



SB 1526 (Rep. Gong-Gershowitz; Sens. Fine & Sims) Retiring “Ad Damnum” and Other Unnecessary Latin & Legalese

This technical amendment would make the court system more understandable to the public by replacing the language governing requesting remedies in civil cases with plain language alternatives.

- The Chicago Bar Association and Chicago Bar Foundation are working to identify areas of law that are ripe for plain language simplification efforts via statute and court rules. These efforts have been well received by the courts and in the legislature, often drawing overwhelming (sometimes unanimous), bipartisan support.
- While most of the ongoing efforts to make the justice system more user-friendly and accessible for the public are centered on the courts, for many issues the source of the archaic and confusing language is the legislature. This “prayer for relief” section of the Code of Civil Procedure (5/2-604) is a prime example.
- For example, clerks of court report that multiple times every day they have to explain to court patrons navigating the courts by themselves that the phrase “ad damnum” simply means “amount claimed.”
- This is solely a technical plain language update to the statutory language, no substantive law, legal rights, or legal responsibilities would be changed by this legislation. A survey of state laws found only six other states that used similar “prayer for relief” language.

This technical amendment dovetails with the work currently being done by the Illinois Supreme Court’s Commission on Access to Justice.

- The Supreme Court’s Commission on Access to Justice is currently developing standardized forms for statewide use in a number of areas of the law most frequently used by people navigating the system without the help of an attorney.
- Updating the statutory language in this section will be the first step in updating the language used in court and on forms statewide that draw their language from and match the statutory language. Changing this language is a key step for the Commission’s work to make the court process more user-friendly and understandable.

This technical amendment is one small but important way that the General Assembly can make the justice system more user-friendly and accessible for all Illinoisans.

- With all the tough calls and difficult decisions to be made in Springfield these days, this is an easy way to make a positive impact on everyday people navigating a critically important piece of our justice system.
- Although not a substitute for properly funding pro bono and legal aid services, this amendment will make the court processes and other resources more efficient and effective for all stakeholders in the court system.