

FILED

AUG 24 2020

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CLERK OF CIRCUIT COURT #59
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 2020-M-24

COVID-19 Court Operations by the Third Judicial Circuit – Evictions

This Order applies to Eviction Proceedings within the Third Judicial Circuit.

WHEREAS, it is necessary and appropriate to update prior Administrative Orders, taking access to justice and public safety into account and upon considering guidance received from, but not limited to, the Illinois Supreme Court’s May 20, 2020 Order M.R. 30370, *In re: Illinois Courts Response to COVID-19 Emergency*, effective June 1, 2020, and the latest extension of the Governor’s Executive Order 2020-30 concerning the filing of residential eviction actions and enforcement of residential eviction orders;

WHEREFORE, the undersigned, as Chief Judge of the Third Judicial Circuit, hereby Orders as follows:

Eviction Pleading Requirements

In order to proceed with any residential eviction proceeding, the case must qualify as an exception under the restrictions provided in the Governor’s latest extended Executive Order 2020-30 (Filing of residential eviction actions; enforcement of residential eviction orders), which provides as follows:

Section 2. A person or entity may not commence a residential eviction action pursuant to or arising under 735 ILCS 5/9-101 et seq., unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Nothing in this Executive Order shall be construed as relieving any individual of the obligation to pay rent or comply with any other obligation that an individual may have pursuant to a lease or rental agreement. (Underline added.)

Section 3. All state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential premises, unless the tenant has been found to pose a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Nothing in this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or comply with any other obligation that an individual may have pursuant to a lease, rental agreement, or mortgage. (Underline added.)

Petitioners seeking a setting under the exception must file an Amended or Initial Complaint identifying the case as an "Emergency Eviction" and set forth in detail the facts supporting the exception.

Thereafter, such cases will be reviewed for Special Setting by one of the presiding judges assigned to eviction proceedings.

No other residential eviction cases will be set pending further Administrative Order.

This Order is effective immediately.

The Clerk of the Circuit Court is to notify all parties of record by posting on its website and emailing attorneys and by other appropriate means. This order shall be filed in the Office of the Circuit Clerk of Madison County, Illinois and that said order be made available to the members of the bar and public.

ENTER: August 24, 2020



William A. Mudge
Chief Judge