate.

You have the right under section 8-2 of the Probate Act of 1975 (755 ILCS 5/8-2) to contest the denial of admission by filing a petition with the court within 6 months after entry of the order of denial.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Rule 110. Explanation of Rights in Independent Administration; Form of Petition to Terminate

Rights of Interested Persons During Independent Administration; Form of Petition to Terminate Administration

A copy of an order is enclosed granting independent administration of decedent's estate. This means that the executor or administrator will not have to obtain court orders or file estate documents in court during probate. The estate will be administered without court supervision, unless an interested person asks the court to become involved.

Under section 28-4 of the Probate Act of 1975 (755 ILCS 5/28-4) any interested person may terminate independent administration at any time by mailing or delivering a petition to terminate to the clerk of the court. E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

However, if there is a will which directs independent administration, independent administration will be terminated only if the court finds there is good cause to require supervised administration; and if the petitioner is a creditor or nonresiduary legatee, independent administration will be terminated only if the court finds that termination is

necessary to protect the petitioner's interest.

A petition in substantially the following form may be used to terminate independent administration:

In the Circuit Court of the _____ Judicial Circuit,
_____ County, Illinois
(Or, In the Circuit Court of Cook County, Illinois)

In re Estate of _____, Deceased
(name of decedent)

No. _____

Petition to Terminate Independent Administration

_____, on oath states:

1. On _____

_____, 20____, an order was entered granting independent administration to _____
_____. (executor)
(administrator) as independent

2. I am an interested person in this estate as

(heir) (nonresiduary legatee) (residuary legatee) (creditor) (representative)

*3. The will _____ direct independent
administration. (does) (does not)

4. I request that independent administration be terminated.

(Signature of petitioner)

Signed and sworn to before me

_____, 20____

*Strike if no will.

Notary Public

In addition to the right to terminate independent administration, any interested person may petition the court to hold a hearing and resolve any particular question that may arise during independent administration, even though supervised administration has not been

requested (755 ILCS 5/28-5). The independent representative must mail a copy of the estate inventory and final account to each interested person and must send notice to or obtain the approval of each interested person before the estate can be closed (755 ILCS 5/28-6, 28-11). Any interested person has the right to question or object to any item included in or omitted from an inventory or account or to insist on a full court accounting of all receipts and disbursements with prior notice, as required in supervised administration (755 ILCS 5/28-11).

Rule 113. Practice and Procedure in Mortgage Foreclosure Cases

(c) Prove-up Affidavits.

Form 1

IN THE CIRCUIT COURT OF THE____JUDICIAL
CIRCUIT FOR____COUNTY, ILLINOIS

_____	)	
Plaintiff(s)	)	
v.	)	Case. No. _____
_____	)	
Defendant(s)	)	

AFFIDAVIT OF AMOUNTS DUE AND OWING

I, _____, am a _____
of _____

_____. I have authority to make this statement on its behalf
because _____

_____ (identify whether you are a
custodian of records or a person familiar with the business and its mode of operation; if you
are a person familiar with the business and its mode of operation, explain how you are
familiar with the business and its mode of operation). If called to testify at the trial of
this matter, I could competently testify as to the facts contained in this affidavit.

[If the loan was previously serviced by another entity, the affidavit should provide as
follows for the most recent transfer of servicing rights:_____(name of the bank) acquired
the servicing rights for the Defendant's loan on _____ (date) from _____ (name of the
prior institution). At the time of this transfer, the Defendant's loan was _ (current, or state
the amount by which the loan was in default at the time of the transfer).]

The amount due is based on my review of the following records:

_____. A true and accurate copy of
the payment history and any other document I reviewed when making this calculation is
attached to this affidavit (this sentence would only be included if applicable). (name of the
bank) uses _____ (name of the computer

program/software) to automatically record and track mortgage payments. This type of tracking and accounting program is recognized as standard in the industry. When a mortgage payment is received, the following procedure is used to process and apply the payment, and to create the records I reviewed: _____ (include the source of the information, method and time of preparation of the record to establish that the computer program produces an accurate record).

The record is made in the regular course of _____'s (name of bank) business. In the case at bar, the entries reflecting the Defendant's payments were made in accordance with the procedure detailed above, and these entries were made at or near the time that the payment was received.

_____ (name of the computer program/software) accurately records mortgage payments when properly operated. In the case at bar, _____ (name of the computer program/software) was properly operated to accurately record the Defendant's mortgage payments.

Based on the foregoing, _____ failed to pay amounts due under the Note, and the amount due and owing as of _____ is:

Principal \$ _____

Interest \$ _____

Pro Rata MIP/PMI \$ _____

Escrow Advance \$ _____

Late Charges \$ _____

NSF Charges \$ _____

Property Maintenance \$ _____

Property Inspections \$ _____

BPO \$ _____

GROSS AMOUNT DUE \$ _____

Less/Plus balance in reserve accounts
\$ _____

NET AMOUNT DUE \$ _____

AFFIANT STATES NOTHING MORE.

BY: _____

Affiant

Subscribed and sworn to before me this

____ day of _____, _____ By _____

Notary Public

State of [_____]

My Commission expires: _____, _____ Personally

Known _____ OR Produced Identification _____. Type of identification produced: _____.

If executed within the boundaries of Illinois, the affidavit
may be signed pursuant to section 1-109 of the Illinois Code of
Civil Procedure (735 ILCS 5/1-109) rather than being notarized.

(d) Defaults.

Form 2

IN THE CIRCUIT COURT OF THE _____ JUDICIAL
CIRCUIT FOR _____ COUNTY, ILLINOIS

Plaintiff(s)
v. _____) Case. No. _____
_____))
Defendant(s) _____)

NOTICE OF ENTRY OF DEFAULT AND JUDGMENT OF FORECLOSURE

To: _____

This notice is to advise you of recent activity in the mortgage foreclosure lawsuit now pending in the Circuit Court. DO NOT IGNORE THIS NOTICE. YOU SHOULD ACT IMMEDIATELY.

The Circuit Court has entered an Order of Default and a Judgment of Foreclosure and Sale against you in your case concerning the property located at [insert address].

You may be entitled to file a Motion to Vacate this order. Any such motion should be filed as soon as possible.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

[If applicable] You may redeem the property from foreclosure by paying
\$_____, which is the total amount due plus fees and costs, by [insert day].

[If applicable] If you need legal advice, you may contact _____ for free legal advice.

[NAME OF CLERK]

Clerk of the Circuit Court of County [Contact information]

(g) Special Notice of Surplus Funds.

Form 3

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT FOR
_____ COUNTY, ILLINOIS

Plaintiff(s)

v.

) Case. No. _____

)

Defendant(s)

)

SPECIAL NOTICE OF SURPLUS FUNDS

To: _____

There is \$ _____

remaining after the sale of your property at [insert address of property sold]. You may be entitled to this money.

If you want to obtain this money, you need to:

(1) Complete the enclosed form.

(2) Take the completed form to the Clerk of the Circuit Court [insert the information for the Clerk of the Circuit Court in which the case is pending]. E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

(3) Schedule a date to present the paperwork to the judge.

(4) Mail a copy of the completed form, at least five business days before the date with the judge, to: [insert service list].

(h) Petition for Turnover of Surplus Funds.

Form 4

IN THE CIRCUIT COURT OF THE _____ JUDICIAL
CIRCUIT FOR _____ COUNTY, ILLINOIS

_____))
 Plaintiff(s))
 v.) Case. No. _____
 _____))
 Defendant(s))

NOTICE OF MOTION AND PETITION FOR TURNOVER OF SURPLUS FUNDS TO:

On _____ ,
 , at _____
 a.m./p.m. or as soon _____
 thereafter as counsel may be heard, I shall appear before the Honorable _____
 or any Judge sitting in that Judge's stead, in the courtroom usually occupied by him/her,
 located at _____, Illinois, and present:

PETITION FOR TURNOVER OF SURPLUS FUNDS
 (with Appearance)

Now come(s) _____, and move(s) this Court for entry of an order turning over the surplus proceeds from the foreclosure sale. In support of this Petition, Petitioner(s) state(s) as follows:

- (1) All parties to this proceeding have been given notice of this Petition.
- (2) The subject property was sold at a foreclosure sale for more than the amount owed the mortgage company and the sale was approved by the Court on ____ / ____ / ____.
- (3) There is a surplus remaining after all sums are paid in the amount of \$_____.
- (4) Petitioner(s) is/are a party/parties to the foreclosure case and has/have filed an appearance in the case.
- (5) Petitioner's/Petitioners' interest in the property is (select one, and attach any supporting documents): Owner(s)/Mortgagor(s); Judgment Creditor; Lien Holder; Other (please specify):_____.
- (6) If Petitioner(s) is/are not the Mortgagor(s), judgment for the Petitioner(s) has been proved up in the amount of \$_____.
- (7) Pick one:
☐ Petitioner(s) has/have a bankruptcy case pending in Bankruptcy Court and

has/have ATTACHED a copy of the order from the Bankruptcy Court allowing receipt of the surplus funds ("Order Authorizing Distribution of Surplus Funds").

☐ Petitioner(s) DOES NOT/DO NOT have a bankruptcy case pending in Bankruptcy

Court.

Wherefore, the Petitioner(s),__, move this Court to turn over to him/her/them the surplus from the foreclosure sale.

I/We,_____, enter my/our appearance(s), *pro se*:

Signature _____ Signature ____

VERIFICATION AND PROOF OF SERVICE

I/We certify under penalty of perjury as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, that I/we have read the foregoing Verified Petition for Turnover of Surplus Funds and the statements set forth therein are true and correct and that I sent a copy of this Appearance and Answer by United States mail to the Plaintiff's attorney and any other parties who have appeared and have not heretofore been found by the Court to be in default, on

_____, 20 .

Signature _ Signature ____

Rule 291. Proceedings Under the Administrative Review Law

In the Circuit Court of the_____Judicial Circuit

_____ County, Illinois

(Or, In the Circuit Court of Cook County, Illinois)

A.B., C.D., *etc.* (naming all plaintiffs),

Plaintiffs,

v.

No. _____

First the Agency appealed from, and
the defendants, and parties not

appealing,

Defendants.

To each of the above-named defendants:

You are hereby summoned and required to file an answer in this case or otherwise file your appearance in the office of the clerk of this court within 35 days after the date of this summons.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

This summons is served upon you by registered or certified mail pursuant to the provisions of the Administrative Review Law.

(Seal of Court)

Witness_, 20 _____ Clerk of Court

Plaintiff's Attorney (or plaintiff,
if he is not represented by
attorney) _____
Address _____
Telephone No. _____
Facsimile Telephone No. _____
E-Mail Address _____

(If service by facsimile transmission will be accepted, the telephone number of the plaintiff or plaintiff's attorney's facsimile machine is additionally required.)

Rule 292. Form of Summons in Proceedings to Review Orders of the Illinois Workers' Compensation Commission

In the Circuit Court of the _____ Judicial Circuit,
_____ County, Illinois.

(Or, In the Circuit Court of Cook County, Illinois.)

_____, Petitioner,

v.

No. _____

The
Illinois Workers' Compensation
Commission and _____

_____,
Respondents.

To each respondent:

SUMMONS

You are hereby summoned and required to file your appearance on or before __, 20 , in the above entitled proceeding, in the office of the clerk of this court. E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

~~and the~~ The Illinois Workers' Compensation Commission shall, on or before _____, 20 , certify and file, in the above-entitled proceeding, in the office of the clerk of this court, a transcript of the proceedings had before the Commission, in Illinois Workers' Compensation Commission No. _____, in which a decision or award was rendered on _____, 20 , by the Illinois Workers' Compensation Commission for _____ and against _____. Witness, 20 _____

(Seal of Court)

Clerk of the Circuit Court

Name _____ Attorney for _ Address _ Telephone No. _

Note: Pursuant to law, proceedings for judicial review shall be commenced within 20 days of the receipt of notice of the decision of the Commission. The summons shall be issued by the clerk of such court upon written request, returnable on a designated return day, not less than 10 nor more than 60 days from the date of issuance thereof.

On _____, 20 , in accordance with law, I mailed a copy of this summons, postage prepaid, to the office of the Illinois Workers' Compensation Commission and to the following parties in interest or their attorney or attorneys of record:

Respondent _____ Address _____ Dated, 20 _____

Clerk of Court

This form is approved by the Supreme Court of Illinois and is required to be accepted.

Instructions ▼	☐ THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).	
Check the box to the right if your appeal involves custody, visitation, or removal of a child.	Case No.: _____	
Enter the Supreme Court case number if one has been assigned.	IN THE SUPREME COURT OF ILLINOIS	
If the case name in the trial and/or appellate court began with "In re" (e.g., "In re Marriage of Jones"), enter that name. Below that, enter the names of the parties as they appeared in the trial/appellate court, and check the correct boxes to show which party filed the appeal in the Supreme Court ("appellant") and which party is responding to the appeal ("appellee").	In re _____ _____ Plaintiff/Petitioner in trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee v. _____ Defendant/Respondent in trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee	Appeal from the Appellate Court, _____ District No. _____ Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding
To the far right, enter the number of the appellate district, appellate court case number, trial court county, trial court case number, and trial judge's name.		

APPLICATION FOR WAIVER OF COURT FEES (SUPREME COURT)

In 1a, enter your full name. If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information.
In 1b, only enter the year you were born. DO NOT enter your entire date of birth.
In 1c, enter your complete current address.
In 2, if you are currently incarcerated, attach a copy of your inmate trust fund ledger for the last 6 months or your <i>Application</i> will be rejected.

1. I am providing the following information about myself:

- a. Name: _____

First
Middle
Last
- b. Year of Birth: _____
- c. Street Address: _____
 City, State, ZIP: _____
- d. I cannot afford to pay the court fees in this case.
- e. Email address: _____ Telephone number: _____

2. I am currently incarcerated. ☐ Yes ☐ No If yes, inmate I.D. # _____

If yes, I am attaching a copy of my inmate trust fund ledger for the last six (6) months.

****If you answered "Yes" in section 2, skip section 3, 4, and 5 and sign below.****

In **3a**, enter the number of people age 18 and older living in your house who you support. Support means that the people rely on you financially.

In **3b**, enter the number of people under age 18 living in your house who you support.

In **4**, check "Yes" if you have received at least 1 of the benefits listed in the past 4 weeks.

If you check "Yes" in **4**, skip **5** and sign below.

In **5a**, check "Yes" if you have applied for at least 1 of the benefits listed in section 4.

In **5b**, check the box for each type of money you have received in the past month. Also enter the gross (before taxes) amount for each type. Include the money received by the people you support who live with you. Support means that the people rely on you financially.

In **5c**, check all of your expenses for the past month and list the monthly amounts. Include the expenses of the people you support who live with you.

In **5d**, check all of the items owned by you and list the value of each item. Include the items owned by the people you support who live with you.

If you own real estate, include the total you owe on any mortgage.

3. I am providing the following information about people who live with me:

- a. I support _____ adults (*not counting myself*) who live with me.
b. I support _____ children under 18 who live with me.

4. I have received 1 or more of the benefits listed below in the past 4 weeks:

- ☐ Yes ☐ No
- Supplemental Security Income (SSI) (Not Social Security)
 - Aid to the Aged, Blind and Disabled (AABD)
 - Temporary Assistance to Needy Families (TANF)
 - State Children & Family Assistance
 - Food Stamps (SNAP)
 - General Assistance (GA)
 - Transitional Assistance

****If you answered "Yes" in section 4, skip section 5 and sign below.****

5. I checked "No" in section 4, so I am providing the following financial information:

- a. I have applied for 1 or more of the benefits listed in section 4:
☐ Yes ☐ No

- b. I receive the following money each month. This includes money received by people I support who live with me. (*check all that apply*)

- | | | | |
|---|----------------|---|----------|
| ☐ My employment: | \$ _____ | ☐ Other people's employment: | \$ _____ |
| ☐ Child support: | \$ _____ | ☐ Social Security (not SSI): | \$ _____ |
| ☐ Pension: | \$ _____ | ☐ Unemployment: | \$ _____ |
| ☐ Other (<i>list type and amount</i>): | _____ \$ _____ | | |
| ☐ No income | | | |

Total of all money received: \$ _____

- c. My current monthly expenses are listed below. This includes the monthly expenses of the people I support who live with me. (*check all that apply*)

- | | | |
|---|--------------------------|-----------|
| ☐ Rent: | \$ _____ | per month |
| ☐ Home Mortgage: | \$ _____ | per month |
| ☐ Other Mortgage: | \$ _____ | per month |
| ☐ Utilities: | \$ _____ | per month |
| ☐ Food: | \$ _____ | per month |
| ☐ Medical: | \$ _____ | per month |
| ☐ Car Loan: | \$ _____ | per month |
| ☐ Other (<i>list type and amount</i>): | _____ \$ _____ per month | |
| ☐ I have no expenses | | |

Total of all expenses: \$ _____

- d. I have the belongings listed below. This includes the belongings of the people I support who live with me. (*check all that apply*)

- | | |
|---|----------|
| ☐ Bank accounts and cash totaling: | \$ _____ |
| ☐ Home real estate, worth: | \$ _____ |
| The total I owe on my home mortgage is: | |
| | \$ _____ |
| ☐ Other real estate, not including the house I live in, worth: | \$ _____ |
| The total I owe on my other mortgage is: | |
| | \$ _____ |

Enter the Case Number given by the Supreme Court Clerk: _____

- ☐ 1st vehicle worth: \$ _____ The 1st vehicle is paid off: ☐ Yes ☐ No
☐ 2nd vehicle worth: \$ _____ The 2nd vehicle is paid ☐ Yes ☐ No
☐ Other (list items and value): _____ \$ _____
☐ None of the above

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.

The person who filled out this form must sign it. If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

If you are filling out this form for a minor or an incompetent adult, state your relationship.

I certify that everything in the *Application for Waiver of Court Fees (Supreme Court)* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/

Your Signature

Street Address

Print Your Name

City, State, ZIP

Relationship to Minor or Incompetent Adult (if applicable)

Telephone

GETTING COURT DOCUMENTS BY EMAIL: If you agree to receive court documents by email, check the box below and enter your email address. 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 or notice of court dates. Other parties may still send you court documents by mail.

- ☐ I agree to receive court documents at this email address during my entire case.

Email

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Appellate Courts.

Instructions ▼ Check the box to the right if your appeal involves custody, visitation, or removal of a child. Enter the Appellate Court case number. Just below "In the Appellate Court of Illinois," enter the number of the appellate district where the appeal was filed. If the case name in the trial court began with "In re" (for example, "In re Marriage of Jones"), enter that name. Below that, enter the names of the parties as they appeared in the trial court, and check the correct boxes to show which party filed the appeal ("appellant") and which party is responding to the appeal ("appellee"). To the far right, enter the trial court county, trial court case number, and trial judge's name.	☐ THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a). Appellate Case No.: _____ IN THE APPELLATE COURT OF ILLINOIS _____ District <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 65%; padding: 5px; vertical-align: top;"> In re _____ _____ Plaintiff/Petitioner in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee v. _____ Defendant/Respondent in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee </td> <td style="width: 35%; padding: 5px; vertical-align: top;"> Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding </td> </tr> </table>	In re _____ _____ Plaintiff/Petitioner in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee v. _____ Defendant/Respondent in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee	Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding
In re _____ _____ Plaintiff/Petitioner in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee v. _____ Defendant/Respondent in the trial court (<i>First, middle, last names</i>) ☐ Appellant ☐ Appellee	Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding		

APPLICATION FOR WAIVER OF COURT FEES (APPELLATE COURT)

In 1a, enter your full name. If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information.
In 1b, only enter the year you were born. DO NOT enter your entire date of birth.
In 1c, enter your complete current address.
In 2, if you are currently incarcerated, attach a copy of your inmate trust fund ledger for the last 6 months or your <i>Application</i> will be rejected.

1. I am providing the following information about myself:

- a. Name: _____
First
Middle
Last
- b. Year of Birth: _____
- c. Street Address: _____
City, State, ZIP: _____
- d. I cannot afford to pay the court fees in this case.
- e. Email address: _____ Telephone number: _____

2. I am currently incarcerated. ☐ Yes ☐ No If yes, inmate I.D. # _____
If yes, I am attaching a copy of my inmate trust fund ledger for the last six (6) months.

****If you answered "Yes" in section 2, skip section 3, 4, and 5 and sign below.****

In 3a, enter the number of people age 18 and older living in your house who you support. Support means that the people rely on you financially.

In 3b, enter the number of people under age 18 living in your house who you support.

In 4, check "Yes" if you have received at least 1 of the benefits listed in the past 4 weeks.

If you check "Yes" in 4, skip 5 and sign below.

In 5a, check "Yes" if you have applied for at least 1 of the benefits listed in section 4.

In 5b, check the box for each type of money you have received in the past month. Also enter the gross (before taxes) amount for each type. Include the money received by the people you support who live with you. Support means that the people rely on you financially.

In 5c, check all of your expenses for the past month and list the monthly amounts. Include the expenses of the people you support who live with you.

In 5d, check all of the items owned by you and list the value of each item. Include the items owned by the people you support who live with you.

If you own real estate, include the total you owe on any mortgage.

3. I am providing the following information about people who live with me:

- a. I support _____ adults (*not counting myself*) who live with me.
b. I support _____ children under 18 who live with me.

4. I have received 1 or more of the benefits listed below in the past 4 weeks:

☐ Yes ☐ No

- Supplemental Security Income (SSI) (Not Social Security)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance to Needy Families (TANF)
- State Children & Family Assistance
- Food Stamps (SNAP)
- General Assistance (GA)
- Transitional Assistance

****If you answered "Yes" in section 4, skip section 5 and sign below.****

5. I checked "No" in section 4, so I am providing the following financial information:

- a. I have applied for 1 or more of the benefits listed in section 4:

☐ Yes ☐ No

- b. I receive the following money each month. This includes money received by people I support who live with me. (*check all that apply*)

☐ My employment:	\$ _____	☐ Other people's employment:	\$ _____
☐ Child support:	\$ _____	☐ Social Security (not SSI):	\$ _____
☐ Pension:	\$ _____	☐ Unemployment:	\$ _____
☐ Other (<i>list type and amount</i>):	_____		\$ _____

☐ No income

Total of all money received: \$ _____

- c. My current monthly expenses are listed below. This includes the monthly expenses of the people I support who live with me. (*check all that apply*)

☐ Rent:	\$ _____	per month
☐ Home Mortgage:	\$ _____	per month
☐ Other Mortgage:	\$ _____	per month
☐ Utilities:	\$ _____	per month
☐ Food:	\$ _____	per month
☐ Medical:	\$ _____	per month
☐ Car Loan:	\$ _____	per month
☐ Other (<i>list type and amount</i>):	_____	\$ _____ per month

☐ I have no expenses

Total of all expenses: \$ _____

- d. I have the belongings listed below. This includes the belongings of the people I support who live with me. (*check all that apply*)

☐ Bank accounts and cash totaling:	\$ _____
☐ Home real estate, worth:	\$ _____
The total I owe on my home mortgage is: \$ _____	
☐ Other real estate, not including the house I live in, worth:	\$ _____
The total I owe on my other mortgage is: \$ _____	
☐ 1 st vehicle worth: \$ _____	The 1 st vehicle is paid off: ☐ Yes ☐ No

Enter the Case Number given by the Appellate Court Clerk: _____

- ☐ 2nd vehicle worth: \$ _____ The 2nd vehicle is paid ☐ Yes ☐ No
☐ Other (list items and value): _____ \$ _____
☐ None of the above

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.

The person who filled out this form must sign it. If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

If you are filling out this form for a minor or an incompetent adult, state your relationship.

I certify that everything in the *Application for Waiver of Court Fees (Appellate Court)* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/

Your Signature

Street Address

Print Your Name

City, State, ZIP

Relationship to Minor or Incompetent Adult (if applicable)

Telephone

GETTING COURT DOCUMENTS BY EMAIL: If you agree to receive court documents by email, check the box below and enter your email address. 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 or notice of court dates. Other parties may still send you court documents by mail.

- ☐ I agree to receive court documents at this email address during my entire case.

Email