

PART 4. APPEARANCES

Rule 4.1 Appearances

(a) **Written Appearances by Attorneys.** An attorney for a party shall file a written appearance, by pleading or otherwise, before the attorney addresses the Court. Every written appearance must contain the attorney's legible name, address, telephone number, and e-mail address. If the appearance is filed by a law firm, the appearance shall indicate the specific attorney or attorneys responsible for the case. The attorney shall serve copies of the written appearance in the manner required for the service of pleadings. The attorney must seasonably update information contained in the appearance. This Rule 4.1(a) and Rule 4.2 also shall apply to limited scope appearances.

(b) **Written Appearances by SRLs.** An SRL shall file a written appearance, by pleading or otherwise, before participating in any hearing before the Court. Every appearance must contain the SRL's legible name, address, telephone number, and, if required, e-mail address. If the appearance is not e-filed, the SRL must sign the appearance, and the SRL's signature must be acknowledged before a notary public or other person authorized to administer oaths under Illinois law. If the appearance contains a waiver of notice or consent to immediate hearing, the SRL shall set forth in the appearance that the SRL has received a copy of any pleading seeking relief with respect to him or her and attach a copy of that pleading to the appearance. The SRL shall serve copies of his or her appearance in the manner required for the service of pleadings.

(c) **Time to Plead.** A party who appears without having been served with summons is required to plead within the same time as if served with summons on the day he or she appears.

Rule 4.2 Appearance Fees

(a) **Number of Fees.** If a single appearance is filed for several parties, a single appearance fee shall be paid. If separate appearances are entered for several parties, either by the same or different attorneys, separate appearance fees shall be paid.

(b) **Supplementary Proceedings.** No appearance fee shall be required of a person cited in supplementary proceedings under the provisions of 735 ILCS 5/2-1401.

(c) **Time of Payment.** The appearance fee shall be paid when the appearance is filed.

Rule 4.3 Application for Waiver of Court Fees. An Application for Waiver of Court Fees in a civil action shall be in writing, on the form adopted by the Illinois Supreme Court, and signed by the applicant or, in the case of a minor or an incompetent adult, by another person having knowledge of the facts, and shall be e-filed in accordance with the Rules, unless e-filing is excused by the Court. If an applicant must personally appear to present the application and any supporting evidence to the Court, the Clerk shall inform

the applicant of the time and place of the appearance when the applicant files the application.

Rule 4.4 Court Appearances by Two-Way Audio/Video Communication System in Criminal Cases

(a) **Permitted Audio/Video Appearances.** An incarcerated defendant may appear by means of two-way audio-visual communication, including closed circuit television, internet system, computerized video conference, or other audio-visual means in any civil case and in the following criminal proceedings:

- complaint;
- (1) An initial appearance before the Court on a criminal contempt
 - (2) an arraignment;
 - (3) a waiver of preliminary hearing;
 - (4) an entry of a not guilty plea;
 - (5) a presentation of a jury waiver;
 - (6) any status hearing;
 - (7) any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony is taken;
 - (8) any hearing on a motion to continue;
 - (9) the setting of any hearing on a pre-trial or post-trial matter; and
 - (10) any other non-critical proceeding at which no witness testimony is taken.

(b) **Audio/Video Appearances Not Permitted.** In criminal cases, an incarcerated defendant must be personally present for all guilty pleas, trials, evidentiary hearings, and other critical proceedings.

(c) **System Requirements.** The two-way audio/video communication system must provide two-way audio/video communication between the Court and the place of custody or confinement and include a private and secure means by which the incarcerated defendant and his or her counsel, if any, may communicate. If no counsel has been appointed or if no counsel has entered an appearance, however, no means of separate private communications need be provided.

Rule 4.5 Virtual Court Appearances in Civil Cases. As permitted by Illinois Supreme Court Rule, any Court by Administrative Order or otherwise may permit persons to appear virtually in civil cases.

Rule 4.6 Hearings by Telephone

(a) **When Permitted.** Pursuant to S. Ct. R. 185, routine, uncontested motions and pre-trial conferences may be held in civil cases by telephone if requested by all attorneys or SRLs of record, supported by existing technology, and allowed by the Court.

(b) **No Record.** Unless arranged with the Court before a telephone conference, no verbatim record will be taken or maintained of any telephone conference conducted pursuant to Rule 4.6(a).