

EMERGENCY MOTIONS. The Court considers two categories of emergency motions: Motions for Temporary Restraining Orders (“TRO”), and non-TRO Motions.

WHAT IS A REAL EMERGENCY? Under applicable rules, the Court retains discretion in determining what is a true emergency. A TRO is a drastic emergency remedy that may be issued only in exceptional circumstances and for a brief duration. *Abdulhafedh v. Secretary of State*, 161 Ill. App. 3d 413, 416 (2d Dist. 1987). It is only available “where an extreme emergency exists....” *In re Marriage of Eckersall*, 2014 IL App (1st) 132223, ¶21. Applicable rules provide further guidance to define an Emergency as a situation which (i) was not reasonably foreseeable or avertable, and (ii) will result in irreparable damage to a party if relief is not obtained before the party can present a properly-noticed motion on the regular motion call (or on a date the case is up for some other reason). Emergency matters are further 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,” (GAO NO. 2020-13 pg. 3). **For all Emergency Motions, TRO or non-TRO, the Movant has the burden to demonstrate to the Court that there is a true Emergency.**

TRO MOTION PROCEDURE. A party wishing to present a TRO motion should deliver a copy of the motion papers (including the Complaint), marked “EMERGENCY,” to the Court via email, at CCC.ChanceryCalendar4@cookcountyil.gov. Please note that courtesy copies sent to the Court **after 4:30 p.m. on a date certain will be reviewed the next day.** Courtesy copies sent **after noon will never be set for a same-day hearing.** Except in extremely unusual and compelling circumstances, demonstrated clearly and convincingly by the movant, **all parties must be cc’d.** The Court may ask non-movant to respond. If the Court determines that the papers demonstrate a true emergency, Judge Conlon’s law clerks will contact counsel with a hearing date and time. **The Court may, after reviewing the motion, decline to treat a TRO motion as a genuine “emergency” and direct the movant to notice the motion on the regular motion call (which is 10:00 a.m. on any day of the week).¹**

NON-TRO MOTION PROCEDURE: A non-TRO “emergency” motion must be filed and noticed for the regular motion call but need not be spindled. A complete set of the motion papers, marked “EMERGENCY,” must be emailed to the Court via email, at CCC.ChanceryCalendar4@cookcountyil.gov by no later than 2:00 p.m. on the court day before the hearing date. Except in extremely unusual and compelling circumstances, demonstrated clearly and convincingly by the movant, all parties should be cc’d. That will allow the Court to decide whether the motion is really an “emergency” and, if not, to notify counsel so that they can avoid an unnecessary court appearance.

¹ Since SCR 183 allows the Court to extend the time for most acts even after the original time has expired, the mere expiration of time is typically not “irreparable damage.” An exigency resulting from the movant’s own inaction is similarly almost never an “emergency.”