

# CALENDAR Q

JUDGE BILL TAYLOR  
2007 RICHARD J. DALEY CENTER  
CHICAGO, ILLINOIS 60602  
312-603-5902 • 312-603-3022 fax  
Melissa.Robbins@cookcountyil.gov

## STANDING ORDER FOR PRETRIAL PROCEDURE

This standing order establishes a general pretrial procedure for cases assigned to this calendar.

### A. MOTIONS

#### 1. Regular Motion Call

The Court will hear motions every Wednesday at 10:00 a.m. Motions shall be spindled in the Clerk's office in 801 of the Richard J. Daley Center. On the first date the motion is scheduled, the Court will either rule on the motion, or, if necessary, set a briefing schedule and a hearing date.

Motions for default. Motions for order of default (with or without a dollar amounts) are to be spindled in room 801 of the Daley Center.

#### a. Finding of Default

1. Notice. The moving party must provide, or attempt to provide, the opposing party with notice of a motion for default and default judgment. This may be accomplished by mailing the notice of motion and the motion to the respondent party's last know address by both regular and certified mail.
2. Document required. At the hearing on the motion for default, the following documents must be presented to the court:
  - a. A clerk-stamped copy of the notice of motion and motion;
  - b. A copy of summons with the sheriff's return showing service;
  - c. An attorney's certificate, signed by counsel, certifying that both the court file and the clerk's computer have been checked for defendant's appearance and answer. The certificate must be dated no more than ten (10) days before the date selected to present the motion; and
  - d. If defaulting an individual, the attorney must present a military affidavit, i.e., an affidavit that certifies defendant is not in the military.

#### b. Entering Default Judgment

1. Unliquidated Damages. The court may set the matter for further date for prove-up of damages, or may hear the prove-up of damages at the initial motion for default judgment hearing date.

Parties may prove damages by affidavit in accordance with Supreme Court Rule 191.

2. Liquidated Damages. The court will enter default judgment upon presentation of the following documents:
  - a. A copy of the verified complaint with exhibits, or an affidavit by the moving party establishing the judgment amount;
  - b. An affidavit detailing the costs of the suit; and
  - c. An affidavit for attorneys' fees, if applicable.

c. Attorneys' Fees

Attorneys' fees are recoverable only by statute or when provided for in agreement between the parties. If attorneys' fees are recoverable, an affidavit from the attorney is necessary to establish the amount. The affidavit shall state:

1. The date that services were performed;
2. The nature of the services performed;
3. The amount of time spent performing the services;
4. The attorneys' hourly rate;
5. The year the attorney graduated from law school, and the experience of the attorney in legal matters in the nature of those being billed;
6. A statement that the number of hours spent and the rate charged per hour is fair and reasonable and within the normal standards of the community for the type of services performed.

*(Note: Any motion for default that fails to meet the above requirements may be stricken or the hearing continued for the provision of additional information.)*

2. "Piggy Back" Motions

With proper notice to counsel for all parties who have appeared, and pro se parties, motions may also be brought or "piggy-backed" before the court at any regularly set Case Management Conference, Motion Hearing or Pre-Trial Conference.

3. Emergency Motions

The Court will hear emergency motions Monday thru Thursday at 9:55 a.m. Any such motion must qualify as a true emergency, that is, it must involve some circumstance which could lead to irreparable damage to a party if relief is not obtained prior to the time that the party could be heard on the Court's Regular Motion Call. Any application for relief that does not fit this criterion will not be heard as an emergency matter. A matter which becomes so urgent by reason of the failure of a party's attorney to seek timely relief will not be heard as an emergency.

#### 4. Routine Motions

The Court will entertain Routine Motions at 9:15 a.m. Monday thru Thursday.

The Court will accept the following Routine Motions:

1. Motions to vacate any and all technical defaults and for leave to file an appearance, motion, answer or jury demand;
2. Motions for leave to file an amended complaint or counterclaim (against one already a party,) granting 28 days to plead or answer; motion to amend a complaint adding new defendants, with summons to issue; or for leave to file a third party complaint (against one not yet a party) with summons to issue. (If case is not more than 2 years from filing date);
3. Motion for leave to appear as attorney or as additional counsel, or to substitute one attorney for another by agreement. A motion to withdraw without substituting attorney is not a routine motion, but a regular motion;
4. Motions for leave to file an intervening petition on behalf of a workers' compensation carrier, a public body claiming a lien (Public Aid, etc.) or an insurance company;
5. Motions for an order suggesting death of record of any party, accompanied by a certified copy of the death certificate or for an order appointing a special administrator to continue the suit as plaintiff or defendant;
6. Motions for an order authorizing a named individual (over 18 and not a party) to serve a summons or other process. Motion shall specify the reason a special process server is being requested; If the motion is authorizing a special process company, The companies license number must be included in the order;
7. Motions with an affidavit (on behalf of a land trustee) to dismiss the land trustee where the trustee in the order has disclosed the name and residence address of all the beneficiaries of the trust. (The order may grant leave for plaintiffs to file an amended complaint adding additional parties with summons to issue);
8. Stipulations to dismiss all or any part of a case, except wrongful death settlement and minors settlements;
9. Voluntary nonsuit by plaintiff;
10. Petitions for the issuance of subpoenas in out of state cases;
11. Motions for certification of Report of Proceedings pursuant to Supreme Court Rule 323(b).

(Objections can be made by calling chambers prior to 9:00 a.m. the day the motion is noticed.)

5. No dispositive motion will be heard prior to 45 days prior to trial, pursuant to local rule 2.1(f).
6. Courtesy Copies For contested and regular motions, the movant shall deliver to chambers at least **fourteen days prior to the date of the hearing**, courtesy copies of the **motion, response, reply**, and also other pleadings, exhibits, case law and statutes (other than Illinois statutes) relevant to the motion. If movant does not provide courtesy copies within the required fourteen (14) days, the court will strike the motion. Courtesy copies of the motion initially tendered to the Court need to be re-tendered on the date the reply brief is due.

## B. CASE MANAGEMENT CONFERENCE

### 1. INITIAL CASE MANAGEMENT CONFERENCE

#### a. Newly Filed Cases

Approximately 90 days after the filing of each case assigned to this Court's calendar, the Clerk of the Court will notify counsel for all parties who have appeared of a Case Management Conference to be held approximately 120 days after the filing date. The notice will specify the date and time of the Conference. Notice of this Conference will also be published in the Chicago Daily Law Bulletin.

At the Conference, counsel should be fully prepared and have authority to discuss all aspects of the case required by Supreme Court Rule 218.

#### b. Pending Cases Assigned to Individual Calendar

Counsel familiar with the case must appear for all parties represented by counsel. Pro-se litigants must also appear. At the status/case management conference, all parties must be prepared to inform the Court as to all contemplated discovery, both written and oral, and the length of time that each party estimates will be necessary for the completion of discovery, whether F3 experts are expected, and estimated time for trial.

The parties should also be prepared to report to the Court as to the status of the pleadings and any pending or contemplated pre-trial motions and other matters mandated by Supreme Court Rule 218.

At the first status/case management conference, the court will commence to supervise the discovery process including the entry of orders compelling compliance with outstanding pleadings.

Failure to attend the initial case management conference may result in the entry of an order dismissing the case for want of prosecution.

## 2. PRETRIAL CONFERENCE

The attorneys and parties are encouraged to take steps to settle the case on their own. If prior to any scheduled case management the attorneys wish to advance the case for an earlier Pretrial Conference with the Court, this may be arranged by contacting the Court's Coordinator by phone. If a settlement is reached before any scheduled Pretrial Conference, the parties should immediately notify the Court's Coordinator so that their scheduled time may be made available to other parties and so that an appropriate order may be entered.

**DURING A PRETRIAL CONFERENCE COUNSEL WITH AUTHORITY TO SETTLE WITH CLIENTS AND/OR PRINCIPALS PRESENT IN PERSON, OR PRO-SE PARTIES SHALL ENGAGE IN A CONFERENCE WITH THE COURT. COUNSEL IS EXPECTED TO BE ABLE TO FULLY DISCUSS SETTLEMENT POSSIBILITIES AND ANY OTHER ASPECT OF THE CASE.** If no authority is given, counsel shall notify the court coordinator 1 day prior to the pre-trial conference, which shall be cancelled. Failure to give prior notice may result in a 219(c) sanction.

One (1) day prior to the Conference, the plaintiff will be required to prepare and distribute to both the Court and all other parties an updated pre-trial memo.

Pre-trial Conferences will be continued from time to time so long as the Court is of the belief that progress toward settlement is being made. At such a time as the Court is of a belief that further settlement negotiations may prove fruitless, the Court will set a firm trial date.

## 3. LAW DIVISION MAJOR CASE COURT-ANNEXED CIVIL MEDIATION

In addition to the Pretrial Conference opportunity provided by the Court, use of the Court-Annexed Mediation procedures adopted by the Court on April 5, 2004 will be utilized at a time when the Court and/or the attorneys for the parties believe that mediation would be most efficient.

Court-Annexed Civil Mediation shall be governed by Local Rule 20 enacted pursuant to Supreme Court Rule 99, finalized December 1, 2003: Law Division Major Case Court Civil Mediation.

If the parties cannot agree on an appropriate mediator the Court will designate one pursuant to Rule 20.03 (A).

## C. BRIEFS AND CITATIONS

- a. No brief shall exceed 15 pages, double-spaced, exclusive of exhibits. Briefs should be drafted with margins of at least 1" all around and in 12-point font. Any brief filed in excess of 15 pages requires special leave of court.

- b. Citations shall conform to either the “Bluebook” or ALWD Manual and be to official Illinois reporters, with pinpoint citations where applicable. When citing unpublished cases, the party must provide the docket number, the name of the deciding court, and the **LEXIS citation** where possible. WESTLAW citations alone are not acceptable, because the Cook County Court does not have access to WESTLAW.
- c. Movant is responsible for supplying the Court with courtesy copies of all relevant briefs and pleadings, **including a copy of the most current version of complaint**. Courtesy copies are to be delivered to Chambers **fourteen (14) days prior to hearing**.
- d. Documents which fail to comply with the provisions of this section shall be filed subject to being **stricken by the Court**.
- e. Courtesy copies can be emailed to [mewoodz@cookcountygov.com](mailto:mewoodz@cookcountygov.com).

**D. TRIAL DATES**

If another case has priority over yours, you will be advised. Otherwise, assume the date is firm. Continuances are not favored. The Court may continue the case a day or two depending on the Court’s schedule. Be prepared for this by having witnesses on standby.

Normal procedure for the first day of trial is all motions in limine will be heard, jury selection and then opening arguments. Court will be in session as long as the jurors are available.

**F. SANCTIONS**

Failure to comply with the Court’s Orders, failure to appear at any Case Management Conference or any other Pretrial Conference and failure to abide by this Standing Order may result in the dismissal of the action for want of prosecution, the entry of an order of default or other appropriate sanctions.

**G. MODIFICATIONS OF THIS ORDER**

The Court may modify these general procedures as a need arises. Attorneys and other concerned citizens are encouraged to suggest changes to increase the efficiency and fairness of the Court’s procedures. This order supercedes the all prior Standing Orders.

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Judge Bill Taylor

Effective as of October 29, 2010

*(Note: You must provide your own court reporter if you desire to have a court reporter present)*