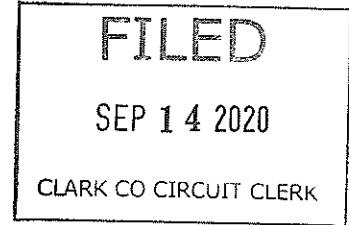


IN THE CIRCUIT COURT  
FOR THE FIFTH JUDICIAL CIRCUIT  
CLARK COUNTY, MARSHALL, ILLINOIS



ADMINISTRATIVE ORDER FOR THE CLARK COUNTY  
SMALL CLAIMS COURT

In response to Illinois Supreme Court MR 30370 entered August 27, 2020, mandating use of a 30-day summons in small claims matters, it is ordered that the Clark County Circuit Clerk proceed as follows:

A. The approved summons form provided by the Clerk of the Court shall substantially be in the form set by Supreme Court Rule 101(d) and shall be served upon each defendant together with a copy of the complaint.

B. The form of the complaint to be used in small claims actions shall provide for a statement of claims setting forth the elements provided in the Supreme Court Rule 282 on approved forms provided by the clerk of the court.

C. Failure of defendant to appear: If the defendant fails to appear as required by a duly-served summons, the court may enter judgment for the plaintiff upon a verified complaint or proof by affidavit or testimony upon an unverified complaint.

D. Written appearance by the defendant: If the defendant files a timely written appearance, unless the court orders the filing of a written answer, the defendant's appearance shall stand as an answer denying the allegations of the complaint.

E. The Clerk of the Court shall issue a diligence date for each case classified SC for 9:00 a.m. eight months from the date of filing and shall notify the plaintiff of that date by affixing it on the complaint. The plaintiff must request the issuance of an alias summons and

otherwise establish the exercise of diligence during the diligence period or the case may be dismissed pursuant to Supreme Court Rule 103(b). Except for good cause shown, no more than one diligence date will be given. Summons shall not issue less than 29 days before the diligence date, except with leave of court. Any summons issued beyond that date, without leave of court, shall be considered a nullity. In the event Plaintiff's counsel does not appear on the status date of an un-served summons issued with a future diligent date, the court shall take the matter off call. Plaintiff must appear on the status date of a served summons case. Failure to do so may result in dismissal for want of prosecution.

F. Status Date: The Clerk of the Court shall set a status date approved by the court. On the status date (i) if the defendant has not been served more than 30 days prior and there is a diligence date, the matter will not be called, (ii) if the defendant has been served more than 30 days prior, with no appearance, a default judgment will be entered, (iii) if an appearance has been filed, the status date shall also be the first appearance date, and if a Plaintiff fails to appear, the case may be dismissed for want of prosecution. Voluntary Dismissal by Plaintiff or agreed orders signed by the parties may be submitted in advance rather than appearing in court.

G. Alias Summons: Shall issue as provided in Supreme Court Rule 103.

G. Continuances: Motions for continuances shall be governed in accordance with Supreme Court Rule 231.

H. Case not tried on the status date: Cases not otherwise disposed of on the status date will be set for trial by order of the court.

I. Prejudgment court costs: Any litigant seeking court costs shall at the time of judgment tender an affidavit specifically and individually listing each and every cost incurred and the amount sought, together with the statement by affiant that these costs have been paid by

affiant. The court will only take judicial notice of the filing fee and certified mail costs shown of record.

The Clerk of the Court shall notify the parties by posting this Order on prominent display in the office, and if available, on the internet home website.

Entered this 14<sup>th</sup> day of September, 2020.

  
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Associate Circuit Judge

*(Faint circular court seal is visible in the background)*