



# ILLINOIS SUPREME COURT COMMISSION ON ACCESS TO JUSTICE QUARTERLY NEWSLETTER

*September 2019*

## Statewide Standardized Forms Update

Since 2012, the ATJ Commission has been developing **plain language legal forms** with two goals in mind. First, the forms are designed to help the growing number of Self-Represented Litigants (SRLs) who are navigating the court process without an attorney. Second, judges and court staff may utilize the forms and the accompanying instructions as tools for helping SRLs to understand the legal process in the subject area of the forms.

Specifically, the forms allow SRLs to provide the relevant information for the judge to consider. The instructions, included with the forms, break the court process down into understandable parts. For example, the process for getting divorced and seeking child support is multifaceted and is drawn largely from the IMDMA Act. However, much of the information a litigant needs to know for a pleading or other court document cannot be found in the statute. The instructions with the forms answer questions, such as:

- How do I file my documents?
- Will I be charged a filing fee?
- How do I serve the other party?
- What documents should I bring to court?
- How should I act in court?

This information is critical to the SRL's pursuit of the court case and assists in court efficiency.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS CIRCUIT COURT	PETITION FOR ORDER OF PROTECTION	Case Number
COUNTY		
<b>Instructions</b> Generally above, enter the name of county where you will file the case. Enter your name as Petitioner. Check the boxes for ALL people you want to include in the Order. On the lines provided, enter the name for each person you are trying to protect. Under household members include people living with you or someone else you are raising. Enter name of the person you are seeking protection from as Respondent. The Circuit Clerk will add a Case Number.	<b>Petitioner:</b> (First, middle, last name) People to be Protected by this Order (check all that apply): <input type="checkbox"/> Petitioner <input type="checkbox"/> Petitioner's minor children with Respondent <input type="checkbox"/> Petitioner's minor children not related to Respondent <input type="checkbox"/> Dependent adult <input type="checkbox"/> High risk adult <input type="checkbox"/> Other household members <b>Respondent:</b> (First, middle, last name)	<input type="checkbox"/> Independent <input type="checkbox"/> Criminal <input type="checkbox"/> Juvenile <input type="checkbox"/> Other Civil Proceeding
<b>NOTE:</b> If you are completing this form for a minor child, dependent adult, or high risk adult, court information would follow as if you were that person. In other words, do not use your information, except as directed on the bottom of page 18 where you will sign this form.	<b>TYPE OF ORDER OF PROTECTION REQUESTED AGAINST RESPONDENT</b> <input type="checkbox"/> 1. Emergency Order of Protection without giving advance written notice to Respondent because advance notice would cause more abuse. <input type="checkbox"/> 2. Order of Protection, but not an emergency order.	
<b>BACKGROUND INFORMATION</b> 1. <input type="checkbox"/> If Respondent should not know household address because it may cause more abuse. Use this address for Court notices: Street Address, Apt # _____ City _____ State _____ ZIP _____ Email _____ OR <input type="checkbox"/> Respondent knows household address and it is: Street Address, Apt # _____ City _____ State _____ ZIP _____ Email _____		

DPF-P-003.1 Page 1 of 11 03/16

Recently published or updated forms:

- Notice of Appeal
- Docketing Statement
- Request for Preparation of Record on Appeal
- Bystander's Report or Agreed Statement of Facts
- Request for Report of Proceedings (Transcripts)
- Petition for Order of Protection, Emergency Order of Protection, and Order of Protection
  
- Application for Waiver of Criminal Court Assessment
- Application for Waiver of Court Fees (*Updated*)
- Request for Name Change (Adult) (*Updated*)
- Request for Name Change (Minor) (*Updated*)

*Embracing Odyssey Guide and File:*

Illinois Legal Aid Online—in collaboration with ATJ Commission, Tyler Technologies, and other court stakeholders—is adopting Odyssey Guide and File as the platform in which it develops “guided interviews” for our statewide standardized forms (think TurboTax but for court forms). In addition to helping a user fill out the forms, it allows for seamless e-filing once the interview is complete. This program is currently available for use with the Dissolution of Marriage/Civil Union (Divorce No Children) form suite. We anticipate the publication of additional Odyssey Guide and File interviews this coming year.

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## **JusticeCorps Visits the Appellate Court**

In July, the 2018-2019 Illinois JusticeCorps Fellows concluded their one-year term of service by attending oral arguments at the Illinois First District Appellate Court. This first-ever event was hosted by Justice Mary K. Rochford, Chair of the ATJ Commission, and Justice Daniel J. Pierce, a member of the Commission. Following oral arguments, the Fellows were provided an opportunity for a Q&A session with Justice Pierce, Justice John C. Griffin, and Justice Carl Anthony Walker from the panel.



Observing oral arguments proved to be an inspiring and educational experience for the Fellows. Lauren Spungen (ILJC Fellow in Lake County; attending the University of Chicago Law School this fall) helped organize the event and explained, "After spending the year working so closely with litigants in circuit court, it was fascinating to attend oral arguments and speak to the justices about the appellate court system. Our visit certainly

opened my eyes to the unique and often insurmountable challenges SRLs face at the appellate stage."

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## Self-Represented Litigant

### Coordinator Grants

We are requesting proposals from all judicial circuits which would designate a current staff member to act as the circuit's Self-Represented Litigant Coordinator to evaluate and address the evolving needs of self-represented litigants in our civil courts. Based on a review of these proposals, we will award monetary grants to judicial trial circuits to support the work and programs of the SRL Coordinator.

In 2017, we awarded grants to nine judicial circuits and the Coordinators in those circuits served 32,932 SRLs. Additionally, we had four other judicial circuits participate in the network without receiving grants. In 2018, we granted awards to 11 judicial circuits and to date 8,139 SRLs have been served by the Coordinators. Additionally, we have two other judicial circuits participating in the network without grant funding. Projects include: repurposing courthouse space for help desks, improving signage and materials, and creating early resolution programs to resolve cases more quickly.

In both years, the SRL Coordinator network gathered in Chicago two times per year for training in addition to monthly training calls. Training topics include: information vs. advice, mental health issues, plain language, user-centered design, customer service, implicit bias, and literacy.

**Proposals are due by October 1.** For more information, see the ***Request for Proposals***. Any questions should be directed to **Jill Roberts, SRL Services Specialist, AOIC** at **312.793.2305** or **[jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov)**.

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### Plain Language Guidance Materials

In April of 2018, the Supreme Court approved an Illinois Supreme Court Policy

### Train the Trainer:

With the goal of learning more about the challenges facing residents of south suburban Chicago, the ATJ Commission's Community Trust Committee held three town hall meetings in late 2018 at Prairie State College, New Faith Baptist Church, and the Markham Courthouse.

In July 2019, as a result of feedback received during these town hall meetings, we organized a "train the trainer" presentation. We collaborated with attorneys from CARPLS and Catholic Charities Legal Assistance to train staff at social service agencies. Over 25 members of the Southland Human Services Leadership Council attended the training and learned about properly identifying legal issues presented by clients, providing more competent referrals for legal services, and where to find resources for people going to court without a lawyer.

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## Self-Represented Litigants & Fee

### Waivers

In preparation for the changes to the civil fee waiver statute and the creation of the criminal assessment waiver statute and **Illinois Supreme Court Rule 404**, the AOIC ATJ Division created a packet of information for judges, clerks, and court staff to aid in understanding the new requirements, including a bench card for judges on the fee waiver/assessment waiver provisions, a Federal Poverty Level chart, statutorily required signage, a one-page overview, and other materials highlighting the changes. The ATJ Division made presentations on the changes at the January and June Conference of Chief Judges meetings, to the DuPage County courthouse in April, and at the Chicago Bar Association's

on Plain Language. The policy required the ATJ Commission to create and maintain a plain language reference guide. The guide will play in integral role in upcoming trainings. Accordingly, the ATJ Commission recently adopted the **Plain Language Guide: How to Incorporate Plain Language into Court Forms, Websites, and Other Materials** as its official guidance material around employing plain language principals.

Legal Aid Committee meeting in June.

## Presentations and Trainings

The ATJ Commission was invited to partner with the Illinois Supreme Court Commission on Professionalism in their program: "Walk In Their Shoes: Courthouse Professionalism Training." The ATJ Commission helps provide resources and train on self represented litigant issues. The first joint training was held on July 12 in Edwardsville (20th Circuit). Additional trainings are scheduled for September 27 in Monmouth (9th Circuit) and at the Markham Courthouse (Cook County) in early 2020 as part of the ATJ Commission's Community Trust work.

Illinois Waiver Statutes - Effective July 1, 2019

Civil Fee Waiver 735 ILCS 5/5-105		Criminal Assessment Waiver 725 ILCS 5/124A-20	
100% Waiver	Receives a means-based public benefit (regardless of income)	100% Waiver	Receives a means-based public benefit (regardless of income)
100% Waiver	Payment would result in substantial hardship (regardless of income)	100% Waiver	Payment would result of substantial hardship (regardless of income)
100% Waiver	Available income up to 125% FPL	100% Waiver	Available income up to 200% FPL
75% Waiver	Available income between 125%-150% FPL	75% Waiver	Available income between 200%-250% FPL
50% Waiver	Available income between 150%-175% FPL	50% Waiver	Available income between 250%-300% FPL
25% Waiver	Available income between 175%-200% FPL	25% Waiver	Available income between 300%-400% FPL

  

2019 Federal Poverty Level-Annual Income						
Family Size	125% FPL	150% FPL	175% FPL	200% FPL	250% FPL	400% FPL
1	\$15,013	18,735	21,858	24,980	31,225	49,960
2	\$21,138	25,365	29,593	33,820	42,275	67,640
3	\$28,063	31,995	37,328	42,660	53,325	85,320
4	\$32,188	38,625	45,063	51,500	64,375	103,000
5	\$37,713	45,255	52,798	60,340	75,425	120,680
6	\$43,238	51,885	60,533	69,190	86,475	138,360
7	\$48,763	58,515	68,288	78,020	97,525	156,040
8	\$54,288	65,145	76,003	86,860	108,575	173,720
Add amount for each additional person	\$5,525	6,630	7,735	8,840	11,050	13,260

Figures from: <https://www.fpi.gov/jackson/Files/Apps/Files/1/2/2019/2019%20CoverSheet%20table.pdf> ©Illinois Supreme Court Commission on Access to Justice & Admin Office of the 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 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