
Know these terms:

Foreclosure Court Proceedings:

Mortgage: Written guarantee of a property used as collateral for the repayment of a loan.

Mortgagor: Mortgage borrower, often a homeowner.

Mortgagee: Mortgage lender, may be a bank.

Mortgage Loan Servicer: Company managing the mortgage loan

Mortgage foreclosure: Forced sale of a property by the Mortgagee attempting to recover the balance of a loan from the Mortgagor who has failed to make payments.

Consent foreclosure: Mortgagor agrees to foreclosure.

Deficiency Judgment: Personal judgment against the Mortgagor for the remaining balance on the loan after a foreclosure sale.

Loss Mitigation: Mortgage assistance to help Mortgagors who remain in their homes, or without judgment of foreclosure.

(DIL) Deed-in-lieu of foreclosure: Home is transferred to the Mortgagee and nothing is owed on the mortgage loan.

Short sale: Mortgagee agrees to allow the house to sell to a third party for an amount less than what is owed on the loan.

Making Home Affordable Programs: Established by the federal government plan to stabilize the U.S. housing market by helping homeowners get mortgage relief and avoid foreclosure.

Residential Mortgage Foreclosure Mediation:

Program Coordinator: Designated Court personnel managing active cases in the Mediation Program.

Appearance: Tells the court and other parties involved that you are participating in the case and going to represent yourself.

Initial Phone Conference:

Program Coordinator conducts this conference to determine if the homeowner is eligible and interested in the Mediation Program.

Pre-screening Phase:

Loss Mitigation process must be completed with your lender and lender's attorney during this phase of the Mediation Program.

Mediation: A process to resolve the case through use of a neutral third party, known as a Mediator.

Homeowner's Questionnaire and Checklist: Program form used to indicate completion of the Loss Mitigation process and proof of submission of the Loss Mitigation packet to lender and lender's attorney.

Helpful Resources

HUD Approved Housing Counseling Agencies:

Joseph Corporation 630-906-9400
NHS of the Fox Valley: 847-695-0399
CCCS of Northern Illinois: 815-338-5757

Legal Resources: The legal resources below may be able to help you in the *mediation* process.

Kane County Law Library for “Lawyer in the Library,” or “Self-Help Legal Center” at Kane County Judicial Center
37W777 Route 38
St. Charles, Illinois 60175
630-406-7126
www.kclawlibrary.org

Kane County Bar Association “Ask a Lawyer Day” and “Find a Lawyer”

Contact the Bar Association to ask questions of volunteer attorneys on the second Saturday of each month. They also provide a referral service that can direct you to a lawyer (who will provide services for a fee).
www.kanecountybar.org/find-a-lawyer
630-762-1900

Administer Justice

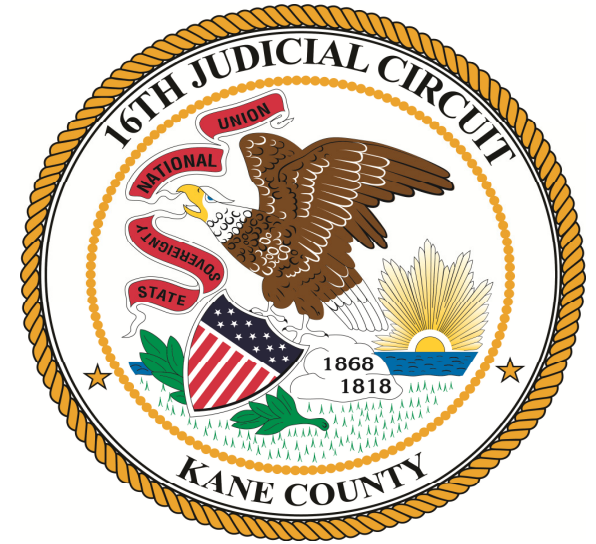
Foreclosure Workshop for Homeowners, please call for details.
847-844-1100
www.administerjustice.org

Prairie State Legal Services, Inc.

Legal services available for homeowners who meet eligibility criteria
888-966-7757
www.pslegal.org

Foreclosure Help Desk

Offers free information and referrals to homeowners in foreclosure at the:
Geneva Courthouse
100 South Third Street, Courtroom 150
Geneva, IL 60134
Available M-F 9:00 a.m. until 11:30 a.m.

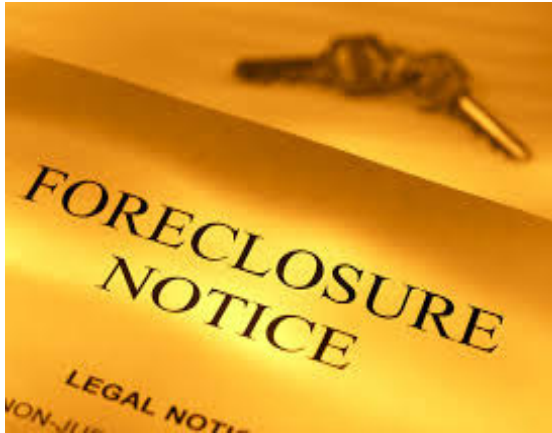


16TH JUDICIAL CIRCUIT COURT KANE COUNTY

Kane County Courthouse
100 S. 3rd Street, room 432
Geneva, IL 60134

RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION PROGRAM

**Stabilizing homes in
Kane County**



What happens now?

You have been served with a Summons and a mortgage foreclosure Complaint that could cause you to lose your home. The Kane County Circuit Court has established a Mandatory Residential Mortgage Foreclosure Mediation Program to assist Homeowners in foreclosure. This program is available **at no additional cost** to all Homeowners who file an *Appearance* in a new foreclosure case filed on or after **January 1, 2014**.

DO NOT Ignore your Summons

To participate in the Mandatory *Residential Mortgage Foreclosure Mediation Program*, you must comply with the *Pre-screening* process by contacting the *Program Coordinator* and by filing an *Appearance* with the Clerk of the Court prior to your *Pre-screening* Meeting. ***If you do not file an Appearance you cannot participate in the Mediation Program.***

STEPS TO A SUCCESSFUL MEDIATION

- Contact the *Program Coordinator* to:
 - Determine eligibility
 - Receive information on HUD-Approved agencies near you, who may assist with a loan modification, and legal aid organizations.
- File an *Appearance* with the Clerk of the Court before your *Pre-Screening* Deadline.
- Complete the *Homeowner's Questionnaire and Checklist* form indicating your Loss Mitigation packet has been sent to your lender and lender's attorney.

Failure to comply may result in early termination of the *mediation* process. Your case will proceed in court and a judgment may be entered against you.

PROCEED WITH CAUTION:

CONTACT A HUD-APPROVED HOUSING COUNSELOR FOR FREE HELP OR CONSULT A LICENSED ATTORNEY **BEFORE** YOU PAY ANYONE TO HELP YOU AVOID FORECLOSURE. IF YOU FEEL YOU ARE A VICTIM OF MORTGAGE ASSISTANCE FRAUD, CONTACT THE ILLINOIS ATTORNEY GENERAL **"CONSUMER FRAUD HOTLINE" AT 1-800-243-0618.**

What is mediation?

The Kane County Foreclosure Mediation Program provides a unique opportunity to aid Homeowners in crisis. *Mediation* is a process where a neutral third party, a trained mediator, helps Borrowers and Lenders communicate to explore the options available to a homeowner. While not every *mediation* resolves the foreclosure, the process can give Homeowners an opportunity to speak directly with a representative of their lending institution and may generate options for resolving the foreclosure, including possible loan modification and other available options.

All discussions are kept confidential.

HOW TO FILE AN APPEARANCE

An *Appearance* can be filed with the Clerk of the Circuit Court located at 540 South Randall Rd. St. Charles, Illinois 60174 or at the Geneva Courthouse in room 160. For more information you can call (630) 232-3413 or visit: www.cic.co.kane.il.us There is a filing fee for an *Appearance*, but if you are unable to pay the fees, costs, and charges, you may ask the court to allow you to proceed without paying them. Download the approved Illinois Supreme Court *Appearance* and Waiver forms from our website: www.illinois16thjudicialcircuit.org

Contact Us

Kane County Courthouse

100 S. 3rd Street, room 432

Geneva, IL 60134

Phone: (630) 444-3128

Fax: (630) 232-2573

Website: www.illinois16thjudicialcircuit.org/foreclosureMediation

Email us at:

Kaneforeclosuremediation@co.kane.il.us