

Getting Started

Appearance

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to use the *Appearance* form. Your use of the form(s) 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 File an Appearance* instruction sheet and the instructions on the forms.

Name(s) of the form(s):	<i>Appearance</i>
Purpose of the form(s):	Use this form to tell the court and the other parties that you are participating in the case and going to represent yourself in the case. Also use this form to ask the court for a trial with a judge or a judge and jury.
Types of cases the form(s) CAN be used for:	All civil cases. For example in divorce cases, family cases eviction cases, small claims cases, and law suits for injury or property damage.
Types of cases the form(s) CANNOT be used for:	All criminal cases.
Special information or papers needed to complete the form(s):	You will need: <ul style="list-style-type: none"> • names and addresses of the other parties; • names and addresses of the other parties' lawyers; • the court case number. <p>You can find this information on other court papers you have about this case.</p>
Statutes covering the form(s):	<ul style="list-style-type: none"> • Illinois Supreme Court Rules <u>13</u>, <u>181</u>, <u>286</u> • <u>735 ILCS 5/2-1105</u>
Where to find the forms and instruction sheet:	http://www.illinoiscourts.gov/Forms/approved/ .
For more information:	Read the <i>How to File an Appearance</i> instruction sheet that comes with these form(s). You may also find more information, resources, and the location of your local county self help center at: www.illinoislegalaid.org/AppearanceAnswer .

HOW TO FILE AN APPEARANCE

What is an *Appearance*?

- An *Appearance* is a form you file with the Circuit Clerk to tell the court and the other parties that you are participating in the court case.
- The *Appearance* also tells the court whether you want your case decided by a judge or a judge and jury. You do not have a right to a jury trial in every case.
- It also gives the court and other parties your name and address so they may contact you about the case.

Who can use the *Appearance* form?

- You can only file an *Appearance* for yourself, not for anyone else.
- In most cases, companies must have attorneys and should not use this *Appearance* form.

When do I need to use the *Appearance* form?

The *Appearance* form is required in most civil court cases. For example, you must file an *Appearance* when:

- Someone sues you and you want to participate in the court case. If you do not file an *Appearance* and go to court as needed, the court case might go ahead without you and the court might rule against you.
- You had a lawyer but your lawyer stops representing you, and you are now going to represent yourself.

You do NOT need to file an *Appearance* when you start a new court case by yourself without a lawyer.

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

- Providing an email address is optional. If you provide an email address, you agree to accept court documents by email.
- **Important:** You should only agree to get court documents by email if you have 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.

Is there a deadline for filing an *Appearance*?

- The deadline for filing an *Appearance* is different depending on the type of case.
- You might have received other court papers, like a *Summons*, 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.

Where can I find the forms I need?

You can find the forms at:

<http://www.illinoiscourts.gov/Forms/approved/>

What costs will I need to pay to file an *Appearance*?

- There is a fee for filing an *Appearance* with the Circuit Clerk. The fee will be higher if you ask for a jury.
- *If you cannot afford to pay the filing fee, you can ask the court to file for free. You will have to apply for a fee waiver by filling out the Application for Waiver of Court Fees.*

This is a separate set of forms you can find at:

<http://www.illinoiscourts.gov/Forms/approved/>

What do I do after I fill out the *Appearance* form?

Step 1 – File the form with the Circuit Clerk.

- You must file the *Appearance* form in the county where the court case is filed.
- The courthouse address should be on the court papers you received. Or you can find the courthouse address at:
<http://www.illinoiscourts.gov/CircuitCourt/CircuitMap/Ma1.asp>
- Make copies of your original *Appearance* for yourself and each party in the case.
- Bring the original *Appearance* and the copies to the Circuit Clerk at the courthouse.
- Pay the filing fee or apply for a fee waiver if you cannot afford the fee.
- The Circuit Clerk will stamp and keep the original *Appearance* form and put it in the court file. The Circuit Clerk will also stamp the extra copies of your *Appearance*, and return these copies to you.
- *Note:* You may be able to file online. Check your local Circuit Clerk's website to see if online filing is an option. Find your Circuit Clerk's website at:
<http://www.ilcourtclerks.org/illinois-court-clerks/>

Step 2 – Send a copy of your *Appearance* to the other parties in the case.

- You must send a copy of your *Appearance* to all the other parties in the case.
- If a party has a lawyer, you must send a copy of your *Appearance* to the lawyer.
- You must send the copies in the way you listed in your *Appearance*, either by hand delivery, by mail, or by email. **CAUTION:** You may only send documents by email if the other party has agreed.
- You should send a copy of your *Appearance* by 5:00 p.m. on the same day you file it with the Circuit Clerk.
- Keep one copy of the *Appearance* for yourself.

In 3c, check if you will send copies of this *Appearance* by hand, by mail, or by email.

CAUTION: You may only send documents by email if the other party has agreed.

- c. By: Hand Delivery
- Regular, First-Class Mail, deposited into the U.S. Mail with postage paid
- Email

Check the box if you need language help and enter the language you speak.

Language Access

If language help is available in court, I would like help. I speak: _____
Language

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

**I certify that everything above is true and correct to the best of my knowledge.
I understand that making a false statement in this form could be perjury.**

After you finish this form, sign and print your name.

Your Signature

Street Address

Enter your complete current address and telephone number.

Your Name

City, State, ZIP

OPTIONAL: you may enter an email address. By entering an email address, you agree to accept court documents by email. **DO NOT** enter an email address unless you have your own email account and check it daily. If you do not check it, you may miss important information or notice of court dates.

Telephone

Email Address (optional)