



Pretrial Fairness Act

Year One In Review

Pretrial Fairness Act (PFA) Overview and First Year Statistics

The First Year of the Pretrial Fairness Act, by Patrick Griffin, Don Stemen, David Olson, and Amanda Ware; Loyola Chicago, Center for Criminal Justice (Sept. 24, 2024) - <https://pfa-1yr.loyolaccj.org/> (see handout)

- Key takeaways

OSAD Statistics:

1852 appointments between Sept. 18, 2023, and April 14, 2024

399 appointments between April 15, 2024, and October 23, 2024

Roadmap: PFA Proceedings and Compelling Issues

- Pretrial Release - 725 ILCS 5/110-5
- Pretrial Detention - 725 ILCS 5/110-6.1
- Revocation of Pretrial Release - 725 ILCS 5/110-6
- Clients with Existing Bail - 725 ILCS 5/110-7.5
- Clients Granted a New Trial - 725 ILCS 5/110-11
- Clients in DHS Custody - 725 ILCS 5/104-17

Release – 725 ILCS 5/110-5

Presumption of Release - "All persons charged with an offense shall be eligible for pretrial release before conviction." 725 ILCS 5/110-2

- Not charged with a detainable offense
- State does not file a petition to detain – Court cannot detain without the petition: *People v. Shockley*, 2024 IL App (5th) 240041; *People v. Brooks*, 2024 IL App (4th) 230903-U
 - "If any" language in section 110-5(a)
 - State can request conditions of release but must prove they are necessary by clear and convincing evidence
 - Court must look at factors in section 110-5
 - Court must impose mandatory conditions (section 110-10(a)); can impose permissible conditions (section 110-10(b))
 - If the defendant is not released within 48 hours after conditions are imposed, the court must review the conditions (section 110-5(e))

Detention – 725 ILCS 5/110-6.1

State has the burden of proving by clear and convincing evidence that:

- Proof is evident or the presumption is great that client committed a detainable offense.
- Client poses a real and present threat to the safety of any person or persons or the community, or has a high likelihood of willful flight to avoid prosecution.
- No condition or combination of conditions can mitigate these risks. 725 ILCS 5/110-6.1(e).

Detainable Offense

- Detainable if (1) a sentence of imprisonment, without probation, periodic imprisonment or conditional discharge, is required by law upon conviction or (2) defendant is charged with an enumerated offense in 110-6.1(a).
- *People v. Challans*, 2024 IL App (5th) 240353 - Detention must be based on actual charge, not offenses that could have been charged based on the proffer.
- *People v. Serrato-Zavala*, 2024 IL App (2d) 240255 - Class 2 aggravated DUI is not a detainable offense because statute did not exclude periodic imprisonment.
- *People v. Rodriguez*, 2024 IL App (2d) 240077 - Defendant was charged with non-probational AUUW, but was eligible for first-time weapons offense program. Defendant argued offense was non-detainable because program was akin to probation. Appellate court rejected this argument and held it was a detainable offense because program was not comparable to probation.

Catchall Provision For Forcible Felonies: 725 ILCS 5/110-6.1(a)(1.5)

- Enumerated forcible felonies or “any other felony which involves the threat or infliction of great bodily harm or permanent disability or disfigurement.”
 - *People v. Grandberry*, 2024 IL App (3d) 230546 - Residual clause only refers to felonies that are not enumerated.
 - *People v. Duncan*, 2024 IL App (5th) 240588 – The legislature's inclusion of the residual clause was intended to focus on whether the conduct threatened or caused great bodily harm – not on the specific felony committed.
 - *People v. Minssen*, 2024 IL App (4th) 231198 - Aggravated assault where defendant tried to bite a police officer was not a detainable offense because the State failed to introduce any evidence that actions could have caused great bodily harm.
 - *People v. Davis*, 2024 IL App (3d) 240244 - Charge of disorderly conduct for transmitting a false report that a crime would be committed was not detainable. Defendant was charged with threatening to blow up the Social Security Administration Office, but no threat of GBH because charge alleged defendant knew the threat was false.
 - *People v. Delaney*, 2024 IL App (5th) 24031 - Aggravated fleeing and eluding fell within residual clause because high-speed driving threatened great bodily harm and there is no “intent” requirement that a defendant must contemplate actions could cause harm.

Proof of the Offense

Can be by proffer, but has to be based on “reliable evidence.” 725 ILCS 5/110-6.1(f)(2). Courts have not defined reliable. The rules concerning the admissibility of evidence in criminal trials do not apply at a detention hearing. § 110-6.1(f) (5).

- *People v. Bass*, 2024 IL App (2d) 230579-U - State must do more than reference bare allegations in the complaint.
- *People v. Smith*, 2024 IL App (2d) 240168 - Court is not required to accept defendant’s self-defense justification.

Evidence that proof of the charged crime may have been the result of an unlawful search or seizure, or both, or through improper interrogation, is relevant in assessing the weight of the evidence against the defendant. 725 ILCS 5/110-6.1(f)(6).

- *People v. Parker*, 2024 IL App (1st) 232164 - Somewhat confusingly held that the fact that evidence was obtained illegally is not relevant to the proof of the offense, but can be a factor on whether defendant can be released on conditions.

Threat to Safety (Dangerousness)

Clear and convincing evidence of (1) real and present threat, (2) which conditions cannot mitigate. 725 ILCS 5/110-6.1(e)(2-4).

Must be based on more than the charged offense.

- *People v. Atterberry*, 2023 IL App (4th) 231028
- *People v. Stock*, 2023 IL App (1st) 231753

Defendants charged with violent offenses are not necessarily dangerous.

- *People v. Miller*, 2024 IL App (1st) 240588 - Defendant charged with First Degree Murder did not pose threat where criminal history was minimal, no evidence he had access to weapons, and no evidence he had a propensity for violence.

Dangerousness - Continued

Drug Cases - Split in Authority

- *People v. Drew*, 2024 IL App (2d) 230606 - Generalized risk of societal harm from drug crimes, alone, is insufficient to establish that defendant charged with delivery automatically presents a danger to the community.
- *People v. Johnson*, 2023 IL App (5th) 230714 - Selling drugs poses a danger to others in the community who may purchase and use those dangerous drugs. Also, drug trade is inherently dangerous and poses a risk to the community.

Gun Cases

- *People v. Martinez*, 2024 IL App (1st) 240241-U - Defendant, a parolee, was charged with possessing a loaded handgun. State did not prove he was dangerous where there was no evidence he threatened anyone with gun or otherwise engaged in violent behavior.
- *People v. Vance*, 2024 IL App (1st) 232503 - Although there was no evidence defendant threatened anyone with machine gun, trial court properly took into account the danger of a fully automatic weapon when if found defendant posed a threat to safety.
- *People v. Lee*, 2024 IL App (1st) 232137 - Noting “the inherent dangerousness of firearms, particularly when they are in the possession of those who have been prohibited from possessing them”
- *People v. Hongo*, 2024 IL App (1st) 232482 - Defendant's possession of a weapon while prohibited from doing so "suggests that continued detention is necessary to avoid the safety risk posed by the defendant."

Willful Flight - 725 ILCS 5/110-6.1(8)

Defined as "intentional conduct with a purpose to thwart the judicial process to avoid prosecution." 725 ILCS 5/110-1(f).

Can deny release only if:

- the person has a high likelihood of willful flight to avoid prosecution and is charged with:
- (A) Any felony described in subdivisions (a)(1) through (a)(7) of this Section; or
- (B) A felony offense other than a Class 4 offense. (broader category of felonies than dangerousness)
- State must prove that conditions cannot mitigate risk of willful flight. 725 ILCS 5/110-6.1(e)(3).
 - Isolated instances of failure to appear not enough to show willful flight.
 - Multiple failures to appear and a pattern of thwarting the judicial process are relevant.
 - So are affirmative steps to communicate with court or cure FTA.

Willful Flight - Continued

- *People v. Slaten*, 2024 IL App (2d) 240015 - Evading police is not the same as thwarting the judicial process to avoid prosecution. Also, it was improper for the trial court to rely on bond forfeiture warrant that was cured by the defendant. Finally, Defendant's lengthy criminal history showed there was no risk of willful flight because there was no evidence he failed to appear during prior prosecutions.
- *People v. Rodriguez*, 2023 IL App (3d) 230450 - Multiple arrest warrants for failure to appear showed defendant was a flight risk.

Conditions of Release - 725 ILCS 5/110-10(a)

- 725 ILCS 5/110-10(a) contains mandatory conditions of release. 110-10(b) lists discretionary conditions. Also, court may impose other reasonable conditions "so long as these conditions are the least restrictive means to achieve the goals listed in subsection (b), are individualized, and are in accordance with national best practices as detailed in the Pretrial Supervision Standards of the Supreme Court." 110-10(b)(9). Cannot order rehabilitative services unless directly tied to the risk of pretrial misconduct.
 - *People v. Morales*, 2024 IL App (2d) 230597 - Drug testing is a permissible discretionary condition.
 - *People v. Herrera*, 2023 IL App (1st) 231801 - Trial court erred when it did not consider defendant's request to be placed on SCRAM or electronic monitoring.
 - Electronic monitoring, GPS, and home confinement (section 110-5(g))

Procedural Requirements for Detention

Verified Petition

Finding of probable cause – NOT THE SAME AS CLEAR AND CONVINCING

Timing of petition

- *People v. Clark*, 2024 IL 130364 - First appearance if defendant is in custody
- 21 days if the defendant was released with notice
- *People v. McCarthy-Nelson*, 2024 IL App (4th) 231582-U - Hearing must be held immediately or, if continued at a party's request, within 24 or 48 hours; see also, *People v. Young*, No. 3-24-0233 (2024); *People v. Silva*, 2024 IL App (2d) 240118 (delay in issuing a decision, 7-days should be the limit)

Contents of petition

- *People v. Farris*, 2024 IL App (5th) 240745 - Second or subsequent petition

Defendant's rights

- *People v. Wallace*, 2024 IL App (4th) 240673-U - Right to an attorney
- Right to testify and right to call witnesses – Transcripts only available for impeachment
- Right to have all available discovery --
- Evidence of constitutional violations can be considered

"Speedy trial" Release – 90 days after detention. It includes all continuances not requested by the defendant, no need to object

Continued Detention – 725 ILSC 5/110-6.1(i-5)

- 725 ILSC 5/110-6.1(i-5) - “[a]t each subsequent appearance * * *, the [trial court] must find that continued detention is necessary to avoid a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, or to prevent the defendant's willful flight from prosecution.”
- Section 110-6.1(i-5) vests in the trial court the power to release from custody those facing trial. id. § 5/110-6.1(i-5); see *People v. Thomas*, 2024 IL App (1st) 240479, ¶ 16 (finding absence of evidentiary burden under section 110-6.1(i-5) demonstrated legislative intent to give trial court discretion about continued detention).
- Section 110-6.1(i-5) presumes that detention is necessary, as the trial court would have found once before. *Thomas*, 2024 IL App (1st) 240479, ¶ 14. It then asks whether anything has changed and detention is no longer needed.
- At a subsequent appearance, the State need not make the factual showings required at the initial pretrial detention hearing, and the statute does not assign either party a burden of proof regarding the continued detention finding. *People v. Hongo*, 2024 IL App (1st) 232482, ¶ 27.

Appellate Review of Continued Detention Hearings

- *People v. Casey*, 2024 IL App (3d) 230568 - “Although [the continued detention] determination necessarily entails consideration of the threat or flight risk posed by a defendant and the potential mitigation of such threat or flight risk by conditions of release, the Code does not require the court to again make specific findings that the State proved the three propositions by clear and convincing evidence as required at the initial hearing. As defendant did not appeal from the court's granting of the State's petition for denial of pretrial release, the questions relating to whether the State proved each of the three propositions by clear and convincing evidence during that initial hearing are not before us. Instead, the only question we consider is whether the court abused its discretion in finding that continued detention was necessary.”
- *People v. Mansoori*, 2024 IL App (1st) 232351 - “[N]otably, this portion of the Code, unlike the portions dealing with petitions for detention, does not prescribe a quantum of evidence or place a burden of proof on any party.”

Revocation of Pretrial Release – 725 ILCS 5/110-6

- Revocation only when defendant is charged with a Class A misdemeanor or felony while on release. Violating conditions of release can lead to sanctions, but not revocation of pretrial release.
- State must prove by clear and convincing evidence that no condition or combination of conditions of release would reasonably ensure the appearance of the defendant for later hearings or prevent the defendant from being charged with a subsequent felony or Class A misdemeanor. 725 ILCS 5/110-6(a).

Revocation - Continued

Either on State's petition to revoke or court's own motion. Defendant shall be transferred to court "without unnecessary delay" and hearing must be held within 72 hours of filing of petition or court's motion for revocation.

- *People v. Green*, 2024 IL App (1st) 240211 - 72-hour requirement is directory, so there is no remedy if hearing is held late. Court was concerned that it might be impossible to meet 72-hour requirement if it takes time to transfer defendant to court.
- *People v. Connor*, 2024 IL App (4th) 240300-U - Appellate Court vacated order revoking pretrial release because hearing was not held within 72 hours. Court stated that the concerns outlined in *Green* were not valid because 72-hours starts with the filing of a petition, which can occur after defendant is transferred.

Sanctions - 725 ILCS 5/110-6(b-f)

- Court can impose sanctions if a defendant on pretrial release violates conditions of release or is arrested for committing a crime while on pretrial release. Sanctions can include an admonishment from the court, a modification of conditions, or up to 30 days in county jail.
- State must prove by clear and convincing evidence that:
 - the defendant committed an act that violated a term of the defendant's pretrial release
 - the defendant had actual knowledge that the defendant's action would violate a court order
 - the violation of the court order was willful; and
 - the violation was not caused by a lack of access to financial monetary resources

Are these orders appealable?

- Not explicitly mentioned in 604(h). Sentence will have been served by the time an appeal is litigated.
 - *People v. Welge*, 2024 IL App (4th) 240793-U. Court declined to apply public interest exception to mootness.

Clients on Preexisting Bail – 725 ILCS 5/110-7.5

Three categories of defendants who were adjudicated under the old bail statute:

- **Released on bail** – Allowed to remain under their conditions of release – section 110-7.5(a)
- **Could not afford to make bail and still incarcerated** – section 110-7.5(b)
 - Timing of the petition:
 - *People v. Jones*, 2023 IL App (4th) 230837 – Once defendant seeks to have his pretrial release conditions reviewed, "the matter returns to the proverbial square one." Petition to detain is a responsive motion.
 - *People v. Whitmore*, 2023 IL App (1st) 231807 – State may file a petition at the first appearance before a judge after the effective day of the Act.
 - *People v. Watkins-Romaine*, 2024 IL App (1st) 232479 – Court already determined that the defendant is eligible for release so State does not get a do-over. Can only have a 110-5(e) hearing.
- **"No bail" or otherwise detained** – section 110-7.5(not b)
 - Review of conditions must occur after "motion for reconsideration of pretrial release conditions":
 - 90 days for offenses listed in 110-6.1(a)(1)-(7)
 - 60 days for in 110-6.1(a)(8)
 - 7 days for all other offenses
 - *People v. Silva*, 2024 IL App (2d) 240118 - motion for reconsideration only requires that the court to find if less restrictive conditions would be proper under section 110-6.1(i-5)

Pretrial Release After Receiving a New Trial

- Section 110-11: If the judgment of conviction is reversed and the cause remanded for a new trial, the trial court may order that the conditions of pretrial release stand pending such trial, or modify the conditions of pretrial release.
- *People v. Jackson*, 2024 IL App (1st) 240759-U - The Act does not permit the State to petition to detain unless the defendant elects to proceed under the terms of the Act.

Clients in DHS Custody – 725 ILCS 5/104-17

People v. Council, 2023 IL App (5th) 230716-U - "[S]ubsequent to the circuit court's ruling on the State's petition to deny pretrial release, the circuit court found that the defendant was unfit to stand trial and was ordered into the custody of DHS. Section 104-17 of the Code states that, '[i]f the defendant is placed in the custody of the Department of Human Services, the defendant shall be placed in a secure setting. During the period of time required to determine bed and placement availability at the designated facility, the defendant shall remain in jail.' 725 ILCS 5/104-17(b) (West 2022)."

"Upon completion of treatment, and subject to the regulatory scheme of article 104 of the Code (725 ILCS 5/104 et seq. (West 2022)), the defendant may elect to stand on his original pretrial conditions as set forth in the circuit court's order of August 16, 2023, or he may file a motion for a hearing under section 110-5(e)."

- Fitness examination does not require detention – 725 ILCS 5/104-13(c)
- Treatment for mental disability is separate from detention – 725 ILCS 5/104-17(b): If the court orders inpatient treatment in the custody of the Department of Human Services, then defendant must remain in jail until placement is available.

Probation Revocation – 730 ILCS 5/5-6-4(b)

730 ILCS 5/5-6-4(b): "The court shall admit the offender to pretrial release pending the hearing unless the alleged violation is itself a criminal offense in which case the offender shall be admitted to pretrial release on such terms as are provided in the [Code], as amended."

People v. Dyer, 2024 IL App (4th) 231524 – If a petition to revoke probation does not allege a violation that constitutes a criminal offense, the defendant is entitled to be released pending the hearing on the petition.

If the petition to revoke alleges a violation based on a criminal offense, then defendant's release is governed by section 110 of the Act.

What happens if the defendant was released on the criminal offense? Can the defendant be detained on the probation revocation?

- *People v. Samuels*, 2024 IL App (3d) 230782 – Defendant can be detained on the probation revocation if the violation is a detainable offense.

Rule 605(d) Admonishments and Rule 604(h) Motion for Relief and Notice of Appeal

Rule 605(d)(1):

(1) at the time of issuing the order -- defendant has a right to file a motion for relief from the court's order and also that the court will revisit the order of detention or the condition of pretrial release at each subsequent court appearance, regardless of whether a motion for relief is filed.

(2) at the time of its ruling on the defendant's motion for relief under Rule 604(h)(2) -- (A) that the defendant has a right to appeal at any time before conviction and, if indigent, to be furnished, without cost to the defendant, with a transcript or audiovisual communication or other electronic recording of the proceedings of the hearing; (B) that the defendant, if indigent, has the right to have counsel appointed on appeal.

Rule 604(h)(2):

Motion for relief is prerequisite to appeal

- Deemed waived if not in motion
- Motion will serve as the appeal
- Defendant has a right to appeal at any time before conviction – NO TIMING PROVISION
- Notice of appeal must be filed after the motion of relief is filed – If not, APPEAL WILL BE DISMISSED
- No subsequent appeals allowed while an appeal is pending -- A PLA denied in *People v. Mosley*, 3-24-0293 (Oct. 23, 2024) -- Must keep in mind that if the initial detention findings were not appealed, those issues are considered waived. *People v. Hongo*, 2024 IL App (1st) 232482.

Reviewing court mandate to be transmitted to the circuit court 5 days after entry of judgment

Rule 604(h) - Motion for Relief

Motion for Relief - As a **prerequisite to appeal**, the party taking the appeal shall first present to the trial court a **written motion** requesting the same relief to be sought on appeal and the grounds for such relief. The trial court shall promptly hear and decide the motion for relief. Upon appeal, **any issue not raised** in the motion for relief, other than errors occurring for the first time at the hearing on the motion for relief, shall be **deemed waived**.

Appellate Review of Rule 604(h)(2) Motions for Relief

- *People v. Cooksey*, 2024 IL App (1st) 240932 - Appellate Court dismisses defendant's Rule 604(h) appeal without prejudice because he failed to file the required Rule 604(h)(2) motion.
- *People v. Williams*, 2024 IL App (1st) 241013 - New evidence cannot be presented at a motion for relief hearing.
- *People v. Nettles*, 2024 IL App (4th) 240962 - "Motion to Reconsider Pretrial Release," which cited 725 ILCS 5/110-5(f-5), instead of Rule 604(h)(2), "does not constitute a pleading contemplated under Rule 604(h)(2) and fails to advance any arguments articulating a contention of error." It also held that "neither ineffective assistance nor plain error applies."

Notification of Mootness

- If the issues raised on appeal become moot due to resolution of the case or otherwise, trial counsel for the party initiating the appeal must advise the clerk of the relevant appellate district of the basis for mootness via e-mail within 24 hours, with a copy of the e-mail sent to all trial and appellate counsel of record and self-represented parties. Unless the appellant's e-mail communication expressly makes a request to dismiss the appeal, it shall be followed by a motion to voluntarily dismiss.

1st District Appellate Court: 1stDistrictPFA@illinoiscourts.gov

OSAD PFA Unit: pfa.eserve@osad.state.il.us

2nd District Appellate Court: AC_District2_Clerk@IllinoisCourts.gov

3rd District Appellate Court: AC3-PretrialFairness@illinoiscourts.gov

4th District Appellate Court: AC4-PretrialFairness@IllinoisCourts.gov

5th District Appellate Court: AC_District5_efile@illinoiscourts.gov

Illinois Supreme Court – Pretrial Fairness Act Appeals

- *People v. Clark*, 2024 IL 130364 - Supreme Court interpreted the phrase “first appearance before a judge” in section 110-6.1(c)(1) of the Code (725 ILCS 5/110-6.1(c)(1) (West 2022)), to mean the first time a defendant is brought before a judge and rejected the argument that such petitions must be filed the first time any party appears before the court, including the State's ex parte appearance to file a criminal complaint and seek an arrest warrant.
- *People v. Watkins-Romaine*, 2024 IL App (1st) 232479 – Defense appeal; argued on Sept. 10, 2024 – Whether the trial court committed plain error when it allowed the State to file a petition to detain defendant who was already granted bond, but remained in custody due to his inability to pay the bond, because the language of the Act does not provide for a petition under these circumstances and the provisions allowing for petitions would render this petition untimely
- *People v. Mikolaitis*, 2024 IL App (3d) 230791 – Defense appeal; argued on Sept. 10, 2024 – Whether the State can meet its burden of proof that there are no possible conditions of release by relying on evidence of proof evident the defendant committed the charged offense and that he/she is a danger and/or flight risk, and is not required to make a specific argument on this element.
- *People v. Morgan*, 2024 IL App (4th) 240103 – Defense appeal; argued on Sept. 12, 2024 –What standard of review applies to pretrial detention decisions?
- *People v. Cousins*, 2024 IL App (4th) 240388 - Defense appeal; opening brief filed - Whether the case should be remanded for a release hearing if the State does not meet its burden of proof at the detention hearing.
- *People v. Cooper*, 2024 IL App (4th) 240589-U – State appeal; no briefs filed yet - Whether the requirement that a detention hearing be held within 48 hours of the defendant's initial appearance is mandatory or directory and, if mandatory, whether the appropriate remedy for an untimely hearing is conditional release.

Rule 604(h) Notice of Appeal Form

IN THE CIRCUIT COURT OF _____ COUNTY
JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff-Appellee,)
-vs-) No. _____)
))
))
Defendant-Appellant.)

NOTICE OF APPEAL FROM PRETRIAL DETENTION OR RELEASE ORDER PURSUANT TO ILLINOIS SUPREME COURT RULE 604(h)

(Defendant as Appellant)

Court from which appeal is taken:

Circuit Court of _____ County.

The Judge who entered the order on the motion for relief under Rule 604(h)(2): _____

Date of Order on Motion for Relief*: _____

*Without an Order on a Motion for Relief, this notice of appeal is prohibited by Rule 604(h)(2).

Date(s) of Hearing(s) Regarding Pretrial Release: _____

Court to which appeal is taken:

Appellate Court of Illinois, _____ Judicial District

Name of Defendant and address to which notices shall be sent (if Defendant has no attorney):

Defendant's Name: _____

Defendant's Address: _____

Defendant's E-mail: _____

Defendant's Phone: _____

If Defendant is indigent and has no attorney, does he or she want one appointed? ☐ Yes ☐ No

Name of Defendant's attorney on appeal (if any):

Attorney's Name: _____

Attorney's Address: _____

Attorney's E-mail: _____

Attorney's Phone: _____

Name of Defendant's trial attorney (if any):

Attorney's Name: _____

Attorney's Address: _____

Attorney's E-mail: _____

Attorney's Phone: _____

Is the trial attorney a public defender? ☐ Yes ☐ No

Nature of Order Appealed (check only one):

☐ Denying pretrial release

☐ Revoking pretrial release

☐ Imposing conditions of pretrial release

Are there currently pending any other appeals in this matter by the same party under the Pretrial Fairness Act? ☐ Yes* ☐ No

*If Yes, this notice of appeal is prohibited by Rule 604(h)(1).

I certify that everything in this NOTICE OF APPEAL FROM PRETRIAL DETENTION OR RELEASE ORDER PURSUANT TO ILLINOIS SUPREME COURT RULE 604(h) is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

Your Signature _____

Printed Name _____

Attorney # (if any) _____

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Available at <https://www.illinoiscourts.gov/rules-law/supreme-court-rules>

Questions?