

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
DOMESTIC RELATIONS DIVISION**

ADMINISTRATIVE ORDER: 2022 D 1

SUBJECT: Uniform Procedures for Pending Cases in the Domestic Relations Division

The purpose of this Administrative Order is to establish consistent procedures in the Domestic Relations Division.¹ This Order details procedures and guidance to be followed together with those contained in the existing General and Administrative Orders entered by the Court.²

This Administrative Order is subject to change without prior notice in accordance with General Orders from the Illinois Supreme Court, the Chief Judge of the Circuit Court of Cook County or the Presiding Judge of the Domestic Relations Division.

In the event of any inconsistency between this Administrative Order and any order entered in a particular case, the order of the case shall control.

EFFECTIVE IMMEDIATELY IT IS HEREBY ORDERED THAT:

1. REMOTE & IN-PERSON PROCEEDINGS

In pursuit of the best practices for conducting court proceedings, case participants shall be permitted to attend court via the Circuit Court's available remote appearance technology without any advanced approval in non-evidentiary proceedings, unless otherwise directed by the judge presiding. With regard to evidentiary proceedings, all persons physically present in court shall be preferred, however the judge presiding may determine it is appropriate for some or all participants to appear remotely under his or her discretion.

2. CIVILITY & DECORUM

The Court expects all persons appearing before it to adhere to the standards set out in Cook County Circuit Court Rule 13.11.

Further, all attorneys, litigants, witnesses, and other remote court proceeding participants shall adhere to the following unless the judge hearing your matter grants specific, temporary permission to behave otherwise:

- A. No one other than the judge, court personnel, or a certified court reporter shall take screenshots, record, broadcast, or otherwise make an audio or visual record of the proceeding. Litigants and their attorneys are permitted to take notes of the proceeding as they would if the proceeding were conducted in person.

¹ All persons and attorneys should familiarize themselves with Cook County Circuit Court Rule 13.

² Please check the Circuit Court of Cook County website www.cookcountycourt.org for the most current information.

- B. Only the judge or court personnel shall be the designated host of any remote court proceeding. If someone other than the judge or court personnel has set-up the remote court proceeding, he or she shall transfer the host capabilities of the remote proceeding to the judge or to court personnel at the start of the proceeding.
- C. At all times, the judge or court personnel shall be in total control of the means of recording, regardless of platform, and may not delegate that control to any attorney, party, or witness to the proceeding. If the hearing is recorded electronically by the judge, court personnel or a certified court reporter, all participants will be notified at the outset of the hearing that it is being recorded and the procedure for accessing the recording or the official record.
- D. No minor child is permitted to be present during any portion of the proceeding (e.g., in the room or within earshot of the device used by the participant) unless the court finds it is impracticable to enforce this Paragraph and no reasonable alternative can be utilized.
- E. At the commencement of every hearing, each participant shall identify every person in their presence as well as if/when anyone enters or leaves the room in which the participant is located.
- F. If an order to exclude witnesses has been entered, it is each party's obligation to ensure the order is obeyed. The sanction for failure to do so may include, but not be limited to, barring the testimony of the witness and exercise of the Court's contempt power.
- G. In light of the inherent difficulties in conducting hearings remotely, every participant shall use their best efforts to be courteous to one another, including but not limited to the following:
 - 1. Not speak over one another;
 - 2. Ensure to the best of their ability that they are in camera range at all times;
 - 3. Minimize background noise; and
 - 4. Silence their phones during the hearing.
- H. No communication of any kind is permitted between a witness, including a party, during his testimony (from the time the witness takes the stand until the witness is excused) and any other person by any means (e.g., verbally, texts, email, use of private chat functions, etc.).

3. COMMUNICATIONS WITH THE COURT

- A. Communication with a judge's clerk or court staff is allowed only for purposes of transmitting of orders, administrative, procedural, or scheduling matters and shall be sent to the email addresses listed on the assigned email roster reference list.³ If a Self-

³ Please check the Circuit Court of Cook County website www.cookcountycourt.org for the most current information.

Represented Litigant does not have access to e-mail, they may call the court at the designated telephone number that is located on the roster reference list.

- B. All email communications with a judge’s clerk or court staff must have a subject line that begins with the case name, case number, and calendar number or letter.
- C. All email communications with a judge’s clerk or court staff must include all counsel of record or self-represented litigants. The only exception is if a self-represented litigant has no email address. In that case, the sender must establish what steps were taken to ensure that the other party was made aware of the communication with the Court.
- D. Unless directed otherwise by the judge hearing your matter, all communications with the judge hearing your matter must be made in the form of a motion, petition, or pleading, properly noticed, and served on opposing counsel (or the opposing party, if a SRL).
- E. Any email with a judge’s clerk or court staff or with the judge hearing your matter that includes information that may be construed as impermissible *ex parte* communication may be deleted and no response will be sent. Repeated violations may result in sanctions.

4. GENERAL STRUCTURE OF DAILY CALL

A. PRELIMINARY CALENDARS

(Calendars C, D, E)

7:30am—9:00am	Discretionary Pretrial Conferences, Case Management Conferences, Hearings, Other (only if scheduled in advance by the judge presiding)
9:00am—10:30am.....	Emergency Motions; Status Reports; Discretionary Matters; Motions (please refer to the Standing Order of the judge presiding for specific time slots)
10:30am—4:30pm.....	Set Hearings; Pretrial Conferences, Case Management Conferences

B. TRIAL CALENDARS

(Calendars 31, 32, 33, 34, 35, 41, 42, 43, 44, 45, 51, 52, 53, 54, 55)

Trial Calendars will have the following schedules:

1. Prove up day (once per week);
2. Post-decree day (once per week);
3. State day (twice per month);
4. Hearings; Pretrial/Case Management Conferences, Trials, Assigned Matters; Discretionary Matters (3 days per week)

Please refer to the Standing Order of the judge presiding for specific dates.

C. INDIVIDUAL CALENDARS

(Calendars 11, 21, 22, 23, 24, 61, 62, 63, 64, 82, 84, 85, 88, 89, 94, 95, 97, 98, 99); (Calendars G, H, V, W, X, Y, Z)

7:30am—9:00am	Discretionary Pretrial Conferences, Case Management Conferences, Hearings, Other (only if scheduled in advance by the judge presiding)
9:00am—10:30am	Emergency Motions; Status Reports; Discretionary Matters; Motions; Prove Ups (please refer to the Standing Order of the judge presiding for specific time slots)
10:30am—4:30pm.....	Set Hearings; Pretrial Conferences, Case Management Conferences, Trials, discretionary matters

5. COURTESY COPY RULE

- A. Unless otherwise ordered, courtesy copies of any filings and/or exhibits are required to be delivered at least five (5) court business days before the scheduled hearing date via e-mail (unless directed otherwise by the Court) by the moving party.
- B. Unless otherwise ordered, courtesy copies shall be delivered in electronic form and must be immediately printable without passcode or security restriction. No Zip files or Dropbox-type links are permissible unless otherwise allowed by the judge hearing the matter. The Court reserves the right to request paper copies or a flash drive of any and all submissions.
- C. All courtesy copies shall be delivered with a copy of the order setting the matter for hearing along with a statement identifying what materials are enclosed. Courtesy copies must minimally include all motions, petitions, or pleadings (including any responses or replies) and other materials necessary for the Court to adjudicate the matter.

6. COURT REPORTERS

Other than hearings on emergency orders of protection, parties should provide their own court reporter for trials, hearings, and prove-ups. Court reporters must be present in court for in-person litigation or via Zoom for remote litigation at the time of the scheduled hearing and be able to read back the record in real time. If a Civil Legal Service Provider has filed their appearance, an Official Court Reporter may be scheduled, in advance, of the hearing. Trial Calendars may have an Official Court Reporter available on their designated prove-up days, but please check with the Court’s staff to confirm.

7. INTERPRETERS

Parties shall notify the judge's court staff if they need an interpreter or special accommodations. Foreign Language Interpreters interpreting languages other than Spanish or Polish shall be requested in advance of any set court date by emailing a completed "REQUEST & ORDER FOR AN INTERPRETER" form to the Court at least 7 days in advance of the set court date to the assigned courtroom email address. If a Spanish or Polish interpreter will be required for an extended hearing or trial, a request shall also be made to the judge's court staff at least 7 days in advance of the set court date by emailing the completed "REQUEST & ORDER FOR AN INTERPRETER" form to the assigned courtroom email address.

8. MOTIONS/PLEADINGS⁴

- A. **Non-emergency motions/pleadings** shall be presented in accordance with **Administrative Order 2022 D 7** and shall be heard remotely before the judge to whom the case is assigned.⁵
- B. **Emergency motions/pleadings** shall be presented in accordance with **Administrative Order 2022 D 12**.
- C. **Emergency Orders of Protection** shall be presented in accordance with **Administrative Order 2022 D 13**.

9. NOTICE AND PROOF OF SERVICE OF PAPERS

- A. All pleadings, motions and/or petitions shall be served in compliance with the Illinois Supreme Court Rules, the Civil Practice Act, and local Circuit Court rules. All pleadings, motions and/or petitions shall be submitted for filing with the Clerk of the Circuit Court prior to presentment, at which time presentment dates shall be obtained through the Clerk of the Circuit Court.
- B. Notice of Motions must be sent by delivery through regular USPS mail and/or email if feasible and appropriate. See Illinois Supreme Court Rule 11; Circuit Court Rule 2.1(c)(i).
- C. Upon presentation of all motions, the moving party must be prepared to present proof that they have served the motion on the opposing party. Such proof may include proof of service by Regular Mail (USPS Certificate of Mailing), Certified Mail with a printout of the USPS Tracking Receipt showing proof of delivery, special process server receipt affidavit of service, attorneys Certificate of Service, etc., or otherwise provide proof of notice as set forth in Circuit Court Rule 2.1, or in compliance with section 5/1 -109 of the Illinois Rules of Civil Procedure.
- D. The responding party to any pleading, motion, and/or petition served in a proceeding shall automatically be granted twenty-one (21) days after the receipt thereof to respond or otherwise plead thereto. Upon presentation of any pleading, motion, and/or petition served in

⁴ See 750 ILCS 5/105.

⁵ Please check the Circuit Court of Cook County website www.cookcountycourt.org for the most current information.

a proceeding, the Court (on its own motion or upon request of either party) may extend or shorten the time for responding.

10. ORDERS

A. **All orders submitted must:**

- i. Be legible.
- ii. List the parties and or counsel present on the case.
- iii. Detail specifically why the matter was before the Court, the Court's findings, and rulings.
- iv. List the name of the person who drafted the order, not simply the person's firm or agency.
- v. List the email addresses for all attorneys and self -represented litigants.
- vi. Substantive orders shall be submitted to the Court in both Word and .pdf formats. Clerk of the Circuit Court Form Orders shall be submitted only in .pdf format.
- vii. While it is preferred orders are submitted immediately following a court appearance, orders must be submitted to the assigned courtroom email address no later than 4:00 p.m. on the day the case was before the Court unless there are extenuating circumstances, and the attorneys advise the Court and receive permission for a later submission. If there are disputes concerning the language of orders, such disputes shall be timely brought to the attention of the court, but not later than the following court business day.
- viii. Disposition orders for Orders of Protection must be submitted by email to the email address referenced above no later than 3:00 p.m. unless otherwise directed by the Court as these orders need to be submitted to LEADS.

B. **Agreed Orders** shall be submitted pursuant to the procedures set forth in **Administrative Order 2022 D 4**.

11. PROVE-UPS

Prove-ups shall be set in accordance with the procedures set forth in **Administrative Order 2022 D 5** or **Administrative Order 2022 D 6**, if applicable.

12. CASE MANAGEMENT CONFERENCE

The Court may set a case management conference upon request of one or both of the parties or on its own (*sua sponte*). Counsel(s) familiar with the case are expected to attend. Case management conferences shall be scheduled as soon as reasonably practicable and appropriate, as follows:

- i. For cases involving minor children, parenting time, or parental responsibilities - not more than 90 days following the filing of the complaint;

- ii. For cases NOT involving minor children, parenting time, or parental responsibilities - not more than 182 days following the filing of the complaint.

Further, case management dates and deadlines will be entered with the intention of complying with the Illinois Supreme Court's Time Standards for Case Closure in the Trial Courts effective July 1, 2022.

13. PRETRIAL CONFERENCES

The Court may set a pre-trial conference upon request of one or both of the parties or on its own (*sua sponte*). Counsel(s) or self-represented litigants, should be prepared to advise the Court as to the expected length of the conference, whether each party, if represented, should be present or available by Zoom/telephone, and whether a pre-trial memorandum is required and by when. Counsel(s) familiar with the case are expected to attend.

In an effort to address our Supreme Court's concerns articulated in *Palos Community Hospital v. Humana Insurance Company, Inc.*, 2021 IL 126008, the parties shall execute a waiver of their respective right to seek a motion for substitution as a matter of right pursuant to 735 ILCS 5/2-1001(a)(2) if the parties wish the Court to participate in a pre-trial conference.

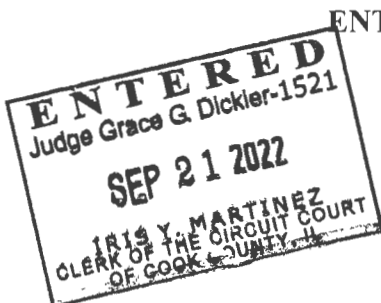
14. ROUTINE MOTIONS

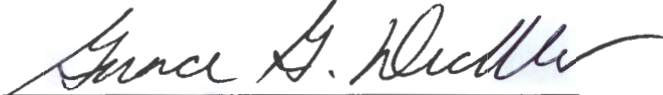
Motions for appointments of special process servers, for publication, and to sue/defend as an indigent person may be presented any time Court is in session and are to be emailed with a draft proposed order to the court's designated email address for consideration and entry.

15. FAMILY MEDIATION SERVICES

Any case being referred to Family Mediation Services for Mediation, Home Studies and Custody Evaluations by way of the 13.4(f) Consolidated Referral Orders shall be emailed to the following e-mail address: drd.family@cookcountyil.gov. Once the order is received by Family Mediation Services, their office will contact the parties with an appointment time (we can get the exact procedure from Dan). All orders must be filled out completely and must include the contact information and other required information located on pages 3 and 4 of the order.

Dated the 21ST day of September 2022. This Order shall be spread upon the records of this Court and published.




HON. GRACE G. DICKLER
Presiding Judge
Domestic Relations Division