

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Code of Civil Procedure is amended by changing Sections 9-106 and 9-121 as follows:

(735 ILCS 5/9-106) (from Ch. 110, par. 9-106)

Sec. 9-106. Pleadings and evidence.

(a) On complaint by the party or parties entitled to the possession of such premises being filed in the circuit court for the county where such premises are situated, stating that such party is entitled to the possession of such premises (describing the same with reasonable certainty), and that the defendant (naming the defendant) unlawfully withholds the possession thereof from him, her or them, the clerk of the court shall issue a summons.

(b) A complaint may not name a minor as a defendant. As used in this Section, "minor" means a person under the age of 18, unless that person has been ordered emancipated under the Emancipation of Minors Act and has the rights and responsibilities of a mature minor under of the Emancipation of Minors Act.

(c) A complaint that names a defendant who is a minor at the time of filing shall be dismissed in its entirety against

all defendants. Any action dismissed under this Section shall be immediately sealed under Section 9-121.

(d) In addition to any other remedies available to the minor, a minor who is willfully and wantonly named as a defendant in violation of this Section is entitled to reasonable attorney's fees, actual damages, and liquidated damages in the amount of \$1,000.

(e) Nothing in this Section prohibits a party from refiling an action against any defendants who otherwise may be properly named. Upon dismissing the case under this Section, the court may not waive any fees associated with refiling the action against defendants that are otherwise properly named.

(f) The defendant may under a general denial of the allegations of the complaint offer in evidence any matter in defense of the action. Except as otherwise provided in Section 9-120, no matters not germane to the distinctive purpose of the proceeding shall be introduced by joinder, counterclaim or otherwise. However, a claim for rent may be joined in the complaint, and judgment may be entered for the amount of rent found due.

(Source: P.A. 90-360, eff. 1-1-98.)

(735 ILCS 5/9-121)

Sec. 9-121. Sealing of court file.

(a) Definition. As used in this Section, "court file" means the court file created when an eviction action is filed

with the court.

(b) Discretionary sealing of court file. The court may order that a court file in an eviction action be placed under seal if the court finds that the plaintiff's action is sufficiently without a basis in fact or law, which may include a lack of jurisdiction, that placing the court file under seal is clearly in the interests of justice, and that those interests are not outweighed by the public's interest in knowing about the record.

(c) Mandatory sealing of court file. The court file relating to an eviction action brought against a tenant under Section 9-207.5 of this Code or as set forth in subdivision (h)(6) of Section 15-1701 of this Code or that has been dismissed under Section 9-106 of this Code shall be placed under seal.

(d) This Section is operative on and after August 1, 2022.  
(Source: P.A. 102-5, eff. 5-17-21.)