

HOW TO FILE AN APPEARANCE OR REQUEST A JURY

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FILL OUT AND FILE THE FORMS.

Filing an *Appearance* is the official way to tell the court and the other parties in the case that you are participating in the case and want to be informed about any upcoming court dates or paperwork. It's an important step to make sure you're included in the legal process.

If you want a trial with a judge and a jury (jury trial), you **must** file a *Jury Request*. If you want a trial with a judge only (bench trial), do **not** file a *Jury Request* form.

After you fill out your forms, file them with the Circuit Clerk's office in the county where your case is taking place. See the How to File the Form page of this packet for more information.

There may be fees to file your *Appearance* and *Jury Request* forms. See the Costs and Fees section on page 2 of this packet for more information, including how to ask to file your forms for free or at a reduced cost.

2

SEND A COPY TO OTHERS IN THE CASE.

You must send a copy of your forms to all other parties in the case.



This packet is not legal advice. It provides general instructions on how to use these forms in your court case. It cannot and does not try to cover everything that might happen in your court case. Your use of the forms does not guarantee you will be successful in court.

How a judge handles a case can vary from county to county. **Your county may have special requirements that are not covered in these instructions.** Ask the Circuit Clerk's office if your county has local rules and, if so, where you can get a copy.

Laws covering these forms: Illinois Supreme Court Rules [13](#), [181](#), and [286](#); [735 ILCS 5/2-1105](#)



STEP 1

FILL OUT AND FILE FORMS.

ARE THESE FORMS FOR ME?

Use these forms to **officially tell the court and other parties that you are participating in the case, representing yourself, and if you want a jury trial** when:

- Your case is a **civil case in circuit court**. For example, divorce cases, family cases, eviction cases, small claims cases, foreclosure cases, and lawsuits for injury or property damage.
- Filing an *Appearance* form is required in most civil cases, even if the judge and the other parties already know you want to participate. For example, you must file an *Appearance* when:
 - Someone sues you and you want to participate in the court case.
 - You had a lawyer but your lawyer stopped representing you, and you are now going to represent yourself.
- If you do not file an *Appearance* and go to court as needed, you may not be allowed to participate in the case. The court case might go ahead without you and the judge might rule against you.

Do not use these forms if:

- Your case is a **criminal case**.
- You usually do NOT need to file an *Appearance* when you start a new court case by yourself without a lawyer.
- Unless you are a lawyer, you cannot file an *Appearance* for anyone else, only for yourself (note: in most cases, companies are required to have a lawyer).

Forms required:

- *Appearance*: the official way to tell the court and the other parties that you are participating in the case.

Forms you may need:

- *Jury Request*: tells the court that you want a trial with a judge and a jury (jury trial). If you would like a jury trial, you **must** file a *Jury Request* form.

You can find all of the statewide forms online at: ilcourts.info/forms.



COSTS AND FEES

There may be costs and fees to take part in a court case. These fees and costs can include fees for filing court documents and Sheriff's fees for providing notice. Depending on the type of court case, there may be other costs and fees charged. If you cannot afford to pay costs and fees, you can ask the court to file for free or at a reduced cost by filing an *Application for Waiver of Court Fees*.

This is a separate form you can find at: ilcourts.info/fee-waiver-forms.

IMPORTANT INFORMATION

Why does the *Appearance* form ask for my email address?

- The email address (if you have one) and mailing address you put on the form is where important court documents will be sent to you. You should list an email address 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, notice of court dates, or documents from other parties.

Is there a deadline for filing an *Appearance*?

- The deadline for filing an *Appearance* is different depending on the type of case and your situation.
- You might have received other court papers, like a *Summons* or an order signed by a judge, that give you a deadline for filing your *Appearance*.
- You might give up your right to participate in the court case if you do not file your *Appearance* on time.

Is there a deadline for filing a *Jury Request*?

- The deadline for filing a *Jury Request* is different depending on the type of case and your situation.
- If you are the plaintiff, usually you must file a *Jury Request* at the same time you file the case. If you are the defendant, usually you must file a *Jury Request* at the same time as your *Appearance*.

Is there a cost to file an *Appearance* or *Jury Request*?

- Yes. There is usually a fee to file these forms with the Circuit Clerk's office. There is an additional fee to file the *Jury Request*. Contact the Circuit Clerk's office to find out the cost to file the forms.
- If you cannot afford to pay the filing fee, you can ask to file your forms for free or at a reduced cost by filing an *Application for Waiver of Court Fees*. This is a separate set of forms you can find at: ilcourts.info/fee-waiver-forms.

EXTRA HELP WITH THE FORMS

Appearance Easy Form

Illinois Legal Aid Online has an Easy Form program that helps you complete your forms. Easy Forms ask simple questions and put your answers in the right places on the forms. At the end of the program, you can download or email your forms to e-file or print them.



Easy Forms are free to use. Visit ilao.info/appearance or scan the QR code to use the Easy Form.



For more information about going to court including how to fill out and file forms, **call or text Illinois Court Help** at 833-411-1121 or go to ilcourthelp.gov.

If there are any words or terms used in these instructions that you do not understand, please **visit Illinois Legal Aid Online** at ilao.info/glossary. You may also find more information, resources, and the location of your local legal self-help center at: ilao.info/lshc-directory.

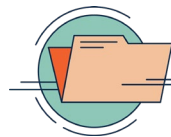


HOW TO FILE THE FORMS



E-filing

- After you fill out your court forms, file them with the Circuit Clerk. This is done by electronic filing, called 'e-filing'. You do not have to e-file if:
 - You qualify for an exemption (see the Not E-filing section below) or
 - Your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileIL at ilcourts.info/efile.
- There may be fees to file your forms. See the previous Costs & Fees page for more information.
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at ilcourts.info/EfileHowTo.
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
- If you do not have access to a computer or if you need help e-filing, take your completed forms to a public library or a Circuit Clerk, Appellate Clerk, or Supreme Court Clerks' office. These places offer public computers where you can e-file your forms.
 - Depending on your courthouse, you can bring your forms on paper and there may be public computers with a scanner where you can turn your paper forms into electronic files.
 - Librarians and courthouse staff may be able to help you e-file, but they cannot provide legal advice.



Not E-filing

- Some people are not required to e-file, which means they can file paper forms at the courthouse or by mail. People who do not have to e-file are:
 - Inmates in prison or jail who do not have a lawyer.
 - People with a disability that keeps them from e-filing.
- You may also qualify for an exemption from e-filing if you:
 - Do not have internet or computer access in your home, and it is hard for you to travel.
 - Have trouble reading, writing, or speaking English.
 - Are filing documents in a sensitive case, such as an order of protection.
 - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
- To ask for an exemption from e-filing, use the form at ilcourts.info/ExemptionCircuit. If you cannot print this form, then ask for it at your local courthouse.
 - File your *Certification for Exemption from E-Filing* form along with your other court forms at the Circuit Clerk's office or by mail.
 - Bring or send your signed court forms and at least two copies of your forms to the Circuit Clerk's office. Ask them to stamp your copies and return them to you.
 - If you need to make copies of your forms, you can do that at the Circuit Clerk's office. They may charge you a fee to make copies.
- There may be fees to file your forms. See the previous Costs & Fees page for more information. If you mail your court forms to the Circuit Clerk's office, include a stamped envelope addressed to you. The Circuit Clerk will file your forms and then send your copies back to you in the envelope.



WHAT'S NEXT



STEP 2

Send a copy of your forms to the other people in the case.

- After filing the form, you must send your forms to the other people in the case. If a person in the case has a lawyer, send the forms to the lawyer.
- If you and the person you're sending the forms to each have an email address, you must send the forms by email or by notification through the e-filing system. If either you or the person you're sending the forms to do not have an email address, you may give the forms to the other parties by personal hand delivery, mail, or third-party commercial carrier (for example, FedEx or UPS).