

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

**GENERAL STANDING ORDER
INDIVIDUAL COMMERCIAL CALENDAR “W”
COURTROOM 2407**

(effective January 1, 2012)

This standing order governs practice on all cases assigned to individual commercial calendar “W,” supersedes prior standing orders, and supplements the Illinois Code of Civil Procedure and Supreme Court Rules.

Attorney Conduct

Zealous advocacy is the lawyer’s professional obligation. Incivility, however, has no place in a respected and credible judicial system. The attorney should practice civility and professionalism, both in and out of court (including in depositions and written and verbal communications).

Intake Status Call
Wednesday – 9:30 a.m.

An intake status hearing will be held on all new cases approximately 60 days after filing. Notice will be provided by postcard and publication in the Chicago Daily Law Bulletin. Failure to appear may result in a dismissal for want of prosecution. Counsel (or pro-se litigant) familiar with the issues in the case, as well as the status of service, pleadings, and discovery, shall appear in person.

*Continued Status Call –
Case Management and Trial Date Setting*
Daily – 9:00 a.m. to 9:30 a.m.

In order to ensure the timely progress and disposition of each case, a status call will be held periodically, the frequency of which will depend on the nature of the case and amount of judicial supervision necessary. The continued status call is held daily at ten-minute intervals between 9:00 a.m. and 9:30 a.m. All continued status call dates will be assigned by the case coordinator. Counsel (or pro-se litigant) familiar with the case must appear in person and be prepared to advise the court about the progress of the case, including any discovery that has taken place since the last status hearing.

Pursuant to Illinois Supreme Court Rule 218, the court, with the input of counsel, will enter a case management order at the status call with the purpose of moving a case towards expeditious and efficient disposition. The court expects that the parties and counsel will comply with all deadlines set in case management orders. Discovery deadlines will only be extended in

compelling circumstances. The court reserves the right to reject any agreement between the parties to extend a discovery deadline.

Trial dates will be assigned at the status call. All trial dates are firm and will only be reset in the most compelling of circumstances. Any request for continuance of trial must comply with Illinois Supreme Court Rule 231.

Regular Motion Call
Thursday – 9:00 a.m. to 10:00 a.m.

The regular motion call is limited to those motions that have been spindled at the motion desk in room 801. All motions (including exhibits and attachments) must be served upon all parties who have appeared and a courtesy copy shall be delivered to chambers. Depending on the nature of the motion, the court may set a briefing schedule, and a clerk's status to ensure receipt of all papers. A hearing date on the motion will be set at the clerk's status call. Unless a deadline for dispositive motion is set in a case management order or for good cause shown, a motion for summary judgment must be filed and noticed such that it comes before the court for initial presentment and entry of a briefing schedule at least 45 days prior to trial. While the court will generally hear oral argument on briefed motions, a motion may be decided on the papers alone. Parties must provide their own court reporters.

Clerk's Status Call
Tuesday - 8:45 a.m.

The Clerk's status call will be on a Tuesday following the completion of a briefing schedule. The moving party must provide the court with courtesy copies of all papers, including the motion, response, reply, pleading being attacked, as well as any applicable deposition transcripts and exhibits. The motion will be assigned a hearing date only upon submission of papers meeting the requirements for written submissions (see below). No extension of a briefing schedule or continuance of a clerk's status call will be granted without leave of court. If a Clerk's status date is not set, the moving party shall provide a courtesy copy of all papers within seven days of the hearing on the motion.

Emergency Motion Call
Daily – 8:45 a.m.

True emergencies are rare and limited to those situations where the necessity to be heard as an emergency was not caused by any inaction of the movant. An emergency motion will only be heard after the movant has conferred, or attempted to confer, with opposing counsel. A courtesy copy of the emergency motion shall be delivered to chambers as soon as practicable in advance of the hearing.

Routine Motion Call
Daily – 8:45 a.m.

Agreed motions, including stipulations to dismiss, and motions seeking non-extraordinary, non-substantive scheduling or other procedural relief may be noticed as routine motions. However, routine motions do not include motions seeking relief for discovery violations, motions for sanctions, motions for leave to file papers exceeding page limitations, motions to continue trial dates, motions to extend discovery deadlines, motions to reconsider, and motions to withdraw where substitute counsel has not filed an appearance. In its discretion, the court may decline to hear any motion as routine, in which case the movant will be advised to re-notice the motion on the regular motion call. Unless otherwise prohibited, counsel may informally submit proposed agreed orders (such as a stipulation to dismiss) to chambers without placing a motion on the routine or regular motion call, provided that all counsel have signed the order or counsel presenting the proposed agreed order affirmatively represents in writing that all parties have agreed to the order.

Motions for Default or Ex Parte Judgment

Motions for default or *ex parte* judgment must be spindled at the motion desk in room 801 or noticed for presentment at any previously set court date with courtesy copies provided to chambers and the opposing party. A motion for default judgment must be supported by:

- complaint
- sheriff's return of service or special process server's affidavit
- notice of motion served upon the party to be defaulted
- military affidavit as to any individual defendant
- affidavit sufficient to prove-up liability and damages (including original amount of indebtedness, any accrued interest, and any attorney's fees), unless the plaintiff relies on a verified complaint establishing the same

If the defendant does not appear when the motion is presented, the court will generally enter an order of default against the defendant, and continue the matter for prove-up. The plaintiff must send notice of the prove-up hearing to the defendant. Depending on the nature of the case and damages being sought, the court may require the plaintiff to prove up his case by live testimony.

Written Submissions to the Court

The most effective written submissions are generally concise and devoid of hyperbole. Papers filed with the court shall be double spaced, in 12-point font, and have one-inch margins. The following page limitations shall apply:

- Motion and any supporting memorandum - 15 pages
- Response - 15 pages
- Reply - 7 pages

Papers not meeting these requirements will be stricken. Leave to submit papers not meeting these requirements will only be allowed upon a showing of good cause. No supplemental briefs or citations may be filed without leave of court.

Discovery Disputes

Discovery is intended to be an attorney driven process with minimal court supervision. Lawyers are required to engage in meaningful and substantial efforts to attempt to resolve discovery disputes before seeking relief from the court. If a discovery dispute cannot be resolved despite the good faith efforts of the parties, and consistent with the parties' obligations under Illinois Supreme Court Rule 201(k), a motion may be noticed at the next continued status call date or next available date for the court's regular motion call. A courtesy copy of the motion must be delivered to chambers. Generally, discovery motions will be decided on the date of presentment without further briefing, although a party may file a response prior to the date of presentment. If briefing is ordered, it will generally be on an expedited basis. In appropriate cases, discovery disputes may be referred to mediation.

Discovery of electronically stored information necessitates early and frequent consultation among counsel and their clients and experts to address issues of preservation, production, protection and proportionality, among others. Unless the parties agree otherwise, the parties shall follow the court's standing order governing discovery of electronically stored information. Regardless of the protocol used by the parties, the court will consider the principles underlying the standing order when deciding any dispute concerning discovery of electronically stored information.

Mediation

The court encourages mediation of disputes. A list of mediators in the court-annexed mediation program may be found in the courtroom, as well as the Law Division assignment room, 2003. Attorneys are strongly encouraged to inform their clients about the benefits of attempting to resolve their disputes through mediation. Parties may file a written stipulation to mediate a case or issue between them at any time. When appropriate, the court may order a case to mediation, upon the motion of any party, or *sua sponte*.

Settlement Conferences

Daily – 1:45 p.m.

To assist in a negotiated settlement, the court, upon request, will conduct a settlement conference. A request for a settlement conference may be made at a status call or upon motion and must be agreed to by all parties. If there is no jury demand, a party may request that another judge conduct the conference. Prior to the conference, the parties must exchange a good faith written settlement demand and offer. Attorneys and their decision-making clients must be present at the conference in person unless excused by the court.

Final Pretrial Conference

Daily – 1:45 p.m.

Depending on the nature of the case, the court may schedule a final pre-trial conference shortly prior to trial. Regardless of whether a final pre-trial conference is scheduled, parties must exchange and deliver to chambers the following ten days prior to trial:

- a memorandum of no more than five pages outlining the factual and legal issues in the case
- name and address of all witnesses who may testify on the party's behalf
- a list of documents or exhibits that may be used at any time during the trial
- a statement of the case agreed to by all parties to be read to the *venire*
- motions *in limine*
- a complete set of proposed jury instructions, identifying which instructions are agreed and which are in dispute.

Unless the court orders otherwise, motions *in limine* will be addressed on the first day of trial.

Trials
Daily – 10:30 a.m.

Trials will begin on Mondays at 10:30 a.m. unless the court orders otherwise, and will continue daily at 10:30 a.m. until concluded. In the court's discretion, a case may be transferred to the presiding judge for immediate assignment to another trial judge.

Cases Settled by Agreement

Form order CCG 0002 shall be used when a case is to be dismissed by agreement.

Entered: /s/ Sanjay T. Tailor
Sanjay T. Tailor