

IN THE
SUPREME COURT OF ILLINOIS

In re:)
Illinois Courts Response to)
COVID-19 Emergency/) M.R. 30370
Reduction of Unnecessary)
In-Person Court Appearances)
)
)

Amended Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to article VI, section 16, of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the outbreak of the novel coronavirus (COVID-19); and in accordance with the efforts of this Court to reduce unnecessary in-person court appearances and to promote court appearances,

IT IS HEREBY ORDERED the Court's order of February 10, 2021 (vacating and replacing temporary rule amendments to Supreme Court Rules 101, 283, and 286(a) entered on August 27, 2020, and amended on September 23, 2020), as amended on May 28, 2021, is further amended as shown below (new material is underscored and deleted material is struck through), and the temporary amendments to Illinois Supreme Court Rules 101, 102, 283, and 284 are repealed.

~~2. With respect to the temporary amendments to Supreme Court Rules 101, 283, and 286(a) regarding summonses requiring appearance on a specified day (issued on August 27, 2020 and amended on September 23, 2020), all provisions are hereby vacated and replaced with the following:~~

~~a. Supreme Court Rule 101(b)(1) is hereby amended as follows:-~~

~~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, either in person or remotely, on a day specified in the summons not less than 40 or more than 61 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. The court shall make every reasonable effort to accommodate the defendant appearing via telephone or video conference.~~

~~b. Supreme Court Rule 102(b) is hereby amended as follows:-~~

~~No summons in the form provided in paragraph (d) of Rule 101 may be served later than 30 days after its date. A summons in the form provided in paragraph (b)(1) of Rule 101 may not be served later than 21 days before the day of appearance. A summons in the form provided in paragraph (b)(2)~~

~~or (b)(3) of Rule 101 may not be served later than three days before the day of appearance.~~

~~c. Supreme Court Rule 102(d) is hereby amended as follows:-~~

~~The officer or person making service shall make a return by filing proof of service immediately after service on all defendants has been had, and, in any event, shall make a return: (1) in the case of a summons in the form provided in paragraph (b)(1) of Rule 101, not less than 21 days before the day of appearance; (2) in the case of a summons in the form provided in paragraph (b)(2) or (b)(3) of Rule 101, not less than three days before the day of appearance; (3) in other cases, immediately after the last day fixed for service. If there is more than one defendant, the proof of service may be filed immediately after service on each defendant. The proof of service need not state whether a copy of the complaint was served. A party who has placed a summons with an officer or other person who is authorized to serve process, but who does not have access to the court filing system, shall file the proof of service obtained from the officer. Failure to return the summons or file proof of service does not invalidate the summons or the service thereof, if had.~~

~~d. Supreme Court Rule 283 is hereby amended as follows:~~

~~Summons in small claims shall require each defendant to appear on a day specified in the summons not less than 40 or more than 61 days after issuance of the summons (see Rule 181(b)) and shall be in the form provided for in Rule 101(b) in actions for money not in excess of \$50,000.~~

~~e. Supreme Court Rule 284(c) is hereby amended as follows:~~

~~The return receipt, when returned to the clerk, shall be filed by the clerk. If the receipt shows delivery at least 21 days before the day for appearance, the receipt shall constitute proof of service.~~

~~f. In accordance with Supreme Court Rule 101(g), the use of the wrong form of summons, either before or after the effective date of this order, shall not affect the jurisdiction of the court.~~

~~3. With respect to the provisions of Supreme Court Rule 101 regarding all summons issued in civil cases in Illinois:~~

~~a. All summonses issued in civil cases may include additional information relating to local courthouse access & procedures as provided by order of the circuit's chief judge.~~

~~b. In addition to the requirements set forth by Supreme Court Rule 101(a), language that must be contained in all summonses issued in civil cases in Illinois is hereby amended as follows:~~

~~"You may be able to attend this court date by phone or video conference. This is called a 'Remote Appearance.' Call the Circuit~~

Clerk at _____ or visit their website at _____ to find out how to do this.

~~E filing is now mandatory with limited exemptions. To e file, you must first create an account with an e filing service provider. Visit http://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> or talk with your local circuit clerk's office. If you cannot e file, you may be able to get an exemption that allows you to file in person or by mail. Ask your circuit clerk for more information or visit www.illinoislegalaid.org.~~

~~If you are unable to pay your court fees, you can apply for a fee waiver. for information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask your local circuit clerk's office for a fee waiver application."~~

4. 2. Paragraphs ~~1 and 3~~ of this order ~~is~~ are effective immediately, and paragraph ~~2~~ of this order is effective 60 days from the entry of this order. This order shall remain in effect until further order of this Court.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 20th day of April, 2023.

Cynthia A. Grant

Clerk,
Supreme Court of the State of Illinois

FILED
April 20, 2023
SUPREME COURT
CLERK