



Supreme Court of Illinois

September 1, 2020

ILLINOIS SUPREME COURT ISSUES TEMPORARY ORDER LIMITING IN-PERSON COURT APPEARANCES THROUGH CHANGE TO FEE WAIVERS AND SUMMONSES TO APPEAR

The Illinois Supreme Court announced late last week a temporary order which limits in-person court appearances and promotes remote court appearances to ensure the health and safety of the public accessing the court during the COVID-19 pandemic. The order is effective immediately and until further order of the court.

The temporary order addresses applications for waiver of court fees and summonses to appear in small claims and consumer cases.

“I would like to thank the Court Operations During COVID-19 Task Force for suggesting these important changes,” Chief Justice Anne M. Burke said. “As the pandemic continues, the court will continue to seek innovative ways to limit in-person court appearances and promote remote court appearances.”

Applications for Waiver of Court Fees will be e-filed unless the person is exempt under Supreme Court Rule 9(c). After the court reviews the Application, the court will enter an order ruling on the Application on the basis of the information contained in the Application, without conducting a hearing, unless the court determines that there is a factual issue regarding the applicant’s satisfaction of the conditions for a waiver.

“We know that there are a variety of ways that we compel people to enter the courthouse in person,” said 17th Circuit Chief Judge Eugene Doherty, Vice Chair of the COVID-19 Task Force. “In light of our current public health concerns, we need to identify ways to accomplish the same things without the necessity of a personal appearance.”

If there is a factual issue regarding the whether the applicant qualifies for a waiver, the court will schedule a hearing on the Application by telephone or video.. If the applicant is denied a fee waiver, the applicant may defer payment, make installment payments, or make payment upon reasonable terms and conditions.

Additionally, under the temporary order, summons requiring appearance on a specified day will only be used in an action for eviction, replevin, or detinue. Small claims and consumer actions will use a summons requiring each defendant to file an appearance within 30 days after service. The order specifies language that must be included in all small claims summons to clarify that the defendant must file an appearance with the circuit clerk within 30 days after service of the summons. This will eliminate the requirement of an initial appearance while ensuring defendants are still required to appear in the matter in which they are summoned.

The order also details mandatory language that must be added to the all summons in civil cases to provide recipients with easy access to important legal information about representing themselves in court, e-filing, finding free legal help, and applying for a waiver of court fees.

With this order, the court is responding to the crisis caused by COVID-19 and its impact on the administration of justice while ensuring the health and safety of the public.

The order is available on the court website by clicking [here](#).

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