

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

ADMINISTRATIVE ORDER: 2020 D 10 Amended

SUBJECT: Prove Up Guideline in Response to General Administrative Order No. 2020-01 (as amended March 28, 2020) and General Administrative Order 2020-02 (as amended September 21, 2020)

EFFECTIVE IMMEDIATELY, IT IS HEREBY ORDERED THAT:

1. This order applies to and clarifies Local Rule 13.5 and 750 ILCS 5/405 during the current reduction of in person Court operations pursuant to General Administrative Order No. 2020-01 (as amended March 28, 2020) and General Administrative Order 2020-02 (as amended September 21, 2020) and the authority granted to the Court under Supreme Court of Illinois M.R. 30370.
2. **AGREED ORAL PROVE UPS:** 750 ILCS 5/502 provides in relevant part that agreements of the parties “must be in writing, except for good cause shown with the approval of the court, before proceeding to an oral prove up.” Parties may proceed to have their uncontested final matters, commonly referred to as “prove ups” conducted remotely as follows:
 - a. In order to proceed with a remote-means prove up on Calendars D, E, 11, 21, 31-35, 41-45, 51-55, 61, 62, 64, 98, and X/84, starting October 1, 2020, for matters to be heard on October 19, 2020 and thereafter, the parties must schedule a date for a prove-up with the Clerk of the Circuit Court. Either party must submit to the Court via email transmission all documents presently required for a prove up under Local Rule 13.5¹ (hereinafter “Required Documents”) at least five (5) days in advance of the scheduled prove up with all counsel of record or self-represented parties included as recipients of the e-mail to:
 1. the Court Coordinator for any judge who maintains an individual calendar, or
 2. the Court Coordinator for the applicable judicial team, or
 3. the Division Administrator for any judge who does not have a Court Coordinator, or
 4. any other method directed by the judge assigned to the matter.²
 - b. In order to proceed with a remote-means prove up on Calendar C, starting October 12, 2020, for matters to be heard November 1, 2020 and thereafter, the parties must schedule a date for a prove-up with the Clerk of the Circuit Court. Either party must submit to the Court via email transmission all Required Documents at least five (5) days in advance of the scheduled prove up with all counsel of record or self-represented parties included as recipients of the e-mail to the Court Coordinator for Calendar C.
 - c. For all cases except those assigned to the Calendars listed in Paragraphs (a) or (b), the parties must submit all Required Documents according to the procedure listed in this paragraph to obtain a court date for their remote-means prove up.

¹ A list of all Required Documents is available here: <https://tinyurl.com/DRDProveUpCheckList>

² A list of contact information for all Court Coordinators and the Division Administrator is attached.

- i. All Required Documents shall be submitted to the Court via e-mail transmission by either party with all counsel of record or self-represented parties included as recipients of the e-mail to:
 1. the Court Coordinator for any judge who maintains an individual calendar, or
 2. the Division Administrator for any judge who does not have a Court Coordinator, or
 3. any other method directed by the judge assigned to the matter.
 - ii. The party submitting the Required Documents shall propose a date, time, and means (i.e. Zoom, telephonic conference call, etc.) for the remote-means prove up to occur in his or her email to the Court.
 - iii. Within 48 hours of receipt, the Court Coordinator or Division Administrator shall notify the parties and all counsel of record whether the proposed date, time, and method for the remote-means prove up have been approved by the Court or what new date, time, and method will be employed instead.
- d. All email submissions concerning Agreed Oral Prove Ups shall use the title: “Agreed Oral Prove Up”, Case Number, and Agreed Oral Prove Up Date.

e.g. “Agreed Oral Prove Up”; Case No. 2020 D 1234; October 1, 2020.

3. **DEFAULT PROVE UPS**: Movants may move to hold a Respondent in default and to proceed to a default prove up remotely as follows:
- a. In order to proceed with a remote-means default prove up on Calendars D, E, 11, 21, 31-35, 41-45, 51-55, 61, 62, 64, 98, and X/84, starting October 1, 2020, for matters to be heard on October 19, 2020 and thereafter a party must schedule a date for the default means prove up with the Clerk of the Circuit Court. The party scheduling the default prove up must submit to the Court via email transmission all Required Documents³ at least five (5) days in advance of the scheduled prove up with all counsel of record or self-represented parties included as recipients of the e-mail to:
 1. the Court Coordinator for any judge who maintains an individual calendar, or
 2. the Court Coordinator for the applicable judicial team, or
 3. the Division Administrator for any judge who does not have a Court Coordinator, or
 4. any other method directed by the judge assigned to the matter.
 - b. In order to proceed with a remote-means default prove up on Calendar C, starting October 12, 2020, for matters to be heard November 1, 2020 and thereafter, a party must schedule a date for the default means prove-up with the Clerk of the Circuit Court. The party scheduling the default prove up must submit to the Court via email transmission all Required Documents at least five (5) days in advance of the scheduled prove up with all counsel of record or self-represented parties included as recipients of the e-mail to the Court Coordinator for Calendar C.
 - c. For all cases except those assigned to the Calendars listed in Paragraphs (a) or (b), the parties must submit all Required Documents according to the procedure listed in this paragraph to obtain a court date for their remote-means default prove up.

³ A list of all Required Documents is available here: <https://tinyurl.com/DRDProveUpCheckList>

- i. In order to proceed with a remote-means default prove up, the Movant must submit all Required Documents to the Court via e-mail transmission to:
 1. the Court Coordinator for any judge who maintains an individual calendar, or
 2. the Division Administrator for any judge who does not have a Court Coordinator, or
 3. any other method directed by the judge assigned to the matter.

In the email, the Movant shall propose a date for the remote-means default prove up not less than 14 days from the date of submission of her motion and a means to conduct the default prove up remotely (e.g. Skype, Zoom, etc.).

- ii. Within a reasonable time after receipt, the Court Coordinator or Division Administrator shall notify the Movant whether the request to set the Motion for Default/Prove-Up for a remote hearing has been granted and whether the proposed date, time, and method for the remote-means default prove up has been approved by the Court or what new date, time, and method will be employed instead.
 - iii. The Movant shall then send a copy of the Court's response to the Respondent, noting the date, time, and method of the remote-means default prove up and details on how to join the remote proceeding (i.e. Zoom meeting ID and password) via regular mail to the Respondent's last known address within 48 hours of receipt of approval from the Court but no less than 7 days before the remote proceeding is to occur.
 - iv. No remote-means default prove up shall occur without a court reporter. The Court shall arrange for an official court reporter to transcribe the remote proceedings, and the Movant shall be responsible for the costs associated therewith.
 - v. The Movant shall be responsible for the cost of securing any telephonic conference line or other means of multi-party audio transmission for the remote default prove up and for any costs associated with producing a transcript of the proceeding.
- d. All email submissions concerning Default Prove Ups shall use the title: "Default Prove Up", Case Number, and Default Up Date.

e.g. "Default Prove Up"; Case No. 2020 D 1234; October 1, 2020.

Dated the 1st day of October 2020. This Order shall be spread upon the records of this Court and published. This Order replaces Administrative Order 2020 D 10 Amended which was entered July 2, 2020.

ENTERED:

S/Grace G. Dickler, #1521

HON. GRACE G. DICKLER
Presiding Judge
Domestic Relations Division