



16th Judicial Circuit Court Kane County Foreclosure Mediation Program Homeowner Timeline

ALL WITHIN 45 DAYS

SUMMONS & SERVICE

- All new foreclosure cases in Kane County filed on or after **JANUARY 01, 2014**, may be eligible for the Residential Foreclosure Mediation Program.
- The Notice of Mandatory Mediation and Homeowner's Questionnaire and Checklist should be included with the Summons and Complaint.
- Upon service, (when the Summons and Complaint are received), homeowner must contact the Program Coordinator **within 14 days** to schedule or complete the *Introductory Phone Conference*.

2nd NOTICE

- Program Coordinator will send a Second Notice via post card within **14 days** of service, confirming a date for the *Introductory Phone Conference* if the homeowner has failed to contact the Program.
- Failure by a homeowner to contact Program Coordinator **within 45 days** after service to schedule or complete the *Introductory Phone Conference* will result in a recommendation of termination from the Mediation Program.
- Homeowners need to file an Appearance with the Clerk **within 45 days** after service.
- Homeowners actively participating in the Program are not required to file an Answer or other responsive pleading at this time.

INTRODUCTORY PHONE CONFERENCE

- Program Coordinator will conduct an *Introductory Phone Conference* with a homeowner to determine eligibility for and interest in the Mediation Program. Referrals to HUD-approved agencies and legal aid will be provided at this time.
- If the homeowner is eligible and interested, Program Coordinator will instruct the homeowner to complete the *Pre-screening Phase* within **30 days**.
- Program Coordinator will contact the lender's attorney informing them of the homeowner's participation in the Program.



16th Judicial Circuit Court Kane County Foreclosure Mediation Program Homeowner Timeline

ALL WITHIN 180 DAYS AFTER
INTRODUCTORY PHONE CONFERENCE

PRE-SCREENING PHASE

- The homeowner must complete the *Pre-Screening Phase* **within 30 days** of the *Introductory Phone Conference*.
- For good cause shown, a homeowner may request an **additional 30 days** to collect all required information and documentation to be submitted to the lender for any retention or relinquishment option in consideration.
- The homeowner, HUD-approved counselor, or defense lawyer must submit the completed Homeowner's Questionnaire and Checklist to Program Coordinator, indicating that all relevant documents have been sent to the lawyers for your lender with proof of submission.
- Failure by the homeowner to complete the *Pre-Screening Phase* may result in termination from the Program.

PRE-MEDIATION SESSION

- The lender will have **45 days** to review all of the Loss Mitigation documents and advise the Program Coordinator of completion.
- After confirmation of the completion and submission of all necessary forms/information, Program Coordinator will schedule a *Mediation Session* to occur **within 60 days**.
- Prior to any *Mediation Session*, a *Pre-mediation Session* may be held for **good cause shown** and by request of either party or at the discretion of Program Coordinator.

MEDIATION SESSION

- **Homeowner must attend any Pre-mediation and Mediation Session.**
- Attendance and good faith participation is required at any *Pre-mediation Session* or *Mediation Session* by: homeowner and defense attorney, if any; the lender's attorney; and a lender's representative **with full settlement authority** appearing either in person or by teleconference.
- **Failure to participate in good faith may result in termination from the Program and or sanctions as ordered by the Court.**

CONCLUSION

- Upon conclusion of the *Mediation Session*, a Report of Mediation will be filed with the Court indicating agreement, continuance, or recommending termination from the Program.
- If terminated from Mediation without an agreement, the case will return to Court for further proceeding and the homeowner will have **28 days** to file an Answer or other pleading.