

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

**CALENDAR 7 – COURTROOM 2405
JUDGE EVE REILLY
STANDING ORDER 3.8**

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This Standing Order supersedes and hereby vacates all prior Standing Orders regarding pending cases assigned to Calendar 7 of the Chancery Division in Courtroom 2405. The purpose of this Standing Order is to establish general pre-trial and trial procedures to aid in the timely resolution of matters assigned to this calendar. Where special circumstances exist that warrant modification, those cases will be handled according to the specific needs presented.

It is the intention of the court that all court personnel, including the judge, assist all counsel and litigants who have business before the court. If you have questions concerning the requirements of this Standing Order, scheduling, or other matters, please ask.

Contents

Contents	1
Remote Proceedings	2
Pleadings	3
Court Schedule	3
Civility	3
Court Reporters	3
Initial Case Management Conferences	3
Status Hearings	4
Agreed (or Unopposed) Motions	4
Routine Motions	4
Regular Motions	5
Emergency Motions	5
Discovery Motions	6
Contested Motions: Briefs, Memoranda, & Oral Argument	6
Motions to Reconsider	7
Motions for Order of Default	7
Prove-ups	7
Contempt Proceedings	8
Settlement Conferences	8
Trial & Evidentiary Hearings	8

Remote Proceedings

Beginning July 6, 2020, the court will be holding court call via Zoom on a new schedule.

9:15 a.m. Routine motion and clerk's status (not called)

9:30 a.m. Regular motion and status call

10:00 a.m. Initial case management call

The court will schedule all contested motions, trials, rulings, and all other matters, at:

10:30 a.m., 11:00 a.m., or 2:00 p.m.

All pleadings must include the emails of counsel. In the interim, the court is accepting agreed orders and is available for pre-trial/settlement conferences.

Joining remote video proceedings (Zoom). You may join the video proceeding by computer, smartphone or tablet.

- Click this link to join by video-
<https://circuitcourtofcookcounty.zoom.us/j/94377674389?pwd=azNPVGpCNld5MTFocHJmTk dWeXE5Zz09>
- Alternative, the meeting can be accessed with the following log-in information:
Zoom Meeting ID: 943 7767 4389
Meeting Password: 980847
- To call into audio via mobile phone: +1-312-626-6799; 94377674389#

Check-in

- Plan to join the call 5-10 minutes before the start time to check in for court call.
- To check in, go to your controls at the bottom of the window and click the Chat icon. The Chat will appear on the right side of your screen.
- At the bottom of the Chat, you can designate who are you sending the message to by clicking on the More button.
- By using the More button, direct your message to our Court Clerk, **Phil Amato**.
- In your check in message, include your case number and what side you represent.
- The court call will then proceed at the scheduled time. Until your case is called, please keep yourself on mute by clicking the mute icon on the control panel at the bottom of the screen.
- Immediately following court call, parties shall complete the appropriate order and send it to our calendar's email at **ccc.chancerycalendar7@cookcountyil.gov**. The email should include the subject line: Case No. _____ Order.
- Once received, the court will enter the order and send it back to the parties via email.

Courtesy Copies.

Complaints.

- *On* your initial case management date, send a courtesy copy of your complaint to our calendar's email address at **ccc.chancerycalendar7@cookcountyil.gov**
- Include in the subject line of the email: Case No. _____ Complaint.

Motions of Course.

- *Two days before* your scheduled motion presentment date, send a courtesy copy of the motion, exhibits, and any relevant filings to our calendar's email address at

ccc.chancerycalendar7@cookcountyil.gov with the subject line: Case No. _____ Motion (scheduled presentment date).

- Motions to extend the page limit must be filed prior to the subject motion or it will not be considered.
- Blank contested motion orders are available at <http://www.cookcountycourt.org/JudgesPages/Reilly,EveM.aspx> under the Forms tab.

Clerk's Status.

- *On* your scheduled clerk's status date, send all courtesy copies of the pleadings and completed clerk's status orders to our calendar's e-mail address at **ccc.chancerycalendar7@cookcountyil.gov** with the subject line: Case No. _____ Clerk's Status Pleadings & Order.
- Download a blank clerk status order from <http://www.cookcountycourt.org/JudgesPages/Reilly,EveM.aspx> available under the Forms tab.

Pleadings

Courtesy copies of all operative pleadings, or motions to dismiss filed in lieu of an answer, are to be provided to the court in hardcopy as soon as filed, or as early as practicable, and never less than **two (2)** days before the first hearing.

Court Schedule

9:15 a.m. Routine motions (not called)
9:30 a.m. Regular motion and status call
10:00 a.m. Initial case management call

The court will schedule all emergency motions, trials, rulings, and all other matters, at: 10:00 a.m., 10:30 a.m., 11:00 a.m., or 2:00 p.m.

On arrival in the courtroom, please check in with the court clerk.

Civility

Generally. Civility is an essential component of a respected and credible legal system, as well as an essential component of professionalism. The court expects counsel to conduct themselves professionally and with civility at all times, which includes any written and oral communications among counsel, at depositions, and with the court.

Court Reporters

Generally. If parties desire a record or transcript of any hearings or oral rulings from Calendar 7, they must provide their own court reporter.

Initial Case Management Conferences

1. **Generally.** Initial Case Management Conferences are important because they enhance the court's ability to manage litigation. The Clerk's Office will automatically schedule an Initial Case Management Conference by postcard notice, or by electronic notice if the complaint was

electronically filed, no more than 120 days after the filing of the complaint. Initial Case Management Conferences are held at 10:00 a.m. Monday through Friday.

2. **Procedure.** At the Initial Case Management Conference, counsel (or litigants, if self-represented) must appear. Failure to appear at any Case Management Conference may result in a dismissal for want of prosecution, default, or other appropriate order. The parties should be prepared to discuss the status of the topics listed under Illinois Supreme Court Rule 218(a), including any issues relating to the discovery or preservation of electronically stored information.
3. **Prior Appearance.** If some or all of the parties have appeared before the court prior to the date set by the Clerk's Office for the Initial Case Management Conference, and the case already has another date on Calendar 7 that is subsequent to that Initial Case Management date, *no appearance is required on the date set by the Clerk's Office*, and the matter will be stricken from the case management call.

Status Hearings

Generally. Cases will be set on the 9:30 a.m. status call Monday through Friday by court order. Status review may relate to the progression of a case toward trial, other disposition, or motions pending briefing or hearing. Counsel (or litigants if self-represented) with knowledge of the case must appear at each status hearing. Failure to appear for any scheduled status hearing may result in a dismissal for want of prosecution, default, or other appropriate order. If a party cannot appear at a scheduled status date, it must contact opposing counsel and the court.

Agreed (or Unopposed) Motions

Informal Presentation of Agreed Orders. Unless otherwise prohibited by this Standing Order, counsel may informally submit proposed agreed orders for review and entry by the court without placing the underlying motion on the regular or routine motion call. Informal submissions will not be entertained unless either: (1) all counsel have signed the proposed agreed order; or (2) the presenting party specifically represents that all parties have agreed to the order. The court may decline to accept any agreed order.

Routine Motions

1. **Definition.** A routine motion is a motion seeking non-extraordinary, non-substantive scheduling, or other procedural relief. The court may decline to entertain **any** motion as routine. In that event, the movant will be advised to re-notice the motion as a regular motion. Routine motions include:
 - motions to vacate any and all technical defaults and for leave to file an appearance, motion, answer, or jury demand;
 - motions for leave to file *instanter* interrogatories, an answer to a complaint, or an answer to a counterclaim;
 - motions for leave to appear as attorney, as additional counsel, or to substitute one attorney for another by agreement;
 - motions for an order authorizing a named individual, at least 18 years of age, and not a party, to serve summons or other process. The motion shall specify the reason a special process server is requested and include the special process server's license number. The movant need not provide notice of the motion if no party has been served at the time the motion is filed;
 - stipulations to dismiss all or any part of a case;

- voluntary nonsuit by plaintiff;
- motions for protective orders qualifying under the Health Insurance Portability and Accountability Act (HIPAA); and
- motions for certification of Report of Proceedings under Supreme Court Rule 323(b).

Routine motions do *not* include:

- discovery motions brought under any provision of Illinois Supreme Court Rules 201–219;
 - motions brought under Illinois Supreme Court Rule 137;
 - motions seeking to vacate (other than pursuant to settlement) or reschedule a trial date;
 - motions for leave to file papers longer than 15 pages;
 - motions for leave to withdraw as counsel if it will leave a party unrepresented;
 - motions to continue a scheduled status or case management hearing;
 - motions to reconsider;
 - motions to amend pleadings; and
 - contested motions for extensions of time.
2. **Filing.** Routine motions must be filed with the Office of the Clerk of the Circuit Court of Cook County in room 802 of the Daley Center.
 3. **Notice.** Routine motions should not be spindled, but noticed for 9:15 a.m. on any court day. Notice of the routine motion must be personally served (or emailed or faxed) no later than 4:00 p.m. two court days before the noticed date, or mailed five court days before noticed date. See Ill. Sup. Ct. R. 11(b)(4); Cook Cnty. Cir. Ct. R. 2.1(c)(i).
 4. **Courtesy Copies.** A copy of the notice, motion, proof of service, and *three (3)* copies of a draft order must be delivered to the courtesy drop off bin immediately outside the courtroom doors by noon at least *two (2)* court days before the hearing date.
 5. **No Hearing.** Parties do not need to appear on the date of the hearing unless notified by the court. Stamped copies of the Order may be picked up after 2:00 p.m. on the hearing date.
 6. **Objections.** A party objecting to a routine motion must notify the court (in writing, in person, or by telephone) of the objection no later than 9:00 a.m. on the hearing date. If there is an objection, the party will be directed to re-notice the motion on the regular motion call. However, the court may exercise its discretion and rule on the motion.
 7. **Motions Requiring a New Date.** Any routine motion that will extend dates past a previously set status date must include in the draft order a paragraph striking the previously set date and a blank space for the new status date.

Regular Motions

1. **Definition.** A regular motion is any motion that is not a “routine,” “agreed,” or “emergency” motion.
2. **Filing.** Regular motions must be filed with the Clerk’s Office in room 802 of the Daley Center.
3. **Spindling.** Regular motions must be spindled with the Clerk’s Office. When the motion is filed, the Clerk’s Office will spindle it by setting a date for presentment.
4. **Notice.** Notice of the motion must be personally served (or emailed or faxed) no later than 4:00 p.m. *two (2)* court days before the date of presentment, or mailed *five (5)* court days before the date of presentment. See Ill. Sup. Ct. R. 11(b)(4); Cook Cnty. Cir. Ct. R. 2.1(c)(i).
5. **Unopposed Motions.** If no one opposes a duly noticed motion when called, it may be granted.
6. **Courtesy Copies.** A courtesy copy of the notice and motion must be delivered to the courtesy drop-off bin outside courtroom 2405 at least *five (5)* court days before the date of presentment. In the event courtesy copies are not tendered to the court on time, the court may strike the motion or enter another appropriate order.

Emergency Motions

1. **Definition.** An emergency motion includes motions for a temporary restraining order (a “TRO”) and motions concerning a non-TRO emergency that (i) was not reasonably foreseeable or avertable, and (ii) will cause irreparable damage to the movant before the motion can be presented on the regular motion call or a previously set court date.
2. **True Emergencies Only.** Apart from TROs, *true emergencies are extremely rare*. See Ill. Sup. Ct. R. 183 (allowing court to extend time for most acts even after expiration of original time). Discovery motions and exigencies resulting from the movant’s own inaction are almost never emergencies. Non-TRO emergency motions are not favored.
3. **Procedure.** A party must deliver a *file-stamped copy* of the emergency motion papers (*including the complaint*) to the court’s chambers and request a hearing no later than 3:00 p.m. on the day preceding presentment. All motion papers must be marked “Emergency” and contain a specific showing of why the motion is an emergency. If the court determines that the motion qualifies as an emergency, then the court will set an expedited hearing date and time. If the court determines that the motion does not qualify as an emergency, the court will enter an order denying the motion without prejudice and the movant may spindle the motion on the regular motion call. A blank copy of this order is available in the courtroom.
4. **Filing.** All emergency motions must be filed *before* the movant requests a hearing.
5. **Spindling.** Emergency motions should *not* be spindled in the Clerk’s Office.
6. **Notice.** Except in extremely rare and compelling circumstances, clearly and convincingly demonstrated by the papers, the court will require the movant to give notice of the date and time of the hearing to all parties.
7. **Courtesy Copies.** The movant must deliver a file stamped copy of the complaint, notice, and motion after receiving a hearing time.

Discovery Motions

1. **Reasonable Attempt to Resolve.** Any contested discovery motion must show compliance with Ill. Sup. Ct. R. 201(k), and indicate a personal attempt to resolve the dispute.
2. **Claims of Privilege.** Privilege claims will not be entertained unless the claimant supplies a privilege log and any affidavits or other proof necessary to lay a factual basis for the privilege claimed. See Ill. Sup. Ct. R. 201(n).

Contested Motions: Briefs, Memoranda, & Oral Argument

1. **Briefing Schedule.** On presentment of a contested motion, the court will have the parties set a briefing schedule followed by a clerk’s status hearing, which will be set on the 9:30 a.m. call. The court will not set a motion for argument or ruling until it has a full set of courtesy copies.
2. **Page Length; Fonts; Margins.** Memorandum in support of and in opposition to a motion (excluding post-trial submissions) may not exceed *fifteen (15)* pages, and reply briefs may not exceed *eight (8)* pages. Briefs must be double-spaced, and written in 12-point Times New Roman font. Margins must be 1 or 1.25 inches on all sides and on 8.5 x 11 inch paper. *The court may not accept documents that fail to meet these requirements.*
3. **Exhibits.** If a memorandum has more than *two (2)* exhibits, then all exhibits must be tabbed.
4. **Exhibits - Insurance Policy.** After the case is at issue, each insurer should file, serve, and deliver a courtesy copy of its relevant insurance policy, which is Bates-numbered (including the application,

and a certificate, if relevant and available). All motions should then refer to the Bates-numbered pages and need not include the policy as an exhibit. *E.g.*, “Policy at A0023.”

5. **Additional Materials.** If a deposition is cited, a copy of the entire transcript, with text in at least 11-point font, must be provided. The Administrative Record must be submitted to the court for all administrative review cases.
6. **Footnotes.** While litigants should generally place citations in the body of a document’s text, in rare instances a litigant may desire to place citations in a footnote. In the event a document contains footnotes, they should be limited to citations only, single spaced, and in the same font and size as the primary text. The court reserves the right to disregard argument in footnotes.
7. **Citations.** Illinois case citations must be to the official Illinois Reporters (Ill., Ill. App., etc.), not the North Eastern Reporter (N.E., N.E. 2d) or Illinois Decisions (Ill. Dec.). For Illinois cases filed after July 1, 2011, litigants must cite to the public domain system. See Ill. Sup. Ct. R. 6. Online citations must be to LEXIS. Out-of-state citations may be made to any reporter available on LEXIS.
8. **Lack of Citation.** The court reserves the right not to entertain arguments made without citation to legal authority, and may deem such arguments as waived. *In re Marriage of Suriano*, 324 Ill. App. 3d 839, 851 (2001).
9. **Courtesy Copies of Cited Authority.** The court reserves the right to request courtesy copies of all authorities cited in briefing and further reserves the right to refuse to accept any briefing for failure to provide any authorities requested.
10. **Lack of Response.** If a party fails to respond to an argument, the court may deem the argument conceded. *Bigelow v. City of Rolling Meadows*, 372 Ill. App. 3d 60, 67 (1st Dist. 2007).
11. **Courtesy Copies of Briefs.** On any motion set for argument, or which the court has set a briefing schedule, the movant must deliver copies of all motions, briefs in support and opposition, exhibits, and pleadings to the court on a clerk status date set by court order. If copies are not timely provided, the court will not hear argument. *NOTE: the court does not have easy access to the public case file in the Clerk’s Office, nor does the Clerk’s Office supply the court with courtesy copies of any case files.*
12. **Hearings & Oral Argument.** Hearings on contested motions will be set at 10:30 a.m. or 11:00 a.m. The court will have read and reviewed the courtesy copies of all papers and will offer the floor for oral argument.

Motions to Reconsider

1. **Standard of Review.** It is not feasible for the court to routinely hear substantive matters twice. Accordingly, counsel contemplating a motion to reconsider should have in mind the pertinent standard. See *Farley Metals v. Barber Colman Co.*, 269 Ill. App. 3d 104, 116 (1st Dist. 1994).
2. **Courtesy Copies.** Courtesy copies of motions to reconsider final and appealable orders should be delivered to the court within 30 days of the ruling. See 735 ILCS 5/2-1301(3). This practice will ensure that the court does not dispose of its copies of the original motion.

Motions for Order of Default

1. **Notice.** All parties who have been served shall be given notice, regardless of whether an appearance has been filed.
2. **Materials.** The following materials are required:
 - A. a copy of the notice of motion and the motion;
 - B. face of summons;
 - C. copy of return of summons;

- D. attorney or self-represented litigant certificate certifying that both the court file and the computer register have been checked for the defendant's appearance or answer. The certificate must be dated no more than *ten (10)* days before presentation of the motion;
 - E. a military affidavit if defaulting an individual (as required by federal law – Form CCG 004); and
 - F. *three (3)* copies of a draft order specifying the relief sought.
3. **Post-Motion.** If an order of default is granted, the movant must mail a copy of the order to the defaulted party.

Prove-ups

1. **On the Papers.** Unless otherwise directed by the court, “prove-ups” following the entry of an order of default will only be handled on the regular motion call at 10:00 a.m.
2. **Requirements.** The court will require plaintiff to make out, through the materials submitted, a *prima facie* case for the relief sought (this may include the complaint, if verified). See 735 ILCS 5/2-1301(d). A draft judgment order, specifying the precise relief sought, must also be submitted in all cases. All materials must be submitted at least two days prior to the court date.
3. **Testimony.** Parties must provide their own court reporters for all prove-ups in which testimony will be given. Parties may submit affidavits in lieu of live courtroom testimony.

Contempt Proceedings

Generally. For any proceeding related to contempt or a rule to show cause, the movant must supply a court reporter. The court will not issue a body attachment without a court reporter present at the proceedings.

Settlement Conferences

1. **Generally.** All parties are encouraged to explore settlement, including ADR techniques.
2. **Scheduling & Participants.** Any party may request a settlement conference at any time. If all parties agree, they may call the court to schedule a date and time. The court will expect all counsel and parties to be present, unless otherwise ordered. The court will not conduct a conference unless someone who has authority to settle the case is present. On request and a showing of good cause, the court may allow parties to be available by phone.
3. **Procedure.** Absent good cause, or as authorized by Circuit Court or Illinois Supreme Court Rule, a mediation request will not be approved unless all parties agree. If requested, the court may participate in settlement conferences; however, the court ordinarily will ask the parties to waive any opportunity for substitution of judge that may arise from participation. Alternatively, the court may arrange or suggest a settlement conference before a different Chancery judge.
4. **Pre-conference Submissions.** Each party is required to submit a separate pretrial memorandum to the court. The memorandum should include the following sections: (I) Procedural History; (II) Summary of Position; (III) Objectives/Desired Outcome; and (IV) Summary of Past Settlement Attempts (if applicable). Please attach any exhibits relied upon within the memorandum. The submission must be in writing and delivered to chambers no later than *three (3)* court days before the scheduled conference. Unless the court directs otherwise at the request of all parties, a copy of the submission *must* be served on all parties.

Trial & Evidentiary Hearings

1. ***Trials Generally.*** Trial dates are firm. The court will not consider agreed motions to continue trials, unless presented in a written motion that shows good cause, which is supported by affidavit. The motion must be presented no less than *five (5)* days prior to commencement of the trial.
2. ***Required Trial Materials.*** The following materials, as applicable, must be submitted to the court by joint submissions no less than *ten (10)* court days before the scheduled start of trial (separate submissions are permitted only if the parties cannot in good faith agree on joint submissions). Failure to submit materials in a timely manner may result in the court barring the submission of that evidence, which may be either oral or documentary. These materials include:
 - A. a pretrial memorandum not to exceed *eight (8)* pages detailing the history of the case with the operative complaint(s) and answer(s) provided as attachments. If parties wish to make separate statements, they may do so in separate sections within the memorandum;
 - B. a complete set of separate bound, pre-marked and tabbed set of all trial exhibits as follows: one binder for joint exhibits, one binder for plaintiff's exhibits, and one binder for defendant's exhibits. Each binder shall include a table of contents within the set itself and an exhibit list that identifies each exhibit, and whether any party objects to a particular exhibit, save for in the joint exhibits binder. The exhibits shall be identified numerically, not by letter designations, and shall all be separately tabbed. Operative pleadings shall be included as exhibits. Parties shall not duplicate exhibits and shall stipulate to foundation and authenticity where appropriate. Parties shall include a chart or table identifying if they object and to which exhibits as well as a detailed basis for each objection;
 - C. copies of all new or still-pending motions *in limine* and supporting and opposing memoranda. Parties are encouraged to present any substantial evidentiary disputes in advance of trial by means of motions *in limine*;
 - D. a written stipulation signed by all counsel of record or parties listing all pending matters. Any petitions or motions not listed are deemed either waived or withdrawn;
 - E. full transcripts of evidence depositions, with text in at least 11-point font, to be used at trial, marked by each party to identify portions to be offered;
 - F. a complete list of all potential witnesses, specifying who will or may be called by each party;
 - G. an affidavit of compliance with Illinois Supreme Court Rule 237 Notices, and a statement of any outstanding dispute as to Rule 237 Notices; and
 - H. parties expecting to offer opinion testimony must have available at trial a copy of any discovery responses or deposition testimony that will support the opinion testimony to be offered. The proponent of the opinion testimony has the burden to show compliance with Rule 213. See Ill. Sup. Ct. R. 213(g). The court will not delay trial for this purpose.
3. ***Required Evidentiary Hearing Materials.*** The parties must jointly submit the following materials to the court no less than *five (5)* court days before the scheduled start of the evidentiary hearing (separate submissions are permitted only if the parties cannot in good faith agree on joint submissions):
 - A. a complete pre-marked set of all hearing exhibits that avoids duplication, including a table of contents within the set itself and an exhibit list that identifies each exhibit and whether any party objects to a particular exhibit;
 - B. a written stipulation signed by all counsel of record or parties listing all pending matters;
 - C. full transcripts of evidence depositions, with text in at least 11-point font, to be used at the hearing marked by each party to identify portions to be offered; and
 - D. a complete list of all potential witnesses specifying who will or may be called by each party.
4. ***Interpreters.*** Parties are expected to provide their own interpreters for both trials and evidentiary hearings. If a party is indigent and cannot afford an interpreter, the party should call chambers at least *three (3)* days before the first scheduled trial date to request an interpreter.

5. ***Court Reporters***. Parties are expected to provide their own court reporters for both trials and evidentiary hearings.
6. ***Post-Trial***. The court may request proposed findings of fact and conclusions of law and trial briefs *with citations to the record*. There is no limit on the length of post-trial submissions. The parties shall jointly file a complete set of admitted trial exhibits and supply the court with a courtesy copy thereof.

Any and all questions are to be submitted to the law clerks via email or telephone.

Dated:

July 1, 2020

Entered:

Judge Eve Reilly