

GENERAL CHANCERY CALENDAR 4 STANDING ORDER

Judge Alison Conlon, Daley Center Room 2408

ccc.chancerycalendar4@cookcountyil.gov

I. PAPERLESS CHAMBERS

Calendar 4 is paperless. All courtesy copies must be sent by email to **ccc.chancerycalendar4@cookcountyil.gov**. If the Court requires paper copies, the Court will notify you. Please **do not** submit any paper copies unless specifically requested to do so.

II. IF YOU NEED A LAWYER

If you have a case on this call and you need **advice on procedure**, you can call **JusticeCorps** (872-529-1093). A JusticeCorps information sheet is also attached below.

If you need legal advice, and you believe you may qualify financially for legal aid, please contact:

- **CARPLS** (312-738-9200) for free legal advice and perhaps a referral for more help;
- **Illinois Legal Aid Online** (www.illinoislegalaid.org) to learn more about the law and apply for free legal aid; and/or
- **Chicago Volunteer Legal Services (CVLS)** (www.cvl.org or 312-332-1624) to inquire about possible representation.

If you need legal advice but do not qualify for legal aid, you can contact the **Justice Entrepreneurs Project (JEP)** (www.jepchicago.community.lawyer or 312-546-3282) to inquire about possible representation.

III. STATUS AND CASE MANAGEMENT CALL

Time: Statuses and case management calls are heard daily at **9:30 a.m.** unless otherwise specified.

Motions at status & case management calls: Parties are welcome to present motions on a previously set status or case management date, as long as they email a courtesy copy to the Court at least two days in advance of the date. In other words, “piggybacking” motions to status conferences is acceptable.

IV. MOTION CALL

Time. Motions are heard at **10:00 a.m.** This applies to all motions that are not routine, nor emergency, nor piggybacked, nor otherwise allowed in the Court's discretion. Such motions may well be scheduled at a different time in accordance with this Order.

Courtesy copies. A courtesy copy must be emailed to Calendar 4 at **ccc.chancerycalendar4@cookcountyil.gov** at least two full court days prior to the date on which the motion is noticed. Failure to do so may result in the motion being stricken.

Contested Motions and Hearings. When a briefing schedule is set on a contested motion, the Court will also set a clerk's status for the fully briefed motions at 9:15 a.m.

- **The clerk's status date is conducted entirely by email, with no need to appear in person or by Zoom.**
- At or shortly before 9:15 a.m. on the clerk's status date, the movant shall submit to the Court by email, with a copy to all opposing parties, file-stamped PDF copies of all of the briefs and any exhibits, including a copy of the operative pleading. The Court will respond with a few proposed hearing dates. All parties are expected to respond timely about the preferred date and then submit an agreed proposed order to that effect.

V. PROPOSED ORDERS FOLLOWING ANY COURT APPEARANCE

After any appearance in Court, the Parties must email an agreed proposed order to **ccc.chancerycalendar4@cookcountyil.gov**. The proposed order must:

- Be in Word format, so the Court can make changes if needed.
- Identify the parties that appeared and did not appear (if any).
- State the date of the appearance.
- Include the following information for remote appearances, unless otherwise ordered:
 - Zoom Meeting ID Number: 974 5431 3798
 - Password: 501494
 - Additional information regarding accessing the virtual courtroom can be found on Judge Conlon's page on the Court's website.

In addition, it is helpful for administrative purposes to name the proposed order document with the first party's name and the date of the Court appearance.

VI. ROUTINE MOTIONS

Time: Routine motions are set daily at **8:45 a.m.**

Definition: A “routine motion” is a motion seeking non-extraordinary, non-substantive relief, such as a proposed briefing schedule, re-scheduling, or other procedural relief (such as voluntary dismissal or default for failure to appear or plead). The Court may decline to entertain any motion as routine.

Objections: Any party may object to a routine motion. Objections may be made by a written filing or by email before 8:45 a.m. on the noticed date. The Court may, in its discretion, rule on the motion notwithstanding any objection. If the Court declines to entertain a motion as routine, the movant must re-notice the motion for the regular motion call and present it then.

Procedure. A routine motion should be noticed for 8:45 a.m. on any court day. A copy of the notice, motion, proof of service, and draft order must be emailed to ccc.chancerycalendar4@cookcountyil.gov at least two full court days before the hearing date. The motion should be filed but not spindled. The movant should not appear at 8:45 a.m. on the hearing date. Unless the Court’s staff notifies the movant otherwise, stamped copies of the Order will be emailed to the parties as soon as practicable by the Circuit Court Clerk.

Motion for Special Process Server. Proposed orders must contain the license number of the proposed special process server.

Agreed Orders. Agreed orders may be submitted to the Court by email at least **three** business days before the scheduled court date. The Court cannot guarantee that the Agreed Order will be approved, entered, and sent to the parties by the Clerk of Court by the scheduled court date. Accordingly, if the parties do not receive an agreed order before the scheduled court date, they must appear on the scheduled date.

VII. DEFAULT

A. Holding a Party in Default: The Court encourages parties to notice a motion to hold a party in default (for failure to appear or plead) as a routine motion. The Court requires a courtesy copy of:

- o The notice, summons showing service, and motion;
- o An attorney’s signed and certified statement that the Clerk’s electronic docket indicates that the defendant has not filed an appearance or answer; and
- o A military affidavit, if the default is against a person.

B. Obtaining a Default Judgment: The Court reminds the parties of the difference between holding a party in default and entering a default judgment against a party. The Court requires each to be obtained separately and not simultaneously. In other words, a party must first be held in default, then given notice of a separate prove-up date for a default judgment.

This Calendar does **not** entertain motions for default judgments as routine matters. Instead, prove-up hearings for default judgments should be noticed for 10:00 a.m.

With the motion for default judgment, the movant must provide:

- The notice, summons showing service, and motion for default judgment;
- A draft judgment order specifying the precise relief sought;
- A copy of the operative complaint; and
- Any other materials supporting the movant's burden of showing a *prima facie* case for the relief sought. See 735 ILCS 5/2-1301(d). Such materials include, without limitation, a Verified Complaint or other evidence provided by affidavit.

VIII. FORMAT REQUIREMENTS

- **Page Limits.**
 - No memorandum in support of a filing, including memoranda in support of a motion and motions and briefs in support of and in opposition to administrative review, may exceed 15 pages without specific prior leave of Court, nor may a response.
 - No reply memorandum may exceed 7 pages without specific prior leave of Court.
 - Motions to exceed page limits are disfavored. This limit may not be evaded by font size, margin manipulation or otherwise. A motion for extension of page limits is **not** a routine motion.
- **Exhibits.** If a deposition is cited, a copy of the entire transcript must be provided, with an index and exhibits.
- **Case Citations.** Online citations should be to Lexis (which the Court has), not Westlaw (which the Court does not have). If a party has access to Westlaw only, the party must append copies of key cases to its brief for the Court's review.

IX. EMERGENCY & TRO MOTIONS

See Calendar 4's "**Emergency Motion Procedures**" available on the Court's website (<https://www.cookcountycourt.org/Judges-Pages/Conlon-Alison>).

X. MOTIONS TO RECONSIDER

Parties contemplating a motion to reconsider must consider the pertinent standard. *See, e.g., Gardner v. Navistar Int'l Transportation Corp.*, 213 Ill.App.3d 242, 248-49 (4th Dist. 1991). No response to a motion to reconsider will be accepted unless requested by the Court. All other procedures apply.

XI. FEE PETITIONS

Fee petitions filed under seal or for in camera review will not be accepted without prior leave of Court. (This includes In re Special States Attorney fee petitions.)

XII. MOTIONS TO CONSOLIDATE

Such motions are heard only by the Presiding Judge of the Chancery Division and must be presented on the Presiding Judge's calendar.

XIII. DISCOVERY

Rule 201(k). Before bringing any discovery dispute to the Court, the parties must confer meaningfully under Supreme Court Rule 201(k).

XIV. SETTLEMENT CONFERENCES

Judge Conlon will gladly facilitate settlement conferences when all parties sincerely believe it would be fruitful. As she is the ultimate fact-finder for this Calendar, Judge Conlon generally enlists other willing colleagues to lead settlement conferences for her cases (and she does likewise for their cases). Parties may request a settlement conference at any time by emailing Court chambers.

Appearance: All counsel and clients shall be present unless excused by order of Court.

Presettlement Conference Demand and Offer: A settlement conference is more likely to be productive if, before the conference, the parties have had a written exchange of their settlement proposals. Accordingly, at least ten (10) days prior to the settlement conference, plaintiff's counsel shall submit a written itemization of damages and settlement demand to defendant's counsel with a brief explanation of why such a settlement is appropriate. No later than five (5) days prior to the settlement conference, defendant's counsel shall submit a written offer to plaintiff's counsel with a brief explanation of why

such a settlement is appropriate. On occasion this process will lead directly to a settlement. If settlement is not achieved, plaintiff's counsel shall deliver electronic copies of these letters to the Calendar 4 email address [ccc.chancerycalendar4@cookcountyil.gov] no later than two (2) days before the conference. **Do not file copies of these letters in the Clerk's Office.**

Pretrial Memoranda: Not less than two (2) days before the conference, each party shall email to Calendar 4 and all counsel of record, a pretrial memorandum. **Do not file the pretrial memorandum in the Clerk's Office.** The pretrial memorandum shall contain:

1. An identification of the parties and their respective attorneys (including phone number(s)).
2. A listing of all causes of action, including all counterclaims, cross claims, third party actions, etc.
3. A statement of facts and a statement of facts in dispute.
4. The issue(s) of law in the case and any issue(s) of law in dispute.
5. The actual claim(s) of plaintiff and/or defendant.
6. A statement of all amounts owed, and all amounts paid and proof thereof, if such exists, including but not limited to copies of invoices, receipts, and other proof of outstanding balance and payment, as well as any non-monetary requests for relief.

The parties may, by mutual agreement, submit a joint pretrial memorandum in lieu of separate filings, and may submit agreed memoranda, stipulations and/or other material that may assist in the resolution of factual and/or legal issues prior to trial.

Parties shall email to Calendar 4 [ccc.chancerycalendar4@cookcountyil.gov] electronic copies of pretrial memoranda and all operative complaints, counterclaims and affirmative defenses no later than two (2) days before the conference.

Involvement of Clients: For many clients, this will be the first time they have participated in a court supervised settlement conference. Therefore, counsel shall discuss the points contained herein with the client prior to the settlement conference. The client or client's authorized representative must be present at the settlement conference.

Inadmissibility: Statements made by any party during the pretrial will not be admissible at trial. Parties are encouraged to be frank and open in their discussions. The parties and counsel will address each other with courtesy and respect.

XV. PRE-TRIAL CONFERENCE

Timing. Generally, the Court sets a pre-trial conference two weeks before the trial date, subject to further order.

Exchange of Exhibits. At least seven (7) days before the scheduled pre-trial conference, the parties must exchange copies of their proposed exhibit lists with exhibits attached. Each proposed exhibit list must have a cover sheet showing a table with columns for (1) the exhibit number, (2) the description, (3) whether the parties stipulate to the foundation, (4) whether there are any other objections to the admissibility of the exhibit and if so, the nature of the objection, and (5) whether the exhibit was admitted or not. At least two days before the pre-trial, each party must submit a courtesy copy of said list and cover sheet with every column completed except whether the exhibit was admitted or not admitted. This requires at least one meaningful conference or more by the parties before the courtesy copy due date.

Additional Pre-Trial Materials. Parties must also submit courtesy copies of the following by email at least two (2) days before the pre-trial conference:

- A complete set of all motions *in limine*.
- Full transcripts of any evidence depositions which any party will use, marked to identify what portions will be offered at trial.
- A complete, pre-marked set of all exhibits, including an exhibit list which identifies each exhibit and states whether (and, if so, why) any party objects to it. Parties should avoid duplication and should stipulate to foundation wherever possible.
- A complete witness list, specifying who will, and who may, be called by each party. Failure to disclose a witness will usually result in barring the witness.

XVI. TRIALS

Firm. Trial dates are firm. Normally, trial days begin at 11:00 a.m., following completion of the morning status and motion call, and end at or around 5:00 p.m.

Motions to continue. Motions to continue trial are disfavored and should be made, if at all, well in advance and accompanied by affidavits or other material demonstrating a specific good cause for the continuance in accordance with applicable rules.

Court reporters. Court reporters should be provided by the parties. If a trial is not reported, counsel will have to prepare a Bystanders' Report for any appeal. The Court will review any such document but will not itself prepare the document.

Admission of documents into evidence. This Calendar does not permit any party to "dump" exhibits into evidence at the conclusion of its case or at any time. If a party

seeks to admit a document into evidence, even by stipulation or without objection, the party still must ask for its admission while presenting its case and before it rests. The Court has the right to request witness testimony about the document notwithstanding its agreed admissibility. Accordingly, the expected practice is for parties to present exhibits to witnesses, inform the Court of the exhibit's agreed-upon admissibility, and move for admission of the exhibit at that time, so that the witness can provide any further foundational or other testimony that the Court may need. The Court will generally not allow exhibits to be moved into evidence at the conclusion of a party's presentation without presentation to witnesses.

XVII. INTERPRETERS

To request an interpreter, please email ccc.chancerycalendar4@cookcountyil.gov at least two (2) days prior to the hearing, indicating what language(s) are needed. Additionally, parties may provide their own interpreters.

XVIII. PRELIMINARY INJUNCTION HEARINGS

The purpose of a preliminary injunction hearing is not to rule on the outcome or merits of the case; instead, it is a hearing to determine whether facts exist that require a temporary intervention to prevent irreparable harm while the parties prepare for a trial on the merits. Because a preliminary injunction hearing is an evidentiary hearing, the Court expects a preparation level similar to that of a trial.

XIV. PROPOSED CLASS SETTLEMENTS

When parties submit joint motions to approve proposed class settlements, they must complete and include the below chart with their submission. Parties should also be prepared to answer questions about the proposed settlement, including those stated below the chart. Parties may request a fillable version of the below chart by emailing Calendar 4.

PRELIMINARY APPROVAL CHART

Instructions: When parties submit joint motions to approve proposed class settlements, they must complete and include this chart with their submission. Parties should also be prepared to answer questions about the proposed settlement, including those stated below.

<i>Settlement fund¹</i>	
<i>Number of class members</i>	
<i>Attorneys' fees²</i>	
<i>Litigation costs</i>	
<i>Administrative costs³</i>	
<i>Incentive award(s)</i>	
<i>Net class member recovery</i>	
<i>Is there a reverter or clear sailing provision?</i>	

Questions:

What is the nature of defendant's business? How much turnover is there of class members? How many still work for the defendant?

What are the primary languages of class members?

How confident are the parties in the quality of the contact information for class members? What will be done to confirm contact information (i) before notice and (ii) if notice is unsuccessful?

How will notice be sent to the class members?

Will class members need to opt in? If so, what response rate do you anticipate based on your experience?

What will happen to unclaimed funds?

¹ Stated as a dollar amount

² Stated as a percentage of settlement fund

³ Stated as an estimate or "not to exceed" quote

DO YOU HAVE QUESTIONS ABOUT COURT?

CALL THE COURT
INFORMATION HELPLINE

(872) 529-1093



9:00 am to 4:00 pm
Monday through Friday



Staffed by Illinois
JusticeCorps volunteers

Helpline volunteers **CANNOT** give legal advice, but they **CAN** provide information about:



COURT OPERATIONS & PROCEDURES

How court operations have changed as a result of the pandemic
Filing paperwork, applying for fee waivers, and scheduling court dates
Basic procedural questions about court operations

VIRTUAL COURT APPEARANCES

How to use Zoom to attend court online instead of in person
Figuring out which Zoom meeting IDs and passcodes to use for court
Downloading, logging in, and using Zoom for virtual court



PAPERWORK & ELECTRONIC FILING (E-FILING)

How to find court paperwork online or in person at the courthouse
Finding the correct court paperwork, including fee waiver applications
Submitting paperwork to court electronically or in person with an exemption

OTHER RESOURCES AVAILABLE TO HELP

Making a request for an interpreter or an accommodation for a disability
Contacting a clerk or member of court staff for information about a case
Referrals to other resources available to help with court cases



DO YOU WANT TO TALK TO A LAWYER?

If you cannot afford a lawyer, you may be able to get **free legal help**



Call the **CARPLS Legal Aid Hotline** to talk to a lawyer for free legal advice and referrals for more help at **(312) 738-9200**



Visit **Illinois Legal Aid Online** to learn more about the law and apply for free legal aid at **www.illinoislegalaid.org**