# IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT KANE COUNTY, ILLINOIS

### \*Click Here for Instructions\*

Case No.

Plaintiff(s)

Defendant(s)

File Stamp

SERVE:

Name: Address:

City, State & Zip:

Amount Claimed

Pltf. Atty Atty. Registration No. Address City, State and Zip

Add. Pltf. Atty Atty. Registration No. Address City, State and Zip

Attorney E-mail: Attorney E-mail:

**SUMMONS**

To the above named defendant(s):

1. You are hereby summoned and required to appear before this court in room of the

at m. on

to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

1. You are hereby summoned and required to file an answer in this case or otherwise file your appearance, in the Office of

the Clerk of this Court, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, judgment or decree by default may be taken against you for the relief prayed in the complaint.

1. You are further Notified that a dissolution action stay is in full force and effect upon service of this summons. The

Conditions of stay are set forth on page two (2) of this summons, and are applicable to the parties as set forth in the statute.

1. E-filing is now mandatory for documents in civil cases with limited exemptions. To efile, 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>.

TO THE SHERIFF OR OTHER PROCESS SERVER:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. In the event that paragraph A of this summons is applicable, this summons may not be served less than three days before the day for appearance. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date if paragraph B is applicable.

DATE OF SERVICE

(To be inserted by process server on copy left with the defendant or other person)

WITNESS, (date)

Clerk of Court

**SUMMONS (CONT.)**

I certify that I served this summons on defendants as follows:

1. - (Individual defendants - personal)

### Case No.

By leaving a copy and a copy of the complaint with each individual defendant personally, as follows: Name of Defendant Place of Service

Date of service

1. - (Individual defendants - abode):

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his/her family, of the age of 13 years or upwards, informing that person of the contents of the summons, and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his/her usual place of abode, as follows:

Name of Defendant Person with whom left Date of service Date of mailing

1. - (Corporation defendants):

By leaving a copy and a copy of the complaint with the registered agent officer, or agent of each defendant corporation, as follows:

Defendant corporation Registered agent officer or agent Date of service

1. - (Other service):

SERVICE FEES

Service and return $ Miles Total $

Sheriff of County Special Process Server

Signature

Sheriff of County By , Deputy

Special Process Server

(See Order of Appointment in file)

## NOTICE TO DEFENDANTS - Pursuant to Supreme Court Rule

#### In a civil action for money (excess of $15,000) in which the summons requires your appearance on a specified day, you may enter your appearance as follows:

1. You may enter your appearance prior to the time specified in the summons by filing a written appearance, answer or motion in person or by attorney to the Office of the Kane County Circuit Clerk, 540 S. Randall Rd., St. Charles, IL 60174.
2. You may enter your appearance at the time and place specified in the summons by making your presence known to the Judge when your case is called.

In either event YOU MUST APPEAR IN PERSON OR BY ATTORNEY at the time and place specified in the summons or a default Judgment will be entered against you.

When you appear in Court, the Judge will require you to enter your appearance in writing, if you have not already done so. Your written appearance, answer, or motion shall state with particularity the address where service of notice or papers may be made upon you or an attorney representing you.

Your case will be heard on the date set forth in the summons unless otherwise ordered by the Court. Only the Court can make this exception. Do not call upon the Circuit Court Clerk or the Sheriff's Office if you feel you will be unable to be present at the time and place specified. Continuances can be granted only on the day set forth in the summons, and then only for good cause shown. You, or someone representing you, MUST APPEAR IN PERSON at the specified time and place and make such a request.

If you owe and desire to pay the claim of the plaintiff before the return date on the summons, notify the plaintiff or his/her attorney if you desire to do so. Request that he/she appear at the time specified and ask for the dismissal of the suit against you. Do not make such a request of the Circuit Court Clerk or the Sheriff, as only the Judge can dismiss a case, and then only with a proper court order which must be entered in open Court.

**CONDITIONS OF DISSOLUTION ACTION STAY**

750 ILCS 5/501.1

Chapter 40, paragraph 501.1, Illinois Revised Statutes

#### Upon service of a summons and petition or praecipe filed under the Illinois Marriage and Dissolution of Marriage Act or upon the filing of the respondent's appearance in the proceeding, whichever first occurs, a dissolution action stay shall be in effect against both parties and their agents and employees, without bond or further notice, until a final judgment is entered, the proceeding is dismissed, or until further order of

the court:

* 1. restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party; and
  2. restraining both parties from concealing a minor child of either party from the child's other parent. The restraint provided in this subsection (e) does not operate to make unavailable any of the remedies provided in the Illinois Domestic Violence Act of 1986.