

# STANDING ORDER

*EFFECTIVE: October 9, 2023*

Honorable KENT A. DELGADO, Circuit Court Judge  
Probate Division - Calendar 8 – Decedent Estates  
Daley Center, 50 West Washington Street - Room 1802  
Chicago, IL 60602  
312-603-7546 – office number  
312-603-6721 – fax number

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|------------|--|
| 10:00 a.m. | Agreed Orders; Scheduling Orders, Motions  |
| 10:15 a.m. | Application for Letters and Proof of Heirship; Opening & Closing of Decedent Estates |
| 11:00 a.m. | Petitions to Settle Cause of Action; Presentation of Vouchers                        |
| 11:30 a.m. | Set Matters  |
| 2:00 p.m.  | Set Matters  |

Pursuant to GAO 2023 P 01, the following court proceedings in decedent estates are now in person: openings, closings, settlements, claims and motions/petitions for presentment.

## **CHECK IN PROCEDURES WITH CLERK**

Please check in with the court clerk in order to have your matter called. When checking in, please present the clerk with the last order or motion setting the date along with all relevant paperwork for your matter. Please ensure all the documents presented are independently stapled and in chronological order.

## **COURTESY COPIES**

Paper Courtesy copies for openings, closings and settlements may be tendered in open court at the hearing along with proposed orders or provided prior to

the hearing if hand delivered or mailed (**not e-mail**) to the Courtroom at the address listed above at least 2 court days prior to the hearing date unless otherwise provided by a court ordered briefing schedule. **E-mail will not be accepted for courtesy copies.** The court encourages attorneys to provide courtesy copies prior to hearing for openings involving complicated heirship, closings with many heirs or legatees, all settlements, and all motions/petitions/claims for presentment

### **AGREED ORDERS AND SCHEDULING ORDERS**

Parties may ask the Court to consider entering agreed orders for continuances on uncontested matters via e-mail, regular mail or courier if there is no “pending litigation.” Requests shall be provided at least 2 court days prior to the court date. All proposed agreed orders shall include a copy of the Court’s previous order and a copy of an e-filed status report. **The Court will not accept “agreed” orders that changes a hearing date on motions or trial dates.**

**Even if a request is made, you are required to appear in court unless you receive an entered order prior to the scheduled hearing or are otherwise instructed by the Court that your appearance is waived.**

### **MOTIONS OF COURSE**

Motions for initial presentment shall be heard in person at 10:00 A.M. daily. In the event that the motion is a contested matter that will require a briefing schedule, moving counsel need only supply a courtesy copy of the motion (without supporting memorandum) in advance of the initial presentment date. Motions concerning discovery issues shall be accompanied by a copy of the most recent discovery or case management order entered in the case. Such motions must also contain a **factual** statement as to the efforts undertaken by counsel pursuant to Supreme Court Rule 201(k). Failure of moving counsel to include the Rule 201(k) factual statement constitutes grounds for striking the motion.

## OPENING & CLOSINGS

Opening & Closing of Decedent Estates, Application for Letters and Proof of Heirship, shall be heard in person at 10:15 a.m. daily. **If heirship is extensive, a courtesy copy is required along with a copy of the Will if applicable.** Notice to all parties must be given in accordance with the Illinois Supreme and Circuit Court Rules and the Probate Act.

## PETITIONS TO SETTLE CAUSE OF ACTION:

These petitions will be heard in-person at 11:00 A.M. daily.

## EMERGENCY MOTIONS:

Emergency petitions will be heard as add-ons in person on the 11:00 a.m. call. A courtesy copy of the motion marked “EMERGENCY MOTION” that shall include a factual basis stating the nature of the emergency and all supporting documents **must** be delivered to chambers no later than 10:00 A.M. on the day preceding presentment. Counsel should be aware that true emergencies are rare and that if, upon initial presentment in court it is determined that the matter presented is not a true emergency, counsel may be directed to place the matter on the Court’s regular motion call.

## SET CALL:

The Set Call consists of contested matters and Final Pretrial Conferences. Contested matters set by the Court shall be heard daily beginning at 11:30 a.m. Please note that there is a fifteen (15) page [standard margins, double-spaced] limit on all supporting and response briefs. There is a ten (10) page [standard margins, double-spaced] limit on all reply briefs. Motions for leave to file oversize briefs are strongly discouraged. ***No filing in excess of fifteen (15) pages should be e-mailed or faxed to chambers.*** On the status date following completion of briefing, a hearing date will be set. No hearing dates will be set unless the Court has been provided with courtesy copies of all relevant pleadings. The moving party must present a complete set of courtesy copies.

## COURT REPORTERS:

Counsel should be aware that there are no official court reporters assigned to Probate Division Decedent Estate courtrooms. Any party desiring a transcript of proceedings of any matter heard on Calendar 8 is responsible for providing a private court reporter.