

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – LAW DIVISION  
TRIAL SECTION**

**STANDING ORDER  
JUDGE DANIEL A. TREVINO  
COURTROOM 2606**

Hon. Daniel A. Trevino  
Associate Judge, Circuit Court of Cook County, Illinois  
Law Division – Trial Section  
Richard J. Daley Center, Chicago – Courtroom #2606  
Telephone: (312) 603-5322

Email Address [daniel.trevino@cookcountyil.gov](mailto:daniel.trevino@cookcountyil.gov)  
(Email is FOR SCHEDULING ONLY unless otherwise specifically directed by the Court or  
as addressed below in Post-Trial Motions Section)

**ZOOM INFORMATION:**  
Meeting ID: 957 3610 6485  
Passcode: 237960  
Zoom Dial-In Number: (312) 626-6799  
(ZOOM will be enabled only as necessary upon specific direction by the Court)

This Order is entered to explain general procedure for matters assigned to Room 2606.

**I. PRE-TRIAL SETTLEMENT CONFERENCES  
(THIS APPLIES TO CASES NOT ASSIGNED FOR TRIAL BEFORE JUDGE  
TREVINO)**

- Judge Trevino is available for pre-trial settlement conferences.
- To schedule a settlement conference, please email the Court at:  
[Daniel.trevino@cookcountyil.gov](mailto:Daniel.trevino@cookcountyil.gov)
- Please copy the other attorneys of record on all emails.
- Within the message, please suggest 2 or 3 dates for the conference. Once you have confirmed a date, a Transfer Order must be entered in Courtroom 2005. Pretrial submissions should be delivered to the Court by email to [Daniel.trevino@cookcountyil.gov](mailto:Daniel.trevino@cookcountyil.gov) at least 3 days prior to the conference, containing (a) a summary of the facts, (b) the demand and (c) the offer. A pre-trial will not be conducted unless there has been a demand and offer. Parties are to agree whether or not the submissions will be confidential.

## **II. TRIAL AVAILABILITY (“PICK 5”)**

- To confirm availability, please email the Court at:  
[Daniel.trevino@cookcountyl.gov](mailto:Daniel.trevino@cookcountyl.gov)
- Please copy the other attorneys of record on all emails. Within the message, include case name, court number and names of the trial attorneys. Please indicate start date of trial and the anticipated length of the trial.

## **III. PRE-TRIAL LITIGATION ASSIGNED TO THE COURT**

From time to time, this Court may be assigned the pre-trial case management of consolidated litigation matters. This Court refers to any Administrative Protocol in place for each such consolidated litigation matter.

## **IV. TRIALS**

### **A. Upon Assignment for Trial**

Upon Assignment to this Court for trial, the parties are to present in Room 2606 and inform the courtroom Clerk of same. The parties are to email a copy of the Trial Assignment Order to the Court at: [Daniel.trevino@cookcountyl.gov](mailto:Daniel.trevino@cookcountyl.gov).

### **B. Motions in limine**

All Motions in Limine shall be in writing and a written Order shall be prepared reflecting the Court's ruling on same. The parties should attempt to work out Motions in Limine on their own before addressing them with the Court for those Motions which the parties need a ruling. Unless specified, all Motions in Limine are reciprocal.

Motions in Limine are addressed to the admissibility or inadmissibility of evidence and are not issue preclusion motions. In regard to 237 requests, please keep in mind that if you have not requested the same via IL. S. Ct. Rule 214 in discovery, you are not entitled to the same via IL. S. Ct. Rule 237.

### **C. Statement of the case and Witness List**

The parties jointly will submit a short non-argumentative statement of the case in writing, listing the parties, the nature of the case, the attorneys representing the respective parties and a list of witnesses to be called by each party.

### **D. Order of Proceeding**

The Plaintiff will always proceed first and the Defendants will proceed in the order they are named in the pleadings. In consolidated cases or third party proceedings the Court will designate the order of proceeding (IL. S. Ct. Rule 233).

**E. Opening Statements**

The Court will put a reasonable time limit on opening statements. If counsel intends to use an exhibit in opening statement, it is expected counsel will show the same to opposing counsel before opening statement. If there is an objection to the exhibit, the Court will conduct a good faith hearing prior to the opening statement and rule whether the exhibit may be used. If the Court hears no objections to the exhibit, the Court will assume there is no objection to the same. Remember the purpose of an opening statement is to advise the jury what the evidence will be and not to argue the evidence of the inferences to be drawn from the same.

**F. Taking of Evidence Depositions and Objections**

If evidence depositions are to be used, it is the parties' obligation to secure rulings on the objections contained thereto before their use. Parties should meet and attempt to work out objections before the start of trial. Contested objection should be brought to the Court's attention in sufficient time to have the depositions edited prior to their contemplated use. When ruling on objections in evidence depositions, the Court is to be given a transcript of the deposition with the pages where the objection appears clipped or tabbed.

The Court does not allow speaking objections – all the Court needs to hear is “Rule 213,” “Hearsay,” “Relevancy,” etc. If the Court requires further explanation, the Court will request it and may retire to Chambers/hallway to hear the basis of the objection.

In the case of the adverse exam under 5/2-1102, the Court will not honor scope objections if the Court is advised by counsel for the witness (after the 5/2-1102 exam has been completed by the party calling the witness) that counsel for the witness will not recall the witness in his/her case. If so advise, the Court will not honor the scope objection as long as counsel for the witness, when she/he exceeds the scope, asks the questions as if on direct exam. Further, the Court will not consider any testimony that exceeds the scope on a motion for Directed Verdict at the close of plaintiff's case.

In the case of a 213 objection, it is the obligation of the party proffering the opinion to show the opinion has been previously disclosed either via answers to interrogatories or depositions.

You do not need the Court's permission to approach a witness. Also, if you are going to show the witness an exhibit, make sure opposing counsel sees the exhibit before you show it to the witness.

If you are going to impeach a witness with a deposition, be sure to advise opposing counsel of the page and line referred to.

**G. Jury Instructions**

The Plaintiff will provide the Court with the marked copy of her/his instructions before the trial or at the latest the close of Plaintiff's case. Make sure the unmarked originals are in the same sequential order as the marked copy. The Defendants are to present a marked copy of their Instructions as each defendant rests. Again, make sure the unmarked originals appear in the same sequential order.

The Court, under appropriate circumstances, will give Non-IPI Instructions with the appropriate case law citation on the marked copy. (See IL S. Ct. Rule 239 for both the use of Non-IPI Instructions and the proper method of marking Instructions.)

**H. Closing/Final Argument**

Time limits will be imposed and the Plaintiff can reserve no more than 1/4<sup>th</sup> of Plaintiff's time for Rebuttal. If exhibits are to be used in Final Argument, they should be shown to the opponent and objections raised if necessary; to ascertain whether exhibit has been admitted either substantively or demonstratively. Keep in mind that material used under *Wilson v. Clark* that has not been admitted substantively and has no substantive value and may not be argued for the truth of the matter asserted therein. A limiting instruction may be given under appropriate circumstances.

**I. Citation to Authority**

If you are relying on a case for either evidentiary or substantive purposes, the Court requires a citation and optimally prefers a copy of the case or cases which may be highlighted as long as opposing counsel is given a copy.

**J. Jury Questions**

After the jury has retired, the Court will advise counsel on the record if applicable as to its procedure on handling jury questions. The Court and the Court's staff will not revise or read a jury question until all counsel are present or have agreed to have it read to them outside of their presence.

**V. POST-TRIAL MOTIONS**

- A Courtesy Copy of any Notice of Motion and the corresponding Motion shall be emailed to the Court no later than 4:30pm the day before the Motion has been Noticed up for initial presentment.
- All Notice Requirements under the Rules and per operative Law Division General Administrative Order(s) remain in effect.
- Under Circuit Court Rule 2.1, notice of **all** motions must be given to **all** parties who have appeared, and have not been held in default, **and** to any party that has been served and whose time to appear has not expired on the date of notice.

## VI. PETITIONS TO APPROVE SETTLEMENT

Petitions to Approve Settlement in cases involving wrongful death, survival, minor(s) or disabled individuals must be filed, with courtesy copies delivered to [daniel.trevino@cookcountytill.gov](mailto:daniel.trevino@cookcountytill.gov). All email transmittals must copy all counsel of record. Adherence to the Procedures adopted by the Law, Municipal and Probate Divisions is required. Please review the Law Division petition and settlement guidelines prior to submitting copies for review; they can be obtained using the following link:

<http://www.cookcountycourt.org/Portals/0/1st%20Municipal%20District/Special%20Orders/Final%20Procedures%20with%20Sample%20Orders.pdf>

## VII. ADDITIONAL ITEMS

- **Correspondence with the Court:** All email correspondence to the Court must notice/copy all parties. Please include the date of the hearing, if applicable, in the subject line of the email.
- **Email Addresses:** Pursuant to ISCR 11(b), an attorney must include on the appearance and on all pleadings and briefs filed in court an email address to which documents and notices will be served in conformance with Rule 131 (d). A self-represented litigant who has an email address must also include the email address on the appearance and on all pleadings and briefs filed in court to which documents and notices will be served in conformation with Rule 131 (d). If email is not available for any litigant, any party may call the Court at the phone number listed for further instructions on how to proceed.
- **Agreed Orders:** The movant must state in the email and motion whether the motion is agreed or whether there is an objection. If the motion is agreed, and the respondent does not object to the entry of the order, the parties shall email the proposed order to including the word “Agreed” in the title of the order, and the order will be entered without a briefing schedule.
- **Courtesy Copies:** Each party shall file their briefs electronically with the Clerk of the Circuit Court with exhibits. The movant is responsible for emailing a complete courtesy copy of the motion to the Court consisting of all briefs and exhibits filed in support of or in opposition to the motion to [Daniel.trevino@cookcountytill.gov](mailto:Daniel.trevino@cookcountytill.gov). The movant is also responsible for dropping off a hard copy of all courtesy copies to the basket outside of Room 2606. Movant’s failure to submit a complete courtesy copy will result in the denial or continuance of the motion.
- **Brief / Pleading Format:** All submissions of pleadings and briefs shall have Exhibits/attachments that are clearly labeled with identifying names and which are tabbed. Proposed orders should be submitted in a separate PDF file attached to the same email. If it is not possible for the movant to submit a tabbed PDF document with all supporting documents, then each document must be properly labeled to identify its content, Ex:

- ☐ “Plaintiff’s Motion for Summary Judgment”
- ☐ “Plaintiff’s Exhibit 1”
- ☐ “Plaintiff’s Exhibit 2”
- ☐ “Defendant’s Response to Plaintiff’s Motion for Summary Judgment”
- ☐ “Defendant’s Exhibit 1”

- **All Briefs Shall Be:** (1) Double Spaced; (2) Typed in 12-point font; (3) Set with 1-inch margins. Briefs shall not exceed 15 pages. All briefs citing to cases outside of Illinois or in federal court must include a copy of the case attached to the brief. This includes cases cited to in the 7th Circuit Court of Appeals or the Northern District of Illinois. Any submission to the Court must contain the Clerk’s stamp and is required to be sent to every other party to the litigation in the same manner and form.
- **Orders:** Movant is responsible for sending the order to all parties. Email communications with the Court should copy all parties. Proof that the order was sent to all parties is required in all courtesy copies of motions submitted to the Court. Failure to submit proof that the order regarding the motion was sent to all parties may be a basis for the denial or continuance of the motion until such proof is presented to the Court.

### VIII. MODIFICATION

The Court may modify this Standing Order at any time. Judge Trevino’s most recent Standing Order can be found at:

<https://www.cookcountycourt.org/Judges-Pages/Trevino-Daniel-A>

Dated: July 28, 2023

ENTER:

/s/ Daniel A. Trevino 2220  
JUDGE Judge’s No

Associate Judge Daniel A. Trevino  
JUL 28 2023  
Circuit Court-2220