IN THE
SUPREME COURT OF ILLINOIS

In re: Illinois Courts Response to COVID-19 Emergency/ Eviction Early Resolution Programs	)	M.R. 30370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); and in view of the outbreak of the novel coronavirus ("COVID-19") and the ensuing issuance by the Illinois Governor of Executive Orders 2020-10, 2020-30, 2020-33, 2020-48, 2020-52, 2020-55, 2020-59 and 2020-72, as amended by Executive Order 2020-74, and extended by Executive Order 2021-04 (and any future executive orders) imposing a moratorium on most residential eviction lawsuits, the Court taking no position on the legal validity of such executive orders but anticipating that the expiration of such orders will result in a surge of residential eviction lawsuit filings, IT IS HEREBY ORDERED, effective immediately and until further order of the Court:

1. Each judicial circuit is authorized and encouraged to establish early resolution programs to allow for alternative dispute resolution of eviction cases, including but not limited to mediation and online dispute resolution ("Eviction Early Resolution Program"). The circuit may choose to make such programs voluntary, or it may require mandatory participation by litigants as a prerequisite to hearing.

2. Each judicial circuit's Eviction Early Resolution Program(s) must be reflected in a local rule or general order, which shall address, at a minimum, the following:

    a. The nature of the program (e.g., mediation, party conferences, online dispute resolution, etc.);
    b. Actions eligible for the program;
    c. Appointment, qualification and compensation, if any, of any persons working within the program (e.g., mediators);
    d. Scheduling of any conferences required by the program;
    e. Conduct of conferences;
    f. Discovery (if permitted);
    g. Language access services;
    h. Absence of a party at the conferences and sanctions which may be imposed as a result;
    i. Finalization of any agreement reached;
    j. Termination and reporting of the outcome of any conference; and
    k. Confidentiality.

3. In furtherance of the requirements stated in Paragraph (2), each judicial circuit's Eviction Early Resolution Program should consider, to the extent appropriate and feasible, providing for the following elements:

    a. A meaningful opportunity for access to appropriate counseling services, including financial, supportive services, housing counseling, and relocation services;
    b. A meaningful opportunity for any unrepresented party to obtain legal information or representation from private, legal aid, or *pro bono* counsel, subject to availability.
    c. An established method to communicate with participants concerning availability and requirements of the program,
    d. Information on local, state, and federal rental assistance programs and how to apply.

4. A copy of any judicial circuit's rule or order creating such a program shall be provided to the Administrative Office of the Illinois Courts ("AOIC"). AOIC approval is not required for commencement of the program under this temporary order, but programs may be reviewed after commencement for compliance with this temporary order.

5. Regardless of whether a jurisdiction has adopted a program pursuant to this temporary order, any court hearing an eviction matter may, for good cause shown, continue any such case to allow the parties to seek legal assistance and rental assistance through identified federal, state, or local rental assistance programs. The court retains jurisdiction of the matter and shall set it for a future status date to track progress of the parties' efforts. If the parties reach agreement, or if the plaintiff fails to appear at the subsequent status date, the case may be dismissed.

6. Courts are directed to resources and sample materials to develop their own Eviction Early Resolution Programs, available at: http://illinoiscourts.gov/CircuitCourt/eviction_resources.asp. Please visit this site as it will be continually updated.

Order entered by the Court.

SEAL OF THE SUPREME COURT
STATE OF ILLINOIS
AUG. 26, 1818

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said Supreme Court, in Springfield, in said State, this 23rd day of February, 2021.

Carolyn Taft Grosboll Clerk,
Supreme Court of the State of Illinois