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Rule 99.2. Residential Eviction Mediation Programs.

(a) Any judicial circuit implementing a mediation program specifically designed to assist tenants and landlords in residential eviction cases must adhere to the requirements set forth in Rule 99 and this rule.

(b) Programs undertaken pursuant to this Rule may include formal mediation programs and other less formal dispute resolution programs, such as diversion programs and other programs that facilitate discussion and negotiations to help achieve resolution early in the case or prior to formal mediation. Any program approved under this Rule may include legal aid and other relevant services to promote fair resolutions for all participants.

(c) Each judicial circuit establishing a residential eviction mediation program must ensure that the mediation program allows litigants reasonable time to meaningfully access legal counsel and mediation services prior to the court entering a default order or judgment for eviction in the residential eviction case.

(d) Each judicial circuit that currently has approved local rules for a mediation program in place in accordance with Rule 99 may apply that program to eviction cases if applicable. Local rules amended or created to accommodate residential eviction cases consistent with this rule must be submitted to the Administrative Office of the Illinois Courts for review and approval prior to implementation.

(e) Each judicial circuit electing to establish a new eviction mediation program shall adopt rules for the conduct of the eviction mediation proceedings. If a judicial circuit elects to establish a new residential eviction mediation program, the judicial circuit shall establish a plan for starting a residential eviction mediation program that demonstrates the mediation program can be implemented for that particular county or counties at the time of submission of the local rules for approval by the Administrative Office.

(f) Based on the plan established pursuant to paragraph (c), the local circuit rules shall address:

(i) the requirements set forth in Rule 99, including language and communication access and the use of remote technology, consistent with the Supreme Court Language Access Policy, the Supreme Court of Illinois Policy on Access for People with Disabilities, Illinois Supreme Court Rule 45, and the Illinois Supreme Court Policy on Remote Court Appearances;

(ii) resources to provide meaningful access to *pro bono* legal representation for eligible tenants and landlords;

(iii) any costs charged to any participant in the eviction case;

(iv) a sustainability plan that includes a long-term funding plan;

(v) access to social services or other services that provide housing assistance, other financial resources, and education through the program;

(vi) training of judges, key court personnel and volunteers on eviction mediation and program operations.

Adopted Dec. 2, 2025, eff. Mar. 1, 2026.

COMMITTEE COMMENTS

(March 1, 2026)

Rule 99.2 builds on the housing-specific mediation foundation established in 2013 by Rule 99.1 governing mortgage foreclosure cases. Rule 99.2 governs mediation and diversion programs aimed to assist tenants and landlords in residential eviction cases. Much like mortgage foreclosure cases, there is a high volume of residential eviction cases, and these cases often include a high percentage of unrepresented parties. Many circuits developed residential eviction mediation or diversion programs under Rule 99 during the COVID-19 pandemic to help increase access to rental assistance and legal aid and to ensure compliance with the various moratoria that were implemented. While the pandemic has ended, tenants and landlords still benefit from programs that provide access to legal aid, mediation, and other social services.

Similar to foreclosure mediation programs, no one model will work for every judicial circuit, but certain elements must be present to provide equal access and assistance throughout the state. Eviction mediation and diversion programs should provide access to legal aid, mediation, and other services that may assist with rental assistance and other housing needs during the eviction process.

Circuits seeking to establish eviction mediation or diversion programs should provide the Supreme Court with statistical data for eviction filings in the judicial circuit, the available resources, and the staffing scope of the judicial circuit that shows that the program is realistically attainable for the judicial circuit. The judicial circuit applying for approval should provide a plan that is comparable in scope, size, and capacity to the number of residential evictions in that circuit.

The availability of resources may differ from circuit to circuit, and any program proposal submitted for approval shall detail access to social services or other services that provide housing assistance, other financial resources, and eviction education through the program, in addition to legal aid and mediation. Where local resources are not available, circuits may partner with resources, *pro bono* legal representation, and mediators located outside of their county or circuit to increase access to these resources for the litigants. Lack of availability of particular resources due to financial or geographic constraints shall not preclude approval of an eviction mediation program.

The Supreme Court also recognizes that a residential eviction mediation program will require financial and staffing resources. As a result, paragraphs (f)(iii) and (iv) require any mediation program to set forth any costs charged to the parties in the litigation, as well as a sustainable funding plan. The fees charged may include, but are not limited to, mediator fees for mediation sessions and dedicated filing-fee add-ons. A sustainability plan may include those costs charged to litigants or another identifiable source of funding.