

**UPDATED AND AMENDED  
FOURTH MUNICIPAL DISTRICT  
PROTOCOL FOR FILING EVICTIONS**

FOR ALL EVICTIONS FILED AFTER NOVEMBER 20, 2020,

IN AN EFFORT TO COMPLY WITH THE CENTERS FOR DISEASE CONTROL'S ORDER DATED SEPTEMBER 4, 2020, THE GOVERNOR'S EXECUTIVE ORDER 2020-72 DATED NOVEMBER 13, 2020, THE GOVERNOR'S EXECUTIVE ORDER 2020-74 DATED DECEMBER 11, 2020 CONCERNING RESIDENTIAL EVICTIONS, AND THE ILLINOIS SUPREME COURT'S M. R. 30370 ORDER ENTERED DECEMBER 22, 2020,

THE FOLLOWING PROTOCOL SHALL BE FOLLOWED FOR THE FOURTH MUNICIPAL DISTRICT **EXCLUDING** TENANTS, LEASSEES, SUB-LESSEES, OR RESIDENTS OF RESIDENTIAL PROPERTY WHO HAVE BEEN FOUND TO POSE A DIRECT THREAT TO THE HEALTH AND SAFETY OF OTHER TENANTS OR AN IMMEDIATE AND SEVERE RISK TO PROPERTY, **AND WITHOUT ADDING** THE REQUIREMENTS OF THE CHIEF JUDGE'S GENERAL ADMINISTRATIVE ORDER NO. 2020-09 ENTERED DECEMBER 14, 2020.

1. Prior to the commencement of an eviction, any landlord, owner of residential property or other person or entity with a legal right to pursue an eviction or possessory action shall tender a Tenant's Declaration to the tenant 5 days before service of any demand notice or notice of termination of tenancy.
2. The tenant shall have five (5) days from delivery of the declaration to return the Tenant's Declaration to the landlord, owner of residential property or other person or entity with a legal right to pursue an eviction or possessory action.
3. On the sixth day (6<sup>th</sup>) day after service of the declaration, if the Tenant's Declaration shows the Tenant is not a "Covered Person", or if the Tenant fails to return the Tenant's Declaration to the landlord, an eviction case may be commenced by the service of the demand notice or notice of termination of tenancy.

EFFECTIVE DECEMBER 28, 2020

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4. At the conclusion of the termination period in the demand notice the landlord, owner of residential property or other person or entity with a legal right to pursue an eviction or possessory action may file a case with the court.
5. Nothing in this document shall alter the statutory demand periods.
6. Upon filing the case, the landlord, owner of residential property or other person or entity with a legal right to pursue an eviction or possessory action shall include a certification with the complaint attesting to the fact that no qualifying declaration was received from the tenant or that the tenant is not otherwise a “Covered Person” under the above orders.
7. If the judge determines that the certification form is in order, the matter shall proceed.
8. A Tenant’s Declaration must be returned to the landlord timely for the tenant to invoke the protections of any of the above mentioned orders.
9. If the tenancy is based on a lease, each adult listed on the lease must receive and complete the Tenant’s Declaration to be considered a “Covered Person”.
10. If the landlord, owner of residential property or other person or entity with a legal right to pursue an eviction or possessory action fails to include the certification with the filing of the complaint, the judge shall dismiss the action without prejudice, seal the record, and require the plaintiff to recall any summons previously issued.
11. Any dismissed action may be re-filed under a new case number.

ENFORCEMENT OF EVICTION ORDERS ARE STAYED PURSUANT TO THE ABOVE ORDERS.

EFFECTIVE DECEMBER 28, 2020