

Rule 369. Filing of Mandate in Circuit Court and Proceedings Thereafter

(a) Filing of Mandate. The clerk of the circuit court shall file the mandate promptly upon receiving it.

(b) Dismissal or Affirmance. When the reviewing court dismisses the appeal or affirms the judgment and the mandate is filed in the circuit court, enforcement of the judgment may be had and other proceedings may be conducted as if no appeal had been taken.

(c) Remandment. When the reviewing court remands the case for a new trial or hearing and the mandate is filed in the circuit court, the case shall be reinstated therein upon 10 days' notice to the adverse party.

Amended May 28, 1982, effective July 1, 1982.

Committee Comments

This rule is a revision of and supersedes section 88 of the Civil Practice Act. Change here has been made in light of the provision in Rule 368 for automatic issuance of the mandate.