

McLean County, Illinois Revised Procedures for Small Claims (“SC”), Arbitration (“AR”) and Law Minor (“LM”), including Eviction Cases

Effective April 10, 2021

In response to Illinois Supreme Court Order M.R. 30370 entered February 10, 2021, the SC/LM/AR Policies and Procedures enacted October 2020 are hereby vacated and the following revised procedures are effective April 5, 2021 as follows:

DATE-CERTAIN SUMMONS:

- All SC/LM/AR regardless of case-type must use a date-certain summons.

1ST (Initial) APPEARANCE HEARINGS (the term “Initial Appearance” means “1st Appearance” for purpose of these Revised Procedures):

- Eviction/Detinue/Replevin 1st appearances will be held in-person at the McLean County Law & Justice Center.
- All other SC/LM/AR 1st appearances will be held via Zoom.

ALL HEARINGS OTHER THAN 1ST APPEARANCES (*EXCEPT TRIALS*):

- Any hearing other than a 1st appearance shall be presumed to held via Zoom unless otherwise ordered by the Judge except trials shall be held in person as provided below.

TRIALS:

- All trials will be held in-person at the McLean County Law & Justice Center, 104 W. Front St., Bloomington, IL and WILL NOT BE HELD BY ZOOM---parties must appear in person for trials.

“PREFERRED” SUMMONSES:

- Please visit the McLean County, Illinois Circuit Clerk’s website (insert link) for preferred summons forms. You will find one for Evictions/Detinue/Replevin (In-person) and another for all other SC/LM/AR cases (Zoom Remote). Please make sure you use the proper summons to ensure your cases will proceed on the date set. The “preferred” summonses have been tailored to these revised local procedures since some 1st appearances will be remote and others in-person.

ZOOM INSTRUCTIONS FOR REMOTE HEARINGS:

- Judge Fellheimer’s Courtroom Zoom Instructions can be found at: (insert link)
- FOR 1ST APPEARANCES: The plaintiff is responsible for having Judge Fellheimer’s Courtroom Zoom Instructions served on the defendant with the summons.
- FOR ALL OTHER HEARINGS OTHER THAN TRIALS: The party setting a hearing must attach a copy of Judge Fellheimer’s Zoom Courtroom Instructions to the Notice of Hearing and send to the other side.

- Failure to include Zoom instructions may result in a case not being heard on the date set.

OBTAINING A COURT DATE FOR A SC/LM/AR CASE:

- Please email smallclaims_scheduling@mcleancountyil.gov to obtain a court date

FOR EVICTION CASES ONLY:

- All eviction 1st (Initial) appearances will be held in-person to allow tenants and landlords to confer with rental assistance providers who plan to be on-site to process applications
- All eviction summonses shall have attached to it, the Eviction and Rental Assistance Informational Sheet that is attached to these revised procedures and it shall be served with the summons on the defendant(s)

ALIAS SUMMONSES:

Any requests for issuance of an Alias Summons shall be requested and processed per Illinois Supreme Court Rule 103(a) through the Circuit Clerk's Office.

- If service is not obtained prior to the court date, parties/counsel shall email smallclaims_scheduling@mcleancountyil.gov to advise that service was not perfected so the matter can be taken off the court's docket to allow other cases to proceed.

ELECTRONICALLY SUBMITTED ORDERS:

- All electronically submitted Orders must include the following minimum information within the body of the Order or the Order will be rejected and not entered:
 1. The date the case was heard in Court; and,
 2. The names of the parties who either appeared or failed to appear

RULES/ORDERS TO SHOW CAUSE:

After the 2nd continuance on a Rule/Order to Show Cause, the Court will set the matter for a contested hearing on the merits.