

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT- CHANCERY DIVISION

**JUDGE NEIL H. COHEN**  
CALENDAR 5- ROOM 2308

Telephone: 312/603-6052 Fax: 312/603-6495

**STANDING ORDER**

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Pursuant to General Administrative Orders 2020-01 and 2020-02 all matters, excluding emergency matters are continued and reset for thirty (30) days pending further order of court. These orders do not affect previously set filing deadlines.

Litigants with previously set clerk's status dates are encouraged to submit their materials via e-mail to [ccc.chancerycalendar5@cookcountyil.gov](mailto:ccc.chancerycalendar5@cookcountyil.gov)

Litigants seeking to have routine motions heard should also submit their materials to [ccc.chancerycalendar5@cookcountyil.gov](mailto:ccc.chancerycalendar5@cookcountyil.gov)

\*Note: submission to [ccc.chancerycalendar5@cookcountyil.gov](mailto:ccc.chancerycalendar5@cookcountyil.gov) is **NOT** a substitute for electronic filing. Litigants **MUST** electronically file their materials before submitting them to [ccc.chancerycalendar5@cookcountyil.gov](mailto:ccc.chancerycalendar5@cookcountyil.gov)

Litigants seeking to have an emergency motion heard should review procedures outlined in General Administrative Order 2020-02

These procedures are subject to change.

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I. Motion Calls

A. Routine Motions

1. Defined. The following motions are considered "routine":
  - a. Motions to Vacate Technical Defaults
  - b. Notice of Motions and Motions Relating to:
    - 1). Counsel
      - a). Appearance as Counsel;
      - b). Appearance as Additional Counsel;
      - c). Admission of out-of-state attorney, pro hac vice, per S.Ct. Rule
      - d). Agreed Substitutions of New Counsel;
    - 2). Service

- a). To Issue an Alias Summons;
- b). Motions to Appoint a Special Process Server are not routine.
- 3). Pleadings
  - a). Answers;
  - b). Affirmative Defenses;
  - c). Voluntary Dismissals;
  - d). Agreed First Motions to Extend Time to Answer or Otherwise Plead;
- 4). Discovery
  - a). Agreed First Motions to Extend Time to Respond to Discovery;
  - b). Agreed First Motions to Reschedule Depositions.

5) Continuances

Parties may reschedule dates through an agreed order but they must first call the court's law clerk to confirm the date is available. Trial dates, however, cannot be reschedule through an agreed order. The parties must appear in court to discuss rescheduling with the court.

6) Other Agreed Orders

The court strongly encourages parties to resolve matters among themselves through agreed orders, if possible. (e.g. dismissal orders, protective orders, non-compete orders, etc.). If a matter can be resolved through an agreed order, a routine motion is not necessary.

2. Procedure

- a. Routine motions are accepted daily from 8:30 a.m. to 9:00 a.m.
- b. Routine motions do not require a court appearance.
- c. However, Movant shall provide the court with the following:
  - 1). Notice of Motion;
  - 2). Motion; and a
  - 3). Three (3) copies of the proposed Order.
- d. The Clerk will stamp the originals and scan them to the Clerk's computer. File stamped copies of the order will be available in the courtroom no later than the following day.

3. Notice

Movant must give notice of the motion as a "Routine Motion" for 8:30 a.m., as provided in Circuit Court Rule 2.1.

4. Objections

Routine motions will be granted unless an objection is received. A party may object to a routine motion in writing or orally, either in person or by phone. Objections must be made by 4:00 p.m. on the day prior to presentation. If an objection is received, no order will be entered on the routine call. If Movant wishes to pursue the motion following an objection, please schedule it as a regular motion.

## B. Regular Motions

### 1. Procedure

- a. The regular motion call is at 10:00 a.m. daily.
- b. A regular motion must be scheduled on the Chancery Division's electronic docket, located in Room 802.

### 2. Courtesy Copies of Non-Emergency and Non-Dispositive Motions

If a party wishes the court to consider a non-emergency or non-dispositive motion, that party must give the court an opportunity to read and consider said motion by making sure the court has a courtesy copy of said motion at least TWO (2) full business days before the date of presentation. Courtesy copies may be delivered to either:

- a. the courtroom clerk during normal business hours;
- b. a box located outside Room 2308, at any time;
- c. a box located outside the judges' elevator bank, at any time; or
- d. by U.S. Mail, so long as it is designed to arrive at least TWO (2) full business days before the date of presentation..

### 3. A Brief Note About Electronic Filing

Parties should note that when any submission is filed through the Clerk's electronic filing procedure, the court receives no notice of same nor any copy of that which has been filed. If a party wishes the court to actually read and consider a motion, and the request for relief stated therein, it would be wise to make sure the court is actually presented with a courtesy copy of same in accordance with this rule.

### 4. Motions for Default

On all 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 include proof of service and an affidavit regarding military service, per 50 U.S.C. app. §521.

Motions must be accompanied by the actual affidavit of the Deputy Cook County Sheriff or Special Process Server attesting to the facts of how he/she actually achieved service. Please note: A photocopy of the Cook County Sheriff's website which notes that service has been effectuated is insufficient to prove same. The webpage itself warns that the accuracy of the data asserted on that page is not reliable.

### 5. Discovery Motions

Discovery motions must contain a detailed statement as to the efforts undertaken by the parties, per Illinois Supreme Court Rule 201(k).

Please attached as tabbed exhibits any set of interrogatories, production requests, requests to admit, and the responses to each, as are relevant to the relief requested by the motion.

C. Emergency Motions/Petitions to Issue a Temporary Restraining Order

Matters determined to require emergency scheduling are heard daily. Emergency matters are scheduled by the court. A courtesy copy of the motion, marked "EMERGENCY MOTION," along with all necessary supporting papers, must be delivered to chambers no later than 3:00 p.m. on the day preceding the desired presentment day. If the matter is determined to be a true emergency, Movant will be given the next available hearing date. Movant must then provide proper notice to opposing parties and their counsel. If the matter is determined to not be a true emergency, Movant may be instructed by the courtroom staff to place the matter on the regular motion call.

D. Contested Motions/Briefing Schedules/Oral Argument/Duties/Orders

1. The court will set a briefing schedule on presented contested motions.
2. Oral argument will not be set unless requested by a party and agreed to by the court.
3. After the court sets a briefing schedule, the parties shall fill out a "Briefing Schedule" form order located near the entrance to the courtroom.
4. All clerk status dates are scheduled for Mondays. When a holiday falls on a Monday, the clerks status date shall be scheduled for the following Tuesday.
5. On clerk status date, the following conditions exist and are to be met:
  - a. Movant is responsible for delivering courtesy copies of the motion, all briefs, relevant pleadings, and any exhibits referred to by the parties. To repeat: all motions must be accompanied by a copy of the most recent complaint and any other relevant pleadings;
  - b. Courtesy copies will not be accepted before or after the clerk status date.
  - c. If depositions are cited in support or in opposition to a motion, a copy of the entire transcript must be provided;
  - d. A copy of the Administrative Record must be submitted to the court for administrative review cases;
  - e. At the clerk status, the parties will review the courtesy copies and confirm that the court has been given all the required and necessary material;
  - f. Should Movant fail to appear at the clerk status date, the motion will be stricken;
  - g. The court's law clerk will set a ruling date. As a general matter, the court will issue a Memorandum Opinion and Order prior to the ruling date. The ruling date will then serve as a status date for the parties to discuss "next steps" in the litigation or be stricken if the case is concluded..

II. Motions and Briefs: Format

A. Format: All briefs are to be:

1. double spaced;
2. typed in 12 point Times New Roman font; and
3. set with 1-inch margins.

B. Page Limitations

1. Briefs in support of and in response to a motion shall not exceed 15 pages.
2. Reply briefs shall not exceed 8 pages.

C. Presentation: Binding

Briefs must be bound along the left side or, if not too large, stapled at the top left.

Briefs bound with binder clips will not be considered.

Briefs secured at the top with two-prong fasteners at the top will not be considered.

D. Presentation: Exhibits

All exhibits must be indexed and tabbed.

III. Case Management Conferences

Case managements are conducted daily at 9:30 a.m. An initial case management conference will be set by the Clerk's office approximately 180 days after the filing of the Complaint and notice will be by post card. Subsequent case management conferences will be set by the court. At the first appearance at a case management conference, parties should be prepared to submit courtesy copies of their pleadings.

Counsel with authority to commit to all scheduling orders must appear at this call and be prepared to inform the court as to: the status of service of process upon each defendant; the complexity and nature of the litigation; the status of the pleadings; and pending or contemplated motions; and all contemplated discovery. The court may enter orders relating to the pleadings, compelling compliance with overdue discovery and setting time limits for the conclusion of discovery.

IV. Settlement Conferences

Upon agreement of all of the parties to participate in good faith settlement discussions, a settlement conference will be set by order.

The parties will be asked to submit and exchange pre-trial memoranda setting forth the nature of the case, the issues, the damages, the status of settlement negotiations, the parties' current positions concerning settlement, as well as any other information the parties believe might be helpful to illuminate the parties' positions on the issues and otherwise educate the court as to the law and equities presented by the litigation.

These submissions will be due seven (7) days prior to the scheduled settlement conference.

Attorneys for the parties must come to the settlement conference with their clients and with authority to settle.

V. Final Pre-Trial Submissions and Conferences

All trials will be preceded by pre-trial submissions by the parties and a pre-trial conference with the court.

A. Pre-Trial Submissions: General

1. The pre-trial submissions will be due on a date certain prior to trial to be set by the court.
2. Each party will prepare its own pre-trial submission.
3. Each party will exchange its own pre-trial submission with the other side prior to the pre-trial conference.

B. Content. The pre-trial submission shall consist of the following:

1. A joint short statement of the nature of the case;
2. A joint statement and stipulation as to agreed upon facts, if any;
3. A separate binder from each party with an exhibit list for that party. The exhibits shall be listed by the number that the party offering it intends to use at trial.
4. A list of each party's witnesses;
5. A statement of disputes regarding requests to produce individuals or items at trial, per Illinois Supreme Court Rule 237;
6. A copy of all applicable Rule 213 disclosure if opinion witnesses are to be presented;
7. Motions in limine; and
8. Copies of evidence depositions if there are objections requiring rulings.

C. Conference

At the final pre-trial conference, the court will rule on evidentiary issues, discuss trial scheduling and may conduct settlement discussions.

VI. Trials

Trial dates are firm. Trial begins at 11:00 a.m. each day and will end at the appropriate time between 4:00 p.m. and 6:00 p.m., as necessary.

Parties are responsible for engaging interpreters and court reporters.

The court invites opening and closing statements.

The parties may decide to argue the case immediately following the last witness, or to take a continuance to prepare to do so.

The parties are invited to submit trial briefs and caselaw, as they wish.

The court is open to hearing from the parties as to the manner and order in which they wish to conduct the trial, and will accommodate those wishes, within reason.

VII. Removal

If a case is removed to federal court, please deliver a proposed order to the court which " ... strikes the future court date of ( date ) for the reason that the case has been removed to the (e.g. Federal District Court for the Northern District of Illinois)."

Amended 3/23/22