**Section 3500.330 Claim of Torture**

a) A request for a formal inquiry into a claim of torture is accomplished by filing a Claim Form (see 20 Ill. Adm. Code 2000.Appendix B):

1) Any individual, court or agency may complete and file a Claim Form on behalf of a living person asserting a claim of torture.

2) Any person may call or write the Commission to request that a Claim Form be mailed or faxed to that person in order to file a claim. The Commission also maintains a website (www.Illinois.gov/ihrc) from which a Claim Form may be printed or downloaded.

3) A completed Claim Form may be filed by either mailing it to the Illinois Torture Inquiry and Relief Commission, 100 W. Randolph St., Ste. 10-300, Chicago IL 60601, or by faxing it to the Commission's office.

4) A claimant may use the Claim Form supplied by the Commission or a letter communicating substantially the same information requested in the Claim Form.

5) A Claim Form shall be considered filed on the date it is mailed or transmitted to the Commission.

b) The Commission deems automatically refiled those Claims that were:

1) not allowed to be filed with the Commission;

2) dismissed by the Commission;

3) not referred to the Court by the Commission; or

4) dismissed by the Court after referral by the Commission, if that action was taken solely on jurisdictional grounds that were subsequently superseded by the amendments to Section 5(1) of the Illinois Torture Inquiry and Relief Commission Act [775 ILCS 40] (the Act) (see P.A. 99-688). The automatically refiled claims retain their original filing date and may be re-evaluated and reinvestigated as the Commission finds necessary.

c) The Commission deems automatically resubmitted to the Commission those claims the Commission did not allow to be filed solely on jurisdictional grounds that were subsequently superseded by the amendments to Section 70 of the Act (see P.A. 99-688). The automatically resubmitted claims retain their original submission date and proceed to initial screening pursuant to Section 3500.340.

(Source: Amended at 41 Ill. Reg. 3941, effective March 17, 2017)