



# Supreme Court of Illinois

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## **ILLINOIS SUPREME COURT ANNOUNCES APPLICABLE DATES OF NEW FORECLOSURE RULES**

The Illinois Supreme Court announced Monday the applicable dates for new rules aimed at mitigating abuses and uncertainty in mortgage foreclosures, and helping those who face the loss of their homes by imposing several requirements on mediation programs and lenders seeking to foreclose.

The rules were announced February 22, and their effective date is May 1.

However, under amendments filed on Monday Supreme Court Rule 114, which requires a lender to attest that the lender has complied with the requirements of any applicable loss mitigation program, will apply to all judgments on or after the May 1 effective date of the rule no matter the foreclosure filing date.

"Because the affidavit (required under Rule 114) must be filed prior to the entry of a foreclosure judgement, the effective date requires application to any case where a judgment of foreclosure has not yet been entered," state amended comments to Rule 114. "Thus, although a case may already have been filed prior to the effective date (May 1) of Rule 114, the Rule would apply if a judgment of foreclosure has not yet been entered."

Supreme Court Rule 113, which establishes practices and procedures in mortgage foreclosure cases, was amended to make clear that it applies only to those foreclosure actions filed on or after the effective date of May 1, 2013.

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