

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

GENERAL ADMINISTRATIVE ORDER NO. 2021-07

SUBJECT: COVID-19 MEASURES (17) – MORTGAGE FORECLOSURE CASES

This General Administrative Order is entered pursuant to continuing court measures implemented by Chief Judge Evans for the COVID-19 pandemic.

IT IS HEREBY ORDERED:

In conjunction with General Administrative Order 2020-07 by Chief Judge Timothy Evans, the following procedures will be in effect for the Chancery Division. This order supersedes Chancery Division General Administrative Order 2021-06.

I. FORM OF COURT HEARINGS

- A. *Remote Hearing Protocol to Continue.*** Court hearings in the entire division can continue remotely by videoconference or teleconference. All case management conferences (CMC), routine status hearings, routine motion presentment, dispositive motions, and routine discovery disputes may continue to be heard remotely by Zoom under the Remote Hearing Protocol.
- B. *In-Person Proceedings.*** Should a hearing need to be conducted in-person at the Daley Center, it will must be held in accordance with protocols set forth by Chief Judge Timothy Evans and all public health provisions that may govern in-person gatherings.
- C. *Judicial Discretion.*** If a Judge determines the matter is complex due to the nature of the dispute, the nature of the parties, or severity of the matter, the judge retains the ultimate discretion for requiring the parties to appear in person.
- D. *Combination or Hybrid Proceedings.*** If a courtroom is equipped with the appropriate technical equipment, a judge may authorize a participant (an attorney, party, or witness) to appear virtually while other participants appear in person.
- E. *Designation of Hearing Form in Orders.*** Each court order signed by a judge should contain a future date, time, and whether the proceeding will be conducted in-person or via Zoom. The Zoom information and courtroom number shall be included on every court order with language such as or similar to: “This matter is continued to [date and time] over [Zoom (Meeting ID, Password & call-in number) or in-person] in [courtroom number] in front of [judge’s name].” Each order entered by the Court shall also contain the court’s email and phone number for contact.

II. REMOTE HEARING PROTOCOL

A. *Remote Videoconference (Zoom) Hearing Information.*

1. Recurring Zoom Information. Zoom hearing information and protocol is available on the Circuit Court of Cook County website at <http://www.cookcountycourt.org/> and can also be found in judges' standing orders. Please contact the individual calendar for additional information regarding Zoom hearings as directed below.
2. Individually Scheduled Hearings. The staff for the calendar assigned to a case will notify the parties of the Zoom information or teleconference number if the hearing is scheduled individually or separately from any standing Zoom calls.

B. *Notices for Remote Proceedings.*

1. Zoom Information to be Included. For any matter scheduled to be heard remotely by telephone or videoconference (Zoom), the notice of the proceeding shall contain the Zoom or teleconference information for the hearing. The notice shall be clear that the proceeding will not be conducted in the physical courtroom and shall also contain instructions on how to contact the court to request an in-person hearing should a litigant have technological limitations.
2. Zoom Instructions to be Included for Self-Represented or Unrepresented Litigants. In any case where a self-represented litigant is receiving a notice for a remote proceeding, the notice shall, in addition to the requirements in Section II(B)(1), also include the Zoom instructions attached to this Order in English and Spanish. (*See Attachment 1: Zoom Instructions in English and Spanish.*) The notice language for motions and initial case managements should be in substantially similar form to the following language:

On [Date] at [Time], or as soon thereafter as I may be heard, I will appear before Judge [Name] by Zoom video or telephone conference and present the attached motion. You can attend using the call-in information below.

The Zoom video call information is:

Meeting ID Number: _____

Password (if applicable): _____

The Zoom conference call number is: _____

Attached to this notice is a court-approved flyer explaining how to use Zoom. If you need further assistance, please call the JusticeCorps court information helpline at (872) 529-1093.

If you need to request an in-person hearing, please contact the court at [insert calendar phone and email address].

C. *Entry of Orders.*

1. Timeliness of Orders. Orders shall be entered in a timely manner after a remote hearing. If an attorney or litigant needs to submit an order to a judge after a remote hearing by email, the judge will enter the order with the date on which the order was received. The order may contain the date on which the matter was heard by the Court. The parties shall endeavor to submit the order to the judge or judge’s staff for signature within 24 hours of the hearing date for timely processing by the Court and the Clerk of the Court.
2. Hearings Set by Court Order. Each court order signed by a judge shall contain a future date, time, and whether the proceeding will be conducted in-person or via Zoom. The Zoom information and courtroom number shall be included on every court order with language such as or similar to: “This matter is continued to [date and time] over [Zoom(Meeting ID, Password & call-in number) or in-person] in [courtroom number] in front of [judge’s name].” Each order entered by the Court shall also contain the court’s email and phone number for contact.

D. *Public Access to Court Proceedings.* Any remote proceeding that would be conducted in-person in open court shall be held remotely to allow the same public access. Access to a remote proceeding can be obtained through the court’s website or by contacting the calendar to which the case is assigned. All observers to a proceeding are required to follow the same rules of conduct as in-person court and are subject to removal for disruption of the proceedings. Recording of any proceeding is strictly prohibited. The court also retains discretion to determine when or if any proceeding should be live-streamed to accommodate a high volume of viewers.

E. *Recordings.* Any video recording, audio recording, photographing and/or reproducing of the livestream is strictly prohibited. The recording, publishing, broadcasting or other copying or transmission of courtroom proceedings by video, audio, still photography or any other means is strictly prohibited by Illinois Supreme Court Rule 44 and is subject to the penalties for contempt of court.

III. 298 FEE WAIVER PETITIONS

Applications for the waiver of fees filed pursuant to 735 ILCS 5/5-105 and Illinois Supreme Court Rule 298, will be ruled on in accordance with Illinois Supreme Court Order M.R. 30370 (Aug. 27, 2020, as amended Feb. 9, 2021) as follows:

A. *Petitions to Be Ruled on by Assigned Judge.* Petitions filed shall be ruled upon by the calendar judge assigned to the matter for all calendars in the Chancery Division, including Mechanics Lien/Mortgage Foreclosure section.

B. Hearings.

1. Initial In-Person Hearing Waived. Petitioners will no longer be assigned an automatic 14-day hearing date upon filing of a fee waiver. Each calendar judge will rule on the filed petition and the Clerk’s Office will notify the applicant of the ruling.
2. Hearings Required. If the judge presiding over the matter determines an issue exists that requires a hearing before the judge can rule on the petition, the judge will set the matter for a hearing date no earlier than 21 days from the date of the order. The hearing may be held remotely by video or telephone conference, or in person with the proper protocols in place. The order will contain the directions for attending the hearing.

IV. MORTGAGE FORECLOSURES

Pursuant to Chief Judge Evans’ General Administrative Order 2020-07, all mortgage foreclosure actions may resume in their entirety, including through sale and possession. The following motion practice procedures will be in place for Mortgage Foreclosures, barring further unforeseen circumstances.

A. Emergency Motions. Emergency matters may continue to be heard remotely or in-person at the judge’s discretion.

1. Definition of “Emergency”: Emergency matters are defined as sudden and unforeseen circumstances that may cause injury, loss of life, or damage to property and that requires an urgent response and remedial action
2. Email: Litigants or lawyers may email the calendar for the case to schedule an emergency motion with chambers’ staff. The movant should attach courtesy copies of the emergency motion and notice of emergency motion and any relevant filings to the email. Email addresses for communication are listed in Section H below.
3. Telephone: Litigants or lawyers may contact each judge’s calendar’s e-mail or phone to schedule an emergency motion with chambers’ staff. If the emergency motion is scheduled over the telephone, courtesy copies should be delivered by email to the calendar for the case according to the directions of chambers’ staff.

B. Special Process Server Orders

1. Standing Quarterly Special Process Server Orders Pursuant to GAO 2007-03. Requests for Standing Special Process Server orders entered pursuant to GAO 2007-03 that are entered each quarter may be submitted to the court. Motions and proposed orders may be sent to the following email address:

ccc.mfmlsorders@cookcountyil.gov. Quarterly dates should comport with the following quarters:

- January 1 – March 31
- April 1 – June 30
- July 1 – September 30
- October 1 – December 31

Any proposed orders submitted with a different 3-month time frame will not be entered by the court.

2. Individual Special Process Server Requests. Requests in individual cases for Special Process Servers will be heard by the judge assigned to the case.

C. *Judicial Sales*. All sales in foreclosure actions may resume. All sales that have been continued during the court’s moratorium will require re-notice and re-publication, notwithstanding if the original sale date was less than 60 days from the new sale date.

D. *Mortgage Foreclosure Mediation Program*. By separate General Administrative Order, the court will re-establish the Mortgage Foreclosure Mediation Program.

E. *Parties Encouraged to Communicate About Foreclosure Options and Assistance Options*. The procedures identified in this General Administrative order do not prohibit any plaintiff or plaintiff’s attorney from notifying defendants in pending cases about options available from the lender, such as forbearance options, the mortgage foreclosure mediation program, mortgage assistance programs that may be available, or any other option that may resolve a pending foreclosure. The court encourages the plaintiffs to communicate with defendants about any options that may ultimately lead to a resolution of a pending foreclosure and that do not dispossess a resident or business from the property in violation of this order.

A plaintiff may send a notice to a defendant that includes the options available and how to contact the lender to apply. A notice to a defendant may include, but is not limited to, information as follows:

- Notification that if the defendant has been affected by COVID-19, that the defendant may be eligible for mortgage forbearance other mortgage assistance options that may be made available.
 - An explanation that a forbearance temporarily pauses mortgage payments and accrual of penalty fees;
 - Instructions on how to apply for a forbearance; and
 - Lender contact information.
- Information about how to obtain referrals to other resources for guidance and help, such as:
 - CCLAHD hotline (855-956-5763, www.cookcountylegalaid.org),
 - IHDA Resources (www.ihda.org)

- The Mortgage Foreclosure Mediation hotline (as set forth by separate order),
- Contact information for both the lender and the plaintiff's firm; and
- Any other information that would educate a defendant about possible options from the lender and how to apply for those options.

Any plaintiff who sends a notice to the defendant is encouraged to keep a record of the communication for reference when foreclosures resume in their entirety. A lack of recordkeeping will not prohibit a foreclosure from proceeding.

F. *Triage of Cases & Motion Practice.* The Mortgage Foreclosure Section will triage and hear cases as set forth below, barring further unforeseen circumstances.

1. Case Management Statuses. Plaintiff will provide the Court with a Case Management Status sheet and notice to the Respondent. The Plaintiff shall be excused from appearing on the date the case management is noticed. In the event Defendant appears, the Court shall enter an Order granting Defendant leave to file his/her answer and appearance. After the date for which the case was noticed and the defendant given an adequate time to respond, the Court shall enter an Order either striking the Case Management from the call ("4331") or memorializing the time Defendant was granted to file his/her answer and appearance and shall provide a new status date. The court shall specify if the status is to be held by teleconference, a Zoom meeting, or an in-person proceeding taking into consideration any requests from parties.
2. Motion for Default, Summary Judgment, and Judgment of Foreclosure. The Motions for Default, Summary Judgment, and entry of Judgment of Foreclosure shall be noticed for a date as allowed through e-filing in the Clerk's e-filing system. Plaintiff should file the Default Motion with all required documents required under the Court's standing orders with notice to Defendant(s) and the Defendant(s) given an adequate time to respond. In the event Defendant(s) appear, the Court shall enter an Order of continuance and set the matter for either a teleconference, a video conference or an in Court proceeding. In the event Defendant(s) fail to appear, then the Court may enter a Default Order, Summary Judgment and an Order of Foreclosure within the Court's discretion in the event the Plaintiff has complied with the procedural requirements of the Court. The parties may request a remote proceeding prior to sending out notice by contacting the court.
3. Contested Motions. Defendant(s) shall submit a response to the motion being contested and, where necessary, a briefing schedule to the Court and shall submit courtesy copies of their e-filed briefs on the Court's designated e-mail. The parties shall indicate whether they are requesting or waiving oral argument. A clerk status shall be entered by the Court on a date after all briefs have been filed. On the Clerk Status date, the Court will enter an Order for oral argument or a written ruling date. The Court will determine whether the oral argument shall be held in open Court, via teleconferencing or by videoconference.

4. Receiver Motions. Motions relating to appointment of a receiver or any other matter relating to a receiver may proceed in the normal course. Parties shall schedule the motions for presentment in accordance with each judge’s policies and procedures.
5. Special Representatives. Motions relating to the appointment of a special representative or related to special representative fees may proceed in the normal course. Parties shall schedule the motions for presentment in accordance with each judge’s policies and procedures.
6. Continued Sales. Re-notice and re-publication is required on all sales that were scheduled and continued due to the stay on foreclosures.
7. Order Approving Sale. Motions seeking an order approving a sale and order for possession may proceed in the normal course and can be held remotely or in-person under the judge’s directions or individual standing order.
8. Proposed Agreed Orders. Proposed agreed orders may be filed with the Court at any time. The litigants shall forward a copy of any filed proposed agreed orders to court staff after it is filed. Once the proposed agreed orders are sent to chambers’ staff, the Court will determine how to proceed to rule on such Proposed Orders
9. Courtesy Copies. Courtesy copies may be delivered electronically via email to the email address assigned to the calendar for the case.

G. *Motions Rescheduled for a Later Date.* At any point during the continuing COVID-19 protocols, the Court’s staff may contact counsel or self-represented litigants, as necessary and possible, to reschedule matters for effective administration of cases.

H. *Communications with the Court.* Each order entered by the Court shall contain the court’s email and phone number for contact. Parties and litigants may email the calendar to which a case is assigned for emergency matters, to deliver courtesy copies, or to deliver proposed orders. The email addresses for each mortgage foreclosure calendar are as follows:

Calendar No.	Judge	Email Address
56	Hon. Freddrenna M. Lyle	ccc.mfmlcalendar56@cookcountyil.gov
57	Hon. Joel Chupack	ccc.mfmlcalendar57@cookcountyil.gov
58	[TBD]	ccc.mfmlcalendar58@cookcountyil.gov
59	Hon. Edward N. Robles	ccc.mfmlcalendar59@cookcountyil.gov
60	Hon. William B. Sullivan	ccc.mfmlcalendar60@cookcountyil.gov
62	Hon. Marian E. Perkins	ccc.mfmlcalendar62@cookcountyil.gov

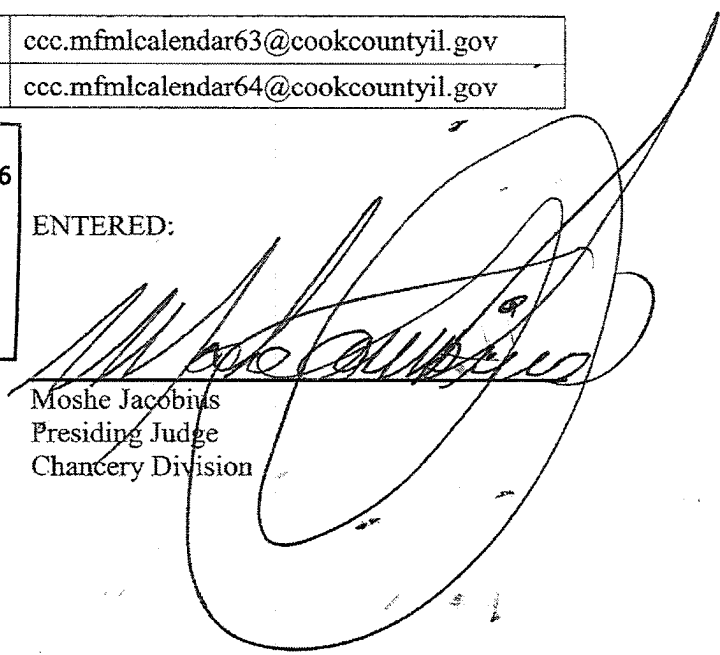
63	[TBD]	ccc.mfmlcalendar63@cookcountyil.gov
64	Hon. Patricia S. Spratt	ccc.mfmlcalendar64@cookcountyil.gov

ENTERED
Judge Moshe Jacobius-1556

OCT 07 2021

IRIS Y. MARTINEZ
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

ENTERED:



Moshe Jacobius
Presiding Judge
Chancery Division

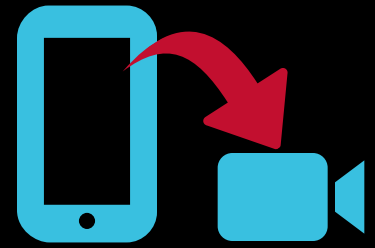
Date: October 7, 2021

ATTACHMENT 1

ZOOM INSTRUCTIONS
(English & Spanish)

ZOOM FROM YOUR PHONE

How to use Zoom on your smart phone
for your remote court hearing



1

GO TO YOUR APP STORE

On iPhones, it is called the App Store. On Androids, it is called Google Play. If the court gave you a link, click the link and follow the instructions.



2

DOWNLOAD THE ZOOM APP

Search for the Zoom Cloud Meetings app in the search bar and download the FREE app called "ZOOM Cloud Meetings."



ZOOM Cloud Meetings
Meet Happy
★★★★★ 965K



3

OPEN THE ZOOM APP

You can open the Zoom app immediately after downloading it by clicking the "Open" button in your App Store or you can open the Zoom app that is now on your phone.

OPEN



4

CLICK "JOIN A MEETING"

You do not need to "Sign Up" or "Sign In" to join a meeting.

Join a Meeting

5

TYPE YOUR INFORMATION AND CLICK "JOIN"

Type in the Meeting ID the court gives you in the box labeled **A**.
Type in your full name in the box labeled **B**.

Cancel Join a Meeting

Meeting ID **A**

Join with a personal link name

Screen Name **B**

Join

6

TYPE THE ZOOM MEETING PASSWORD

Type in the Zoom Meeting Password the court gives you in the box labeled **C** and click "Continue."

Please enter your meeting password

Password **C**

Cancel Continue

7

CLICK "JOIN WITH VIDEO"

You will be automatically asked to connect to video. If you are not asked, look for the camera symbol and click "Start Video."

Join with Video

8

CLICK "JOIN AUDIO" AND CHOOSE "CALL OVER INTERNET" OR "DIAL IN"

You will be automatically asked to connect to audio. If you are not asked, look for the headphones symbol, click "Join Audio," and select "Call Over Internet." "Dial in" requires the phone number the court gives you.

Join Audio Start Video Share Content Participants More

To hear others please join audio

Call Over Internet

Dial in

Cancel

ILLINOIS SUPREME COURT COMMISSION

ACCESS

TO JUSTICE

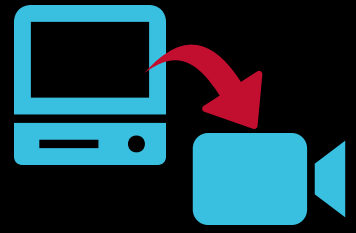
EDUCATION. SUPPORT. EMPOWERMENT.

(08/20)

Flip for Computer Instructions and Tips

ZOOM FROM YOUR COMPUTER

How to use Zoom on your computer or laptop (with a webcam) for your remote court hearing



1

GO TO zoom.us/join

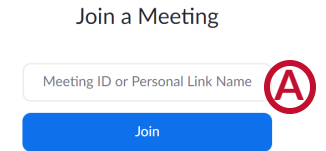
If the court gave you a link, click the link and follow the instructions.



2

TYPE YOUR INFORMATION AND CLICK "JOIN"

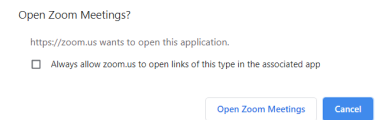
Type in the Meeting ID the court gives you in the box labeled **A** and click "Join."



3

CLICK "OPEN ZOOM MEETINGS"

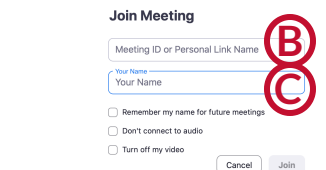
If you don't have Zoom installed on your computer, click on "download and run Zoom" and open the .exe file to install Zoom.



4

TYPE YOUR INFORMATION AND CLICK "JOIN"

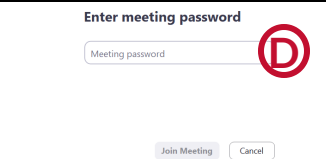
Type in the Meeting ID the court gives you in the box labeled **B**. Type in your full name in the box labeled **C**.



5

TYPE THE ZOOM MEETING PASSWORD

Type in the Zoom Meeting Password the court gives you in the box labeled **D** and click "Join Meeting."



6

CLICK "JOIN WITH VIDEO"

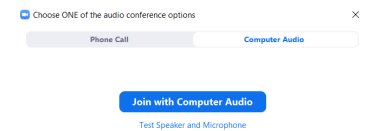
You will see a video preview before you join with video. If you do not want to appear with video, click "Join without Video."



7

CLICK "JOIN WITH COMPUTER AUDIO"

You can test your speaker and microphone by clicking the words under "Join with Computer Audio."



Getting Ready for Your Remote Hearing:

- Check your internet or phone connection.
- Charge your computer or phone. Make sure you have enough minutes.
- Use earbuds or headphones if you can. This makes it easier to hear you speak.
- Look for the microphone symbol to mute and un-mute yourself.
- Keep yourself on mute when your case is not before the judge.
- Use an empty, quiet space where no one will interrupt you and with no background noise.
- Set the camera at eye level. If using a phone, prop it up so your hands are free.
- Pause before speaking in case there is audio/video lag.
- Even if you are at home, remember that a remote hearing is still an official court hearing and you should dress and behave appropriately.

ILLINOIS SUPREME COURT COMMISSION

ACCESS

TO JUSTICE

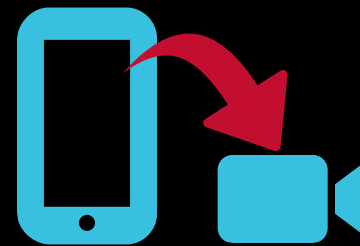
EDUCATION. SUPPORT. EMPOWERMENT.

(08/20)

Flip for Phone Instructions

ZOOM DESDE SU TELÉFONO

Cómo usar Zoom en su teléfono inteligente para su audiencia remota en la corte



1

VAYA A SU TIENDA DE APPS

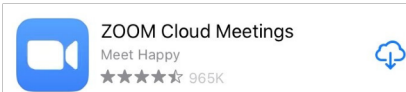
En iPhone, se llama App Store. En Android, se llama Google Play. Si la corte le dio un sitio internet "link," haga clic en el sitio y siga las instrucciones.



2

DESCARGUE EL APP DE ZOOM

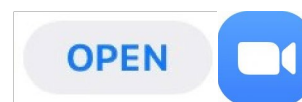
Ponga Zoom Cloud Meetings en la barra de búsqueda de *apps* y descargue el *app* GRATIS llamada "ZOOM Cloud Meetings."



3

ABRA EL APP DE ZOOM

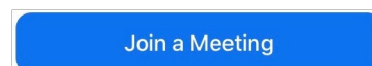
Puede abrir el *app* de Zoom inmediatamente después de descargarla haciendo clic en el botón "Open" de su tienda de *apps*, o puede abrir el *app* de Zoom que está instalada ahora en su teléfono.



4

HAGA CLIC EN "JOIN A MEETING"

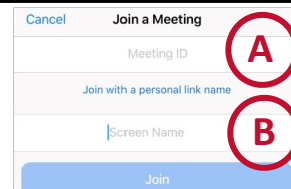
No hace falta "Sign Up" (registrarse) o "Sign In" (iniciar sesión) para participar en una reunión.



5

PONGA SUS DATOS Y HAGAN CLIC EN "JOIN"

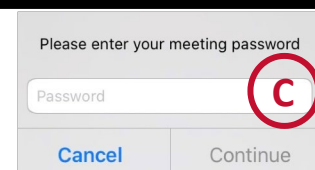
Ponga el número asignado a su reunión (Meeting ID) que le dio la corte en el recuadro **A**. Ponga su nombre completo en el recuadro **B**. Primero su nombre y luego su apellido.



6

PONGA LA CONTRASEÑA DE LA REUNIÓN DE ZOOM

Ponga la contraseña (Zoom Meeting Password) que le dio la corte en el recuadro **C** y haga clic en "Continue."



7

HAGA CLIC EN "JOIN WITH VIDEO"

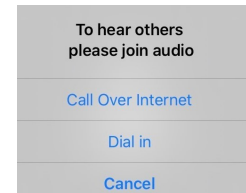
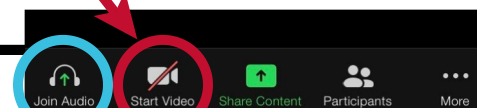
Recibirá automáticamente un mensaje para conectar el video. Si no ve el mensaje, busque el símbolo de la cámara y haga clic en "Start Video."



8

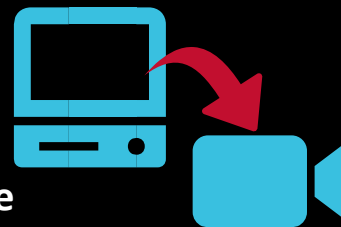
HAGA CLIC EN "JOIN AUDIO" Y SELECCIONE "CALL OVER INTERNET" O "DIAL IN"

Recibirá automáticamente un mensaje para conectar el audio. Si no ve el mensaje, busque el símbolo de audífonos, haga clic en "Join Audio" y seleccione "Call Over Internet." La opción "Dial in" requiere el número de teléfono que le dio la corte.



ZOOM DESDE SU COMPUTADORA

Cómo usar Zoom en su computadora o portátil (con webcam) para su audiencia remota en la corte



1

VISITE zoom.us/join

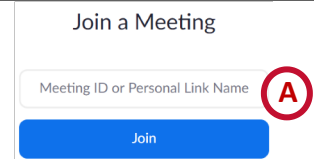
Si la corte le dio un sitio internet “link,” haga clic en el sitio “link” y siga las instrucciones.



2

PONGA SUS DATOS Y HAGA CLIC EN “JOIN”

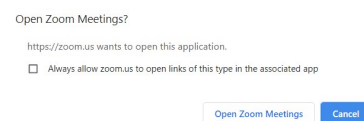
Ponga el número asignado a su reunión (Meeting ID) que le dio la corte en el recuadro **A** y haga clic en “Join.”



3

HAGA CLIC EN “OPEN ZOOM MEETINGS”

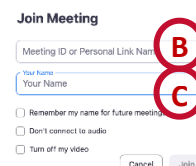
Si no tiene Zoom instalado en su computadora, haga clic en “download and run Zoom” (descargar y ejecutar Zoom) y abra el archivo .exe para instalar Zoom.



4

PONGA SUS DATOS Y HAGA CLIC EN “JOIN MEETING”

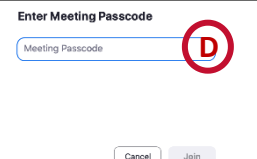
Ponga el número asignado a su reunión (Meeting ID) que le dio la corte en el recuadro **B**. Ponga su nombre completo en el recuadro **C**. Primero su nombre y luego su apellido.



5

PONGA LA CONTRASEÑA DE LA REUNIÓN DE ZOOM

Ponga la contraseña (Zoom Meeting Password) que le dio la corte en el recuadro **D** y haga clic en “Join Meeting.”



6

HAGA CLIC EN “JOIN WITH VIDEO”

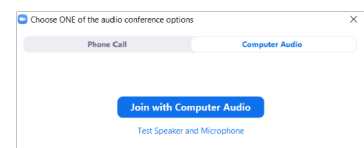
Verá una vista previa de video antes de conectar el video. Si no quiere aparecer con video y solo con voz, haga clic en “Join without Video.”



7

HAGA CLIC EN “JOIN WITH COMPUTER AUDIO”

Puede probar su volumen y micrófono haciendo clic en las palabras debajo de “Join with Computer Audio.”



Cómo prepararse para su audiencia remota:

- Verifique su conexión de internet o teléfono.
- Cargue su computadora o teléfono. Verifique que tenga minutos suficientes.
- Si puede, use audífonos o auriculares. De esa manera será más fácil escuchar lo que está diciendo.
- Haga clic en el símbolo del micrófono para activar y desactivar el modo silenciar.
- Instálese en un espacio desocupado y tranquilo donde nadie lo interrumpa y que no hayan ruidos de fondo.
- Coloque la cámara al nivel de sus ojos. Si va a usar un teléfono, apóyelo en un soporte para dejar las manos libres.
- Haga una pausa antes de hablar en caso que haya una demora en el audio/video.
- Aunque esté en su casa, recuerde que una audiencia remota sigue siendo una audiencia oficial de la corte. Vístase y compórtese adecuadamente, como si estuviera en la corte.

