

M.R. 3140

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered January 17, 2018.

(Deleted material is struck through, and new material is underscored.)

At 10 a.m. on January 17, 2018, Rule 272 was corrected but contained a clerical error, which is corrected *nunc pro tunc* to January 1, 2018, as shown below.

Amended Rule 272

Rule 272. When Judgment is Entered

If at the time of announcing final judgment the judge requires the submission of a form of written judgment to be signed by the judge or if a circuit court rule requires the prevailing party to submit a draft order, the clerk shall make a notation to that effect and the judgment becomes final only when the signed judgment is filed. If no such signed written judgment is to be filed, the judge or clerk shall forthwith make a notation of judgment and enter the judgment of record promptly, and the judgment is entered at the time it is entered of record. Orders and judgments may be prepared, presented, and signed electronically, if permitted by the Supreme Court.

Amended October 25, 1990, effective November 1, 1990; amended Dec. 29, 2017, eff. Jan. 1, 2018.

Committee Comments

The purpose of this rule is to remove any doubt as to the date a judgment is entered. It applies to both law and equity, and the distinction stated in *Freeport Motor Casualty Co. v. Tharp*, 406 Ill. 295, 94 N.E.2d 139 (1950), as to the effective dates of a judgment at law and a decree in equity is abolished. In 1990 the rule was amended to provide that in those cases in which, by circuit court rule, the prevailing party is required to submit a draft order, a judgment becomes final only after the signed judgment is filed. The 1990 amendment was intended to negate the ruling in *Davis v. Carbondale Elementary School District No. 95* (1988), 170 Ill. App. 3d 687, 525 N.E.2d 135.

FILED

JAN 17 2018

SUPREME COURT
CLERK