

1 AN ACT concerning civil procedure.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 2-1105 as follows:

6 (735 ILCS 5/2-1105) (from Ch. 110, par. 2-1105)

7 Sec. 2-1105. Jury demand. (a) A plaintiff desirous of a
8 trial by jury must file a demand therefor with the clerk at the
9 time the action is commenced. A defendant desirous of a trial
10 by jury must file a demand therefor not later than the filing
11 of his or her answer. Otherwise, the party waives a jury. If an
12 action is filed seeking equitable relief and the court
13 thereafter determines that one or more of the parties is or are
14 entitled to a trial by jury, the plaintiff, within 3 days from
15 the entry of such order by the court, or the defendant, within
16 6 days from the entry of such order by the court, may file his
17 or her demand for trial by jury with the clerk of the court. If
18 the plaintiff files a jury demand and thereafter waives a jury,
19 any defendant and, in the case of multiple defendants, if the
20 defendant who filed a jury demand thereafter waives a jury, any
21 other defendant shall be granted a jury trial upon demand
22 therefor made promptly after being advised of the waiver and
23 upon payment of the proper fees, if any, to the clerk.

24 (b) All jury cases where the claim for damages is \$50,000
25 or less ~~does not exceed \$15,000~~ shall be tried by a jury of 6,
26 unless either party demands a jury of 12. If a fee in
27 connection with a jury demand is required by statute or rule of
28 court, the fee for a jury of 6 shall be 1/2 the fee for a jury
29 of 12. A party demanding a jury of 12 after another party has
30 paid the applicable fee for a jury of 6 shall pay the remaining
31 1/2 of the fee applicable to a jury of 12.

32 (Source: P.A. 83-1362.)