

M.R. 3140

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered May 10, 2021.

(Deleted material is struck through, and new material is underscored.)

On March 26, 2021, Rule 10-101 was amended, with an effective date of July 1, 2021. Rule 10-101 remains so amended but shall instead be effective September 1, 2021, modified *nunc pro tunc* to March 26, 2021, and further amended as follows.

Amended Rule 10-101

Rule 10-101. Standardized Court Forms

(a) The Illinois Supreme Court Commission on Access to Justice shall establish a process to develop and approve standardized, legally sufficient forms for areas of law and practice where the Commission determines that there is a high volume of self-represented litigants or that standardized court forms will enhance access to justice or court efficiency.

(b) The Commission shall establish a process for publication, review, and approval of any proposed standardized court form in accordance with the Supreme Court's administrative order, M.R. 25401, regarding standardized court forms.

(c) Standardized court forms may be used by any litigant or lawyer whenever they are applicable. All courts must accept standardized court forms.

(d) After a standardized court form is published, no court may (1) maintain, create, or disseminate alternate court forms that seek the same legal remedy; (2) require, promote, or encourage the use of any other court form that seeks the same legal remedy; (3) require that a standardized court form be used in a manner that is contrary to its intended purpose of enhancing access to justice; or (4) require that litigants or lawyers use a modified standardized court form, except as permitted in paragraph (e).

(e) A court may supplement a standardized court order as necessary or appropriate.

(f) A litigant or lawyer may add additional material to a standardized court form as long as the form is not altered.

(g) All courts must promote and encourage the use of standardized court forms in English and promote the published instructional material and the translated versions of the standardized court forms for assistance, by making them available to the public—in both electronic and paper formats as appropriate—by clerks, law libraries, self-help centers, judicial websites, and through other reasonable methods.

(h) Courts and clerk offices and their websites must use the promotional materials designed and distributed by the Illinois Supreme Court Commission on Access to Justice to promote

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standardized court forms to litigants or lawyers.

Adopted Nov. 28, 2012, eff. immediately; amended Mar. 26, 2021, eff. ~~Sept. 1, 2021~~ July 1, 2021.

Committee Comment

(November 28, 2012)

(Revised March 26, 2021)

(a) This rule and the Court's accompanying administrative order, M.R. 25401, were adopted to set out a formal process for the development, review and approval of standardized court forms for use in the Illinois courts. Utilizing standardized court forms in areas of law and practice where there is a high volume of self-represented litigants in the Illinois courts will enhance access to justice for these litigants and at the same time will improve the overall administration of justice.

(b) An open and inclusive process for the development and improvement of standardized court forms will be necessary to achieve the goals of this rule.

(c) Standardized court forms can only be effective if they are required to be accepted by all courts in the state. Technology and assistance that can make forms more user-friendly and accessible for people without lawyers and allow for necessary translations into other languages and formats cannot be efficiently provided if there are multiple variations of the same forms.

(d) For the same reasons noted in comment (c), allowing courts to require alterations of standardized court forms would defeat the purposes of having standardized court forms. The one exception is for court orders where findings or particular rulings from the court may need to be added to standard court form orders. In addition, a court cannot require the litigant to use a standardized court form in a way that defeats its intended purpose of enhancing access to justice for litigants.

(e) In some cases, such as an action involving a written contract, an exhibit may be necessary for a pleading to be legally sufficient. Litigants may wish to include other exhibits or supporting information with a complaint or filing as well. For privacy and other practical reasons, it also may be advisable that certain confidential, personal or private information be submitted through a supplementary process rather than included in a standardized court form. All pleadings, exhibits or other supporting information filed with the court must be consistent with the requirements of Supreme Court Rule 15 (social security numbers in pleadings and related matters) and Supreme Court Rule 138 (personal identity information).