



**RSI**

# Illinois Foreclosure Mediation Program

## Participation & Outcomes

June 30, 2017

# Introduction

## **Background**

In 2013, the Illinois Attorney General granted funds to Dispute Resolution Institute, Resolution Systems Institute and the University of Illinois School of Law to develop and administer 10 court-referred foreclosure mediation programs throughout the state. Eight of those programs were in place as of June 30, 2017.

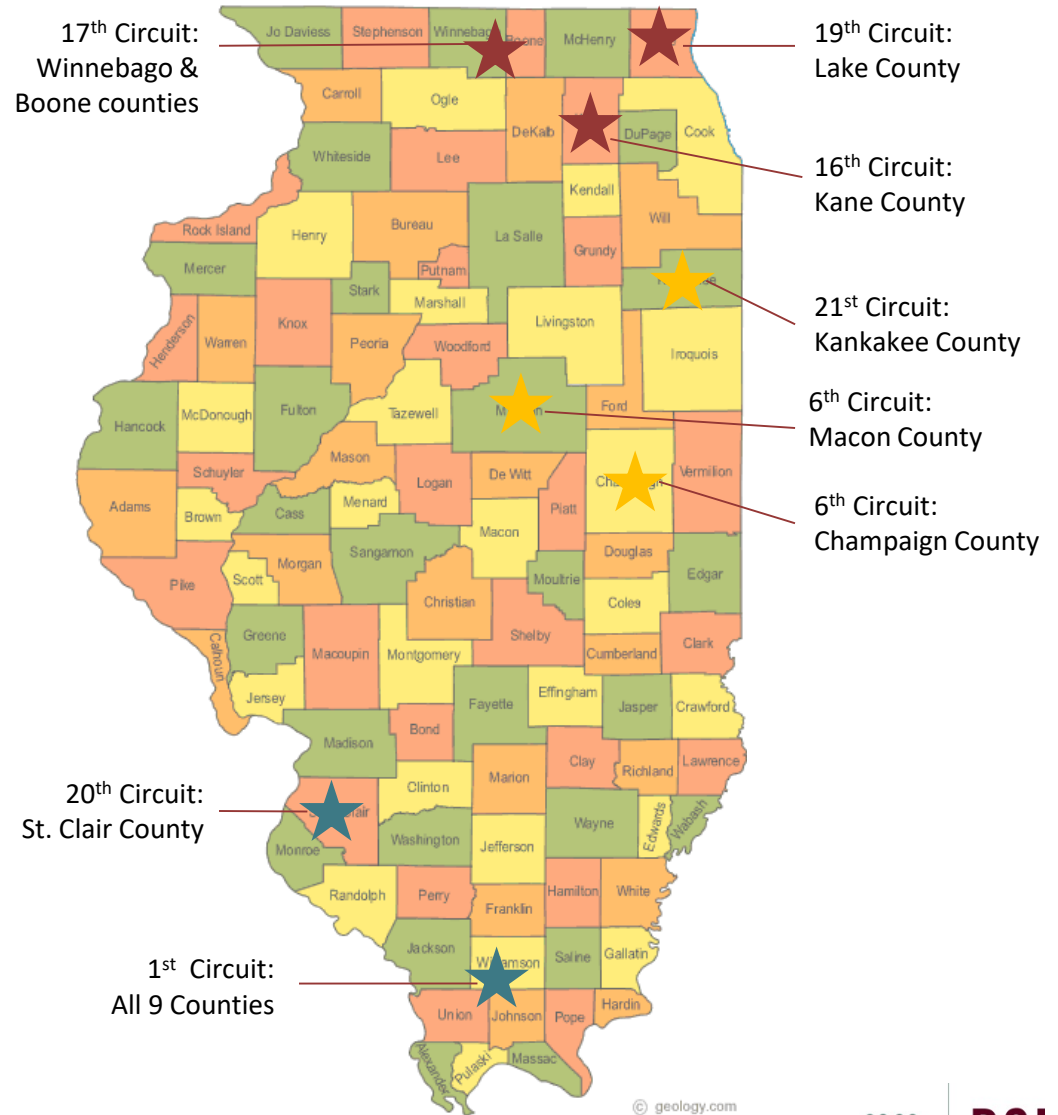
## **Program Design**

The eight programs employ seven different models. (See individual programs.) However, each has a two-part process: a pre-mediation service in which homeowners learn about their options and get help gathering required documents, and mediation itself.



# Program Sites

- ★ Dispute Resolution Institute  
Partners: Land of Lincoln Legal Assistance Foundation, Urban League of Metropolitan St. Louis, Beyond Housing
- ★ Resolution Systems Institute  
Partners: Joseph Corp (16<sup>th</sup>), Neighborhood Housing Services of the Fox Valley (16<sup>th</sup>), Northern Illinois University College of Law (16<sup>th</sup>), HomeStart (17<sup>th</sup>), Affordable Housing Corp of Lake County (19<sup>th</sup>), Consumer Credit Counseling Services of Northern Illinois (16<sup>th</sup> & 19<sup>th</sup>), Prairie State Legal Services (16<sup>th</sup>)
- ★ University of Illinois School of Law  
Partners: Land of Lincoln Assistance Foundation (6<sup>th</sup>), Navicore Solutions (6<sup>th</sup>), Prairie State Legal Services (21<sup>st</sup>), Community Service Council of Northern Will County (21<sup>st</sup>), Institute for Consumer Credit Education (21<sup>st</sup>), Foreclosure Mediation Services (21<sup>st</sup>)



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# All Programs Overview

## Summary – Total for All Programs from Program Start

	Total	% of Foreclosures	
Foreclosures Filed	18,862		
Contacted/Referred to Program	5,195	28%	
Entered Program	3,755	20%	72% of cases contacted/ referred
Cases Closed	3,362	18%	90% of cases entering program
Homes Retained/TPP *	887	5%	26% of closed cases
Homes Voluntarily Relinquished	149	1%	4% of closed cases
No Agreement	788	4%	23% of closed cases
Homeowner Did Not Complete Program	1,545	8%	46% of closed cases

\*TPP refers to trial period plans, also known as a temporary loan modifications. In these plans, the lender agrees to modify the terms of the mortgage and the homeowner agrees to make payments for a short period of time (generally three months). If they make all the payments on time, the payment plan should be converted into a permanent loan modification.

# All Programs Overview

## Participation Since Program Start

Overall, homeowners who contact a program are likely to participate.

	Eligible Foreclosures Filed	Contacted Program/Referred (% of Foreclosures)		Entered (% of Referred)		Closed
1 <sup>st</sup> Circuit	282	274*	100%	157	57%	131
6th Circuit - Champaign	525	490*	100%	240	49%	200
6th Circuit - Macon	199	190*	100%	92	48%	58
16th Circuit	4,523	1,204	27%	1,035	86%	951
17th Circuit	3,564	765	21%	643	84%	591
19th Circuit	6,318	926	15%	704	76%	634
20th Circuit	2,557**	452	18%	363	80%	325
21st Circuit	894	894	100%	521	58%	532^

\*The difference between the number of homeowners contacted and the number of foreclosures in these programs is due to filings in which either the case was dismissed prior to mediation or the homeowner was deceased.

\*\*This is based on the court's estimate that 5% of foreclosures are commercial.

^The case filings program entries from prior to 2014 are not available. This has caused the number of closed cases to be greater than the number of cases that entered the program.

# All Programs Overview

## Case Outcomes Since Program Start

Generally, more than 1 in 5 homeowners who participate save their homes.

	# Closed Cases	% Retention/ Temporary Payment Plan (TPP)	% Relinquishment	% No Agreement	% Dropped Out of Program*
1 <sup>st</sup> Circuit	131	22%	3%	8%	67%
6 <sup>th</sup> Circuit – Champaign	200	28%	11%	20%	41%
6 <sup>th</sup> Circuit – Macon	58	14%	4%	18%	65%
16 <sup>th</sup> Circuit	951	24%	4%	28%	44%
17 <sup>th</sup> Circuit	591	30%	1%	13%	56%
19 <sup>th</sup> Circuit	634	24%	3%	26%	48%
20 <sup>th</sup> Circuit	325	35%	5%	37%	24%
21 <sup>st</sup> Circuit	532	26%	9%	21%	44%

\*Dropped out of program means that the homeowner entered the program but then either voluntarily withdrew or did not comply with the requirements.

\*\*In the 17<sup>th</sup> Circuit, the percentage of homeowners who dropped out of the program includes those who could not continue through the program by court rule because they did not have a viable retention option. This rule changed in September 2016.



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# Individual Program Profiles

# 1<sup>st</sup> Judicial Circuit

## Overview – From Program Start

<b>Program Start Date</b>	April 1, 2016
<b>Entry Process</b> (mandatory appearance to initial intake conference, scheduled within 30-45 days of summons)	When the lender files an eligible foreclosure case, it selects a date for an Initial Intake Conference. To participate, homeowners appear for the conference.
<b>Pre-Mediation Process</b> (up to 3 pre-mediation sessions, with more per discretion of the program administrator)	The program administrator conducts the pre-mediation sessions, which both the homeowner and lender representative must attend, along with their counsel (the lender and their counsel may attend by phone). The exchange of documents continues during the pre-mediation sessions and may culminate in an agreement.
<b>Mediation Process</b> (mediation within 45 days of the last pre-mediation session)	If the pre-mediation process does not culminate in an agreement, the borrower or lender may recommend full mediation; the program administrator decides whether the case is appropriate.
<b>Closure</b>	A case is closed when the homeowner doesn't comply with program rules or voluntarily withdraws, the case is resolved, or there is no agreement. The case remains open during the trial plan period.

### Status of Cases Through 6/30/17

Foreclosures Filed	282
Referred	274
Entered Program	157
Closed	131
Pending	26

### Outcomes of Closed Cases

Agreement: Retention	28
Agreement: Relinquishment	4
Other Agreement	1
No Agreement	11
Closed: Program Not Completed	87*

\*In 55 of these cases, the homeowner attended the intake session, but did not meet the criteria for eligibility.



# 1<sup>st</sup> Judicial Circuit Participation by Year

The participation rate rose significantly in 2017.

## PARTICIPATION

Year	Filed	Contacted*	Entered
2016	138	137	70
2017	144	137	87
<b>TOTAL</b>	<b>282</b>	<b>274</b>	<b>157</b>

\*8 homeowners were deceased and therefore could not be contacted..

## % OF ELIGIBLE FORECLOSURES

Year	Contacted %	Entered %
2016	100%	52%
2017	100%	65%
<b>TOTAL</b>	<b>100%</b>	<b>59%</b>

# 1<sup>st</sup> Judicial Circuit Participation by County

As with the other mandatory programs, the 1<sup>st</sup> Circuit has a high participation rate.

## PARTICIPATION

County	Cases Filed	Contacted*	Entered
Alexander	12	11	5
Jackson	54	53	32
Johnson	14	13	8
Massac	29	28	18
Pope	3	2	2
Saline	39	38	26
Union	26	26	16
Williamson	105	103	50
<b>TOTAL</b>	<b>282</b>	<b>274</b>	<b>157</b>

## % OF FORECLOSURES

County	Contacted %	Entered %
Alexander	100%	45%
Jackson	100%	60%
Johnson	100%	62%
Massac	100%	64%
Pope	100%	100%
Saline	100%	68%
Union	100%	61%
Williamson	100%	48%
<b>TOTAL</b>	<b>100%</b>	<b>57%</b>

\*8 homeowners were deceased and therefore could not be contacted..

# 1<sup>st</sup> Judicial Circuit

## Outcomes by Year Case Closed

Year	Retention	Relinquishment	No Agreement	Program Not Completed*	Total**
2016	4	1	0	29	34
2017	24	3	11	58	96
<b>Total</b>	<b>28</b>	<b>4</b>	<b>11</b>	<b>87</b>	<b>130</b>

\*55 homeowners did not qualify for the program.

\*\*1 case had an agreement marked "other".

**Retention rates have increased substantially, while more homeowners are completing the program.**

	Retention	Relinquishment	No Agreement	Program Not Completed
2016	12%	3%	0%	85%
2017	25%	3%	11%	60%
<b>Total</b>	<b>22%</b>	<b>3%</b>	<b>8%</b>	<b>67%</b>

# 1<sup>st</sup> Judicial Circuit Details

## Pre-Mediation

### Outcomes

Referred to Mediation	1
Temporary Loan Modification (TPP)	0
Agreement: Retention	28
Agreement: Relinquishment	4
No Agreement	11
Closed: Program Not Completed	87
Pending	25

\*The outcome of 1 case was "other".

### Intake - Homeowner Experience (n = 69)

Understand options better than before	97%
Understand foreclosure process better than before	99%
Understand loan modification packet (n=19)	85%
Treated with respect	100%
Treated fairly	100%
Satisfied overall	97%

## Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
102	128	79

# 6<sup>th</sup> Judicial Circuit (Champaign County)

## Overview – From Program Start

<b>Program Start Date</b>	October 1, 2014
<b>Entry Process</b> (mandatory appearance to pre-mediation session scheduled within 42-60 days of summons)	Lender's counsel schedules pre-mediation session with program and then files the foreclosure. To participate, homeowners appear for the session.
<b>Pre-Mediation Process</b> (up to 3 pre-mediation sessions – status conference 45-60 days after submission of packet)	A housing counselor or legal services representative conducts the pre-mediation session. If the homeowner doesn't have an attorney, a housing counselor or legal aid representative must help him or her to prepare the packet. The homeowner has 3 sessions to submit a complete packet. Once submitted, a status conference is scheduled at which a mediator facilitates document exchange. There is no limit on the number of status conferences.
<b>Mediation Process</b> (mediation within 45 days of status conference completion)	Once all documents have been exchanged, mediation is scheduled to discuss home retention or relinquishment options.
<b>Closure</b>	A case is closed when the homeowner doesn't comply with program rules or voluntarily withdraws, the case is resolved, or there is no agreement. The case remains open during the trial plan period.

### Status of Cases Through 6/30/17

Foreclosures Filed	525
Referred	490*
Entered Program	240
Closed	200
Pending	40

\*35 cases were dismissed prior to the first pre-mediation session.

### Outcomes of Closed Cases\*\*

Temporary Loan Modification (TPP)^	3
Agreement: Retention	53
Agreement: Relinquishment	21
No Agreement	39
Closed: Program Not Completed	82

\*\*Two cases had outcomes marked "other".

^These are cases for which the TPP has not yet converted to a permanent modification, or conversion status is unknown.



# 6<sup>th</sup> Judicial Circuit – Champaign County

## Participation by Year

Participation is remaining relatively steady and continues to be high.

### PARTICIPATION

Year	Filed	Contacted*	Entered
2014	22	22	13
2015	218	200	97
2016	173	159	76
2017	112	109	51
<b>TOTAL</b>	<b>525</b>	<b>490</b>	<b>240</b>

\*35 cases were dismissed prior to the first pre-mediation session.

### % OF ELIGIBLE FORECLOSURES\*

Year	Contacted %	Entered %
2014	100%	59%
2015	100%	49%
2016	100%	48%
2017	100%	47%
<b>TOTAL</b>	<b>100%</b>	<b>49%</b>

\*The 35 cases dismissed prior to the first pre-mediation session are not counted in these calculations.

# 6<sup>th</sup> Judicial Circuit – Champaign County

## Outcomes by Year Case Closed

Year	Retention	Relinquishment	No Agreement	Program Not Completed	Total
2014	0	0	0	2	2
2015	14	4	14	27	59
2016	32	12	16	31	91
2017	10	5	9	22	46
<b>Total</b>	<b>56</b>	<b>21</b>	<b>39</b>	<b>82</b>	<b>198</b>

After rising substantially in 2016, retention rates dropped back down in 2017.

	Retention	Relinquishment	No Agreement	Program Not Completed
2014	0%	0%	0%	100%
2015	24%	7%	24%	46%
2016	35%	13%	18%	34%
2017*	22%	11%	19%	41%
<b>Total</b>	<b>28%</b>	<b>11%</b>	<b>20%</b>	<b>36%</b>

\*The outcomes for 2017 may be affected by the loss of the housing counselor in March. This may have caused a decrease in the retention rate. This will be explored in the 2018 evaluation of the program.

# 6<sup>th</sup> Judicial Circuit – Champaign County

## Outcomes by Stage

### Pre-Mediation

Referred to Mediation	188
Temporary Loan Modification	1
Agreement: Retention	12
Agreement: Relinquishment	5
No Agreement	12
Closed: Program Not Completed	49

### Mediation

Temporary Loan Modification (TPP)	4
Agreement: Retention	39
Agreement: Relinquishment	16
No Agreement	27
Closed: Program Not Completed	33

### Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
152	186	104



# 6<sup>th</sup> Judicial Circuit (Macon County)

## Overview – From Program Start

<b>Program Start Date</b>	May 2, 2016
<b>Entry Process</b> (mandatory appearance to pre-mediation session scheduled within 42-60 days of summons)	Lender’s counsel schedules pre-mediation session with program and then files the foreclosure. To participate, homeowners appear for the session.
<b>Pre-Mediation Process</b> (up to 3 pre-mediation sessions – status conference 45-60 days after submission of packet)	A housing counselor or legal services representative conducts the pre-mediation session. If the homeowner doesn’t have an attorney, a housing counselor or legal aid representative must help him or her to prepare the packet. The homeowner has 3 sessions to submit a complete packet. Once submitted, a status conference is scheduled at which a mediator facilitates document exchange. There is no limit on the number of status conferences.
<b>Mediation Process</b> (mediation within 45 days of status conference completion)	Once all documents have been exchanged, mediation is scheduled to discuss home retention or relinquishment options.
<b>Closure</b>	A case is closed when the homeowner doesn’t comply with program rules or voluntarily withdraws, the case is resolved, or there is no agreement. The case remains open during the trial plan period.

### Status of Cases Through 6/30/17

Foreclosures Filed	199
Referred	190*
Entered Program	92
Closed	58
Pending	33

\*9 cases were dismissed prior to mediation

### Outcomes of Closed Cases\*

Temporary Loan Modification (TPP)	0
Agreement: Retention	8
Agreement: Relinquishment	2
No Agreement	10
Closed: Program Not Completed	37

\*1 case had an outcome of “other.”



# 6<sup>th</sup> Judicial Circuit – Macon County

## Participation by Year

The participation rate increased in 2017.

### PARTICIPATION

Year	Filed	Contacted*	Entered
2016	89	87	39
2017	110	103	53
<b>TOTAL</b>	<b>199</b>	<b>190</b>	<b>92</b>

\*9 cases were dismissed prior to the first pre-mediation session.

### % OF ELIGIBLE FORECLOSURES\*

Year	Contacted %	Entered %
2016	100%	45%
2017	100%	51%
<b>TOTAL</b>	<b>100%</b>	<b>48%</b>

\*The 9 cases dismissed prior to the first pre-mediation session are not counted in these calculations.

## 6<sup>th</sup> Judicial Circuit – Macon County Outcomes by Year Case Closed

Year	Retention	Relinquishment	No Agreement	Program Not Completed	Total
2016	3	1	0	9	13
2017	5	1	10	28	45
<b>Total</b>	<b>8</b>	<b>2</b>	<b>10</b>	<b>37</b>	<b>57</b>

**The retention rate dropped significantly in 2017, while there was a significant increase in mediation ending in no agreement between the parties.**

	Retention	Relinquishment	No Agreement	Program Not Completed
2016	23%	7%	0%	70%
2017	11%	2%	23%	64%
<b>Total</b>	<b>18%</b>	<b>4%</b>	<b>18%</b>	<b>65%</b>

# 6<sup>th</sup> Judicial Circuit – Macon County

## Outcomes by Stage

### Pre-Mediation

Referred to Mediation	9
Temporary Loan Modification	0
Agreement: Retention	7
Agreement: Relinquishment	2
No Agreement	9
Closed: Program Not Completed	34

### Mediation

Temporary Loan Modification (TPP)	0
Agreement: Retention	1
Agreement: Relinquishment	0
No Agreement	1
Closed: Program Not Completed	3

### Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
81	103	65

# 16<sup>th</sup> Judicial Circuit (Kane County)

## Overview – From Program Start

<b>Program Start Date</b>	January 2, 2014
<b>Entry Process</b> (initial conference within 45 days of summons)	All eligible homeowners are referred to the program. The program coordinator calls the homeowner for the initial conference. If homeowner wants to participate and has filed an appearance, they enter the program.
<b>Pre-Mediation Process</b> (30-60 days to complete packet, 45-60 days for lender review)	Housing counseling is not mandatory. Housing counselors help homeowners to complete their loan packet and discuss possible options with them. Generally, this takes one or two sessions. Once done, the lender is given 45 days to review the packet.
<b>Mediation Process</b> (mediation within 60 days of referral to mediation)	When the packet has been completed and reviewed, the lender's attorney informs the program coordinator that the case is ready for mediation. Mediation is completed in one or two sessions.
<b>Closure</b>	A case is closed when the homeowner doesn't comply with program rules or voluntarily withdraws, the case is resolved, a temporary payment plan is entered, or there is no agreement.

### Status of Cases Through 06/30/17

Foreclosures Filed	4,523
Initial Conference	1,204
Entered Program	1,035
Closed	951
Pending	92

### Outcomes of Closed Cases\*^

Temporary Loan Modification (TPP)	33
Agreement: Retention	189
Agreement: Relinquishment	36
No Agreement	259
Closed: Program Not Completed	406

\*When TPPs are converted to permanent loan modifications, the outcome is changed to Agreement: Retention.

^The outcome of 28 cases is not known.

# 16<sup>th</sup> Judicial Circuit Participation by Year

Participation has dropped slightly in the first half of 2017.

## PARTICIPATION

Year	Filed	Contacted	Entered
2014	1,598	422	366
2015	1,224	334	293
2016	1,094	295	250
2017	607	153	126
<b>Total</b>	<b>4,523</b>	<b>1,204</b>	<b>1,035</b>

## % OF ELIGIBLE FORECLOSURES

Year	Contacted %	Entered %
2014	26%	23%
2015	27%	24%
2016	27%	23%
2017	25%	21%
<b>TOTAL</b>	<b>27%</b>	<b>23%</b>

# 16<sup>th</sup> Judicial Circuit

## Outcomes by Year Case Closed

Year	Retention	Relinquishment	No Agreement	Program Not Completed	Other	Total
2014	54	18	42	148	4	266
2015	75	7	95	132	11	320
2016	67	9	86	72	8	242
2017	26	2	36	54	5	123
<b>Total</b>	<b>222</b>	<b>36</b>	<b>259</b>	<b>406</b>	<b>28</b>	<b>951</b>

**Home retention rates dropped in 2017.**

	Retention	Relinquishment	No Agreement	Program Not Completed
2014	20%	7%	15%	55%
2015	23%	2%	30%	42%
2016	28%	4%	33%	30%
2017	21%	2%	29%	44%
<b>TOTAL</b>	<b>23%</b>	<b>4%</b>	<b>28%</b>	<b>43%</b>

# 16<sup>th</sup> Judicial Circuit Outcomes by Stage

## Pre-Mediation\*

Referred to Mediation	508
Temporary Loan Modification	40
Agreement: Retention	69
Agreement: Relinquishment	5
No Agreement	20
Closed: Program Not Completed	352

\*The outcome for 14 cases was marked as "Other".

## Mediation\*

Temporary Loan Modification (TPP)	70
Agreement: Retention	46
Agreement: Relinquishment	28
No Agreement	239
Closed: Program Not Completed	54

\*The outcome for 14 cases was marked as "Other".

## Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
104	126	77



# 16<sup>th</sup> Judicial Circuit

## Participant Satisfaction - 2017

### Mediation

#### Party Survey (n = 172)

Satisfied with Outcome	93%
Satisfied Overall	94%
Process was Fair	99%

#### Attorney Survey (n = 135)

Satisfied with Outcome	88%
Satisfied Overall	96%
Process was Fair	99%

# 17<sup>th</sup> Judicial Circuit (Winnebago & Boone Counties)

## Overview – From Program Start

<b>Program Start Date</b>	June 1, 2014 (Winnebago), November 1, 2014 (Boone); rule revised September 2016
<b>Entry Process</b> (within 21 days of summons)	All eligible homeowners receive notification of the mediation program with their summons. They are instructed to go to the program website to complete an application.
<b>Pre-Mediation Process</b> (within 30 days of completing application)	When the homeowners complete the application, they meet with a housing counselor. Housing counselors help homeowners to complete their loan packet and discuss possible options with them.
<b>Mediation Process</b> (status conference or mediation within 45 days of referral to mediation)	When the packet has been completed and reviewed, the housing counselor completes a pre-mediation report indicating the case is ready for mediation. At this point, the lender has 10 days to give notice that it is ready to render a decision. The program administrator then schedules either a status conference to facilitate the exchange of documents or a mediation session. Mediation generally takes two or more sessions.
<b>Closure</b>	A case is closed when the homeowner doesn't comply with program rules or voluntarily withdraws, the case is resolved, a temporary payment plan is entered, or there is no agreement.

### Status of Cases Through 6/30/17

Foreclosures Filed	3,564
Started Application	765
Entered Program	643
Closed	591
Pending	52

### Outcomes of Closed Cases\*

Temporary Loan Modification (TPP)	55
Agreement: Retention	121
Agreement: Relinquishment	5
No Agreement	76
Closed: Program Not Completed**	322

\*12 cases had an outcome marked as "other."

\*\*These include those who were not viable for mediation.



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# 17<sup>th</sup> Judicial Circuit Participation by Year

The participation rate has remained relatively stable from year to year.

## PARTICIPATION

	Filed	Contacted	Entered
2014	679	145	112
2015	1,235	267	231
2016	1,097	236	188
2017	553	117	108
<b>Total</b>	<b>3,564</b>	<b>765</b>	<b>639</b>

## % OF ELIGIBLE FORECLOSURES

	% Contacted	% Entered
2014	21%	16%
2015	22%	19%
2016	22%	17%
2017	21%	20%
<b>Total</b>	<b>21%</b>	<b>18%</b>

# 17<sup>th</sup> Judicial Circuit

## Outcomes by Year Case Closed

	Retention	Relinquishment	No Agreement	Program Not Completed*	Other	Grand Total
<b>Boone</b>						
2015	6	1	2	12	0	21
2016	5	1	5	11	1	23
2017	5	0	0	9	0	14
<b>Total</b>	<b>16</b>	<b>2</b>	<b>7</b>	<b>32</b>	<b>1</b>	<b>58</b>
<b>Winnebago</b>						
2014	18	0	7	33	5	63
2015	59	1	32	106	5	203
2016	56	1	21	94	1	173
2017	27	1	9	57	0	94
<b>Total</b>	<b>160</b>	<b>3</b>	<b>69</b>	<b>290</b>	<b>11</b>	<b>533</b>
<b>Grand Total</b>	<b>176</b>	<b>5</b>	<b>76</b>	<b>322</b>	<b>12</b>	<b>591</b>

\*These include those considered not to be viable for mediation because the homeowner did not qualify for the available retention options.

	Retention	Relinquishment	No Agreement	Program Not Completed	Other
2014	30%	0%	10%	52%	8%
2015	29%	1%	15%	53%	2%
2016	31%	1%	13%	54%	1%
2017	30%	1%	8%	61%	0%
<b>TOTAL</b>	<b>30%</b>	<b>1%</b>	<b>13%</b>	<b>54%</b>	<b>2%</b>

# 17<sup>th</sup> Judicial Circuit

## Outcomes by Stage - Closed in 2016

### Pre-Mediation

Referred to Mediation	102
Temporary Loan Modification	8
Agreement: Retention	6
Closed: Program Not Completed*	293

\*These include those considered not to be viable for mediation because the homeowner did not qualify for the available retention options.

### Mediation

Temporary Loan Modification (TPP)	99
Agreement: Retention	65
Agreement: Relinquishment	5
No Agreement	74
Closed: Program Not Completed	29

### Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
94	142	64

# 17<sup>th</sup> Judicial Circuit

## Participant Satisfaction - 2016

### Mediation

#### Party Survey (n = 159)

Satisfied with Outcome	85%
Satisfied Overall	94%
Process was Fair	99%

#### Attorney Survey (n = 83)

Satisfied with Outcome	93%
Satisfied Overall	98%
Process was Fair	98%

# 19<sup>th</sup> Judicial Circuit (Lake County)

## Overview – From Program Start

<b>Program Start Date</b>	December 2, 2013
<b>Entry Process</b> (contact program within 42 days of summons)	Homeowners receive notice of the program with their summons. They must call the program coordinator for intake, and they then must follow up with housing counseling.
<b>Pre-Mediation Process</b> (45 days to complete packet, 45 days for lender to review packet and complete Plaintiff's Checklist)	Housing counselors help homeowners to complete their loan packet and discuss possible options with them. Generally, this takes one or two sessions. When the packet has been completed, the housing counseling agency informs the program coordinator that the case has been submitted to the lender. The lender reviews the packet and returns the Plaintiff's checklist to the Program Coordinator.
<b>Mediation Process</b> (mediation within 35 days of referral to mediation, total time 90 days)	After receiving the Plaintiff's checklist, the Program Coordinator schedules the first mediation session. Mediation generally takes two sessions.
<b>Closure</b>	A case is closed when the homeowner or lender doesn't comply with program rules or voluntarily withdraws, the case is resolved, there is no agreement, or a temporary payment plan is agreed to.

### Status of Cases Through 6/30/17

Foreclosures Filed	6,318
Contacted Program	926
Entered Program	704
Closed	634
Pending	61

### Outcomes of Closed Cases\*

Temporary Loan Modification (TPP)	131
Agreement: Retention	25
Agreement: Relinquishment	17
No Agreement	149
Program Not Completed	301

\*When TPPs are made permanent, the outcome is changed to Agreement: Retention. When they are not converted to permanent status, the outcome is changed to No Agreement. 11 cases were marked "other".

# 19<sup>th</sup> Judicial Circuit Participation by Year

The participation rate continues to increase.

## PARTICIPATION

Year	Filed	Contacted	Entered
2014	2,129	239	162
2015	1,871	291	187
2016	1,536	244	224
2017	782	152	131
<b>Total</b>	<b>6,318</b>	<b>926</b>	<b>704</b>

## % OF ELIGIBLE FORECLOSURES

	% Contacted	% Entered
2014	11%	7%
2015	16%	10%
2016	16%	15%
2017	19%	17%
<b>Total</b>	<b>15%</b>	<b>11%</b>



# 19<sup>th</sup> Judicial Circuit

## Outcomes by Year Case Closed

	Retention	Relinquishment	No Agreement	Program Not Completed	Other	Total
2014	40	7	21	62	1	131
2015	43	8	51	79	1	183
2016	46	1	48	106	4	205
2017	27	1	29	53	5	115
<b>Total</b>	<b>156</b>	<b>17</b>	<b>149</b>	<b>301</b>	<b>11</b>	<b>634</b>

**Nearly 1 in 4 participating homeowners keep their homes.**

	Retention	Relinquishment	No Agreement	Program not Completed
<b>2014</b>	31%	5%	16%	47%
<b>2015</b>	23%	4%	28%	43%
<b>2016</b>	22%	0%	23%	52%
<b>2017</b>	23%	1%	25%	46%
<b>TOTAL</b>	25%	3%	24%	47%

# 19<sup>th</sup> Judicial Circuit

## Outcomes by Stage – Closed in 2016

Pre-Mediation	
Referred to Mediation	377
Temporary Loan Modification	26
Agreement: Retention	2
Agreement: Relinquishment	1
No Agreement	4
Closed: Program Not Completed	255

\*5 outcomes were marked "other."

Mediation*	
Temporary Loan Modification (TPP)	105
Agreement: Retention	23
Agreement: Relinquishment	16
No Agreement	145
Closed: Program Not Completed	46

\*6 outcomes were marked "other."

### Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
74	94	54

# 19<sup>th</sup> Judicial Circuit

## Participant Satisfaction - 2017

### Pre-Mediation

#### Homeowner Survey (n = 36)

Understand Options Better	100%
Understand How To Work with Lender	100%
Satisfied Overall	100%

### Mediation

#### Party Survey (n = 129)

Satisfied with Outcome	91%
Satisfied Overall	96%
Process was Fair	100%

#### Attorney Survey (n = 72)

Satisfied with Outcome	94%
Satisfied Overall	97%
Process was Fair	100%

# 20<sup>th</sup> Judicial Circuit (St. Clair County)

## Overview – From Program Start

<b>Program Start Date</b>	January 14, 2014
<b>Entry Process</b> (submit request within 30 days of service or order by the court)	Homeowners receive a mediation request form and financial questionnaire with their summons. They must submit the request to the St. Clair County Circuit Clerk's Office in order to participate in the program.
<b>Pre-Mediation Process</b> (30 days from request to first pre-mediation session, 45 days from first to second session)	Program staff conduct a phone orientation and then schedules the first pre-mediation session with both the homeowner and the lender. These sessions, conducted by the program coordinator, focus on documents and negotiating possible options. By rule, 3 sessions are permitted, but additional sessions may be conducted if both parties agree.
<b>Mediation Process</b> (no deadline for first session)	If no agreement is reached in pre-mediation and the homeowner is interested in exploring options, the case is referred to mediation. Three mediation sessions are allowed.
<b>Closure</b>	A case is closed when the homeowner doesn't comply with program rules or voluntarily withdraws, the case is resolved, or there is no agreement. The case remains open during the temporary payment plan trial period.

### Status of Cases Through 6/30/17

Foreclosures	2,557
Contacted/Referred	452
Entered Program	363
Closed	325
Pending	38

### Outcomes of Closed Cases

Temporary Loan Modification (TPP)*	8
Agreement: Retention	105
Agreement: Relinquishment	15
No Agreement	119
Program Not Completed	78

\*These cases are technically open and are being monitored until the end of the trial period, or have closed before the trial period ended.

# 20<sup>th</sup> Judicial Circuit Participation by Year

**Participation dropped slightly in 2017.**

## PARTICIPATION

Year	Filed	Contacted	Entered
2014	730	156	116
2015	733	106	82
2016	709	127	111
2017	385	64	54
<b>Total</b>	<b>2,557</b>	<b>452</b>	<b>363</b>

## % OF ELIGIBLE FORECLOSURES

Year	% Contacted	% Entered
2014	21%	16%
2015	14%	11%
2016	18%	16%
2017	17%	14%
<b>Total</b>	<b>18%</b>	<b>14%</b>

# 20<sup>th</sup> Judicial Circuit

## Outcomes by Year Case Closed

	Retention	Relinquishment	No Agreement	Program Not Completed	Total
2014	30	4	26	11	71
2015	44	8	34	17	103
2016	26	2	44	37	109
2017	13	1	15	13	42
<b>Total</b>	<b>113</b>	<b>15</b>	<b>119</b>	<b>78</b>	<b>325</b>

**After dropping in 2016, the percentage of participating homeowners who kept their homes rose to almost 1 in 3 in 2017**

	Retention	Relinquishment	No Agreement	Program Not Completed
<b>2014</b>	41%	6%	37%	15%
<b>2015</b>	43%	8%	33%	16%
<b>2016</b>	24%	2%	39%	33%
<b>2017</b>	31%	2%	36%	31%
<b>Total</b>	33%	5%	37%	23%

# 20<sup>th</sup> Judicial Circuit Outcomes by Stage

Pre-Mediation*		Mediation	
Referred to Mediation	2	Temporary Loan Modification (TPP)	0
Temporary Loan Modification	63	Agreement: Retention	1
Agreement: Retention	48	Agreement: Relinquishment	0
Agreement: Relinquishment	15	No Agreement	7
No Agreement	111	Closed: Program Not Completed	0
Closed: Program Not Completed	76		

\*2 outcomes were marked "other."

## Average Days in Program

Total in program – all cases	In program – completed	In program – not completed
112	126	68

# 21st Judicial Circuit (Kankakee County)

## Overview – From Program Start

<b>Program Start Date</b>	October 1, 2013
<b>Entry Process</b> (need only to appear for pre-mediation conference)	Homeowners are given a date to attend the pre-mediation screening conference. They must appear in order to enter the program.
<b>Pre-Mediation Process</b> (conference is 42 to 60 days from summons)	The lender’s counsel and the homeowner attend the pre-mediation screening conference with a neutral to discuss what documents need to be exchanged. The neutral then either schedules a status conference to determine if all documentation and review are complete or schedules a formal mediation.
<b>Mediation Process</b> (mediation must be timely)	When ready, the case is mediated by the same neutral who conducted the pre-mediation conference.
<b>Closure</b>	A case is closed when the homeowner doesn’t comply with program rules or voluntarily withdraws, the case is resolved, or there is no agreement. The case remains open until the end of a temporary payment plan trial.

### Status of Cases Through 6/30/17

Foreclosures Filed	894
Referred	894
Entered Program	521
Closed	532*

\*The number of cases filed prior to 2014, which contributed to the number of closed cases, is not available.

### Outcomes of Closed Cases - All

Agreement: Retention*	139
Agreement: Relinquishment	49
No Agreement	112
Program Not Completed	232

\*The program does not track whether loan modifications were temporary or permanent.





# 21<sup>st</sup> Judicial Circuit Participation by Year

The participation rate has declined each year since inception.

## PARTICIPATION

Year	Filed	Contacted	Entered
2014	256	256	173
2015	286	286	168
2016	216	216	113
2017	136	136	67
<b>Total</b>	<b>894</b>	<b>894</b>	<b>521</b>

## % OF ELIGIBLE FORECLOSURES

Year	% Contacted	% Entered
2014	100%	68%
2015	100%	59%
2016	100%	52%
2017	100%	49%
<b>Total</b>	<b>100%</b>	<b>58%</b>

# 21<sup>st</sup> Judicial Circuit Outcomes by Year Closed

	Retention	Relinquishment	No Agreement	Program Not Completed	Total
2014	30	26	33	53	142
2015	48	9	38	87	182
2016	45	8	28	55	136
2017	16	6	13	37	72
<b>Total</b>	<b>139</b>	<b>49</b>	<b>112</b>	<b>232</b>	<b>532</b>

**The program completion rate dropped in the first half of 2017.**

	Retention	Relinquishment	No Agreement	Program Not Completed
<b>2014</b>	21%	18%	23%	37%
<b>2015</b>	26%	5%	21%	48%
<b>2016</b>	35%	4%	23%	39%
<b>2017</b>	22%	8%	18%	51%
<b>Total</b>	26%	9%	21%	44%