

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 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 of the form:	<i>Appearance</i>
Purpose of the form:	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 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 CANNOT be used for:	All criminal cases.
Special information or papers needed to complete the forms:	<p>You will need:</p> <ul style="list-style-type: none"> • names and addresses of the other parties; • names and addresses of the other parties' lawyers; AND • the court case number. <p>You can find this information on other court papers you have about this case.</p>
Rules and statutes covering the form:	<ul style="list-style-type: none"> • Illinois Supreme Court Rules 13, 181, 286 • 735 ILCS 5/2-1105
Where to find the form and instruction sheet:	illinoiscourts.gov/documents-and-forms/approved-forms
For more information:	<p>Read the <i>How to File an Appearance</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:</p> <p>www.illinoislegalaid.org/legal-information/appearance.</p>

HOW TO FILE AN APPEARANCE

NOTE: If there are any words or terms used in these instructions that you do not understand, please visit Illinois Legal Aid Online at illinoislegalaid.org/lexicon/glossary. 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.

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?

The email address (if you have one) and mailing address you put on the form is where important legal documents will be sent to you. 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, 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.

- 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: illinoiscourts.gov/documents-and-forms/approved-forms.

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 or at a reduced cost by filing the *Application for Waiver of Court Fees*. This is a separate set of forms you can find at: illinoiscourts.gov/documents-and-forms/approved-forms.

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

Step 1: File the *Appearance* with the Circuit Clerk in the county where your court case is 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; (2) you have trouble reading or speaking in English, or (3) you tried to e-file your documents, but you were unable to complete the process because the equipment or assistance you need is not available.
 - If you qualify for an exemption, fill out a *Certification for Exemption from E-Filing* found here: illinoiscourts.gov/documents-and-forms/approved-forms.
 - File the original and 1 copy of your *Appearance* 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/self-help/how-to-e-file/.

- If you do not have access to a computer or if you need help e-filing, take your forms to the Circuit Clerk's office where you can use a public computer terminal to e-file your forms.
 - You can bring your forms 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: Send a copy of your *Appearance* to the other parties in the case.

- You must send your *Appearance* to the other parties in the case. If a party has a lawyer, send the forms to the lawyer.

If you and the person you're sending the *Appearance* to have an email address, you must send it by email or by notification through the e-filing system. If you or the person you're sending the *Appearance* to does not have an email address, you may give it to the other parties by personal hand delivery, mail, or third-party commercial carrier (for example, FedEx or UPS).

PROOF OF DELIVERY

1. I am sending the *Appearance*

In **1a**, enter the name, mailing address, and email address of the party you are sending the document to. If they have a lawyer, you **must** enter the lawyer's information.

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

In **1b**, check the box to show how you are sending the document.

b. By:

An approved electronic filing service provider (EFSP)

Email (*not through an EFSP*)

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

CAUTION: If you and the person you are sending the document to have an email address, you **must** use one of the first two options. Otherwise, you may use one of the other options.

In **c**, fill in the date and time that you are sending the document.

c. On: _____ at: _____ a.m. p.m.
Date Time

2. I am sending the *Appearance*

In **2**, if you are sending the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

In **2a**, enter the name, mailing address, and email address of the party you are sending the document to. If they have a lawyer, you **must** enter the lawyer's information.

b. By:

An approved electronic filing service provider (EFSP)

Email (*not through an EFSP*)

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

In **2b**, check the box to show how you are sending the document.

CAUTION: If you and the person you are sending the document to have an email address, you **must** use one of the first two options. Otherwise, you may use one of the other options.

In **c**, fill in the date and time that you are sending the document.

c. On: _____ at: _____ a.m. p.m.
Date Time

If you are sending your document to more than 2 parties or lawyers, check the box and file the *Additional Proof of Delivery* with this form.

I have completed an *Additional Proof of Delivery* form.

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 in the *Proof of Delivery* is true and correct. I understand that a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

/s/
Your Signature

Street Address

Print Your Name

City, State, ZIP

Telephone

Email

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 address, telephone number, and email address, if you have one.

GETTING COURT DOCUMENTS BY EMAIL: 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, notice of court dates, or documents from other parties.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	ADDITIONAL PROOF OF DELIVERY	<i>For Court Use Only</i>
Instructions ▼	_____ Plaintiff / Petitioner <i>(First, middle, last name or Company)</i> v. _____ Defendants / Respondents <i>(First, middle, last name, or business name)</i>	_____ Case Number
Directly above, enter the name of the county where the case was filed.		
Enter the name of the person or company that filed this case as Plaintiff/Petitioner.		
Enter the name of the Defendants/ Respondents.		
Enter the Case Number given by the Circuit Clerk.		

In **1**, enter the name of each court document you are sending.

In **1a**, enter the name, mailing address, and email address of the party you are sending the document to. If they have a lawyer, you **must** enter the lawyer's information.

In **1b**, check the box to show how you are sending the document.
CAUTION: If you and the person you are sending the document to have an email address, you **must** use one of the first two options. Otherwise, you may use one of the other options.

In **c**, fill in the date and time that you are sending the document.

1. I am sending the following court document: _____

a. To:

Name: _____

First Middle Last

Address: _____

Street, Apt # City State ZIP

Email address: _____

b. By:

An approved electronic filing service provider (EFSP)

Email *(not through an EFSP)*

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

c. On: _____ at: _____ a.m. p.m.

Date Time

In **2**, if you are sending the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

In **2a**, enter the name, mailing address, and email address of the party you are sending the document to. If they have a lawyer, you **must** enter the lawyer's information.

In **2b**, check the box to show how you are sending the document. **CAUTION:** If you and the person you are sending the document to have an email address, you **must** use one of the first two options. Otherwise, you may use one of the

In **c**, fill in the date and time that you are sending the document.

2. I am sending this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

b. By:

An approved electronic filing service provider (EFSP)

Email (*not through an EFSP*)

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

c. On: _____ at: _____ a.m. p.m.
Date Time

I certify that everything in the *Proof of Delivery* is true and correct. I understand that a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

 /s/
Your Signature

Street Address

Print Your Name

City, State, ZIP

Telephone

Email

Attorney # (if any)

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.

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 address, telephone number, and email address, if you have one.

GETTING COURT DOCUMENTS BY EMAIL: 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, notice of court dates, or documents from other parties.