

## **What happens if you are sued for foreclosure in Illinois -- Supplement©**

This supplement includes a forms guide as well as forms. The forms guide is for use only in filling out the forms. For more information about what these forms mean or are used for, consult the appropriate Self Help packet.

©Board of Trustees, Southern Illinois University

**Forms that are included in this supplement:**

Application to Defend As A Poor Person

Entry of Appearance

Answer

Certificate of Mailing

# FORMS GUIDE

## ALL FORMS:

At the top of each form is the "caption". It is completed as follows:

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE **(number of circuit)** JUDICIAL CIRCUIT

**(name of county)** COUNTY

<b>(Landlord's name)</b>	)	
	)	
	)	
v.	)	No. <b>(get from Clerk at the time you file)</b>
	)	
<b>(Tenant's name)</b>	)	
	)	
	)	
Defendant.	)	

Determine the number of the "Circuit" according to the chart on the next page. If your county does not appear in the chart, call the Circuit Clerk in the county in which you will be filing your case and ask for the number of the Circuit.

## **Circuit Courts in Illinois**

Cook County is its own judicial circuit. The rest of the counties in Illinois fall into one of 21 circuits.

First Circuit -	The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.
Second Circuit -	The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.
Third Circuit -	The counties of Madison and Bond.
Fourth Circuit -	The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.
Fifth Circuit -	The counties of Vermilion, Edgar, Clark, Cumberland and Coles.
Sixth Circuit -	The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.
Seventh Circuit -	The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.
Eighth Circuit -	The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.
Ninth Circuit -	The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.
Tenth Circuit -	The counties of Peoria, Marshall, Putnam, Stark and Tazewell.
Eleventh Circuit -	The counties of McLean, Livingston, Logan, Ford and Woodford.
Twelfth Circuit -	The county of Will.
Thirteenth Circuit	The counties of Bureau, LaSalle and Grundy.
Fourteenth Circuit -	The counties of Rock Island, Mercer, Whiteside and Henry.
Fifteenth Circuit -	The counties of JoDaviess, Stephenson, Carroll, Ogle and Lee.
Sixteenth Circuit -	The counties of Kane, DeKalb and Kendall.
Seventeenth Circuit -	The counties of Winnebago and Boone.
Eighteenth Circuit -	The county of DuPage.
Nineteenth Circuit -	The counties of Lake and McHenry.
Twentieth Circuit -	The counties of Randolph, Monroe, St. Clair, Washington and Perry.
Twenty-first Circuit -	The counties of Iroquois and Kankakee.

**FORM: Application to Sue as a Poor Person**

- Introduction:** Your name
- Paragraph 1:** Your address, include street and city.
- Paragraph 2:** The amount and source of your income, for example, \$339.00 per month in AFDC, supplemented by Food Stamps.
- Paragraph 3:** List other sources of income not listed in 2.
- Paragraph 4:** The amount of income you had in the last year.
- Paragraph 5:** Should be the same as 2, unless you expect your income to go up or down, in which case you should list what you expect your income to be.
- Paragraph 6:** List the names and birthdates of your children and/or others you support financially.
- Paragraph 7:** First blank: total value of your possessions;  
Second blank: year and make of your car; if you do not have a car, simply put "none";  
Third blank: value of your car;

Sign your name on both blank lines above where it says "Applicant" and print your name below each signature.

**FORM: Answer**

- Introduction:** Your name.
- Paragraph 1:** Put the amount which you think you owe.
- Paragraph 2:** Use the lines to tell the court (briefly) the reason why you are behind on your payments.
- Paragraph 3:** Check whether you intend to:  
exercise your rights of reinstatement and/or redemption; **or**

waive your rights to redemption and reinstatement in exchange for the Lender agreeing to take the home as payment in full for all amounts owed.

**PLEASE READ THE PACKET WHICH DESCRIBES THESE RIGHTS BEFORE YOU SELECT WHICH BOX TO CHECK.**

Sign your name on both of the long blank lines and print your name below each signature on the shorter blank line.

In the lower left hand corner, print your name before where it says "pro se" and put your address and telephone number on the lines below.

**FORM: Entry of Appearance**

**First blank:** Your name.

Sign your name on the long blank line and print your name below your signature on the shorter blank line.

In the lower left hand corner, print your name before where it says "pro se" and put your address and telephone number on the lines below.

**FORM: Certificate of Mailing**

**First blank:** Your name.

**Second blank:** Put either Answer or Entry of Appearance (depending on which one you filed) here.

**Second blank:** Name of attorney or person you mailed a copy of your Answer or Entry of Appearance to.

**Third blank:** Name of city in which you mailed your Answer or Entry of Appearance

**Fourth blank:** Date you mailed your Answer or Entry of Appearance.

Sign your name on both of the long blank lines and print your name below each signature on the shorter blank line.

In the lower left hand corner, print your name before where it says "pro se" and put your address and telephone number on the lines below.

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT

\_\_\_\_\_ COUNTY

_____	)	_____ Application granted
	)	_____ Application denied
	)	
	)	
v.	)	No. _____
	)	
	)	_____, 20__
_____	)	_____
	)	JUDGE

**APPLICATION TO SUE AS A POOR PERSON**

I, \_\_\_\_\_, on my own behalf, on oath state:

1. My current address is \_\_\_\_\_.

2. My occupation, source of income, amount of public benefits is \_\_\_\_\_.

3. My other sources of income or support are \_\_\_\_\_.

4. My income for the preceding year was approximately \_\_\_\_\_.

5. The sources and amounts of income I expect to receive in the future are:

\_\_\_\_\_.

6. Person(s) who are dependent on me for support are: \_\_\_\_\_

\_\_\_\_\_.

\_\_\_\_\_.

7. I own no real estate. The total value of all my personal property does not exceed \$\_\_\_\_\_ in value and consists of clothing and furniture, and other household items, including a 20\_\_\_\_, \_\_\_\_\_ motor vehicle, valued at \$\_\_\_\_\_.

8. I filed no applications for leave to sue or defend as a poor person during the preceding year, and none were filed on my behalf.

9. I am unable to pay the costs of commencing and prosecuting this action.

10. I have a meritorious claim.

**WHEREFORE**, Applicant prays the Court to permit her/him to commence and prosecute this action as a poor person under 735 ILCS 5/5-105 of the Code of Civil Procedure.

---

Plaintiff

Under penalties as provided by law pursuant to Section 5/1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

---

Plaintiff

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT

\_\_\_\_\_ COUNTY

\_\_\_\_\_, )  
 Plaintiff, )  
 vs. )  
 \_\_\_\_\_, )  
 Defendant. )

Case number: \_\_\_\_\_

**ANSWER**

I, \_\_\_\_\_, on my own behalf and in support of my Answer state as follows:

1. That by my records I owe \$\_\_\_\_\_ on the loan which is secured by my home.

2. That I am am behind on my payments because:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

3. That I (check one)

( ) wish to exercise my right of reinstatement by catching up on my missed payments within 90 days from the date I was served or my right of redemption by paying the total amount due within 210 days of the date I was served or 90 days after a judgment is entered by this court.

( ) will consent to the foreclosure and will waive my rights of reinstatement and redemption if Plaintiff is willing to waive any and all rights they may have to a deficiency judgment against me and against all other persons liable for the indebtedness or other obligations secured by the mortgage.

\_\_\_\_\_

\_\_\_\_\_

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, pro se

\_\_\_\_\_

\_\_\_\_\_

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT

\_\_\_\_\_ COUNTY

_____,	)	
	)	Plaintiff,
	)	
vs.	)	Case Number: _____
	)	
_____,	)	
	)	
	)	Defendant.

**ENTRY OF APPEARANCE**

I, \_\_\_\_\_, hereby enter my appearance in this case on my own behalf.

\_\_\_\_\_, pro se

\_\_\_\_\_

\_\_\_\_\_