

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
THIRD MUNICIPAL DISTRICT, PARENTAGE CASES**

ADMINISTRATIVE ORDER 2021-03

SUBJECT: EMERGENCY PLEADINGS IN ALL PARENTAGE CASES

EFFECTIVE IMMEDIATELY, IT IS HEREBY ORDERED THAT:

1. **Filing:** Any emergency pleading or motion (“Emergency Motion”) brought pursuant to Cook County Court Rule 13.4(a)(ii) shall be filed with the Clerk of the Circuit Court of Cook County. Emergency Motions shall include an affidavit or verification stating facts that identify the nature of the sudden or unforeseen circumstances which give rise to the emergency and the reason why the matter should take precedence.
2. **Emergency Defined:** An emergency is defined as a sudden and unforeseen circumstance that may cause injury, loss of life, or damage to property and that requires an urgent response and remedial action.

Absent the risk of imminent harm or severe prejudice, the following matters will generally not be heard as an emergency:

- Motions to establish or modify custody, set child support, paternity, or visitation, unless risk of imminent harm to child
 - Motions seeking execution of documents (e.g. tax returns, quit claim deeds)
 - Rules to show cause
 - Motions to Vacate an Order entered by the judge assigned to the case unless it involves an issue of endangerment to child
3. **Notice:**
 - a. Except for good cause shown, the movant shall provide a minimum of 24 hours notice to the opposing side. All Emergency Motions shall be noticed for 9:00 a.m. before the regularly assigned calendar judge.
 - b. The notice shall also contain the Zoom information for the calendar judge regularly assigned to the case.
 - c. If an Emergency Motion is presented on an *ex parte* basis without notice to the opposing side, and the applicable statute does not specifically provide for an *ex parte* hearing, then the motion must set forth those facts that support the reason why the matter should be heard without notice.
 4. **Scheduling:**
 - a. A courtesy copy of the Emergency Motion, along with a representation that the movant filed the Emergency Motion, the e-filing envelope number, if applicable, and a verification of notice shall be submitted via e-mail in PDF format, with all counsel of record and self-represented parties included as recipients, to d3crt208orders@cookcountycourt.com prior to 9:00 a.m.

- b. If the Court timely receives the courtesy copies, it will hear the Emergency Motion via Zoom at 9:00 a.m. to determine whether the matter presented is a valid emergency. NOTE: For Mondays, Wednesdays and Thursdays file in Room 208 where cases will be heard. For Tuesdays and Fridays file in Room 208 however, emergency cases will be first heard in Courtroom 103 to then be transferred to the Parentage Judge.
 - c. If the Court determines that the matter presented is a valid emergency, the Court will instruct the parties with the next steps.
 - d. If it is determined that the matter presented is not a valid emergency, the movant will be directed to place the matter on the Court's regular motion call and to notify all parties that the motion will not be heard as an emergency.
 - e. The Court retains the discretion to determine, based on the pleadings, whether the matter is a valid emergency prior to 9:00 a.m. If the Court determines whether a matter is an emergency before the start of the 9:00 a.m. call, the Court shall enter an order and notify the parties whether they shall still appear at 9:00 a.m.
5. **Sanctions:** The Emergency Motion procedure set forth in this Administrative Order shall not be used as a vehicle to circumvent the non-emergency motion procedures. If the court determines that the matter presented is not a valid emergency, the Court may issue sanctions against the movant. A party and/or their counsel who appeared for or responded to a Motion submitted as, but found not to be, an emergency may be entitled to reimbursement by the movant of actual expenses, fees and costs incurred, under the discretion of the Court.
6. Nothing in this Order shall limit the ability of the Emergency Judge scheduled pursuant to Cook County Local Rule 13.2(f) to hear cases.
7. This Order shall not apply to Emergency Orders of Protection.

This order, signed November 15, 2021 by Presiding Judge Jill C. Marisie, effective immediately and shall be spread upon the records of the Third Municipal District, Circuit Court of Cook County.

DATED: November 15, 2021

ENTERED:


JILL C. MARISIE

Presiding Judge
Third Municipal District