

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

GENERAL ADMINISTRATIVE ORDER NO. 2016-03

**SUBJECT: REFORMATION OF LEGAL DESCRIPTIONS IN MORTGAGE
FORECLOSURE CASES**

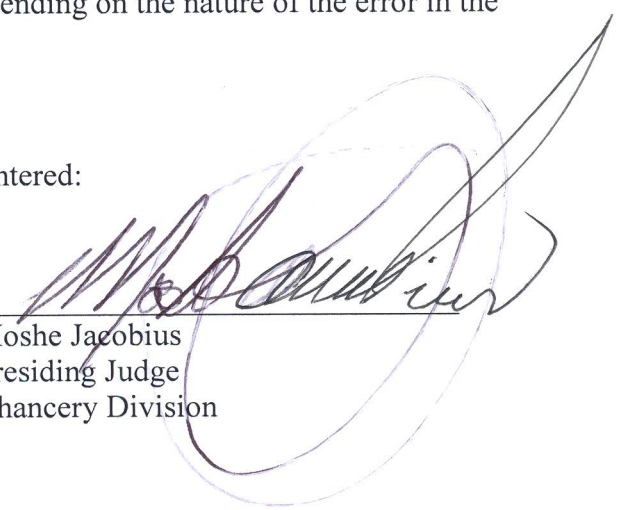
The Mortgage Foreclosure/Mechanics Lien Section has seen an increase in the number of requests by plaintiff's counsel to reform mortgage documents because the legal description is incorrect in the mortgage. This general administrative order addresses procedural issues relating to reforming a legal description in a mortgage during a mortgage foreclosure proceeding.

IT IS HEREBY ORDERED:

1. Any motion or pleading for reformation of a mortgage document that requests a correction of a legal description must contain a clear pleading identifying: (a) the original legal description; (b) the correct legal description that identifies the change to the legal description; (c) the reason the legal description is now different or the reason the legal description was incorrect on the mortgage document; and (d) evidentiary support for the requested change.
2. Depending on the nature of the error in the legal description, evidentiary support can include: (a) a land survey with an affidavit from the appropriate affiant that identifies the nature of the error and the correction; or (b) a survey from the original title file and a survey from the current title file.
3. Notwithstanding the above, a judge retains the discretion regarding evidentiary support or pleading requirements on a case-by-case basis and depending on the nature of the error in the legal description.

Date: April 7, 2016

Entered:



Moshe Jacobius
Presiding Judge
Chancery Division