

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by adding Section 2-604.2 and by repealing Section 2-604 as follows:

(735 ILCS 5/2-604.2 new)

Sec. 2-604.2. Requesting remedies from the court.

(a) Except in personal injury actions, every count in every complaint and counterclaim must request specific remedies the party believes it should receive from the court.

In a personal injury action, a party may not claim an amount of money unless necessary to comply with the circuit court rules about where a case is assigned. In a personal injury action, if a complaint is filed that contains an amount claimed and the claim is not necessary to comply with the circuit court rules about where a case is assigned, the complaint shall be dismissed without prejudice on the defendant's motion or on the court's own motion.

(b) A party may request remedies from the court in the alternative. A request for a remedy from the court that is not supported by allegations in the complaint or counterclaim may be objected to by motion or in the answering pleading.

(c) Except in the case of default, the remedies requested

from the court do not limit the remedies available. Except in the case of default, if a party seeks remedies other than those listed in the complaint or counterclaim, the court may, by proper order, and upon terms that may be just, protect the adverse party against prejudice by reason of surprise.

In the case of default, if a remedy is sought in the pleading, whether by amendment, counterclaim, or otherwise, that is beyond what the defaulted party requested, notice shall be given to the defaulted party as provided by Illinois Supreme Court Rule 105.

(d) The defendant is not prohibited from requesting from the plaintiff, by interrogatory, the amount of damages sought.

(735 ILCS 5/2-604 rep.)

Section 10. The Code of Civil Procedure is amended by repealing Section 2-604.