

Getting Started Summons

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to use the *Summons* form. Your use of the form does not guarantee you will be successful in court.

To learn how to fill out the form and file it with the court, read the *How to Serve a Summons* instruction sheet and the instructions on the form.

Name of the form:	<i>Summons</i> <i>Additional Defendant/Respondent Address and Service Information for Summons</i>
Purpose of the form:	The <i>Summons</i> tells a person they are being sued and where and when to respond to the lawsuit.
Types of cases the form CAN be used for:	Most civil cases, for example: lawsuits for injury or property damage.
Types of cases the form CANNOT be used for:	<ul style="list-style-type: none"> • Criminal cases • Some civil cases: eviction, divorce, foreclosure, paternity, small claims, orders of protection, stalking no contact orders, civil no contact orders, adult guardianship, detainee, and administrative review cases.
Cost to file the form:	There is a fee to file your Complaint with the court. You must also pay the sheriff who serves the <i>Summons</i> for you. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the Application for Waiver of Court Fees found online at: ilcourts.info/forms .
Special information or papers needed to complete the form:	You will need the other parties' names and addresses. You will also need your Complaint/Petition to attach to the <i>Summons</i> . Check with the Circuit Clerk if there are any additional local notices or documents that are required to be attached to the <i>Summons</i> .
Statutes and rules covering the form:	IL Code of Civil Procedure Sections 2-201 through 2-211; 735 ILCS 5/2-201 et seq. Illinois Supreme Court Rules 101, 102, 103, 104, 131, 283, and 284.
For more information:	Read the <i>How to Serve a Summons</i> instruction sheet that comes with the form. You may also find more information and resources at the courthouse or by going to: illinoislegalaid.org/legal-information/serving-summons .

HOW TO SERVE A SUMMONS

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/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 a *Summons* and when do I use it?

- A *Summons* is a court paper that tells a person they are being sued. It tells them where and when to respond to the lawsuit.
- When you file a lawsuit against someone, you must fill out a *Summons*. You must have it delivered to the person you are suing. This is called serving the *Summons*. The person you are suing is called the Defendant/Respondent. You must also serve a copy of the Complaint/Petition with the *Summons*.
- The judge in your case cannot decide your case until you have had the *Summons* properly served.

What if I am suing more than one person?

- If you are suing more than 1 person, every person you are suing has to be served. You must name them all on your *Summons*.
- If you are suing more than 1 person in your case, attach an *Additional Defendant/Respondent Address and Service Information* form to your *Summons* for each additional Defendant/Respondent.

What is a *Proof of Service of Summons and Complaint/Petition*?

- The *Proof of Service of Summons and Complaint/Petition* proves that your *Summons* and Complaint/Petition were served on the Defendant/Respondent. The sheriff or process server will fill out the *Proof of Service of Summons and Complaint/Petition*.
- If you are serving more than 1 person, you must provide a blank *Proof of Service* for each person.

Is there a cost to serve a *Summons*?

- Yes. You must pay the sheriff or process server who serves the *Summons* for you.
- If you cannot afford to pay the fees, you can apply for a fee waiver. Fill out the *Application for Waiver of Court Fees*. This is a separate set of forms you can find at: ilcourts.info/forms.

What forms do I need to fill out?

- The *Summons*.
- The *Letter to the Sheriff*.

Where can I find the forms I need?

You can find the forms at: ilcourts.info/forms.

Where will I receive court papers?

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.

How do I fill out my *Summons*?

- The *Summons* must include your contact information and the address where the Defendant/Respondent can be served with the *Summons*.
- If you are suing more than 1 Defendant/Respondent, attach an *Additional Defendant/Respondent Address and Service Information* form for each additional Defendant/Respondent.
- Ask the Circuit Clerk for the court date, time, and location (including courtroom or phone or video conference information) and enter that date in Section 4.
- Ask the Circuit Clerk for the phone number and website for their office to list in Section 4.
- To find the phone number for your Circuit Clerk, visit ilcourts.info/CircuitClerks.
- **If you are suing a business:**
 - *First*, find out if it is incorporated. Do this by going to the Illinois Secretary of State's website at cyberdriveillinois.com/departments/business_services/corp.html. If you find the business in the database, look for the full legal name of the business.
 - The business may also have a Registered Agent. A Registered Agent is a person or company who agrees to accept legal papers for an Illinois business. If a business has a Registered Agent, you must serve the Registered Agent.
 - Put the name of the business and the name of the Registered Agent, if any, on the *Summons* below "Defendant's address and service information."
 - *Second*, if the business is not in this database, you must serve the owner. The owner can be served at their place of business or home. Put the name of the owner on the *Summons* below "Defendant's address and service information."

What do I do after I fill out the form?

Step 1: File your *Summons* and Complaint/Petition with the Circuit Clerk in the county where your court case should be filed.

After you fill out your court forms, file them with the Circuit Court Clerk. This is done by electronic filing, called 'e-filing'. You do not have to e-file if:

- you qualify for an exemption or
- your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileIL at ilcourts.info/efile.
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at ilcourts.info/EfileHowTo.
- E-filing may not work on a cell phone or tablet. You may need to use a computer to e-file.
- 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. Librarians and courthouse staff are not able to provide legal advice.
 - You can bring your forms on paper or saved on a flash drive. The public computer will have a scanner where you can turn your paper forms into electronic files.
- Some people are exempt from e-filing, 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.
 - You have trouble reading, writing, or speaking English.
 - You are filing documents in a sensitive case, such as an order of protection.
 - You 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 can't print this form, then ask for it at your local courthouse.
 - File your *Certification for Exemption from E-Filing* form 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 to make copies.
- 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 then send your copies back to you in the envelope.

Step 2: Serve the other party with copies of your form.

- Have the sheriff or a private process server serve the *Summons*. You cannot serve the *Summons* yourself.
- The following requirements apply to most counties in Illinois. You may want to contact your local sheriff's office to ask if they have any additional instructions.
- Staple the *Summons* to the front of the copy of the Complaint/Petition that will go to the other party.
- **Note:** You will need a copy of the *Summons* and Complaint/Petition for each Defendant/Respondent who will be served.
- Do one of the following:
 - Bring copies of your *Summons* and your Complaint/Petition to the sheriff's office in person. Pay the sheriff's fees for each party OR give the sheriff a copy of your *Order for Waiver of Court Fees*.
 - Mail copies of your *Summons* and your Complaint/Petition to the sheriff
 - Include the *Letter to the Sheriff* found at: ilcourts.info/forms.
 - Include a self-addressed and stamped envelope for the sheriff to mail the *Proof of Service of Summons and Complaint/Petition* to you.
 - Pay the sheriff's fees for each party OR mail the sheriff a copy of your *Order for Waiver of Court Fees*.
- If any party does NOT live in the same county or state where the case was filed:
 - Get the name, address, and telephone number of the sheriff for the county or the state where that party lives.
 - Call the sheriff in that county or state to find out:
 - If it is the correct sheriff's department for the address where you want that party served;
 - The address where you should bring or mail your *Summons* and forms;
 - The number of copies of your *Summons* and forms to bring or send; AND
 - The sheriff's fees for service or if they will honor your *Order for Waiver of Court Fees* (if you have one).

Step 3: Confirm the sheriff served your form on the other party.

- After the sheriff serves the other party with your court forms, they will fill out the *Proof of Service of Summons and Complaint/Petition* section of your *Summons* form. Then they will file it with the Circuit Clerk OR mail it to you.
- If the sheriff mails the *Summons* with the completed *Proof of Service of Summons and Complaint/Petition* to you, make a copy for yourself. Then file the original with the Circuit Clerk.
- If you do not receive a *Proof of Service of Summons* in the mail from the sheriff, you can call the Circuit Clerk to see if it has been filed and how to get a copy.
- If the sheriff is not able to serve the other party, ask them why. You should try to fix the problem and fill out another *Summons*. Then ask the sheriff to try to serve the other party again.

Step 4: Going to Court

- The *Summons* either lists a deadline for the other party to file a response after they are served, or a court date.
- If the *Summons* lists a deadline for the other party to file a response:
 - If you do not get a copy of the other party's response by the deadline, call the Circuit Clerk to ask if there is a response in the file. If there is, ask the Circuit Clerk to send you a copy. You can also go to the Circuit Clerk's office to pick it up.
 - If the other party files a response, you may then ask for a court date.
 - After the deadline, you may ask the court for a date whether or not the other party filed a response.
- If the *Summons* lists a court date, you should attend that court date whether or not the other party has been served.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	SUMMONS	<i>For Court Use Only</i>
Instructions ▼ Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Below “Defendants/ Respondents,” enter the names of all people you are suing. Enter the Case Number given by the Circuit Clerk.	_____ Plaintiff / Petitioner (<i>First, middle, last name</i>) v. Defendants / Respondents (<i>First, middle, last name</i>) _____ _____ _____ <input type="checkbox"/> Alias Summons (<i>Check this box if this is not the 1st Summons issued for this Defendant.</i>)	_____ Case Number

IMPORTANT: You have been sued.

- Read all documents attached to this Summons. To participate in the case, you MUST file an official document with the court within the time stated on this Summons called an “Appearance” and a document called an “Answer/Response.” If you do not file an *Appearance* and *Answer/Response* on time, the court may decide the case without hearing from you, and you could be held in default and lose the case.
- All documents referred to in this Summons can be found at ilcourts.info/forms. Other documents may be available from your local Circuit Court Clerk’s office or website.
- After you fill out the necessary documents, you need to electronically file (e-file) them with the court. To e-file, you must create an account with an e-filing service provider. For more information, go to ilcourts.info/efiling. If you cannot e-file, you can get an exemption that allows you to file in-person or by mail.
- You may be charged filing fees, but if you cannot pay them, you can file an Application for Waiver of Court Fees.
- It is possible that the court will allow you to attend the first court date in this case in-person or remotely by video or phone. Contact the Circuit Court Clerk’s office or visit the Court’s website to find out whether this is possible and, if so, how to do this.
- Need help? Call or text Illinois Court Help at 833-411-1121 or go to ilcourthelp.gov for information about going to court, including how to fill out and file documents. You can also get free legal information and legal referrals at illinoislegalaid.org. All documents referred to in this Summons can be found at ilcourts.info/forms. Other documents may be available from your local Circuit Court Clerk’s office or website.
- ¿Necesita ayuda? Llame o envíe un mensaje de texto a Illinois Court Help al 833-411-1121, o visite ilcourthelp.gov para obtener información sobre los casos de la corte y cómo completar y presentar formularios.

Plaintiff/Petitioner:

Do not use this form in these types of cases:

- | | | |
|----------------------|------------------------------|-------------------------------|
| • All criminal cases | • Order of protection | • Adult guardianship |
| • Eviction | • Paternity | • Detinue |
| • Small Claims | • Stalking no contact orders | • Foreclosure |
| • Divorce | • Civil no contact orders | • Administrative review cases |

For eviction, small claims, divorce, and orders of protection, use the forms available at ilcourts.info/forms. If your case is a detinue, visit illinoislegalaid.org for help.

If you are suing more than 1 Defendant/Respondent, attach an *Additional Defendant/Respondent Address and Service Information* form for **each** additional Defendant/Respondent.

In **1a**, enter the name and address of the first Defendant/ Respondent you are serving. If you are serving a Registered Agent, include the Registered Agent's name and address here.

In **1b**, enter a second address for the first Defendant/ Respondent, if you have one.

In **1c**, check how you are sending your documents to this Defendant/ Respondent.

1. Defendant/Respondent's address and service information:

- a. Defendant/Respondent's primary address/information for service:
 Name (*First, Middle, Last*): _____
 Registered Agent's name, if any: _____
 Street Address, Unit #: _____
 City, State, ZIP: _____
 Telephone: _____ Email: _____
- b. If you have more than one address where Defendant/Respondent might be found, list that here:
 Name (*First, Middle, Last*): _____
 Street Address, Unit #: _____
 City, State, ZIP: _____
 Telephone: _____ Email: _____
- c. Method of service on Defendant/Respondent:
 Sheriff Sheriff outside Illinois: _____
County & State
 Special process server Licensed private detective

Check here if you are serving more than 1 Defendant/ Respondent. Attach an *Additional Defendant/ Respondent Address and Service Information* form for each additional Defendant/Respondent and write the number of forms you attached.

In **2a**, enter the amount of money owed to you. Check **2b** if you are asking for the return of tangible personal property.

In **3**, enter your complete address, telephone number, and email address, if you have one.

I am serving more than 1 Defendant/Respondent.

I have attached _____ *Additional Defendant/Respondent Address and Service Information* forms.
Number

2. Information about the lawsuit:

- a. Amount claimed: \$ _____
- b. I am asking for the return of tangible personal property (items in the Defendant/Respondent's possession).

3. Contact information for the Plaintiff/Petitioner:

Name (*First, Middle, Last*): _____
 Street Address, Unit #: _____
 City, State, ZIP: _____
 Telephone: _____ Email: _____

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.

Important information for the person getting this form

You have been sued. Read all of the documents attached to this *Summons*. To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: ilcourts.info/forms.

Check **4a** or **4b**. If Defendant/Respondent only needs to file an *Appearance* and *Answer/Response* within 30 days, check box **4a**. Otherwise, if the clerk gives you a court date, check box **4b**.

4. Instructions for person receiving this Summons (Defendant):

- a. To respond to this *Summons*, you must file *Appearance* and *Answer/Response* forms with the court within 30 days after you have been served (*not counting the day of service*) by e-filing or at:
 Address: _____
 City, State, ZIP: _____

In 4a, fill out the address of the court building where the Defendant may file or e-file their Appearance and Answer/ Response.

In 4b, fill out:
•The court date and time the clerk gave you.
•The courtroom and address of the court building.
•The call-in or video information for remote appearances (if applicable).
•The clerk’s phone number and website.
All of this information is available from the Circuit Clerk.

b. Attend court:
On: _____ at _____ a.m. p.m. in _____
Date Time Courtroom

In-person at:

Courthouse Address City State ZIP

OR

Remotely (You may be able to attend this court date by phone or video conference.

This is called a “Remote Appearance”):

By telephone: _____
Call-in number for telephone remote appearance

By video conference: _____
Video conference website

Video conference log-in information (meeting ID, password, etc.)

Call the Circuit Clerk at: _____ or visit their website
Circuit Clerk’s phone number

at: _____ to find out more about how to do this.
Website

STOP!

The Circuit Clerk will fill in this section.

Witness this Date: _____

Seal of Court

Clerk of the Court: _____

STOP! The officer or process server will fill in the Date of Service

Note to officer or process server:

- If 4a is checked, this Summons must be served within 30 days of the witness date.
• If 4b is checked, this Summons must be served at least 21 days before the court date, unless 2b is also checked.
o If 4b and 2b are checked, the Summons must be served at least 3 days before the court date.

Date of Service: _____
(Date to be entered by an officer or process server on the copy of this Summons left with the Defendant or other person.)

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	PROOF OF SERVICE OF SUMMONS AND COMPLAINT/PETITION	<i>For Court Use Only</i>
Instructions Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/ Respondents. Enter the Case Number given by the Circuit Clerk.	_____ Plaintiff / Petitioner (<i>First, middle, last name</i>) v. _____ Defendant / Respondent (<i>First, middle, last name</i>) <input type="checkbox"/> Alias Summons (<i>Check this box if this is not the 1st Summons issued for this Defendant.</i>)	_____ Case Number

****Stop. Do not complete the form. The sheriff or special process server will fill in the form. Give them one copy of this blank Proof of Service form for each Defendant/Respondent.****

My name is _____ **and I state**
First, Middle, Last

I served the Summons and Complaint/Petition on the Defendant/Respondent

_____ **as follows:**
First, Middle, Last

Personally on the Defendant/Respondent:
 Male Female Non-Binary Approx. Age: _____ Race: _____
 On this date: _____ at this time: _____ a.m. p.m.
 Address, Unit#: _____
 City, State, ZIP: _____

On someone else at the Defendant/Respondent's home who is at least 13 years old and is a family member or lives there:
 On this date: _____ at this time: _____ a.m. p.m.
 Address, Unit#: _____
 City, State, ZIP: _____
 And left it with: _____

First, Middle, Last
 Male Female Non-Binary Approx. Age: _____ Race: _____
 and by sending a copy to this defendant in a postage-paid, sealed envelope to the above address on this date: _____

On the Corporation's agent, _____
First, Middle, Last
 Male Female Non-Binary Approx. Age: _____ Race: _____
 On this date: _____ at this time: _____ a.m. p.m.
 Address: _____
 City, State, ZIP: _____

I was not able to serve the *Summons* and Complaint/Petition on Defendant/Respondent:

First, Middle, Last

I made the following attempts to serve the *Summons* and Complaint/Petition on the Defendant/Respondent:

1. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, ZIP: _____
Other information about service attempt: _____

2. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, ZIP: _____
Other information about service attempt: _____

3. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, ZIP: _____
Other information about service attempt: _____

DO NOT complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

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.

By:

Signature by: Sheriff
 Sheriff outside Illinois:

County and State
 Special process server
 Licensed private detective

FEES
Service and Return: \$ _____
Miles _____ \$ _____
Total \$ _____

Print Name

If *Summons* is served by licensed private detective or private detective agency:
License Number: _____