



(Docket No. 131714)
NICHOLAS T. ANDERSON, Appellant, v. MEAGAN M. SMITH,
f/k/a Meagan M. Wohlfeil, Appellee.
Opinion filed June 25, 2026.

Justice Rochford delivered the judgment of the court, with opinion.

In this case, the supreme court addressed how trial courts should evaluate whether a lawsuit is a “Strategic Lawsuit Against Public Participation,” commonly known as a SLAPP. Illinois’s SLAPP law allows the circuit court to dismiss a lawsuit where it is solely based on, related to, or in response to the defendant’s exercise of his or her right to participate in government. Nicholas Anderson and Meagan Smith had gotten into a dispute at a demonstration over a hog farm, which led to Anderson being arrested on Smith’s accusation he had pushed her. Anderson sued Smith for defamation, and relevant here, she filed a motion to dismiss Anderson’s suit as a SLAPP. She contended that Anderson’s suit was based on, related to, or in response to her opposition to approval of a hog farm and her report of what she believed was a crime committed against her. The circuit court denied the motion, and the appellate court reversed and remanded for an evidentiary hearing on whether Anderson was genuinely seeking relief in filing suit against Smith. This district of the appellate court (the Fourth District) rejected a standard asking if the suit was “meritless and retaliatory” applied to SLAPPs by another district (the First District).

The supreme court modified the appellate court’s judgment but affirmed. The focus in anti-SLAPP motions is, first, whether the defendant was acting in furtherance of her right to participate in government and, second, whether the plaintiff’s claims were solely based on, related to, or in response to the defendant’s exercise of those rights. The supreme court clarified that its prior cases referring to “meritless, retaliatory” lawsuits did not require that the defendant prove the suit had no legal merit to succeed on an anti-SLAPP motion. Rather, the focus is on whether the plaintiff’s claims were solely based on the defendant’s participation in government, on a subjective basis. However, the supreme court departed from the test applied by the appellate court here insofar as it called for an evidentiary hearing; the SLAPP law sets a 90-day time frame and suspends discovery. As a result, Smith’s anti-SLAPP motion would need to be evaluated as to Anderson’s subjective intentions based on the pleadings and other supporting documents.

Also, because Anderson’s suit was filed before January 1, 2026, the court did not consider the impact of legislative amendments to Illinois’s SLAPP law taking effect on that date.