



Civil Appeals Research Guide

Housing: Eviction & Foreclosure

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

Important Terms

- Statutes – the law written by the elected legislature. Illinois statutes are enacted by the Illinois General Assembly and can be found in the *Illinois Compiled Statutes* at the law library or on the General Assembly’s website (<http://ilga.gov/>).
- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).
- Municipal Codes and Ordinances – laws governing towns or counties. Ask a law librarian or use this guide to find yours: <https://www.isba.org/ibj/2007/03/findingillinoisordinances>

General Research Resources

Dictionaries and Encyclopedias

- *Black’s Law Dictionary* (Thomson/West)
- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

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 Appeals: State and Federal* (2018)

Books about Civil Appeals

- *Appeals to the Illinois Supreme and Appellate Courts*, by Edward J. Kionka (ISBA)
- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Illinois Housing Law:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books:

- *Illinois Mortgage Foreclosure: Practice and Procedure* (2016)
- *Illinois Mortgage Foreclosure: Corresponding Issues* (2016)
- *Real Estate Litigation* (2016)
- *Illinois Condominium Law* (2016)
- *Creditors' Rights* (2019)
- *Forcible Entry and Detainer Actions* (2015) – Chicago and Evanston only.

Books on Real Estate Law and Foreclosure:

- *Real Estate*, volume 14 of the *Illinois Practice Series*, by Solomon Gutstein and Eileen Murphy (Thomson/West)
- *Real Estate Finance Law*, by Grant S. Nelson, Dale A. Whitman, Ann M. Burkhart, and R. Wilson Freyeremuth (Thomson/West)
- *Illinois Foreclosure: What You Need to Know*, by Jodine Mayberry (Thomson/West)
- *Home Foreclosures*, by Geoff Walsh, Tara Twomey, John Rao, & Odette Williamson (National Consumer Law Center)

Books on Landlord & Tenant Law:

- *Every Tenant's Legal Guide*, by Janet Portman & Marcia Steward (Nolo)
- *Every Landlord's Legal Guide*, by Marcia Steward, Ralph Warner, & Janet Portman (Nolo)
- *Landlord and Tenant Law in a Nutshell*, by David S. Hill & Carol Necole Brown (West Academic)

Websites:

- Illinois Legal Aid Online: <https://www.illinoislegalaid.org/legal-information/house-apartment>
- Eviction appeals: <https://www.illinoislegalaid.org/legal-information/eviction-practice-appeals>
- Illinois Foreclosure Law Center (Nolo): <https://www.nolo.com/legal-encyclopedia/illinois-foreclosure-law-center>

Seeking Additional Help

Law librarians may help you find the books listed in this guide or other suitable replacements if these are not available. 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.