

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

SUPPLEMENTAL STANDING ORDER

**ADDENDUM No. 3:
PROTECTIVE ORDERS**

November 20, 2013

**Judge David B. Atkins
General Chancery Calendar 16
Courtroom 2102, Richard J. Daley Center, Chicago
(312) 603-6039 – telephone / (312) 603-7290 – facsimile**

This Supplemental Standing Order is entered as an addendum to the Standing Order of Calendar 16. This order specifically addresses issues and procedures relevant to the entry of protective orders, whether through agreement or otherwise.

1. GENERALLY

- 1.1. Grounds.** A protective order may be entered, on the court’s own initiative, or on motion of any party or witness, as justice requires, denying, limiting, conditioning, or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage, or oppression. *See* Ill. S. Ct. R. 201(c)(1).
- 1.2. Other considerations.** In addition to the bases enumerated in Illinois Supreme Court Rule 201(c)(1), the court will also take the following factors into account when deciding whether a protective order is appropriate: whether the public has an interest in the information, the purpose for which the information is being sought, and whether the party benefitting from the order is a public entity or official.

2. ENTRY OF PROTECTIVE ORDERS

- 2.1. Agreed Protective Orders.** Agreed protective orders may be dropped off in chambers subject to the restrictions and requirements set forth in Section 3.4 of the court’s Standing Order and Section 2.3 herein. Such orders will generally be entered within one (1) business day. Agreed protective orders should indicate that they are agreed-to and should be signed by all parties. Agreed protective orders do not need to be spindled or formally presented to the court. However, such orders may be spindled or “piggy-backed” onto an existing court date as set forth in Sections 3.1 through 3.3 of the court’s Standing Order.
- 2.2. Contested Protective Orders.** If any party opposes entry of a protective order, the proponent of the protective order must make a motion to the court. The motion should include the grounds upon which the protective order is being sought and the proposed protective order should be attached to the motion. Such a motion may either be spindled or piggy-backed onto an existing court date for initial presentment in

accordance with Sections 3.1 through 3.3 of the court’s Standing Order. A contested motion for a protective order may be subject to briefing and oral argument.

2.3. Requirements. All proposed protective orders, including agreed protective orders, must contain the following:

2.3.1. A brief statement of the particular facts necessitating entry of the protective order. For instance, an order may state that it is necessary to protect the identity of the parties in a given matter or that it is intended to prevent the public dissemination of confidential business information such as pricing structures. Simply stating that information is “confidential” or “proprietary” is not sufficient.

2.3.2. The phrase, “The court finds there is good cause to conclude that justice requires the entry of this protective order.”

2.3.3. The phrase, “This order shall not be filed under seal.”

3. STANDING ORDER CONSIDERATIONS

3.1. Applicability and Inconsistency. Unless the court orders otherwise (either generally or in a particular circumstance), this Supplemental Standing Order applies in every case. In the event of any inconsistency between this Supplemental Standing Order and any order entered in a case, the order entered in the case controls to the extent of the inconsistency.

3.2. Modification. The court may modify this Standing Order at any time. Copies of Judge Atkins’ most recent Standing Order are available in courtroom 2102 and can be found online at www.cookcountycourt.org/JudgesPages/AtkinsDavidB.aspx.

Judge David B. Atkins

The Court.