

## THE EVICTION PROCESS

- I. Statute
  - A. 735 ILCS 5/9-102 – Illinois Forcible Entry and Detainer Act
  - B. Court order necessary to re-take possession
    - i. Abandonment
  - C. Notices:
    - i. 5 Day Notice (5/9-209)
    - ii. 10 day Notice (5/9-210)
    - iii. 30 day Notice (5/9-207)
    - iv. Special lease provisions, extending Notice time
  - D. Service of Notice (5/9-211)
    - i. 13 years or older, residing or in possession of the premises
  - E. Complaint
    - i. When action may be initiated (5/9-209)
    - ii. “Unknown Occupants”
    - iii. Joinder of rent and possession claims, attorney’s fees
    - iv. Additional accrued rent
  - F. Service:
    - i. Summons, Complaint attached
    - ii. Return date: at least seven (7) days
    - iii. Service (not less than three (3) days before return date)
    - iv. By whom (5/2-202)
      - a. Sheriff
      - b. Licensed private detective
      - c. Person over the age of eighteen (18) and approved by the court
    - v. Method of service (5/2-203)
      - a. Personal
      - b. Abode, leaving with someone greater than thirteen (13) years and mailing
  - G. Posting (5/9-107)
    - i. Affidavit/Notice/10 days prior to return date
    - ii. Possession judgment only, no money judgment
  - H. Court appearance
    - i. First appearance/stay of order of possession
    - ii. Trial
      - a. Issues
  - I. Order of Possession, Writ
    - i. Clearly state address, names of Defendants, “Unknown Occupants”, and money Judgment
  - J. Physical eviction
    - i. Sheriff - service fees
    - ii. Deposit/movers
  - K. Miscellaneous:
    - i. Corporations – cannot represent self, must have attorney
    - ii. Security deposit/final accounting
    - iii. Lease language
      - a. Attorney’s fees
      - b. Rent after eviction
      - c. City of Joliet “Crime Free Addendum”

**WILL COUNTY CIRCUIT CLERK  
2012 FEES**

**New case filing fee(s):**

Possession only, \$0.00 to \$15,000.00:	\$161.00
\$15,000.00 to \$50,000.00:	\$276.00
Over \$50,000.00:	\$276.00

**Appearance fee(s):**

All money amounts:	\$146.00
Possession only:	\$126.00

**Miscellaneous fee(s):**

Writ/Certified copy (1 page):	\$8.00
.50 for each page thereafter	
Alias Summons:	\$5.00

## **WILL COUNTY SHERIFF FEES**

The attached fee schedule represents only one service for one case number at a specified address. If more than one service ( one case number) is needed to be made at the same address, \$10.00 should be added for each additional individual to be served. "Occupant", "Any & All Unknown Occupants", etc. are considered an additional service.

Alias summons papers previously sent to this office for service ( same address/name/case) will cost \$5 ea.

Certified mailings are \$9.00.

Minimum return date of ten working days are required to provide a proper effort for service, return and processing of your paper.

Posting return date: Minimum of ten working days for service, flat fee cost of \$40.00 for all Defendants.

Physical eviction information: Fee for service as indicated below as well as a deposit fee in the sum of \$446.00. A Writ from the Circuit Clerk must be delivered with all checks prior to beginning the physical eviction. The Sheriff will also need a "contact person" for scheduling the physical eviction.

Town	Township	FeeTotal
Beecher	Washington	\$79.00
Bolingbrook	DuPage	\$54.00
Braidwood	Reed	\$66.00
Channahon	Channahon	\$52.00
CrestHill	Lockport	\$46.00
Crete	Crete	\$74.00
CusterPark	Custer	\$74.00
Elwood	Jackson	\$46.00
Frankfort	Frankfort	\$54.00
Godley	Reed	\$66.00
Goodenow	Washington	\$79.00
GreenGarden	GreenGarden	\$59.00
Joliet	Joliet	\$40.00
Lemont	DuPage	\$54.00
Lockport ( 5 digits in address )	Homer	\$54.00
Lockport ( 4 digits in address )	Lockport	\$46.00
Manhattan	Manhattan	\$52.00
Minooka	Channahon	\$52.00
Mokena	Frankfort	\$54.00
Monee	Monee	\$63.00
Naperville	Wheatland	\$56.00
NewLenox	NewLenox	\$47.00
OrlandPark	Homer	\$54.00
ParkForest	Monee	\$63.00
Peotone	Peotone	\$64.00
Plainfield	Plainfield	\$50.00
Ritchie	Wesley	\$63.00
Rockdale	Joliet	\$40.00
Romeoville	DuPage	\$54.00
Shorewood	Troy	\$47.00
Steger	Crete	\$74.00
Symerton	Florence	\$56.00
TinleyPark	Frankfort	\$54.00
UniversityPark	Monee	\$63.00
Wesley	Wesley	\$63.00
Will	Will	\$71.00
Wilmington	Wilmington	\$59.00
WiltonCenter	Wilton	\$59.00