

**IN THE CIRCUIT COURT OF
THE TWENTY-THIRD JUDICIAL CIRCUIT
KENDALL COUNTY, ILLINOIS**

_____)
Plaintiff(s),)
)
vs.)
)
)
)
)
_____)
Defendant(s),)

CASE NO: _____

Amount Claimed: \$ _____

Plaintiff's Attorney: _____ TO THE SHERIFF: SERVE THE DEFENDANT AT:

Attorney No: _____ NAME: _____

Address: _____ ADDRESS: _____

City/State/Zip: _____ CITY/STATE/ZIP: _____

Telephone No: _____ TELEPHONE NO: _____

Email Address: _____

SUMMONS

To the above-named Defendant(s):

[] A. You are hereby Summoned and required to appear before this Court, located at 807 W. John Street, Yorkville, IL in Courtroom _____, before the Honorable Judge _____ at _____ on _____ to answer the Complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may be taken against you for the relief asked in the Complaint.

[] B. You are hereby summoned and required to file an answer in this case or otherwise file your appearance, in the office of the Clerk of this Court, within 30 days after service of this Summons, exclusive of the day of service. If you fail to do so, judgment or decree by default may be taken against you for the relief prayed in the Complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

TO THE OFFICER: This Summons must be returned by the Officer or other person to whom it was given for service, with endorsement thereon of Service and fees, if any, immediately after service. In the event that paragraph "A" of this Summons is applicable this Summons may not be served less than three (3) days before the day of appearance. If service cannot be made. This Summons shall be returned so endorsed.

This Summons may not be served later than 30 days after its date if paragraph "B" is applicable

Witness this date, _____ Date of Service: _____

_____ Time of Service: _____

Clerk of Court (to be inserted by Officer on copy left with Defendant)

NOTICE TO DEFENDANT IN SMALL CLAIMS UNDER \$10,000 – SEE REVERSE SIDE

NOTICE TO DEFENDANTS – SMALL CLAIMS CASES ONLY
(Pursuant to Supreme Court Rule)

In a civil action for money (under \$10,000) in which the Summons requires your appearance on a specified day, you may enter your appearance as follows:

1. You may enter your appearance prior to the time specified in the Summons by filing a written appearance, answer or motion in person or by attorney at the Office of the Circuit Clerk, Kendall County Courthouse, 807 W. John St. Yorkville, IL 60560.
2. You may enter your appearance at the time and place specified in the Summons by making your presence known to the Judge when your case is called.

In either event, **YOU MUST APPEAR IN PERSON OR BY ATTORNEY** at the time and place specified in the Summons or a default Judgment will be entered against you.

When you appear in Court, the Judge will require you to enter your appearance in writing, if you have not already done so. Your written appearance, answer, or motion shall state with particularity the address where service of notice or papers may be made upon you or an attorney representing you.

Your case will not be heard on the date set forth in the Summons unless otherwise ordered by the Court. Only the Court can make an exception. Do not call upon the Court Clerk or the Sheriff's office if you feel you will be unable to be present at the time and place specified. Continuances can be granted only on the day set forth in the Summons. You, or an attorney representing you, **MUST APPEAR IN PERSON** at the specified time and place and make such a request.

If you do not appear on the return date, most likely a judgment by default will be entered against you for the amounts sought in the complaint.

OFFICIAL SHERIFF PROCESS ONLY

I certify that I served this Summons on defendant(s) as follows:

(a). (Individual defendant(s)-personal):

By leaving a copy of the Summons and Complaint with each individual defendant(s) personally, as follows:

Name of Defendant

Date of Service

Name of Defendant	Date of Service

(b). (Individual defendant(s)-abode):

By leaving a copy of the Summons and Complaint at the defendant(s) usual place of abode, with some person of the family, or a person residing there of the age of 13 years or upwards, informing that person of the contents of the Summons, and also by sending a copy of the Summons and Complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant(s) at his/her usual place of abode, as follows:

Name of Defendant

Person With Whom Left

Date of Service

Mail Date

Name of Defendant	Person With Whom Left	Date of Service	Mail Date

(c). (Corporation defendant(s)):

By leaving a copy of the Summons and Complaint with the registered agent officer, or agent of each defendant corporation, as follows:

Defendant Corporation

Registered Agent

Date of Service

Defendant Corporation	Registered Agent	Date of Service

(d). (Other service):

_____, Sheriff of _____ County by _____, deputy. Sheriff's Fees: Service and return \$ _____ + Miles _____ at \$ _____ per mile = total \$ _____. Sheriff _____ of _____ County.

(e) Summons in Cases under the Illinois Marriage and Dissolution of Marriage Act. In all proceedings under the Illinois Marriage and Dissolution of Marriage Act, the summons shall include a notice on its reverse side referring to a dissolution action stay being in effect on service of summons, and shall state that any person who fails to obey a dissolution action stay may be subject to punishment for contempt, and shall include language:

- (1) restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party; and
- (2) restraining both parties from concealing a minor child of either party from the child's other parent. The restraint provided in this subsection (e) does not operate to make unavailable any of the remedies provided in the Illinois Domestic Violence Act of 1986.

(f) Waiver of Service of Summons. In all cases in which a plaintiff notifies a defendant of the commencement of an action and requests that the defendant waive service of summons under section 2-213 of the Code of Civil Procedure, the request shall be in writing in the following form: