

M.R. 3140

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

Order entered September 1, 2016.

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

Effective immediately, article V of the Illinois Supreme Court Rules is amended as follows, and Supreme Court Rules 585, 586, 587, 588, 589, and 590 are adopted.

**Article V. Rules on Trial Court Proceedings in Traffic and Conservation Offenses,  
Ordinance Offenses, Petty Offenses, ~~and~~ Certain Misdemeanors, and Civil Law  
Violations—Bail Schedules**

**Rules 580 to ~~600~~584. Reserved**

**PART F. Rules and Procedures for Civil Law Violations**

**Rule 585. Applicability**

Rules 585 through 590 are applicable to civil law violations, pursuant to section 4(a) of the Cannabis Control Act (720 ILCS 550/4 (a)) or section 3.5(c) of the Drug Paraphernalia Control Act (720 ILCS 600/3.5(c)).

Committee Comments

Rules 585 through 590 apply to civil law violations pursuant to section 4(a) of the Cannabis Control Act (720 ILCS 550/4 (a)) or section 3.5(c) of the Drug Paraphernalia Control Act (720 ILCS 600/3.5(c)), which are punishable by a fine only. Nothing in these rules is intended to limit the ability to proceed through an administrative process or other alternative methods of resolving ordinance violations for similar offenses.

Rules 503 and 551, regarding multiple charges under these rules, do not apply to Civil Law Violations or if a citation is written in conjunction with another violation.

Rule 585 excludes from these rules ordinance violations heard by the administrative adjudication process.

Adopted effective Sept. 1, 2016, eff. immediately.

**Rule 586. Appearance Date**

The officer or clerk of the circuit court shall give the accused a first appearance date 30 to 45 days from the date of the violation whenever practicable. The accused is to pay \$120 per violation pursuant to this Article on or before the appearance date set by the officer or clerk of the circuit court or to appear in court. It is the policy of this court that the issuing officer is not required to appear on this day.

Adopted effective Sept. 1, 2016, eff. immediately.

### **Rule 587. Notice to Accused**

When issuing a Uniform Civil Law Citation, the officer shall also issue a written notice to the accused in substantially the following form:

#### **CONTEST THIS VIOLATION**

If you intend to contest this violation or if you intend to demand a trial, so notify the clerk of the circuit court at least 10 work days before the date set for your appearance. Note that appearing in court may result in additional fines and fees. A new appearance date will be set, and you will be notified of the time and place of your appearance. When you are notified of your new appearance date, you should come to court prepared for trial and bring any witnesses you may have. You will also have the opportunity to demand a trial by jury, which would occur at a later date. If you demand a trial by jury, additional fees may apply.

Upon timely receipt of notice that the accused intends to contest the violation, the clerk shall set a new appearance date not less than 7 days nor more than 60 days after the original appearance date set by the law enforcement officer or the clerk of the circuit court and shall notify all parties of the new date and the time for appearance. If the accused demands a trial by jury, the trial shall be scheduled within a reasonable period. A jury fee may be applicable, as directed by the court.

Adopted effective Sept. 1, 2016, eff. immediately.

### **Rule 588. Fines, Penalties, and Costs on Written Consents to Judgments in Civil Law Violations**

(a) All civil law violations may be satisfied without a court appearance by admitting to the violation, with the exception of electronic admissions unless authorized by the Supreme Court, and payment of \$120, inclusive of all penalties, fees, and costs.

(b) No other fines, fees, penalties, or costs shall be assessed in any case that is disposed of on an admission to the violation without a court appearance. The fine shall be disbursed by the clerk pursuant to statute.

Adopted effective Sept. 1, 2016, eff. immediately.

**Rule 589. Uniform Civil Law Citations—Processing**

Uniform Civil Law Citation forms shall be in a form, which may from time to time be approved by the Conference of Chief Circuit Judges and filed with this court. The uniform form shall be adapted for use by municipalities. The law enforcement officer shall complete the form or citation and, within 48 hours after the issuance, shall transmit the portions entitled “Complaint” and “Disposition Report,” either in person or by mail, to the clerk of the circuit court of the county in which the violation occurred. Each Uniform Civil Law Citation form shall, upon receipt by the clerk, be assigned a separate case number, numbered chronologically, including multiple citations issued to the same accused for more than one violation arising out of the same occurrence. A final disposition noted on the reverse side of the “Complaint” shall be evidence of the judgment in the case. Upon final disposition of each case, the clerk shall execute the “Disposition Report” and promptly forward it to the law enforcement agency that issued the citation. This rule does not prohibit the use of electronic or mechanical systems of record keeping, transmitting, or reporting.

Adopted effective Sept. 1, 2016, eff. immediately.

**Rule 590. Procedure if Defendant Fails to Appear**

In all civil law violation cases in which a defendant is issued a Uniform Civil Law Citation as provided under this Article and fails to appear on the date set for appearance, or on any date to which the case may be continued, the court may enter a default judgment and in so doing shall assess a fine, inclusive of costs, as prescribed in Rule 588. Payment received for the fine assessed following the entry of a default judgment shall be disbursed by the clerk pursuant to Rule 588.

Adopted effective Sept. 1, 2016, eff. immediately.

**Rules 591 to 600. Reserved**