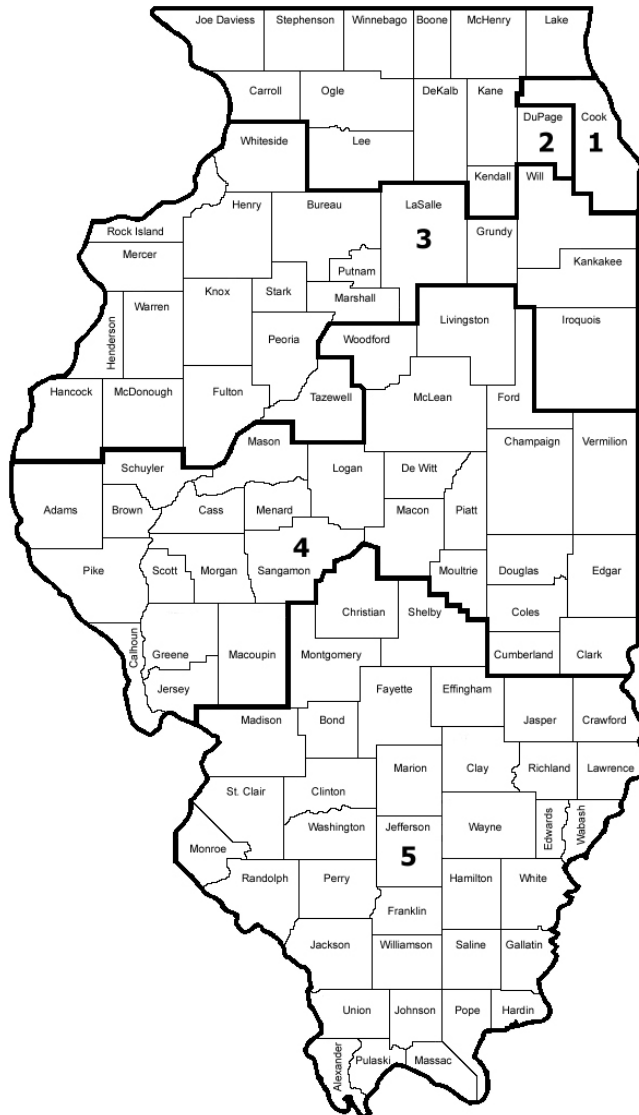




Illinois Supreme Court Commission on Access to Justice

Statewide Listening Tours



December 30, 2019

Dear Chief Justice Burke,

This packet is intended to provide you with an overview of the work of the Illinois Supreme Court Commission Access to Justice in advance of your listening tours. The packet provides a brief summary of access to justice issues, and specific details about established programs that are designed to reduce barriers litigants may face in trying to access the court system. Of all the ATJ Commission's projects, we chose to highlight only the programs that have a specific, tangible resource that may be of interest and use to the public or court stakeholders.

The Illinois Supreme Court created the ATJ Commission in 2012 to enhance access to justice efforts, with a specific direction to complement existing efforts and to coordinate and collaborate with other civil legal aid funders and service providers. Its missions statement reads: to promote, facilitate, and enhance access to justice with an emphasis on access to the Illinois civil courts and administrative agencies for all people, particularly the poor and vulnerable. There are 11 Commissioners which represent all five appellate districts and Justice Rochford has served as chair since 2015. The ATJ Commission is staffed by the Access to Justice Division at the Administrative Office of the Illinois Courts and the Division has successfully integrated much of the ATJ Commission's work into judicial branch operations and coordinates with other divisions of the AOIC to promote meaningful access to justice.

The promise of equal justice is not realized for those who have no meaningful access to the justice system. As you know, the push for equal access is an ongoing and constantly evolving one and is increasingly important as we see poverty grow statewide without a corresponding increase in free and low-cost legal aid services. Poverty in Illinois is at a 50 year high with nearly one in three Illinois residents living in or near poverty. Simultaneously, about a quarter of Illinois residents have limited English proficiency, higher than the national average.

This packet highlights projects designed to improve access to justice, reduce challenges judges and court staff face in addressing the needs of self-represented and limited English proficient litigants, and improve a litigant's ability to navigate our state court system.

TAB 1: Access to Justice Contacts by Appellate District including ATJ Commissioners, Illinois JusticeCorps Fellows, and Self-Represented Litigant Coordinators

- Material describes Illinois JusticeCorps and Self-Represented Litigant Coordinator programs

TAB 2: Statewide Standardized Court Forms Program

- Material describes the program, lists available forms, and provides an example of a form suite

TAB 3: Interpreter Certification and Court Reimbursement Program

- Material describes this program and includes a language access marketing flyer

TAB 4: Appellate Resource Program

- Material describes this program and includes sample resources

Tab 5: Process Simplification Programs

- Material describes various process simplification programs across the state and a sample resource detailing the divorce process

Tab 6: List of All Available Resources

- All listed resources can be found here
<http://www.illinoiscourts.gov/CivilJustice/AccessToJustice.asp>. For copies, please contact Alison Spanner at aspanner@illinoiscourts.gov or 312.793.3859.




Thank you for the opportunity to brief you on access to justice related matters in advance of your travels around state. Please do not hesitate to reach out with any questions.

Sincerely,

Justice Mary K. Rochford
Chair of the Commission on Access to Justice

Alison D. Spanner
Assistant Director, Access to Justice Division, AOIC

Access to Justice Contacts—First Appellate District

-  Access to Justice Commission Members
-  Illinois JusticeCorps
-  Self-Represented Litigant Coordinators



ATJ Commissioners:

- Justice Mary K. Rochford, 1st Appellate Court, Chair ATJ Commission
- Carolyn Clift, Attorney at Law (Retired), ATJ Commissioner
- Linda Coberly, Winston & Strawn LLP, ATJ Commissioner
- Hon. Leonard Murray, Associate Judge Circuit Court Cook County, ATJ Commissioner
- Jennifer Nijman, Nijman Franzetti LLP, ATJ Commissioner
- Justice Daniel J. Pierce, 1st Appellate Court, ATJ Commissioner

AOIC ATJ Division:

- Alison Spanner, Assistant Director
- Jill Roberts, Supervising Senior Program Manager
- Sophia Akbar, Senior Program Manager, Language Access
- Kathryn Hensley, Senior Program Manager, Appellate & Illinois JusticeCorps
- Kathleen Callahan, Senior Program Manager, Forms
- Noor Alawawda, Program Coordinator, Language Access
- Hayley Yussman, Administrative Assistant

JusticeCorps:

- Jessica Acosta, Erica Olson, & Lia Raves, JusticeCorps Fellows, Daley Center, Chicago
- Derious Braswell, JusticeCorps Fellow, Leighton Criminal Courthouse, Chicago
- Natisha McAdams, JusticeCorps Fellow, Markham Courthouse


Self-Represented Litigant Coordinators

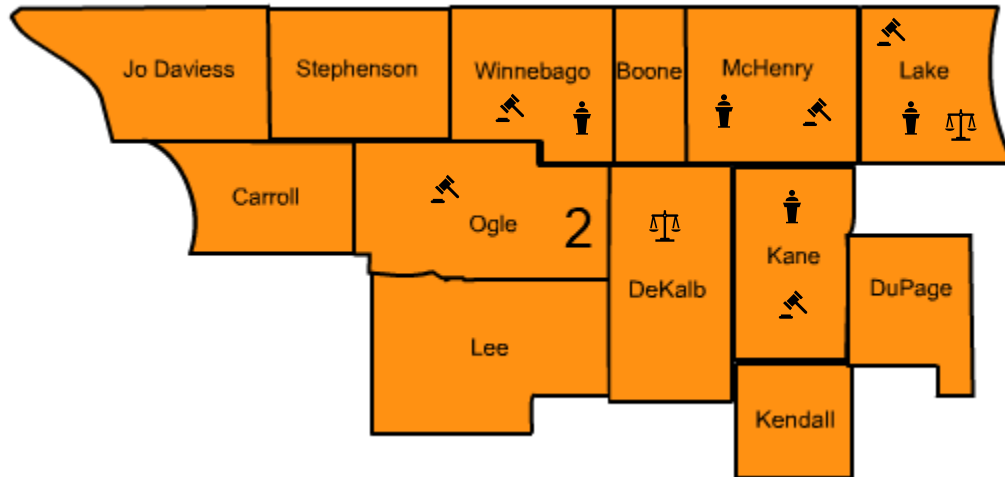
- Nairee Hagopian, Maggie Miller, and Lauren Wynne, SRL Coordinators, Domestic Relations Division, Chicago
- LaShanda O'Quinn, SRL Coordinator, Maywood

Access to Justice Contacts—Second Appellate District

 Access to Justice Commission Members

 Illinois JusticeCorps

 Self-Represented Litigant Coordinators



ATJ Commissioners:

- Hon. Jorge Ortiz, Circuit Judge 19th Judicial Circuit Lake County, ATJ Commissioner
- Wendy Vaughn, Clinical Associate Professor, Northern Illinois University College of Law, ATJ Commissioner




JusticeCorps:

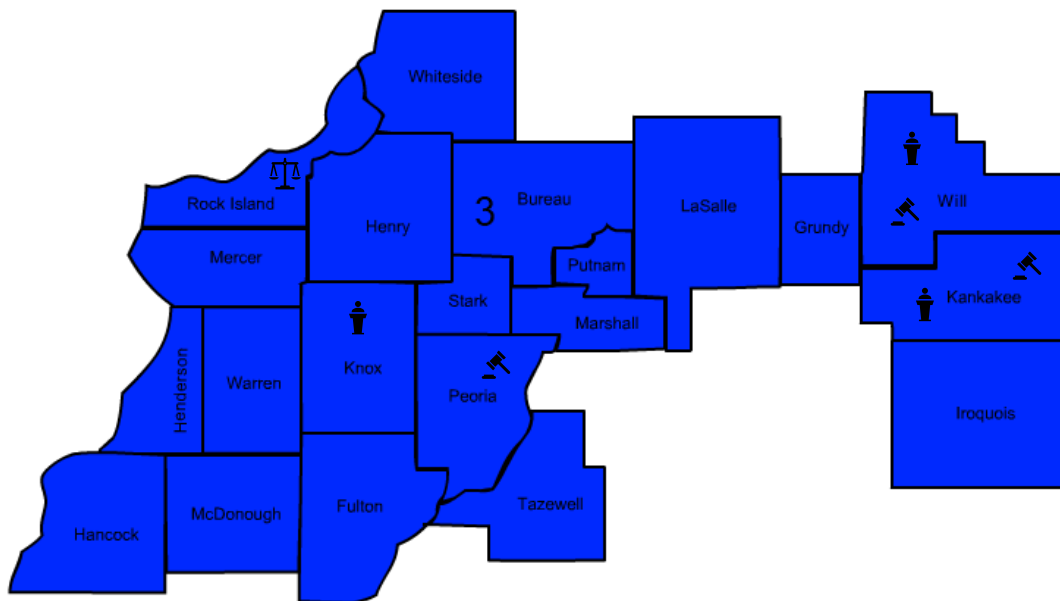
- Semaite Abiy, JusticeCorps Fellow, Winnebago County
- Jacob Hobson, JusticeCorps Fellow, McHenry County
- Kattia Gramajo, JusticeCorps Fellow, Lake County
- Todd Deger, JusticeCorps Fellow, Kane County

Self-Represented Litigant Coordinators:

- Le Ann Brandenburg & Helen Doig, SRL Coordinators, 15th Judicial Circuit (based in Ogle County, also serving Carroll and Lee)
- Brian Buzard, Law Librarian, SRL Coordinator, 17th Circuit (Winnebago)
- Susy Huffman, Law Librarian, SRL Coordinator, 22nd Circuit (McHenry)
- Beth Bogie, Senior Staff Attorney, SRL Coordinator, 19th Circuit (Lake)
- Todd Deger, JusticeCorps Fellow, Kane County
- Halle Cox, Law Librarian and Director of Self Help Center, SRL Coordinator, 16th Circuit (Kane)

Access to Justice Contacts— Third Appellate District

-  Access to Justice Commission Members
-  Illinois JusticeCorps
-  Self-Represented Litigant Coordinators



ATJ Commissioners:

- Justice Thomas L. Kilbride, Illinois Supreme Court, ATJ Commission Supreme Court Liaison
- Tammy Weikert, Circuit Clerk of Rock Island, ATJ Commissioner




JusticeCorps:

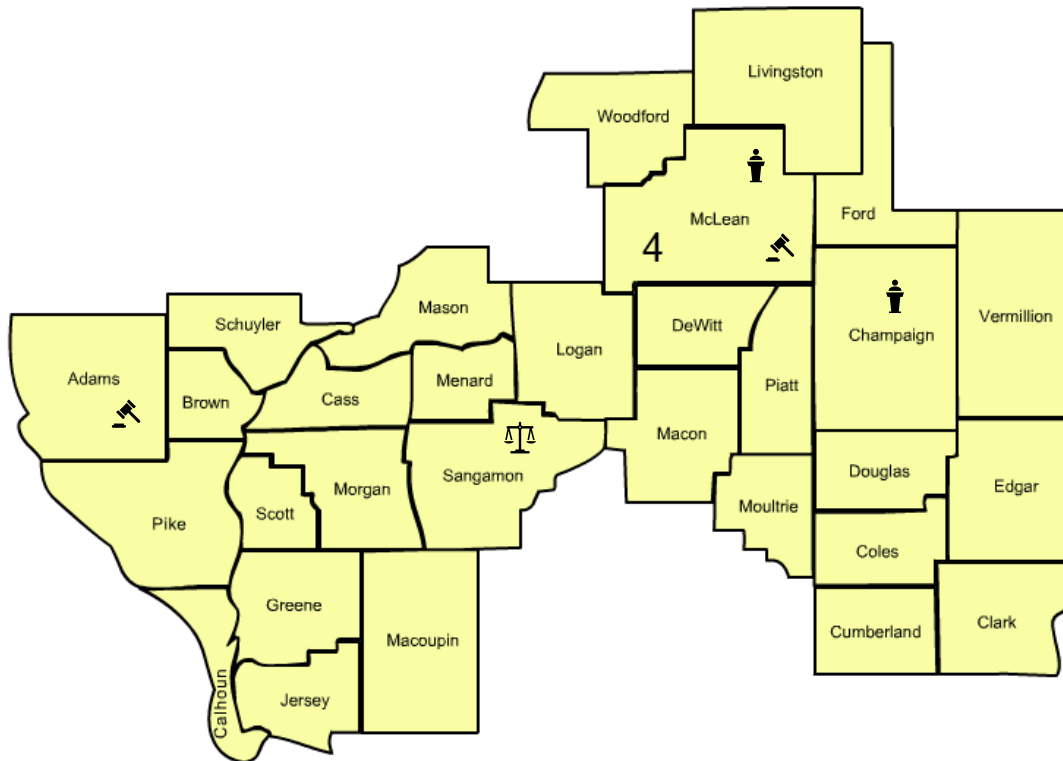
- Caitlyn Schaffer, JusticeCorps Fellow, Will County
- Logan Chitty, JusticeCorps Fellow, Kankakee County
- Deja Jenkins, JusticeCorps Fellow, Knox County

Self-Represented Litigant Coordinators:

- Alfreda Baran, Law Library Paralegal, SRL Coordinator, 12th Circuit (Will)
- Nancy Hinton, Chief Judge's Secretary, 21st Circuit (Kankakee)
- Rena' Parker, Trial Court Administrator, 10th Circuit (Peoria & Tazewell)

Access to Justice Contacts—Fourth Appellate District

-  Access to Justice Commission Members
-  Illinois JusticeCorps
-  Self-Represented Litigant Coordinators



ATJ Commissioners:

- Justice Thomas M. Harris, Jr., 4th Appellate Court, ATJ Commissioner

JusticeCorps:


- Brittany Rossi Underwood, JusticeCorps Fellow, Champaign County
- Kiasha Henry, JusticeCorps Fellow, McLean County


Self-Represented Litigant Coordinators:

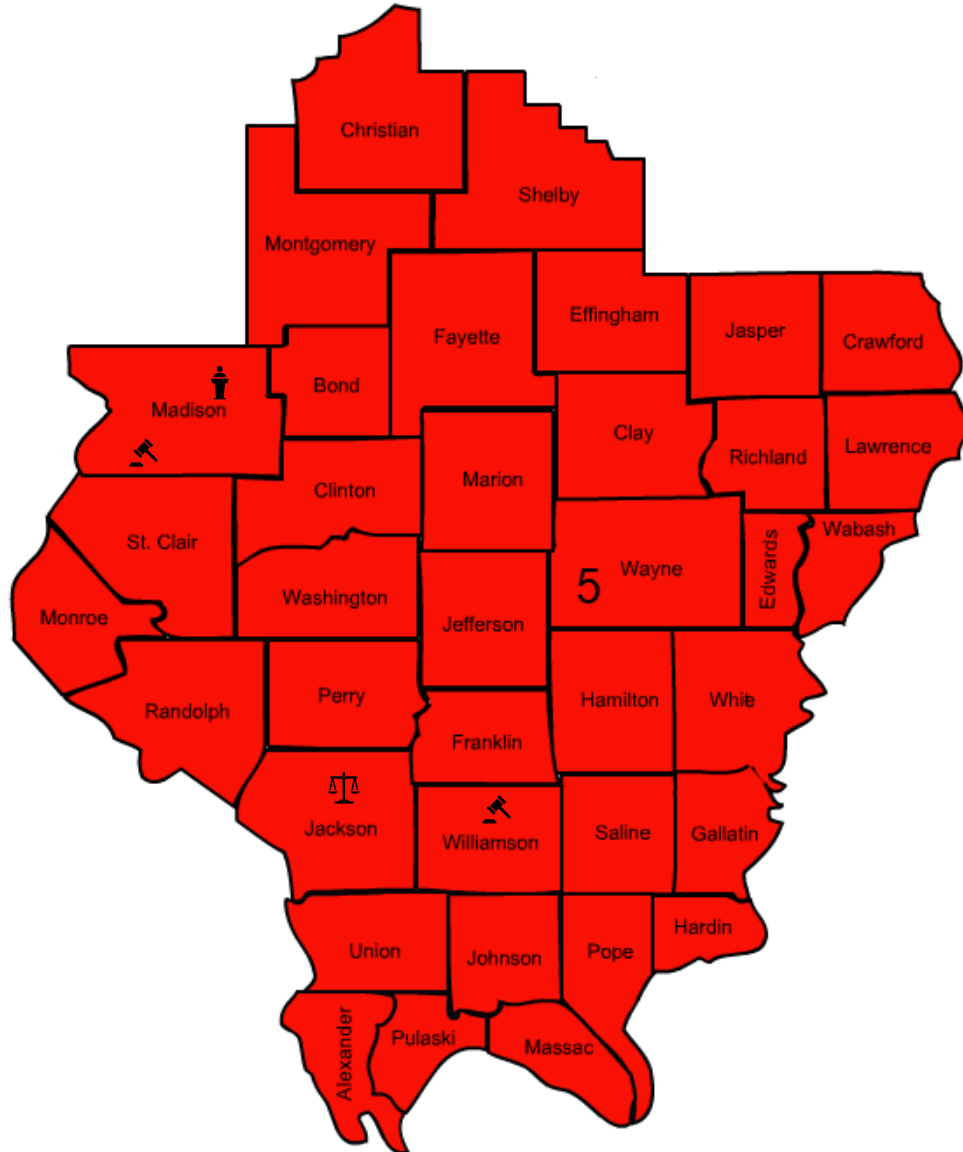
- Jennifer Power, Law Clerk, SRL Coordinator, 8th Circuit (Adams & Pike)
- Mary Sellmyer, Law Library Navigator, SRL Coordinator, 11th Circuit (McLean)

Access to Justice Contacts— Fifth Appellate District

 Access to Justice Commission Members

 Illinois JusticeCorps

 Self-Represented Litigant Coordinators



ATJ Commissioners:

- Andrew Weaver, Senior Supervising Attorney, Land of Lincoln Legal Aid, ATJ Commissioner

JusticeCorps:

- Robert Lindsay, JusticeCorps Fellow, Madison County

Self-Represented Litigant Coordinators:

- Angela Wille, Law Librarian, SRL Coordinator, 3rd Circuit (Madison)
- Brenda Sprague, Administrative Assistant, SRL Coordinator, 1st Circuit (9 counties: Jackson, Williamson, Saline, Union, Johnson, Pope, Alexander, Pulaski, Massac)

ILLINOIS JUSTICECORPS

What is JusticeCorps?

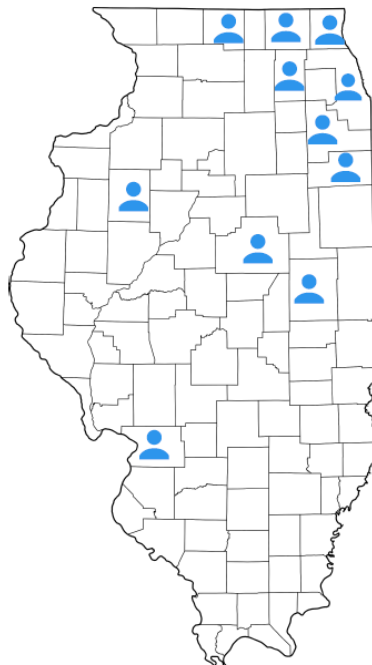
JusticeCorps is an innovative AmeriCorps program that places college students, recent graduates, and other volunteers in courthouses throughout the state to help the growing number of litigants appearing in court every day without lawyers. Volunteers in the program make the courts a friendlier and more welcoming environment for litigants and other court patrons. The program is made possible by AmeriCorps funding from the Serve Illinois Commission and the Corporation on National and Community Service and additional support from the Illinois Supreme Court Commission on Access to Justice, the Illinois Bar Foundation and The Chicago Bar Foundation.

What does JusticeCorps do?

JusticeCorps fellows work full or part-time at their assigned courthouse and work closely with court site supervisors to support minimum-time members and other program volunteers. Throughout their term of service, fellows receive intensive training on legal information versus advice, the court system, and working with self-represented litigants. Fellows and other part-time JusticeCorps members provide valuable assistance to people without lawyers by helping them navigate the courthouse, access legal and social service resources, and connecting them to legal aid and other services in their community. JusticeCorps members complement the work of lawyers, clerks, court personnel and library staff by providing legal information and procedural guidance to those who need it most.

Where is JusticeCorps located?

JusticeCorps has a presence at 13 sites in 11 counties covering nearly half of the Judicial Circuits and in all five appellate districts. JusticeCorps is in Champaign; Cook (Daley Center, Markham, and Leighton Criminal Court Building); Kane; Kankakee; Knox; Lake; Madison; McHenry; McLean; Will; and Winnebago counties.



SELF-REPRESENTED LITIGANT COORDINATOR NETWORK AND GRANT PROGRAM

What is the Self-Represented Litigant Coordinator Program?

The SRL Coordinators program is a grant program administered by the ATJ Commission. The goal of this project is to create, train, and support a statewide network of Coordinators based in courthouses throughout the state. Coordinators serve as a bridge, linking their courthouses with others throughout the state to share ideas, develop new resources, and establish programs for assisting self-represented and limited English proficient litigants. Local partners are critical to fully understanding and addressing the needs of the self-represented litigant population.

What do SRL Coordinators do?

SRL Coordinators collaboratively and creatively work to identify new strategies for improving access to justice. By implementing these strategies locally, courts have improved efficiency, reduced the burden placed court staff, and improved the experience of all court patrons.

Here is a summary of past and current projects of the SRL Coordinators.

Judicial Circuit	App. District	Counties Served	Coordinator	Project Summary
First	Fifth	Alexander; Jackson; Johnson; Massac; Pope Pulaski; Saline; Union; Williamson.	Brenda Sprague, Administrative Assistant, Office of Chief Judge, First Circuit	<ul style="list-style-type: none"> Meet with committee members from all counties Develop new partnerships Duplicate Pro Bono Divorce Clinic & Lawyer in the Library programs Train public librarians on helping court patrons Increase community awareness of resources
Third	Fifth	Madison	Angela Wille, Law Librarian	<ul style="list-style-type: none"> Change layout of physical space in Madison, add work stations, expand services to Bond Create and implement a Mediation program for cases with both sides SRL
Sixth	Fourth	Champaign	Lori Hansen, TCA	<ul style="list-style-type: none"> New participant in the network
Seventh	Fourth	Sangamon	Suzann Maxheimer, TCA	<ul style="list-style-type: none"> New participant in the network
Eighth	Fourth	Adams, Pike	Jennifer Power, Law Clerk	<ul style="list-style-type: none"> Continue SRL Help Desk in Adams County Create SRL resource space in Pike County
Ninth	Third	Knox	Deja Jenkins, JusticeCorps	<ul style="list-style-type: none"> New participant in the network
Tenth	Third	Peoria	Rena' Parker, TCA	<ul style="list-style-type: none"> Continue Pilot of Online Dispute Resolution project for family cases in Peoria County and expand to Tazewell County
Tenth	Third	Tazewell	Lori Shelton, Court Admin	<ul style="list-style-type: none"> Work with Rena' to expand ODR to Tazewell
Eleventh	Fourth	McLean	Mary Sellmyer, Library Navigator	<ul style="list-style-type: none"> Improve physical space in Law Library to better serve SRLs

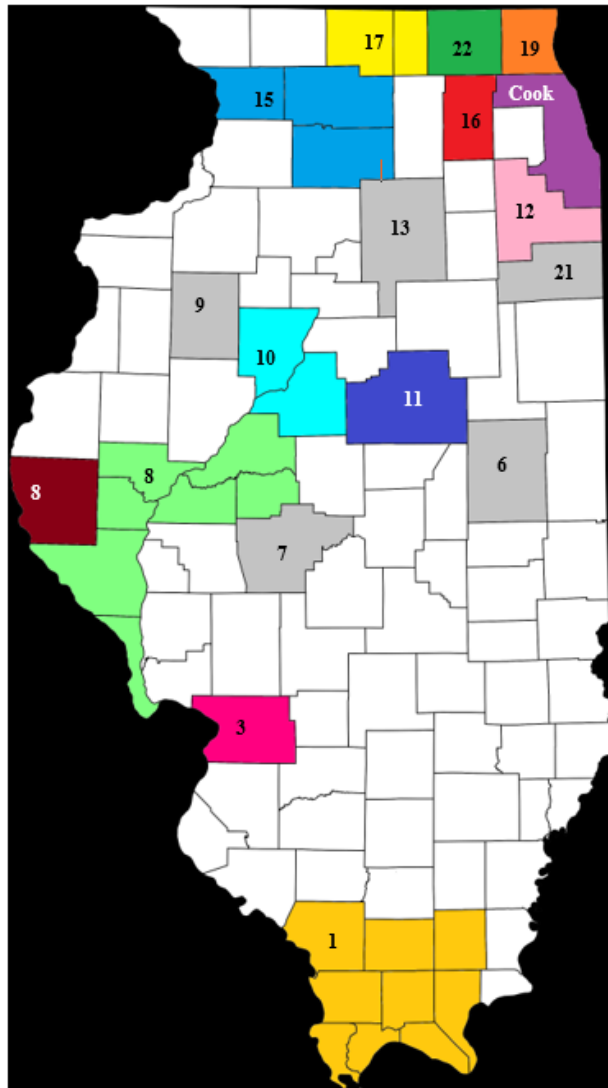
Twelfth	Third	Will	Jeanne Fillipitch & Alfreda Baran, Law Library Director & Paralegal	<ul style="list-style-type: none"> • Reconfigure self-help center & create user guides • Utilize LanguageLine for library and SHC users • Create and implement an Early Resolution Program for Divorce and Paternity Cases
Thirteenth	Third	LaSalle	Lori Wakeman, Trial Court Admin	<ul style="list-style-type: none"> • New participant in the network
Fourteenth	Third	Rock Island	Tammy Weikert, ATJ Commissioner	<ul style="list-style-type: none"> • Member of network
Fifteenth	Second	Lee, Ogle, Stephenson, Carroll	Le Ann Brandenburg, TCA	<ul style="list-style-type: none"> • Utilize a Resource Person to rotate in 3 counties • Train court staff on info vs. advice and assisting patrons with e-filing
Sixteenth	Second	Kane	Halle Cox, Director, Kane Law Library and SHLC	<ul style="list-style-type: none"> • Create 'prescription pads' for judges to help SRLs • Translate materials into Spanish • Partner with public libraries to take "Lawyer in the Library" on the road • Provide training on basic legal research skills to public librarians
Seventeenth	Second	Winnebago & Boone	Brian Buzard, Law Librarian	<ul style="list-style-type: none"> • E-reminders (text and/or email) • Pictogram Charts for family/divorce, OP, small claims, eviction • Reimagine self-help center in Boone County • Create resource centers outside of specific courtrooms
Nineteenth	Second	Lake	Elizabeth Howlett Bogie, Staff Atty	<ul style="list-style-type: none"> • Create Early Resolution Program and pro se call • Establish an SRL space in the law library
Twenty-First	Third	Kankakee	Nancy Hinton, Secretary	<ul style="list-style-type: none"> • Translate information into Spanish • Create self-help brochures and booklets • Digital monitors for courtroom information
Twenty Second	Second	McHenry	Susy Huffman, Law Librarian	<ul style="list-style-type: none"> • Continue Early Resolution Program for Divorces involving SRLs
Cook	First	Cook-Chicago	Nairee Hagopian, Maggie Miller & Lauren Wynne	<ul style="list-style-type: none"> • Continue the early resolution triage program for all domestic relations cases with two SRLs
Cook	First	Cook-Maywood	LaShanda O'Quinn, Coordinator	<ul style="list-style-type: none"> • Partner with CVLS for a legal advice clinic • Get a scanner for SRL work station

Where are SRL Coordinators located?

The SRL Coordinator network currently has participants in 17 of the 24 judicial circuits.

- First Judicial Circuit (all 9 counties)
- Third Judicial Circuit (Madison and Bond)
- Sixth Judicial Circuit (Champaign)
- Seventh Judicial Circuit (Sangamon)

- Eighth Judicial Circuit (Adams and Pike)
- Ninth Judicial Circuit (Knox)
- Tenth Judicial Circuit (Peoria & Tazewell)
- Eleventh Judicial Circuit (McLean)
- Twelfth Judicial Circuit (Will)
- Thirteenth Judicial Circuit (LaSalle)
- Fifteenth Judicial Circuit (Ogle, Lee, Carroll)
- Sixteenth Judicial Circuit (Kane)
- Seventeenth Judicial Circuit (Winnebago and Boone)
- Nineteenth Judicial Circuit (Lake)
- Twenty-First Judicial Circuit (Kankakee)
- Twenty-Second Judicial Circuit (McHenry)
- Circuit Court of Cook County (District 1 Chicago and District 4 Maywood)



STATEWIDE STANDARDIZED COURT FORMS PROGRAM

Governed by Supreme Court Rule 10-101, the ATJ Commission has created a rigorous process to develop and approve standardized court forms. Since starting the project in 2012, the ATJ Commission has published 32 forms suites for use in Circuit Courts, 12 forms suites for use in Appellate Courts, and 4 forms suites for use in the Supreme Court.

Which forms are currently available?

To date, the ATJ Commission's Forms Committee has finalized the following forms and their corresponding instructions:

- *Appellate Forms*: Notice of Appeal, Application for Waiver of Court Fees, Docketing Statement, Bystanders Report, Agreed Statement of Facts, Request for Preparation of Record on Appeal, Request for Report of Proceedings (Transcripts), Appellant's Brief, Appellee's Brief, Appellant's Reply Brief, Appellant's Motion, Appellate Motion, and Petition for Rehearing.
- *Divorce*: Petition for Dissolution of Marriage/Civil Union (No Children), Judgment of Dissolution of Marriage/Civil Union (No Children), Petition for Dissolution of Marriage/Civil Union (with Children), Parenting Plan, Judgment of Dissolution of Marriage/Civil Union (with Children), Summons, Entry of Appearance, Order for Support, Support Information Sheet, Income Withholding for Support, Interim Fee Award Order, and Financial Affidavit (Family & Divorce Cases).
- *Eviction*: Eviction Order.
- *Expungement/Sealing*: Request to Expunge & Impound Criminal Records and/or Seal Criminal Records, Order to Expunge & Impound and/or Seal Criminal Records, Order Denying Request to Expunge & Impound and/or Seal Criminal Records, Request to Expunge Juvenile Records, Order to Expunge Juvenile Records, and Certificate of Good Conduct.
- *Mortgage Foreclosure*: Mortgage Foreclosure Appearance and Answer, Motion to Stay Foreclosure Sale, and Motion to Vacate Default Judgment of Foreclosure.
- *Name Change*: Request for Name Change (Adult), Order for Name Change (Adult) Publication Notice of Court Date for Request for Name Change (Adult), Request for Name Change (Minor), Order for Name Change (Minor), Notice of Court Date (Minor), Publication Notice (Minor), Motion to Waive Notice & Publication (Request for Name Change)*, and Order to Waive Publication*.
*Published versions for both Adult and Minor Name Change form suites.
- *Orders of Protection*: Petition for Order of Protection, Plenary Order of Protection, Emergency Order of Protection, and Summons (Protective Orders).
- *Post-Judgment*: Citation to Discover Assets to Debtor, Citation to Discover Assets to Employer, Citation to Discover Assets to Bank, and Emergency Motion to Claim Exemption.
- *Procedural Forms*: Application for Waiver of Court Fees, Appearance Pro Se, Answer/Response to Complaint/Petition, Motion, Notice of Court Date for Motion, Interpreter Request, Limited Scope Representation, Proof of Service. Certificate for Exemption from E-Filing, Certificate for Exemption from E-Filing (Appellate Court), Certificate for Exemption from E-Filing (Supreme Court).

- *Supreme Court Forms*: Motion, Petition for Rehearing, and Application for Waiver of Court Fees.

Which forms are mandatory?

All approved standardized forms are required to be *accepted* in all Illinois Circuit Courts according to SCR 10-101. However, there are certain forms that are required by SCR or statute to be used statewide. The mandatory use forms are:

- 1) Application for Waiver of Court Fees
 - a. Pursuant to Illinois Supreme Court Rule 298(a)(2): "Applicants shall use the "Application for Waiver of Court Fees" adopted by the Illinois Supreme Court Access to Justice Commission..."
- 2) Application for Waiver of Criminal Court Assessments
 - a. Pursuant to Illinois Supreme Court Rule 404(a)(2): "Applicants shall use the "Application for Waiver of Court Assessments" adopted by the Illinois Supreme Court Access to Justice Commission..."
- 3) Financial Affidavit (Family & Divorce Cases)
 - a. Pursuant to 750 ILCS 5/501(a)(1) Temporary Relief, Illinois Marriage and Dissolution of Marriage Act: "One form of financial affidavit, as determined by the Supreme Court, shall be used statewide. The financial affidavit shall be supported by documentary evidence..."
- 4) Interim Attorney Fees Award Order
 - a. Pursuant to 750 ILCS 5/501(c-1)(2): "... as the court determines and directs, after notice in a form designated by the Supreme Court."
- 5) Eviction Order
 - a. Pursuant to 735 ILCS 5/9-109.6: "A standardized residential eviction order form, as determined by the Supreme Court, shall be used statewide."
- 6) Certificate for Exemption from E-Filing
 - a. Pursuant to Rule 9(c)(5): "The court shall provide, and parties shall be required to use, a standardized form expressly titled "Certification for Exemption From E-filing" adopted by the Illinois Supreme Court Commission on Access to Justice."

Which forms are in development?

- *Adult Expungement and Sealing*: Motion to Vacate & Expunge Eligible Cannabis Convictions, Notice of Motion to Vacate & Expunge Eligible Cannabis Convictions, and Order Granting or Denying Motion to Vacate, Dismiss, Expunge & Impound Eligible Cannabis Convictions.
- *Civil Asset Forfeiture*: Motion for Hardship, Order for Motion for Hardship, Answer to Complaint for Forfeiture (Not Involving Drugs or Money Laundering), Verified Claim or Answer to Complaint for Forfeiture (Involving Drugs or Money Laundering).
- *Civil Procedures*: Subpoena, and Petition for Rule to Show Cause.

- *Criminal Procedures*: Application to Appoint Public Defender, Order to Appoint Public Defender, and Petition for Correction of Certain Errors in Sentencing pursuant to Rule 472.
- *Criminal Records Relief*: Request for Certificate of Relief from Disabilities.
- *Divorce*: Petition for Allocation of Parental Responsibilities, Judgment for Allocation of Parental Responsibilities, Motion for Publication Notice, Notice of Publication, Order for Publication, and Financial Affidavit (Family & Divorce Cases) (revised).
- *Eviction*: Eviction Complaint, Notice of Termination for Non-Payment of Rent, Notice of Termination for Lease Violation, Notice of Non-Renewal of Lease, Demand for Immediate Possession, 90-Day Demand for Possession and Notice of Intent to File Eviction, Affidavit of Service of a Demand or Notice, Motion for Appointment of Special Process Server, Order Appointing Special Process Server, Summons, Affidavit for Service by Posting or Publication, Notice Requiring Appearance in Pending Eviction Action, Answer, Appearance, Judgment for Defendant in Eviction Case, Agreed Order Dismissing Case with Leave to Reinstate, Agreed Order (Pay & Stay), Agreed Order (Defendant Agrees to Move), Order Granting Plaintiff's Motion to Dismiss, Judgment for Rent/Assessments Only, Compliance Order, Motion to Extend Time to Evict Defendants, Motion to Vacate, Motion to Set Aside, Emergency Motion to Prevent Eviction Before Hearing, Motion to Seal Court File (Discretionary), Motion to Seal Court File (Mandatory), and Sealing Order, and Eviction Order (Plaintiff Reinstate Lease).
- *Small Claims*: Small Claims Complaint, Small Claims Answer, Small Claims Order, Small Claims Summons, Motion to Vacate Default Judgment, Motion to Vacate Dismissal of Case, Motion to Quash Service, and Third Party Citation to Discover Assets.
- *Supreme Court*: Petition for Leave to Appeal, Appellee's Brief, Appellant's Brief, Notice of Election, Petition for Leave to Appeal, Briefs, and Motion for Supervisory Order.

A sample of the *Application for Waiver of Court Fees* form suite follows this page.

Getting Started

Application for Waiver of Court Fees

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to use the *Application for Waiver of Court Fees* forms. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *How to Ask the Court to Participate in a Court Case for Free or at a Reduced Cost* instruction sheet and the instructions on the forms.

Names of the forms:	<ul style="list-style-type: none">• <i>Application for Waiver of Court Fees</i>• <i>Order for Waiver of Court Fees</i>
Purpose of the forms:	To ask the court to let you participate in a court case for free or at a reduced cost.
Types of cases the forms CAN be used for:	All civil cases. For example, divorce cases, family cases, eviction cases, small claims cases, foreclosure cases and lawsuits for injury or property damage. It can also be used in expungement and sealing of criminal cases.
Types of cases the forms CANNOT be used for:	All criminal, traffic, and juvenile justice cases. If you need to ask for a fee waiver in a criminal case, you can use the <i>Application for Waiver of Criminal Court Assessments</i> form found here: illinoiscourts.gov/Forms/approved/Circuit.asp
Special information or papers needed to complete the forms:	<ul style="list-style-type: none">• You will need to know your income and expenses information for the past 12 months. You also need to know the value of your belongings, including any real estate.• If you are filling this form out on behalf of a minor or incompetent adult, you will need that person's information.• If you get public benefits, you may want to bring current proof of eligibility and a benefits statement from the agency providing the benefit when you file your forms.• If you don't get public benefits, you may want to bring documents showing your income, value of belongings (including real estate) and expense information when you file your forms.
Statutes and rules covering the forms:	<ul style="list-style-type: none">• 735 ILCS 5/5-105 and 5/5-105.5• Illinois Supreme Court Rule 298
Where to find the forms and instruction sheet:	illinoiscourts.gov/Forms/approved/Circuit.asp
For more information:	Read the <i>How to Ask the Court to Participate in a Court Case for Free or at a Reduced Cost</i> instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local county self help center at: illinoislegalaid.org/FeeWaiver .

HOW TO ASK THE JUDGE TO PARTICIPATE IN A COURT CASE FOR FREE OR AT A REDUCED COST

Who can ask the judge to participate in a court case for free or at a reduced cost?

Anyone who must pay a fee as part of a court case. You can ask for yourself, your minor child, or an incompetent adult, but not for anyone else.

How will I know if there is a fee?

The Circuit Clerk can tell you if there is a fee for filing a document with the court. Other fees might come up during the case. For example, the judge might tell you about a fee or the sheriff's department might tell you about a fee for delivering (serving) court papers.

What forms do I need to fill out to ask the judge to let me participate in a case for free or at a reduced cost?

- **Application for Waiver of Court Fees:** Is used to tell the judge whether you get any public benefits and your income and expense information so they can decide if you can participate in a court case for free or at a reduced cost.
- **Order for Waiver of Court Fees:** Is used by the judge to say your application is granted or denied.

Where can I find the forms I need?

You can find forms at:

illinoiscourts.gov/Forms/approved/.

Do I have to pay to file an *Application for Waiver of Court Fees*?

No, there is no cost for filing an *Application for Waiver of Court Fees*.

Is there a deadline for filing an *Application for Waiver of Court Fees*?

- No. You can file an *Application for Waiver of Court Fees* at any time during the court case.
- It might take the judge a couple of days to review your application and to decide whether you have to pay fees, so don't wait until the last minute.
- You are responsible for knowing if there are other deadlines to file documents.

How do I prove I cannot afford to pay court fees?

The judge may require you to prove the information in your *Application*. If you get public benefits you may want to bring proof of current eligibility and benefits statement from the agency providing the benefit.

Examples of public benefits are:

- Supplemental Security Income (SSI) (Not Social Security)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance to Needy Families (TANF)

- SNAP (Food Stamps)
- General Assistance (GA), Transitional Assistance, or State Children & Family Assistance

If you don't get public benefits, you may want to bring documents showing your income, value of belongings (for example, real estate), and expenses.

What happens if my *Application* is granted?

Depending upon your circumstances, the judge may order that:

- You may participate for free;
- You must pay 25% of any fee charged;
- You must pay 50% of any fee charged; OR
- You must pay 75% of any fee charged.

If my *Application* is granted, will I ever have to pay fees?

- If the judge grants your *Application* and later decides that the information you put in your *Application* was incorrect and you were ineligible, the judge can make you pay back any fees that were waived.
- If the court believes that your financial situation has changed and you are no longer eligible for a full or partial fee waiver, the court can hold a hearing to decide whether you are still eligible. If you are no longer eligible, you will have to pay future fees.
- If the court decides you do not have to pay all or some of the court fees and you win your case and get money from the other side, the court may make you use all or part of this money to pay the court fees.

When does my fee waiver expire?

It is good for one year. If you still need the fee waiver after it expires, you will need to file a new *Application*. However, this does not mean you have to pay back fees that were already waived.

What do I do after I fill out the *Application for Waiver of Court Fees* and *Order for Waiver of Court Fees*?

Step 1: File your *Application for Waiver of Court Fees* and *Order for Waiver of Court Fees* with the Circuit Clerk in the county where your court case was filed.

- You must electronically file (e-file) court documents unless (1) you are an inmate in a prison or jail and you do not have a lawyer, (2) you have a disability that keeps you from e-filing, or (3) you qualify for an exemption from e-filing.
 - You will qualify for an exemption if: (1) you do not have internet or computer access at home and it would be difficult for you to travel to a place where you could use a computer; or (2) you have a language barrier or low literacy (difficulty

- reading, writing, or speaking in English).
- Fill out a *Certification for Exemption from E-Filing* found here:
illinoiscourts.gov/Forms/approved/default.asp.
- To receive an exemption, file the original and 1 copy of your *Application for Waiver of Court Fees*, and the *Certification*, with the Circuit Clerk's office, in person or by mail.
- To e-file, create an account with an e-filing service provider.
 - Visit efile.illinoiscourts.gov/service-providers.htm to select a service provider. Some service providers are free while others charge a processing fee. For instructions on how to e-file for free with Odyssey eFileIL, see the self-help user guides here:
illinoiscourts.gov/CivilJustice/Resources/Self-Represented_Litigants/self-represented.asp
- If you do not have access to a computer or if you need help e-filing, take your form to the Circuit Clerk's office where you can use a public computer terminal to e-file your form.
 - You can bring your form on paper or saved on a flash drive.
 - The terminal will have a scanner and computer that you can use to e-file your form.

Step 2: Wait for a decision.

- The judge will review your *Application for Waiver of Court Fees* and decide whether you have to pay the court fees.
- The judge may need more information from you. The judge may want to have a hearing on your *Application*. The judge will notify you if you need to give more information or documents, or if you have to go to court.
- After the judge makes a decision, the judge will fill out the *Order for Waiver of Court Fees*. The *Order for Waiver of Court Fees* will say if you have to pay any court fees.
- The judge or the Circuit Clerk will tell you:
 - How you will get a copy of the *Order for Waiver of Court Fees*.
 - When you will get a copy of the *Order for Waiver of Court Fees*.
- If the judge decides you have to pay all or some of the court fees, you have to pay by the deadline set in the *Order for Waiver of Court Fees*. If you do not pay by the deadline, the judge may dismiss your case or find against you.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	APPLICATION FOR WAIVER OF COURT FEES	<i>For Court Use Only</i>
Instructions ▼	_____ Plaintiff / Petitioner <i>(First, middle, last name)</i>	
Directly above, enter the name of the county where the case was filed.	v.	
Enter the name of the person who started the lawsuit as Plaintiff/Petitioner.		
Enter the name of the person being charged as Defendant/Respondent.		
Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one.	_____ Defendant /Respondent <i>(First, middle, last name)</i>	_____ Case Number

<p>NOTE: If you are completing this form on behalf of a minor or an incompetent adult, provide that person's information on this form instead of your own information.</p>

Pursuant to [Illinois Supreme Court Rule 298](#) and [735 ILCS 5/5-105](#), I state:

- | |
|---|
| In 1a, enter your full name |
| In 1b, only enter the year you were born. DO NOT enter your entire date of birth. |
| In 1c, enter your complete current address. |
| In 2a, enter the number of people age 18 and older living in your house who you support. Support means that the people rely on you financially. |
| In 2b, enter the number of people under age 18 living in your house who you support. |
| In 3, check "Yes" if you are currently receiving 1 or more of the benefits listed below. |
| If you check "Yes" in 3, skip 4 and sign the form. You do not have to complete 4. |

1. I believe I cannot afford to pay the court fees in this case and I am providing the following information about myself:

- a. Name: _____
 First *Middle* *Last*
- b. Year of Birth: _____
- c. Street Address: _____
 City, State, ZIP: _____

2. I am providing the following information about people who live with me:

- a. I support _____ adults *(not counting myself)* who live with me.
- b. I support _____ children under 18 who live with me.

3. I am receiving 1 or more of the benefits listed below:

Yes No

- Supplemental Security Income (SSI) (Not Social Security)
- Aid to the Aged, Blind and Disabled (AABD)
- Temporary Assistance to Needy Families (TANF)
- SNAP (Food Stamps)
- General Assistance (GA), Transitional Assistance, or State Children and Family Assistance

****If you answered "Yes" in section 3, you qualify for a fee waiver under [735 ILCS 5/5-105\(a\)\(2\)\(i\) and \(b\)\(1\)](#). You can skip section 4 and sign the form.****

In **4a**, check "Yes" if you have applied for at least 1 of the benefits listed in section 3.

In **4b**, check the box for each type of money you have received in the past month. Also enter the gross (before taxes) amount for each type.

Under **Other** in **4b** and **4c**, include any money received from family or friends.

In **4c**, check the box for each type of money you have received in the past 12 months. Also enter the gross (before taxes) amount for each type.

In **4d**, check all of your debts and expenses for the past month and list the amount of money you pay each month for that expense.

4. I checked "No" in section 3, so I am providing the following financial information:

a. I have a pending application for 1 or more of the benefits listed in section 3:

Yes No

b. I received the following money in the past month. *(check all that apply)*

- My employment: \$ _____ Social Security (not SSI): \$ _____
- Child support: \$ _____ Unemployment: \$ _____
- Pension: \$ _____
- Money from other household members: \$ _____
- Other *(list type and amount)*: _____ \$ _____
- No income

Total of all money received in the past month: \$ _____

c. I received the following total amount of money in the past 12 months. *(check all that apply)*

- My employment: \$ _____ Social Security (not SSI): \$ _____
- Child support: \$ _____ Unemployment: \$ _____
- Pension: \$ _____
- Money from other household members: \$ _____
- Other *(list type and amount)*: _____ \$ _____
- No income

Total of all money received in the past 12 months: \$ _____

d. My current monthly debts and expenses are listed below. *(check all that apply)*

- Rent: \$ _____ per month
- Home Mortgage: \$ _____ per month
- Other Mortgage: \$ _____ per month
- Utilities: \$ _____ per month
- Food: \$ _____ per month
- Medical: \$ _____ per month
- Car Loan: \$ _____ per month
- Childcare: \$ _____ per month
- Child Support: \$ _____ per month
- Other expenses not listed above *(list type and amount)*: _____ \$ _____

Other debts not listed above *(list type and amount)*: _____ \$ _____

I have no expenses.

Total of all expenses: \$ _____ per month

In 4e, check all of the items owned by you and list the value of each item. If you own real estate, include the total you owe on any mortgage.

- e. I have the belongings listed below. (check all that apply)
- Bank accounts and cash totaling: \$ _____
 - Home worth: \$ _____
 The total I owe on my home mortgage is: \$ _____
 - Other real estate, not including the house I live in, worth: \$ _____
 The total I owe on my other mortgage is: \$ _____
 - 1st vehicle worth: \$ _____ The 1st vehicle is paid off: Yes No
 - 2nd vehicle worth: \$ _____ The 2nd vehicle is paid off: Yes No
 - Other (list items and value): _____ \$ _____
 - None of the above

Under Illinois Supreme Court Rule 137, your signature means that you have read the document, that to the best of your belief, it is true and correct and that you are not filing it for an improper purpose, such as to cause delay.

/s/ _____ Street Address _____
 Your Signature

_____ City, State, ZIP _____
 Print Your Name

_____ Telephone _____
 Relationship to Minor or Incompetent Adult (if applicable)

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name. Enter your complete current address and telephone.

If you are filling out this form for a minor or incompetent adult, sign and print your name and state your relationship to that person. Enter your complete current address and telephone number.

GETTING COURT DOCUMENTS BY EMAIL: If you agree to receive court documents by email, check the box below and enter your email address. You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information or notice of court dates. Other parties may still send you court documents by mail.

I agree to receive court documents at this email address during my entire case.

_____ Email _____

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	ORDER FOR WAIVER OF COURT FEES	For Court Use Only
Instructions ▼	_____ Plaintiff / Petitioner <i>(First, middle, last name)</i> V. _____ Defendant / Respondent <i>(First, middle, last name)</i>	
Directly above, enter the name of the county where the case was filed.		
Enter the name of the person who started the lawsuit as Plaintiff/Petitioner.		
Enter the name of the person being sued as Defendant/Respondent.		
Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one.	_____ Case Number	

Enter your full name as "Applicant."

Applicant Name: _____
First
Middle
Last

DO NOT check any boxes or fill in any more blanks on this form. The judge will complete the rest of the form.

The Court having reviewed the *Application for Waiver of Court Fees* hereby finds:

1. The applicant **qualifies** for a **full (100%)** waiver of all fees, costs, and charges because *(check only one)*:
 - a. The applicant receives means-based government assistance under one or more of the following programs:
 - Supplemental Security Income (SSI) (Not Social Security)
 - Aid to the Aged, Blind and Disabled (AABD)
 - Temporary Assistance for Needy Families (TANF)
 - SNAP(Food Stamps)
 - General Assistance (GA), Transitional Assistance, or State Children and Family Assistance
 - OR**
 - b. The applicant's personal income is **125%** or less of the current poverty level as established by the U.S. Department of Health and Human Services and the Applicant's non-exempt assets under [735 ILCS 5/12-901](#) and [735 ILCS 5/12-1001](#) are such that the applicant is unable to pay the fees, costs, or charges;
 - OR**
 - c. Payments of fees, costs, and charges would result in substantial hardship to the applicant or his or her family.

2. The applicant **qualifies** for a **partial (75%, 50%, or 25%)** waiver of all fees, costs, and charges because the applicant's household income is *(check one)*:
 - more than **125%** but not greater than **150%** *(75% waived)*; OR
 - more than **150%** but not greater than **175%** *(50% waived)*; OR
 - more than **175%** but not greater than **200%** *(25% waived)*
 of the current poverty level as established by the US Department of Health and Human Services and the Applicant's non-exempt assets under [735 ILCS 5/12-901](#) and [735 ILCS 5/12-1001](#) are such that the applicant is unable

to pay the fees, costs, or charges.

- 3. The applicant must **provide additional information and attend a hearing** before the court decides if the applicant qualifies for a fee waiver.
- 4. The applicant **does not qualify** for a fee waiver because *(must state specific reason)*:

IT IS HEREBY ORDERED:

- A. *Application for Waiver of Court Fees* is **GRANTED**.
 - i. The applicant qualifies for a **full waiver**, and may participate in this case without payment of fees, costs, or charges.
OR
 - ii. The applicant qualifies for a **partial fee waiver** as follows *(check one)*:
 - 75%** of all fees, costs, and charges **are waived** *(and the applicant must pay 25% of all fees, costs, and charges)*.
 - 50%** of all fees, costs, and charges **are waived** *(and the applicant must pay 50% of all fees, costs, and charges)*.
 - 25%** of all fees, costs, and charges **are waived** *(and the applicant must pay 75% of all fees, costs, and charges)*.

Charges included in this waiver are: filing, service of process, publication, mediation, guardian ad litem, or any other court ordered fees listed in [735 ILCS 5/5-105\(a\)\(2\)\(1\)](#).

- The applicant must pay fees, costs, and charges currently due by: _____
Date
- OR
- Upon good cause shown, the applicant may make payments as follows *(describe deferral, installment plan, or other reasonable terms)*:

This order expires one year from the date of this order. The applicant may reapply before or after the expiration date.

- B. *Application for Waiver of Court Fees* is **SET FOR HEARING** on _____
Date
at _____ in courtroom: _____
Time
The applicant must bring the following documents: _____

- C. *Application for Waiver of Court Fees* is **DENIED**.
The applicant must pay all fees, costs, and charges currently due by: _____
Date

DO NOT complete this section. The judge will sign and date here.

ENTERED:

Judge _____ *Date*

INTERPRETER CERTIFICATION AND REIMBURSEMENT PROGRAM

Why is providing qualified interpreters so important?

Ensuring equal access to the courts for individuals who primarily speak a non-English language is an important issue, especially in Illinois, which has a significant and growing number of people with limited English proficiency (LEP) across the state. Unqualified interpreters can present incorrect evidence, affect the reliability of testimony, mislead judges, juries and attorneys, and worse yet, cause LEP litigants to unknowingly waive their rights. As such, there is great need to promote language access for LEP individuals accessing the court system, provide guidance to the judiciary and interpreters as to the role of interpreters, and require interpreters to have minimum levels of proficiency and skills.

Generally, how many interpretations take place per year?

In 2018, approximately 150,000 official interpretations took place in the state courts, along with numerous other unofficial interpretations (by a family member or friend). The most common language for interpretations is Spanish (about 92%) followed by Polish, Sign Language, Arabic, and Russian.

What is being done to ensure courts and litigants have access to qualified interpreters?

To increase the use of skilled interpreters, the Illinois Supreme Court adopted a Language Access Policy requiring the use of certified interpreters for parties and witnesses when reasonably available. Pursuant to the Policy, the AOIC's ATJ Division administers an interpreter certification program and maintains a Court Interpreter Registry. To be listed on the Court Interpreter Registry, spoken and sign language interpreters must attend an orientation and pass written and oral exams. Depending on their exam performance, spoken language interpreters can be listed as "Certified" or "Registered" on the Court Interpreter Registry. To date, there are 372 interpreters in 33 languages on the Court Interpreter Registry.

The AOIC reimburses local courts 100% of all costs associated with the use of certified spoken and sign language interpreters listed on the Court Interpreter Registry. The AOIC also offers partial reimbursement for the use of registered interpreters listed on the Court Interpreter Registry at a rate of \$30/hour. In Fiscal Year 2019, the AOIC reimbursed approximately \$850,000 for usage of interpreters on the Court Interpreter Registry.

The website for the Court Interpreter Registry is: publicapps.illinoiscourts.gov

A language access marketing flyer follows this page summarizing the requirements of the Illinois Supreme Court Language Access Policy.



Illinois Supreme Court Language Access Policy

Going to court? Need an interpreter?

If you are more comfortable in a language other than English or are deaf or hard of hearing, Illinois courts are required to provide an interpreter at no cost to you for all court and related proceedings.

Who can request an interpreter?

To request an interpreter, you must be a:

- Party (a person who brings or defends a lawsuit);
- Witness;
- Victim in the case;
- Juror or spectator (sign language only);
- Parent or guardian of a minor party or victim; legal guardian of a party; or person who brings or defends a case on behalf of a minor or incompetent party.



How do I request an interpreter?

You have three options:

- Before court: fill out the Request & Order for an Interpreter form. You can find the forms at www.illinoiscourts.gov/Forms/approved/.
- At court: tell the judge or judge's clerk in court that you need an interpreter; OR
- At any time you can go to the court administrator's or Circuit Clerk's office to ask for an interpreter.

If you have questions, you can contact Sophia Akbar at the Administrative Office of Illinois Courts (AOIC) at sakbar@illinoiscourts.gov.

APPELLATE RESOURCE PROGRAM

What are the challenges self-represented litigants face in seeking an appeal?

Self-represented litigants often experience difficulties understanding the steps involved in an appeal, meeting filing deadlines, and other procedural requirements, such as providing the court with complete records, reports of proceedings, and coherent briefs with citations to the record and authorities. Self-represented litigants' appeals are often not decided on the merits because of the litigant's failure to meet the procedural requirements for pursuing or defending appeals.

How many self-represented litigants seek to appeal their case?

The following reflects the numbers of self-represented litigants who filed a notice of appeal during the first two quarters of 2019. This was reported to the AOIC as part of the appellate court's quarterly statistical caseload data report.

District	Quarter 1 (Jan-Mar)	Quarter 2 (Apr-June)	TOTAL
First	149	175	324
Second	51	76	127
Third	31	32	63
Fourth	27	47	74
Fifth	25	28	53
TOTAL BY QUARTER	283	358	

What is being done to address challenges self-represented litigants face in trying to appeal their case?

The ATJ Commission and ATJ Division has developed a dedicated appellate self-help webpage: http://www.illinoiscourts.gov/CivilJustice/Resources/Self-Represented_Litigants/self-represented-civil-appeals.asp.

This webpage includes many resources to assist Self-Represented Litigants, including but not limited to:

- the AOIC's Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants;
- a one-page overview of the steps involved in a civil appeal; and
- a comprehensive FAQ guide outlining each step of a civil appeal and step-by-step E-filing guides.

A sampling of these resources follows this page.

Civil Appeals Overview – Appeals from Final Judgments or Orders

	STEP 1:	STEP 2:	STEP 3:	STEP 4:	STEP 5:	STEP 6:	STEP 7:	STEP 8:
	File Notice of Appeal	Request Preparation of the Record	Request Transcript	File Docketing Statement	File Appellant's Brief	Appellee's Brief (Optional)	File Appellant's Reply Brief (Optional)	Decision
Form:	Notice of Appeal	Request for Preparation of Record on Appeal	Request for Report of Proceedings	Docketing Statement	Appellant's Brief	Appellee's Brief	Appellant's Reply Brief	Decision
Due:	Within 30 days after entry of a final judgment	Within 14 days after filing the Notice of Appeal	Within 14 days after filing the Notice of Appeal	Within 14 days after filing the Notice of Appeal	Within 35 days after filing of the Record on Appeal	Within 35 days after the due date of the Appellant's Brief	Within 14 days after the due date of the Appellee's Brief	Not applicable
Where:	File in the Circuit Court	File in the Circuit Court	File with Court Reporter in the Circuit Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	The Appellate Court will issue a decision
Why:	<p>To start the appeal of a circuit court order or judgment.</p> <p>The Notice of Appeal tells the circuit court and the other parties that you (the appellant) are appealing the circuit court's order or judgment, and says what relief you will be seeking from the appellate court.</p> <p>Within 7 days after filing the Notice of Appeal, you must (1) send the Notice of Appeal to the other parties (or their attorneys if they are represented by counsel) and (2) file with the clerk of the appellate court:</p> <ol style="list-style-type: none"> a notice of filing, showing that you filed the Notice of Appeal, and a proof of service, showing that you sent the Notice of Appeal to the other parties. 	<p>To have the clerk of the circuit court prepare the Record on Appeal.</p> <p>The Record on Appeal is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court during your case. The appellate court uses the Record on Appeal to find out what happened in the circuit court. It is important because the appellate court cannot look at anything that is not in the Record on Appeal. The circuit clerk will transfer the complete record to the appellate court within 63 days after the Notice of Appeal was filed.</p> <p>Attach a completed copy of the Request for Preparation of Record on Appeal to your Docketing Statement (see Step 4).</p>	<p>To ask the court reporter to prepare the transcript of the hearing or trial for the appellate court so they can decide your appeal fairly.</p> <p>The Report of Proceedings is a typed record of the hearing or trial and includes what the judge, parties, witnesses, and lawyers said in court. This record is also called a transcript. The court reporter will submit the transcript to the appellate court within 49 days after the Notice of Appeal was filed.</p> <p>If the court proceedings were <u>not</u> recorded, you may complete a Bystander's Report OR Agreed Statement of Facts.</p> <p>Attach a completed copy of the Request for Report of Proceedings to your Docketing Statement (see Step 4).</p>	<p>To tell the appellate court and all the parties in the appeal that you have taken the required steps to begin an appeal.</p> <p>The Docketing Statement tells the appellate court that you are appealing a circuit court order or judgment.</p> <p>NOTE: The case cannot go forward until the appellant pays the \$50 docketing statement fee OR the appellate court has granted a fee waiver.</p> <p>Attach completed copies of the Request for Preparation of Record on Appeal and Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).</p>	<p>To tell the appellate court why the circuit court should not have entered an order or judgment against you.</p> <p>The Appellant's Brief presents all of your arguments explaining why the circuit court's decision should be overturned.</p> <p>Your brief must present arguments in a clear and thorough way. In support of your arguments, you must cite to the Record on Appeal and to relevant legal authority (statutes, rules, case law, etc.). In order to find legal authority, you will need to conduct legal research either online or at a law library.</p> <p>Illinois Supreme Court Rule 341 gives specific instructions on formatting briefs, which must be followed or your appeal may be dismissed.</p>	<p>For the appellee (the other party) to tell the appellate court why the circuit court was correct in entering an order or judgment in their favor.</p> <p>The Appellee's Brief is an optional written response to the Appellant's Brief; it gives the appellee a chance to convince the appellate court that the arguments in the Appellant's Brief are wrong and that the circuit court's decision was correct. If the appellee does not file a brief, they are not allowed to further participate in the appeal.</p>	<p>To tell the appellate court why you disagree with the arguments in the Appellee's Brief.</p> <p>If the appellee files a brief, you may file a reply brief. The Appellant's Reply Brief is the third and final brief in the appeals process.</p> <p>The Reply Brief is an optional response to the arguments raised in the Appellee's Brief. It is used to address or counter issues, arguments, and case law that were raised or cited to by the appellee.</p> <p>The Reply Brief cannot raise any new issues and should not simply restate arguments already made in your initial Appellant's Brief.</p>	<p>To end the appeal.</p> <p>After submission of all briefs and following oral arguments (if applicable), the appellate court will issue its decision on your case in the form of a written opinion or order.</p> <p>The appellate court can decide to do any of the following:</p> <ul style="list-style-type: none"> * affirm (decide that the circuit court's decision was correct); * reverse (decide that the circuit court's decision was incorrect); * remand (return the case to the circuit court for further action); or * take any other appropriate action. <p>If you do NOT agree with the appellate court's decision, you may file a Petition for Rehearing (within 21 days after the decision) or file a Petition for Leave to Appeal (within 35 days after the decision or ruling on the Petition for Rehearing) to the Illinois Supreme Court.</p>





ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS - FAQ

This document provides information for self-represented litigants in filing an appeal from a circuit court order or judgment in a civil case to the Illinois Appellate Court. It does not discuss how to file an appeal in a criminal case or in federal court.

The civil appeals process is difficult. The process involves many strict deadlines and adherence to [Illinois Supreme Court Rules](#) ("Rules"). You are strongly encouraged to speak to a lawyer about your appeal. Should you decide to appeal your case without a lawyer, you will need to follow the Rules just like those parties who have an attorney. You will also need to do a significant amount of legal research and write lengthy briefs in order to convince the appellate court that your position is correct. You can search for a lawyer with experience in appeals to represent you at [Illinois Lawyer Finder](#) (outside Cook) or [Chicago Bar Association Lawyer Referral Service](#) (in Cook).

The material presented herein is legal information and aims to provide general resources for you. This FAQ is not a substitute for legal counsel and does not constitute legal advice. You must speak with a lawyer to receive legal advice. This resource is neither legal authority nor a substitute for the requirements found in the Rules.

SECTION TWO: STEPS AND FORMS

1.) **What steps are involved in filing an appeal?**

There are numerous steps involved with filing an appeal, all of which have very specific deadlines. If you miss a deadline, you may lose your right to appeal. If you miss a deadline, you will need to file a motion with the appellate court for an extension of time. Be certain to consult the [Illinois Supreme Court Rules](#) for complete information. Further details are available by reviewing the sections within this manual:

Step 1: File the Notice of Appeal

Step 2: Request Preparation of Record (Common law record)

Step 3: Request Report of Proceedings (Transcripts)

Step 4: File the Docketing Statement

Step 5: File the Appellant's Brief

Step 6: Wait for the Appellee's Brief – Response filed by the Appellee (optional)

Step 7: File the Appellant's Reply Brief – Reply filed by the Appellant (optional)

Step 8: Oral Argument (optional and if granted by the court)

Step 9: The Appellate Court will issue a decision

Step 10: Petition for Rehearing or Petition for Leave to Appeal to the Illinois Supreme Court (optional – only if you disagree with the appellate court's decision)



ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS - FAQ

A one-page overview of an appeal from a final judgment or order may be found [here](#).

2.) **How do I make a request to the appellate court to ask for more time?**

All requests to the appellate court must be made by a motion. Motions must be in writing - the appellate court does NOT hear oral arguments for motions. You will need submit a motion that tells the court exactly what you want and why you think the court should grant your request.

If you need more time to file a document, such as a Notice of Appeal or Brief, you must file a motion with the appellate court for an extension of time. You must also submit a proposed order along with your motion. A statewide standardized form for filing a motion is available on the Illinois Courts' [website](#). The local rules for your appellate district may have different requirements for what must be included in your motion.

In general, filing a motion will require these steps:

- You must send or "serve" your motion to the other parties in the case. However, if any party has a lawyer, you must send your motion to their lawyer.
- You must file your motion and the proposed order with the court along with proof of service – this tells the court that you served the other parties with the motion.
- You must pay any fees associated with the filing OR if you are unable to pay the fees, submit an Application for Waiver of Court Fees (Appellate) found at: <http://www.illinoiscourts.gov/Forms/approved/>.
- The appellate court will decide if your motion will be granted or denied. It may take several weeks for the court to decide on your motion. You will receive a copy of the order once the court has made a decision.

3.) **What forms do I need to file an appeal?**

Many of the forms you will need for your appeal are available on the Illinois Courts' [website](#). These forms are fillable pdfs, meaning you can type directly into the forms, save them, and then upload them for e-filing. You also have the option of printing the forms, handwriting your information, and then scanning the forms to upload for e-filing.

The approved statewide standardized forms currently available on the Illinois Courts' [website](#) are:

- Notice of Appeal
- Certification for Exemption From E-Filing
- Fee Waiver



ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS - FAQ

- Motion form (general)
- Appellant's Brief
- Appellee's Brief
- Appellant's Reply Brief
- Petition for Rehearing

4.) **How do I file documents for my appeal?**

As of July 2017, e-filing is mandatory for all civil appeals. Please visit the Illinois Courts' [website](#) to register for an Electronic Filing Service Provider (EFSP), which you will then use to file all of the forms necessary to complete your appeal. You must first register for an account before you will be able to e-file your documents with the court.

If you need help, each appellate clerk's office has a public computer terminal and scanner for you to register with an EFSP and then e-file your documents. If you handwrote your documents, you will need to first scan and then upload the documents into the EFSP.

In limited circumstances, [Illinois Supreme Court Rule 9\(c\)\(4\)](#) allows for an exemption from e-filing for good cause. You may be excused from e-filing if you 1) do not have internet or computer access at home and are unable to travel, 2) have a disability that keeps you from e-filing, or 3) have trouble reading or speaking in English.

If you qualify for the exemption, to request that you are able to file paper documents instead of e-filing, you must complete a [Certification for Exemption From E-Filing](#) and file it with the appellate court. If you have any questions about the exemption, please contact your local appellate clerk's office.

5.) **Can I respond to a motion by my opponent?**

Yes. You can file a written response to the motion with the clerk of the appellate court. Generally, you must file the response within 5 days after you receive the motion by email or personal service, or 10 days after you receive the motion by mail. You must send your response to the other parties and file a proof of service along with your response to the motion.

PROCESS SIMPLIFICATION PROGRAMS

What is process simplification?

Process simplification is the re-thinking and re-design of court processes to make improvements, such as decreasing court and user costs and increasing the quality of the litigants' pleadings, ability to successfully complete a judicial process and improve efficiency.

What process simplification programs are happening across the state?

Many programs have launched in the family law context including Early Resolution Programs, Self-Represented Litigant Exclusive Court Calls, and Remote Appearance options.

Early Resolution Programs: McHenry County and Lake County have similar programs that invite Petitioner and Respondents who are unrepresented in simple divorce cases without children to get divorces on their first court appearance by agreement. Both counties partner with Prairie State Legal Services to have lawyers review the prove-up documents for completeness before going before the judge. Cook County has implemented a triage program for cases filed by unrepresented petitioners. Those parties meet with a Hearing Officer to assess whether their case can be resolved quickly after finalizing paperwork or if the case should be returned to the regular court call. The preliminary results of these programs show that the time from filing to resolution has drastically decreased.

Self-Represented Litigant Exclusive Court Calls: Several counties in the state including DuPage, Will, Lake, Macon, Cook-Rolling Meadows, and Cook-Maywood and have started court calls specifically for cases involving unrepresented parties in divorce and family cases. For some it is a judge's entire court call and for others it is one day a week or a couple of days per month with cases involving one or both sides being unrepresented. Having a dedicated court call for self-represented litigants allows courts to focus on the needs of self-represented litigants while providing a welcoming, less intimidating courtroom environment for the litigants. Judges are adapting these calls to the needs of the self-represented litigants by providing more introductory explanations in plain language, forms, resources, and referrals.

Remote Appearance Pilot, Cook County: In compliance with Supreme Court Rules 185 and 241, Cook County recently launched a pilot program in three divisions, Domestic Relations, Chancery (Foreclosure), and County, which allows parties to appear by phone and video rather than coming into court for certain court appearances. The growing prevalence of cellular telephones, particularly smart phones and other personal devices means that more individuals can participate in court proceedings through audio or video conferences from any location. The use of remote court appearances has the potential to increase access to the courts for parties, particularly individuals with mobility issues due to age, disability, or health.

A process map for seeking a divorce follows this page as an example of a new and innovative way to convey information about complex legal processes.

Divorce with Children Overview

This is an overview of the court process in Illinois. This entire divorce process may often take between six months – 2 years, and often involves multiple court visits.

Plaintiff files for divorce 💰

Plaintiff gives notice to spouse of divorce case 💰

Defendant responds to the divorce case 💰

Both must complete parenting class 💰

If agreement: tell the judge your agreement in a hearing called a “prove up” 💰

OR
If no full agreement: case goes to trial and judge will make decisions for you. 💰

Both update judge about divorce issues

- Both negotiate:
- property and debt
 - spousal support
 - child support
 - custody
 - parenting time

If both do not agree about all issues, parties can be sent to mediation or a lawyer for children may be appointed. 💰

💰 Means this step may cost a fee, unless judge grants fee waiver

For the necessary forms and information about how to complete each step, go to: <https://tinyurl.com/divorceselfhelp>.



LIST OF ALL AVAILABLE RESOURCES

Illinois Supreme Court Polices

- Illinois Supreme Court Policy on Plain Language
- Illinois Supreme Court Language Access Policy
- Illinois Supreme Court Policy on Assistance to Court Patrons By Circuit Clerks, Court Staff, Law Librarians and Court Volunteers (“Safe Harbor” Policy)

Judicial Bench Cards

- Courtroom Interpreting
- Civil Fee and Criminal Assessment Waivers
- E-filing and Judicial Discretion
- Limited Scope Representation
- Self-Represented Litigants and SCR 63 (A)(4)

Court Personnel Information Card

- Limited English Proficient Individuals
- How can I Best Assist Self-Represented Litigants?
- How Can Clerks Best Assist Self-Represented Litigants (SRLs) with E-filing?

Reference Guides

- Access to Justice Spiral, a Compilation of Policies, Rules, Tips & Best Practices
- Illinois Supreme Court Commission on Access to Justice Plain Language Reference Guide
- What is Legal Information? (A Guide to the Safe Harbor Policy)
- 2019 Annual Federal Poverty Level Chart

Guides for Court Users

- E-filing
 - Overview: E-Filing is Required in Illinois
 - Circuit Court (in English and Spanish)
 - Prepare your Documents
 - Register to E-File
 - Sign In
 - Create a New Password if You Forgot It
 - Add a Payment Account
 - Enter Case Information
 - Enter Party Information
 - Upload your Documents in the Filings Section
 - Pay Fees
 - Review the Summary & Submit your E-filing
 - Appellate Court
 - Prepare Your Documents (Appeals)
 - Register to E-File (Appeals)
 - Sign-In to Your Account (Appeals)
 - Create a New Password if You Forgot It (Appeals)
 - Add a Payment Account (Appeals)
 - Enter Case Information (Appeals)

- Upload Your Documents in the Filings Section (Appeals)
- Add Service Contacts (Appeals)
- Pay Fees (Appeals)
- Review the Summary & Submit Your E-filing (Appeals)
- Process
 - Divorce with Children Visual Overview *see X page*
- Statewide Standardized Forms
 - See TAB 2
- Guides
 - Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants
 - One-Page Overview of Civil Appeal
 - Appellate Court
 - Section 1: The Basics of an Appeal
 - Section 2: Overview of Steps and Forms
 - Section 3: Information for the Appellee
 - Section 4: Notice of Appeal
 - Section 5: Request for Preparation of Record on Appeal
 - Section 6: Request for Report of Proceedings, Bystander's Report, or Agreed Statement of Facts
 - Section 7: Docketing Statement
 - Section 8: Appellate Briefs
 - Section 9: Oral Argument
 - Section 10: The Appellate Court's Decision
 - Section 11: Other Resources

All listed resources can be found here <http://illinoiscourts.gov/CivilJustice/AccessToJustice.asp>. For copies of any resources, please contact Alison Spanner at aspanner@illinoiscourts.gov or 312.793.3859.