



Research Guide for Self-Represented Litigants: Starting & Responding to a Civil Case

Getting Started

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start your legal research is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. Many resources can be found for free online, but the end of this guide also includes common resources that you can find at your local public law library. Use this guide for general information. The Supreme Court library has additional guides on specific areas of law.

Important Terms

Who, What, and Where:

- Circuit Court– the trial court in Illinois where court cases start. Each county has a Circuit Court: http://www.illinoiscourts.gov/CircuitCourt/CircuitCourtJudges/CCC_County.asp
- Petitioner/Plaintiff – the person starting a case and making a request to the court.
- Respondent/Defendant – the person being sued who can respond to the complaint or petition filed against them.
- Jurisdiction – the legal authority of a court to hear and decide a case.

Court Procedure:

- Complaint/Petition – a written statement to start a lawsuit either saying what the defendant did or requesting something from the court, made by the petitioner.
- Answer/Response – a written response to the claims made in the complaint/petition.
- Motion – a written or oral request to the judge to make the other party do something. Motions happen after a lawsuit has already begun. The other party will be able to file a response.
- Hearing- when both parties tell the judge their side of the case.
- Judgment – the judge’s final decision.
- Default judgment – when a judge rules against a party because they did not come to court or respond to petitions and/or motions.

When you run into other confusing terms, check these free online dictionaries:

- Illinois Legal Aid Online: <https://www.illinoislegalaid.org/lexicon/176>
- Nolo: <https://www.nolo.com/dictionary>

Starting a Civil Case

- Starting a New Case: <https://www.illinoislegalaid.org/legal-information/starting-new-case>
- Where Should I File My Lawsuit: <https://www.illinoislegalaid.org/legal-information/where-should-i-file-my-lawsuit>

Responding to a Civil Case

- Responding to an Existing Case: <https://www.illinoislegalaid.org/legal-information/responding-existing-case>

Forms & Fee Waivers

Standardized forms are available from the Illinois Supreme Court website and from Illinois Legal Aid online. See the specific directions regarding forms on these websites.

- Standardized Court Forms: (<http://illinoiscourts.gov/Forms/approved/Circuit.asp>)
- Illinois Legal Aid forms: <https://www.illinoislegalaid.org/form-library>

Where to Find the Law

- **Statutes** – the law written by the elected legislature (The Illinois General Assembly).
 - General Assembly’s website (<http://ilga.gov/>)
 - Code of Civil Procedure:
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2017&ChapterID=56>
- **Case law** – the law based on judicial opinions.
 - Google Scholar (<https://scholar.google.com/>)
 - Court Listener (<https://www.courtlistener.com/>)
- **Court Rules** – the rules of the Court. The Supreme Court has rules for all courts in the state, and local courts also have their own local rules.
 - Supreme Court of Illinois website (<http://illinoiscourts.gov/SupremeCourt/Rules/>)
 - **Each court also has its own local rules. Check the Circuit Court’s website for local rules.**

The Library of Congress provides more resources and links: <http://www.loc.gov/law/help/guide/states/us-il.php>

General Online Research Resources

- Illinois Legal Aid Online: <https://www.illinoislegalaid.org/>
- Illinois Supreme Court’s Resources for Self-Represented Litigants:
http://illinoiscourts.gov/CivilJustice/Resources/Self-Represented_Litigants/self-represented.asp
- Chicago Association of Law Libraries, *Finding Illinois Law*: <http://chicagolawlib.org/finding-illinois-law/>
- American Association of Law Libraries, *How to Research a Legal Problem: A Guide for Non-Lawyers*,
https://www.aallnet.org/wp-content/uploads/2018/01/HowToResearchLegalProblemFinal_2014.pdf
- Georgetown: Research Guides, Treatise Finders, and Tutorials: <http://guides.ll.georgetown.edu/home>

General Research Resources at Your Local Law Library

You will find many resources available for free at your local public law library that are not available on the internet. These may include online subscription databases, like Westlaw and LexisNexis. They also include the library’s book collection. Check for these books or ask a librarian to help you find something similar.

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Practice: Opening the Case* (2019)
- *Civil Practice: Preparing for Trial* (2018)
- *Civil Practice: Trying the Case* (2018)
- *Chancery & Special Remedies* (2017)

Other Books

- *Represent Yourself in Court*, by Paul Bergman & Sara J. Berman (Nolo)

Seeking Additional Help

Law librarians may help you find the books listed in this guide or other suitable replacements if these are not available. They may have their own resource guides or recommendations. In general, library staff can help you find information and develop search strategies, but they are unable to provide legal advice or interpret the law.