

CIRCUIT COURT OF COOK COUNTY- CHANCERY DIVISION
JUDGE PAMELA McLEAN MEYERSON
CALENDAR 11
STANDING ORDER

Richard J. Daley Center, Courtroom 2305
Telephone (312) 603-6034/ Fax (312) 603-6086

This order is entered to explain the general courtroom procedures for cases assigned to Calendar 11. The court reserves the right to modify the procedures when necessary and appropriate.

All communications with the court should be by the filing of pleadings, motions, applications, petitions, briefs, legal memoranda, *etc.* Communications with law clerks are allowed only on administrative and scheduling matters. Law clerks cannot give legal advice.

SCHEDULE:

9:30 a.m. Case management and motion call, including emergency motions.

10:15 a.m. Status call.

PLEASE NOTE: Motions in cases set for status may be presented at this call.

11 a.m. & 2:00 p.m. Motions or trials scheduled by the court.

I. CASE MANAGEMENT CONFERENCES

- a. Case management conferences are at **9:30 a.m. daily**. At the first appearance, the parties should be prepared to submit courtesy copies of their pleadings, *e.g.*, complaint, answer, affirmative defenses, counterclaims, and cross-claims. Pursuant to Supreme Court Rule 11(d), **counsels are required to include their email addresses on all pleadings.**
- b. Counsel with authority to commit to all scheduling orders must appear at the case management conference and be prepared to inform the court as to: status of service of process upon each defendant, the nature of the litigation, the status of the pleadings, any pending or contemplated motions, and all contemplated or completed discovery. The court may enter orders relating to pleadings, compelling compliance with overdue discovery, and setting time limitations for the conclusion of written and/or oral discovery.
- c. The court expects all defendants who have been served to participate in the case management conference, regardless of whether they have filed a responsive pleading.
- d. Failure to appear for a case management conference may result in dismissal for want of prosecution, default or other appropriate sanctions.

II. MOTIONS

Routine Motions / Orders

- a. Routine motions and orders will be accepted off-call Monday through Friday from 9:00 a.m. to 4:00 p.m. Parties must provide one (1) copy of the motion and three (3) copies of

the draft order to the court. Stamped copies of the order may be picked up the next day from the “entered orders” basket outside Courtroom 2305.

- b. If the court receives an objection to a routine motion, then the order will not be entered, the parties will be notified, and the motion must be spindled on the regular motion call. The routine motions listed below need not be spindled:
- **Motions without notice:**
 - appointment of a special process server.
 - **Motions with notice:**
 - to vacate any and all technical defaults and for leave to file an appearance, motion, or answer;
 - for leave to appear as attorney or as additional counsel;
 - to substitute one attorney for another by agreement; and
 - for voluntary dismissal by plaintiff where no hearing or trial date is set and no dispositive motion is pending.
 - dismissals should include the language, “this is a final order disposing of all matters in this case.”

Regular Motion Call

- c. The court’s regular motion call is at 9:30 a.m. daily. However, if a case is set for status at 10:15 a.m., a party may schedule a motion for presentment at 10:15 without seeking leave, *i.e.*, a party may “piggyback” a motion onto a status. A regular motion must be spindled through the county’s e-filing system. The e-filing system will provide available dates. The staff in Room 2305 cannot assist a party in scheduling a regular motion.
- d. File-stamped courtesy copies of all motions, including electronically filed motions, must be provided to Courtroom 2305 at least **FOUR (4) business days** before the presentment date. If the movant fails to do so, the motion may be stricken from the court’s regular motion call and may not be heard by Judge Meyerson. In such event, the movant must re-notice and spindle the motion for a future date with the clerk’s office.
- e. Counsel should not assume that the Court will set a briefing schedule on a motion. The Court may choose to decide the motion on the initial presentment date, without briefing.
- f. **Motions for Default** - All parties who have been served shall be given notice as provided in Circuit Court Rule 2.1, without regard to whether an appearance has been filed. A motion for default must contain:
- Copy of the notice and motion;
 - Face of the summons;
 - Copy of the return of summons;
 - The certificate of the officer or affidavit of the person who served the summons;
 - Attorney or pro se litigant certificate, certifying that both the court file and the docket have been checked for any appearance or answer filed by the defendant; and
 - A military affidavit if defaulting an individual.

After an order of default is entered, the court will set the case for prove up, with notice, and on the prove-up date, the plaintiff must offer affidavits or live testimony to prove the case. Courtesy copies of any prove-up affidavits and a draft judgment order should be submitted to the court at least two (2) days in advance of the prove-up hearing.

g. Motions to File Under Seal & Protective Orders

- Cannot apply to all documents and/or pleadings.
- The request must recite the privacy interests involved and why a protective order is necessary, and it should be supported by affidavit.
- Parties in pending cases may “walk in” agreed protective orders that include the factual basis for the order, an affidavit, and the following form language:

“The parties must seek leave of court to file documents or other materials containing Confidential Information under seal. To the extent possible, the parties shall redact Confidential Information from documents or other materials filed with the court so as to minimize requests to file under seal. If leave is allowed to file documents or other materials under seal, such documents or other materials shall be submitted in an envelope or other container labeled “CONTAINS CONFIDENTIAL INFORMATION – SEALED PURSUANT TO COURT ORDER” and including the caption of this action and a description of the nature but not the substance of the contents.”

- Must state in the text of the order that the protective order will not apply to court orders.

h. Motions to Reconsider- For any motion where the court is called upon to rule on any previous briefing, such as a motion to reconsider, the movant must also provide courtesy copies of the previous briefing.

Emergency Motions & Temporary Restraining Orders

i. Emergency Motions

1. All emergency motions must be scheduled by one of the law clerks in courtroom 2305. The party seeking to set an emergency motion must have an attorney **with knowledge of the case** present when scheduling the emergency motion. Dates and times will not be given over the telephone. Matters that have become urgent by reason of a party’s failure to seek timely relief do not constitute emergencies. If the motion fails to set forth an emergency basis, the law clerks will not schedule the motion.
2. The movant must provide 24 hours’ notice of the emergency motion to the non-movant(s). Notice should not be sent until the law clerk schedules the motion.
3. A courtesy copy of the motion marked “EMERGENCY MOTION” and all supporting documents must be made available to the law clerk when scheduling the motion.
4. If it is determined that the matter is not a true emergency, the movant may be instructed by the courtroom staff to place the matter on the regular motion call.

i. Temporary Restraining Orders (TRO) Motions for temporary restraining orders shall, if possible, be presented according to the emergency motion procedure.

1. After the motion is scheduled, the movant must notify all parties of the date and time of the TRO hearing. Unless excused by the Court, the movant must provide at least 24-hours' notice of the emergency motion to the non-movants. The court may allow a TRO hearing to be held *ex parte* if it clearly appears from the specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon. See 735 ILCS 5/11-101.
2. TRO motions must be accompanied by a verified complaint or an affidavit in compliance with § 5/11-101.
3. A courtesy copy of the motion for TRO, complaint, and proof of notice must be delivered to chambers.

III. BRIEFS

- a. Briefs and memorandums are limited to fifteen (15) double-spaced pages. Leave is REQUIRED to exceed the page limit. The court may strike filings that exceed the page limit without leave of court.
PLEASE NOTE: The court considers it improper to withhold case law support from an initial memorandum to present the case law for the first time in a reply brief.
- b. **Citation to authority.** All citations to authority should comply with Illinois Supreme Court Rule 6, the Bluebook, and should be to official reporters; parallel citations are unnecessary. Citations must use pin cites when applicable. Since court personnel only have access to LEXIS, parties should provide the court with copies of cases cited in their memoranda that are not available from the official reporters or LEXIS.
- c. **Insurance Contracts.** If an insurance contract is at issue, the movant (or the insurance company on cross-motions) must provide the court with Bates-stamped copies of the insurance contract, including the application and a certificate if relevant and available. All motions should then refer to these Bates-stamped copies and need not include the policy as an exhibit.

IV. CLERK'S STATUS

- a. At the clerk status, the **movant** is responsible for submitting the singled-sided file-stamped courtesy copies of the fully briefed motion, unless otherwise ordered by the court. The movant must provide the following documents:
 - Motion, supporting brief, response brief, reply brief, and all exhibits (exhibits must be tabbed);
 - Sur-response and sur-reply, and all exhibits, if applicable;
 - Most recent complaint;
 - All other relevant pleadings;
 - Significant cases relied on for dispositive issues (other than for general propositions);
 - Complete transcripts of relevant depositions; and
 - Administrative record, if necessary;

- b. At the clerk’s status, the court will set a hearing date and time on the fully briefed motion. If the movant fails to provide any of the above referenced materials, the court may reschedule the clerk’s status.
- c. If the respondent fails to file a written brief in response to the motion, the respondent will be deemed to have waived oral argument on the motion and the court will set a ruling date on the motion.

V. TRIALS

Pre-Trial Conference

- a. At the time the court sets a trial date, a pre-trial conference and a date for submission of trial materials will also be set. At the pre-trial conference, the court will review the parties’ trial materials; rule on motions in limine; and discuss trial scheduling, numbers of witnesses and exhibits, and any other matters pertaining to trial (see below).

Trial Materials

- b. Failure to submit the trial materials and any objections in advance of the pre-trial conference may result in the striking of the pre-trial conference date and/or the trial date.
- c. The parties are strongly encouraged to submit joint or agreed trial materials to the extent possible. To the extent that separate trial materials are submitted, they must be accompanied by a statement detailing the good faith efforts of the parties to agree on a joint submission. Trial materials shall include:
 - A short joint statement of the nature of the case;
 - A joint statement of any stipulated facts;
 - A list of all potential witnesses, indicating those who will and who may be called by which party or parties;
 - A table of contents including a complete list of all exhibits each party intends to use at trial.
 - All exhibits should be page-numbered, tabbed, and presented in binders.
 - All exhibits shall be listed by the number that the party offering it intends to use at trial, and any stipulations or agreements as to foundations or admissibility.
 - Copies of any Supreme Court Rule 216 requests to admit and responses thereto which any party anticipates using at trial;
 - Copies of all motions in limine and supporting and opposing memoranda. Motions in limine must be discussed between and among counsel in advance of the pre-trial conference to ensure that the motions remaining are those that the parties in good faith cannot resolve before trial;
 - An affidavit of compliance with all Supreme Court Rule 237 notices and a statement of all outstanding disputes regarding such notices;
 - Parties expecting to offer opinion testimony shall tender responses to Supreme Court Rule 213 interrogatories (with any supplements) and/or deposition testimony that will support the opinion testimony to be offered at trial. If

testimony is challenged at trial as not in compliance with Rule 213, the proponent will be expected to promptly locate the previous disclosure demonstrating compliance with the Rule’s requirements;

- Copies of evidence depositions, if there are objections requiring rulings; and
- Copies of the most recent pleadings (*i.e.*, complaint, answer, counterclaim, third-party complaint with all exhibits attached, and so forth).

Motions to Continue Trial Dates

- d. Trial dates are firm. Any request to continue a trial date must be made by written motion in advance of the pre-trial conference, must show good cause, and must be supported by a detailed affidavit.

Interpreters

- e. Parties are expected to provide their own interpreters. If a party is indigent and cannot afford an interpreter, the party should call chambers as soon as possible (at a minimum by the pre-trial conference date) to request an interpreter.

VI. SETTLEMENT CONFERENCES

- a. A settlement conference may be ordered on the oral or written motion of a party. However, the settlement conference will not be scheduled until the parties have exchanged settlement offers and demands. Once the conference is scheduled, each party must complete and serve on the other party/parties the form settlement conference worksheet, which is available on the court’s website and in courtroom 2305. The completed settlement conference worksheets shall not be filed with the clerk, but shall be delivered to the court no later than seven (7) days before the settlement conference.
- b. Counsel is expected to have authority to settle the case. Clients must be present for the settlement conference unless excused by the court.
- c. PLEASE NOTE: At each settlement conference the court will discuss substantive matters relating to the case. The parties are expected to execute a settlement conference stipulation and consent which is also available on the court’s website. Settlement conference “ground rules” will be provided on the day of the conference.

VII. COURT REPORTERS

There is no court reporter assigned to Calendar 11. If a party wants the court proceedings transcribed, the party must provide a court reporter.