

How do I file a motion?

In order to request that the court take action in your case, you must file a written Motion with the Clerk of the Circuit Court of Cook County and provide notice to the other party via a Notice of Motion. Below are general instructions on how to do so. As there are many types of motions with varying requirements, it is recommended that you talk to an attorney* to determine which is best for your specific issue. Please note that this handout does not apply to emergency motions.

The Illinois Supreme Court has issued standardized forms to be used statewide, including for [Motions](#), [Notice of Motions](#), and [Certifications for Exemption from E-filing](#) (attached to this handout). Please note that additional forms may be required according to the facts of your case. Please visit <https://illinoiscourts.gov/Forms/approved/> or <https://www.cookcountyclerkofcourt.org> to see the forms available.

1. Filing a Motion via E-filing

- You must e-file your documents unless you (1) are an inmate in a prison or jail and do not have a lawyer, (2) you have a disability that prevents you from e-filing, or (3) you qualify for an exemption from e-filing (see below for details).
- You can e-file using a personal computer or at one of the public access eFile workstations offered at the Daley Center and in suburban courthouses. You must have an email address to e-file. If you do not have one, you can sign up with one of the many free email providers, like Google Gmail, Microsoft Outlook, Yahoo Mail, AOL, etc.
- To e-file your [Motion](#), you will need to do the following:
 1. Use your email address to register with one of the state-approved Electronic Filing Service Providers (EFSPs). The list of state-approved EFSPs is attached to this handout.
 2. Submit a pdf of your Motion according to the specific requirements of your selected EFSP.
 3. Receive a copy of your Motion **stamped by the Clerk of the Circuit Court** via the email address associated with your account.
 4. If your case is assigned to Calendar C, D, E, 11, 21, 31-35, 41-45, 51-55, 61, 62, 64, 98, or X/84:
 - Use the court date stamped on your Motion to fill out a [Notice of Motion](#) and file the Notice of Motion the same way you filed the Motion. You will receive a copy of your Notice of Motion stamped by the Clerk of the Circuit Court via the email address attached to your account.
 5. If your case is not assigned to one of the above-listed Calendars:
 - Fill out a [Notice of Motion](#) and file the Notice of Motion the same way you filed the Motion. Instead of listing the court date stamped on your Motion under the "Hearing Information" section, write "Date TBD by Judge." You will receive a copy of your Notice of Motion stamped by the Clerk of the Circuit Court via the email address associated with your account.
 6. Deliver the file-stamped copies of **both** the Motion and Notice of Motion to the other party or parties in the case by the method you listed in your Notice of Motion. Please note that you must send the documents to ALL parties to your case, and if a party is represented the documents must be sent to their attorney.
 7. Go to #3 "Presenting Your Motion to the Judge," below.
- If you do not receive stamped copies, your filing may have been rejected. Please contact the Clerk's Office at (312) 603-6300 or via email at helpdesk@cookcountycourt.com. If you cannot get ahold of the Clerk's Office, please contact the JusticeCorps Helpline at (872) 529-1093.

2. Filing a Motion with an E-filing Exemption

- You qualify for an e-filing exemption if (1) you do not have Internet or computer access at home and it would be difficult to access a computer elsewhere, (2) you have trouble reading, writing, or speaking English, or (3) you are filing an order of protection or civil no contact/stalking order.

DISCLAIMER: This guide serves as a court-process navigation tool. It does not contain legal advice. Litigants are encouraged to consult an attorney if possible and the Illinois Marriage and Dissolution of Marriage Act (IMDMA) at 750 ILCS 5/ *et seq.* for more information. Note that the IMDMA and all accompanying statutes have been interpreted and explained by the Illinois Appellate Court and the Supreme Court of Illinois; and their decisions are equally as binding on the trial court as the statute itself. To research and review those cases via a legal research database commonly used by judges and attorneys, please visit any of the Circuit Court of Cook County's Law Libraries (e.g. 29th floor of the Daley Center).

- To file a Motion as e-file exempt, you will need to bring hard copies of your [Motion](#), [Notice of Motion](#) (leave the hearing information blank), and [Certification for Exemption from E-filing](#) in person to the Clerk of the Circuit Court and they will assist you with filing.
- Once you receive stamped copies of your documents from the Clerk of the Circuit Court, you are responsible for delivering these copies to the other party or parties in the case by the method you listed in your Notice of Motion. Please note that you must send the documents to ALL parties to your case, and if a party is represented the documents must be sent to their attorney.

3. Presenting Your Motion to the Judge

- Depending on which Calendar your case is assigned to, you may present your motion to the court in the following ways:
 - For cases on Calendar C, D, E, 11, 21, 31-35, 41-45, 51-55, 61, 62, 64, 98, or X/84, the Clerk of the Circuit Court will issue a “**presentment date**” for your Motion. This is the date that stamped on your Motion after you e-filed it. As mentioned above, you are responsible for ensuring all other parties to your case receive a copy of your Motion and Notice of Motion. At the presentment date, your judge will instruct you on the next steps, including the manner and timing that any other documents will be required from you or the other parties, known as the “briefing schedule.”
 - **Please note that this date issued by the Clerk of the Circuit Court is NOT the date in which you will be able to argue your motion to your judge or have the judge make a ruling on the Motion.** This date is a mandatory step BEFORE you may discuss the substance of your Motion with your judge.
 - All other Calendars not listed above follow an “automatic briefing schedule” and therefore a presentment date is not required. As mentioned above, you are required to ensure that all other parties to your case receive a copy of your Motion via email or postal mail. This will start the clock on the automatic briefing schedule and ensure you are able to get in front of your judge in a timely fashion.
 - Once the responding party receives your Motion, they have 21 days to file a Response to your Motion and to ensure you receive their Response via email or postal mail.
 - You have 7 days after receiving the Response to file a Reply to the Response and to ensure the other parties receive your Reply via email or postal mail.
 - After both the 21-day period and the 7-day period have expired, you are required to submit your filed Motion, the other party’s filed Response, and your filed Reply via email with all other parties copied as recipients of the email to:
 - The Court Coordinator for your assigned judge if your judge is an individual calendar judge,
 - The Division Administrator if your judge does not have a Court Coordinator, or
 - Any other person designated by your assigned judge.
 - Your assigned judge’s court staff will be in touch about the next steps.

* You can see if you qualify for free or low-cost legal services here: illinoislegalaid.org/get-legal-help, or if you qualify for free legal advice by calling CARPLS at (312) 738-9200. Active military, retired military, veterans, their spouses, and their qualified dependents can talk to a lawyer for free by calling the Illinois Armed Forces Legal Aid Network at (855) 452-3526.

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