



Supreme Court of Illinois

October 16, 2026

ILLINOIS SUPREME COURT RULE CHANGES TO ADVANCE ACCESS TO JUSTICE IN CONSUMER DEBT CASES

Chief Justice P. Scott Neville, Jr. and the Illinois Supreme Court announced today amendments to Supreme Court Rules 277 and 286 and the creation of new Supreme Court Rule 278. Together these rules will advance access to justice in consumer debt cases.

“Court procedures should be clear, understandable, and accessible to everyone, regardless of whether they have an attorney,” said Nineteenth Circuit Judge Jorge Ortiz, Chair of the Supreme Court Commission on Access to Justice. “These amendments to existing rules and creation of a new rule represent a meaningful step toward that goal by simplifying procedures, promoting consistency across Illinois courts, and helping people protect income and assets that are exempt from collection under the law. We are grateful to the Supreme Court for recognizing the importance of these changes and to the Commission’s Consumer Debt Committee for its thoughtful work to make our courts more accessible and fair for all.”

Supreme Court Rule 277 is currently titled “Supplementary Proceedings.” The amendments change the title of the rule to “Citations to Discover Assets” and modernize the rule to match current practice and to make it more comprehensible to practitioners, while retaining terms of art that are engrained in statute and case law. Specifically, the amendments:

- Define “Citation to Discover Assets.”
- Provide for the sale of both personal and real property to satisfy a judgment.
- Provide that a citation proceeding may be commenced immediately upon entry of a judgment that is subject to enforcement, in the court in which the judgment was entered or in any other court where the judgment is filed, subject to transfer for good cause.
- Clarify that a citation proceeding may be initiated against a judgment debtor or any third party believed to be in possession of income or assets belonging to the judgment debtor or information leading to the discovery of income or assets, and that a subsequent citation proceeding may be commenced against a judgment debtor upon leave of court or against a third-party respondent at any time.
- Eliminate restrictions on serving third parties outside of the county where judgment was entered.
- Allow for a written answer to be filed in lieu of an appearance in court, and allow a written answer filed or sent to the judgment creditor to act as an appearance submitting the party to the court's jurisdiction.
- Clarify that a pending citation shall not be dismissed when enforcement of a judgment is stayed by a timely post-judgment motion, and the effect of that citation as a lien.
- Allow the assessment of attorney fees for a respondent's failure to comply with citations, the rule, or orders.
- Encourage the use of remote proceedings.

The amended rule is effective January 1, 2027.

New Supreme Court Rule 278 governs post-judgment exemption claims – claims by a judgment debtor that certain income and assets are exempt from being collected to satisfy a money judgment. Exemptions are set by statute but, with limited exceptions, a judgment debtor must affirmatively claim an exemption in court to get its benefit.

New Rule 278 establishes a procedure for automating exemption claims. It provides that the court shall grant a motion to claim statutory exemptions if the judgment creditor does not file an objection within 5 business days. If an objection is filed, the court must set the motion for hearing so that it is heard within 7 business days. Since most exemption claims are for the \$4,000 “wildcard” exemption to which a creditor has almost no defense, this streamlined process will allow courts and parties to reach the same outcome more quickly and help prevent assets from being frozen longer than absolutely necessary.

New Rule 278 is effective July 1, 2027.

Supreme Court Rule 286 governs appearance and trial in small claim cases, which involve claims of \$10,000 or less. The amendments to Rule 286:

- Clarify that the defendant’s appearance is made by appearing in court on the date listed in the summons, and that the defendant is not required to file a written appearance prior to that return date. The amendment states that the court may order the defendant to file a written appearance at or after the first court date.
- Clarify that a written answer is not required unless ordered by the judge.
- Eliminate the current requirement that small claim cases are tried on the day set for appearance unless otherwise ordered, creating additional opportunities for the parties to seek legal help or to negotiate a settlement.
- Provide clearer guidance about the use of informal hearing procedures.

The amended rule is effective January 1, 2027.

The new and amended Illinois Supreme Court Rules can be found [here](#).

The new and amended rules were proposed by the Consumer Debt Committee of the Supreme Court Commission on Access to Justice. The Consumer Debt Committee is a 12-member, multi-disciplinary group that includes judges, creditor attorneys, consumer attorneys, a circuit clerk, and others. It is charged with making recommendations to increase access to justice in consumer debt cases.

(FOR MORE INFORMATION, CONTACT: James Brunner, Public Information Officer of the Illinois Supreme Court at 217.208.3354 or jbrunner@illinoiscourts.gov.)