IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
DE KALB COUNTY, ILLINOIS

SECOND AMENDED
ADMINISTRATIVE ORDER 20-02

EFFECTIVE IMMEDIATELY

Failure to Appear Warrants and Notice to Appears

In accordance with the declaration of a State of Emergency by governor Pritzker on March 9, 2020 and the Order entered by the Illinois Supreme Court on March 17, 2020, the following procedures shall be implemented for individuals arrested in DeKalb County:

Notice to Appears

All law enforcement agencies should release all new misdemeanors and traffic offenders on Notice to Appears with a court date after June 2, 2020, except Domestic Battery, Violation of Order of Protection and DUI. The Notice to Appear should be completed on scene or at the police agency facility. If an individual in these categories needs to be printed and booked and the agency does not have the capability to do so, individuals may be processed at the DeKalb County Jail but will receive a notice to appear.

Failure to Appear – Pre-trial Felony; Pre-trial Domestic Battery; Pre-trial Violation of Order of Protection and Pre-trial DUI cases:

Any individual who is arrested on a failure to appear warrant for a pre-trial felony, pre-trial domestic battery, pre-trial violation of order of protection or pre-trial DUI case shall be held in custody by the arresting agency and the arresting agency shall contact the duty judge who shall either determine the individual should be released with a notice to appear court date without requiring the posting of monetary bond OR shall determine that the individual should be taken to the DeKalb County Sheriff's Office and held in custody there pending bond call. The duty judges are:

May 4 – May 17:	Judge Matekaitis, 815-739-2308
May 18 – June 2:	Judge Montgomery, 847-702-7445

Failure to Appear – all cases not listed above (including all post sentence cases)

Any individual who is arrested on a failure to appear warrant for a case not specifically listed above (including all post sentence cases) shall be released by the arresting agency with a notice

to appear court date after June 2, 2020. Any such individual shall not be required to post monetary bond in order to be released and given a notice to appear court date.

Entered:

Robbin J. Stuckert,
Presiding Judge of DeKalb County Circuit Court
May 4, 2020

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
DEKALB COUNTY, ILLINOIS

SECOND AMENDED
ADMINISTRATIVE ORDER 20-04

In accordance with General Order 20-12, *In re the Extension of the Activation of the Emergency Preparedness Plans for the Courts in DeKalb and Kendall Counties in Response to the Covid-19 Pandemic*, the following procedures regarding Family Court cases in DeKalb County for the period of May 1, 2020 through June 2, 2020 are in full force and effect:

1. Agreed Orders may be e-filed with the Circuit Clerk as follows:

    a. All Agreed Orders are subject to review and approval by the judge assigned to the case.

    b. Agreed Orders shall not contain dates for hearings or trials.

    c. If an Agreed Order involves one or more self-represented litigants ("SRL"), the signature of the SRL shall be attested to and witnessed before a Notary Public prior to filing with the clerk.

    d. The Circuit Clerk will email the attorney and/or SRL a copy of the Agreed Order as entered by the Court.

2. Scheduling of Prove Up hearings ("Prove Ups") starting on June 4, 2020 shall be as follows:

    a. Beginning on Thursday, June 4, Prove Ups will be scheduled on Mondays and Thursdays at 1:30 p.m. and at 3:00 p.m. to accommodate any backlog of scheduled Prove Ups. No more than five Prove Ups will be scheduled at 1:30 p.m. and at 3:00 p.m. All proceedings shall be electronically recorded and the payment to the court reporter will made at their office.

    b. Prove Ups that have previously been scheduled during the period of May 4 through June 1 will be continued to a new status date for resetting. Attorneys and SRLs seeking to reschedule a new Prove Up date may email their request to the Court Administrator at dakerlow@dekalbcounty.org for a Prove Up date for any Monday or Thursday starting June 4, 2020.

c. Attorneys and/or SRLs wishing to obtain a Certificate of Readiness during the period of May 1, 2020 to June 2, 2020 in order to schedule a Prove Up on or after June 4, 2020 may mail the original documents along with the completed and executed Certificate of Readiness form to the Court Administrator at 133 W. State Street, Sycamore, Illinois 60178. The signature of any SRL on the Certificate of Readiness form shall be attested to and witnessed before a Notary Public.

3. Prove Ups and Entry of Final Judgments during the period of May 1, 2020 through June 2, 2020 shall be conducted as follows:

   a. During the period of May 1, 2020 through June 2, 2020, the following temporary accommodations to counsel and SRLs for matters that are prepared for entry of Final Judgment. Family Court Judges will be available to review and consider entering Judgments for Dissolution of Marriage without a Prove Up and transcripts under the following parameters:

      i. Parties should email their fully executed proposed settlement documents to include the Judgment, Marital Settlement Agreement, Allocation Judgment and Parenting Plan (if applicable) and copy of the Certificate of Dissolution (half/sheet) to the Court Administrator at dakerlow@dekalbcounty.org for the respective Judge's review and discretionary entry.

      ii. The Allocation Judgment/Parenting Plan may enter as a matter of course following review as presumed to be in the best interest of the minor children if signed by both parties. Please make sure all mandatory clauses are included within the Plan (e.g. mediation provision);

      iii. With respect to the Marital Settlement Agreement, setting of child support and maintenance should reference calculation pursuant to statute (i.e. income and duration, income sharing) and/or specify the basis for deviation and/or waiver or reservation of the same. Disproportionate distribution of marital property (assets and liabilities), if any, should also be explained if applicable;

      iv. Each party shall sign an additional notarized affidavit indicating:

1) Their agreement that the court has both personal and subject matter jurisdiction;
2) Their stipulation as to grounds;
3) Their review of the Agreement in its entirety;
4) Their understanding of the terms of the Agreement and intent to be bound by them;
5) Their entry into the Agreement freely and voluntarily;
6) Their belief that the Agreement is a fair and equitable division of the marital estate;
7) Their waiver of appearance at a proveup;
8) Their waiver of a transcript from a proveup;
9) If either party is a self-represented litigant, the affidavit should include an acknowledgment that the SRL is not represented by opposing counsel and that the SRL has had or waived the opportunity to confer with outside counsel prior to signing the Agreement;
10) Their desire that the Court approve their Agreement(s), incorporate it/them into the Judgment and enter the Final Judgment of Dissolution.

b. As an alternative to the entry of a Final Judgment without a Prove Up, Prove Ups via Zoom Conferencing during the period of May 1 to June 2, 2020 may be scheduled at the assigned judge's discretion as follows:

   i. Pursuant to the procedures set forth in Administrative Order 20-06, counsel and/or SRLs who have mailed executed Certificates of Readiness along with the original documents may submit requests to schedule a Prove Up via Zoom conferencing which will be reviewed by the assigned judge. If the request is granted, the Prove Up hearing will be conducted via Zoom using the procedures set forth in Administrative Order 20-06.

4. Pretrial Conferences

   a. Counsel and SRLs may submit requests to schedule pretrial conferences via Zoom conference or other electronic means in accordance with the procedures set forth in Administrative Order 20-06.

5. Continuance of Cases set May 4, 2020 through June 2, 2020

    a. All cases set for status, hearing or trial during the period of May 4, 2020 through June 2, 2020, shall unless already assigned a new date, be continued to a new date after June 2, 2020. All pretrials, hearings and trials will be continued to a new status date for resetting.

Dated this 4th day of May, 2020.

Robbin J. Stuckert
Presiding Judge

IN THE CIRCUIT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT

DEKALB COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 20-05

In re the Protocol for Conducting Civil Remote Proceedings	

WHEREAS, on March 17, 2020 the Illinois Supreme Court issued an Order in M.R. 30370 concerning the ongoing threat of COVID-19 in response to the State of Emergency declared by the Governor of the State of Illinois and the Declaration of a National Emergency by the President of the United States; and

WHEREAS, the Order issued by the Illinois Supreme Court authorizes the Illinois courts to establish and periodically update temporary procedures to minimize the impact of COVID-19 on the court system; and

WHEREAS; the Order issued by the Illinois Supreme Court authorizes courts to hear both essential and non-essential court matters and proceedings remotely; and

WHEREAS, the Chief Judge of the Twenty-Third Judicial Circuit previously issued General Order 20-03 activating the Emergency Preparedness Plan for the courts in DeKalb and

Kendall County which limits daily court proceedings to those Category 1 and 2 Essential Court Functions as set forth in the General Order, which was extended pursuant to General Orders 20-09 and 20-12; and

WHEREAS, while court proceedings are presently limited to certain essential proceedings as identified in the Emergency Preparedness Plan of the DeKalb County Courts, judges recognize that the resolution of many pending matters are essential to the individuals involved in those proceedings, and the Courts in DeKalb County have the ability to begin hearing both essential and non-essential matters remotely. Furthermore, in an effort to resolve some of the matters which remain pending during the COVID-19 Pandemic, the courts are prepared to undertake remote hearings to assist parties with a possible resolution of some or all of the issues in their cases.

NOW, THEREFORE, pursuant to the authority granted in Illinois Supreme Court Rule 21(b) and the court's inherent authority IT IS ORDERED:

1. At the discretion of the assigned judge, pretrial conferences, settlement conferences, motion practice, status, and arguments on contested matters in civil proceedings may be conducted by way of a remote proceeding utilizing the Zoom® platform (www.zoom.us) or other electronic means. The use of the term "remote proceeding" in this protocol includes certain proceedings which are conducted "off the record, *e.g.*, pretrial and settlement conferences, as well as those traditionally conducted "on the record" in open court.
2. All proceedings conducted pursuant to this Administrative Order shall be conducted in

accordance with the same standards as hearings traditionally conducted in a courtroom, and in accordance with the Illinois Code of Civil Procedure, Illinois Supreme Court Rules,

3. The manner in which a remote proceeding will be conducted remains within the discretion of the judge assigned to the individual case, within the bounds of the applicable law, rules and practice procedures.
4. Attorneys or self-represented litigants (SRLs) seeking a remote proceeding, status, pretrial conference, motion practice, settlement conference, or argument on a contested motion shall initiate the scheduling of the remote proceeding by sending an email to the DeKalb Court Administrator (dakerlow@dekalbcounty.org) who will then forward the same to the judge assigned to the case.
5. The email shall also be sent to all counsel and SRL's of record, and the subject line shall contain "Request for Remote Proceedings" and the case number. The body of the email shall indicate (1) that before sending the email to the judge, counsel and/or SRL's have conferred and all parties agree to engage in a remote proceeding with the court, and (2) suggested dates and times when counsel and/or SRL's are available. (3) all the email addresses of counsel and/or SRL's. If the judge agrees to conduct a remote proceeding, he or she will enter an order setting the date and time of the remote proceeding, and have a copy of the order forwarded to all counsel and /or SRL's. For the purposes of the remote proceeding, the court will be the host of the Zoom meeting or other electronic means.
6. At least one day before the remote proceeding, the assigned judge will email to the attorneys and/or SRL's of record an invitation with access instructions for the remote

proceeding. If the remote proceeding is a settlement or pretrial conference, counsel and/or SRL's shall not provide a copy of the invitation and access instructions to any other person. If it is a proceeding for which a record will be made, then counsel shall provide their clients with a copy of the invitation and access instructions so that the clients may listen to, or as required, participation in the proceedings.

7. For all civil proceedings, the official record is the electronic recording system in use in the DeKalb County Courthouse and approved by the Supreme Court of Illinois. Should counsel and/or SRL's wish to utilize the services of a private court reporter, then they shall provide the name and email address of the court reporter to the judge at least three days before the remote proceeding, and the judge will provide an invitation with access instructions to the court reporter simultaneously with the invitation to counsel and/or SRL's. The court reporter is the only person authorized to record the remote proceeding by electronic means, stenography, or another method.

   The recording of any remote proceeding by an attorney, party or any other person is strictly prohibited.

8. It is the responsibility of counsel and/or SRL's participating in, or attending, remote proceedings to ensure that they have a good connection to the internet with sufficient bandwidth for video and audio. Similarly, individuals and attorneys appearing remotely should comport themselves in the same manner they would when they appear in an actual courtroom. This includes wearing appropriate attire, being in a location where they will not be interrupted or distracted by extraneous matters.

9. At the outset of the proceeding, the court shall review with all persons the rules governing the conduct of the remote proceeding before beginning with the hearing.

10. No party and/or attorney shall use the current COVID-19 Pandemic as a reason to gain an advantage in anyway including but not limited to the discovery process. Except as modified by the Illinois Supreme Court all Supreme Court Rules remain in full force and effect. To the best extent practicable all depositions shall be conducted remotely through electronic means. Electronic means', includes, but is not limited to, telephonic, Zoom platform, Skype, Facetime, What's App or similar use of virtual, electronic technology.

Enter: May 4, 2020.

Honorable. Robbin Stuckert
Presiding Judge

IN THE CIRCUIT FOR THE SIXTEENTH JUDICIAL CIRCUIT

DEKALB COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 20-06

In re the Protocol for Conducting Remote Criminal Proceedings	

WHEREAS, on March 17, 2020 the Illinois Supreme Court issued an Order in M.R. 30370 concerning the ongoing threat of COVID-19 in response to the State of Emergency declared by the Governor of the State of Illinois and the Declaration of a National Emergency by the President of the United States; and

WHEREAS, the Order issued by the Illinois Supreme Court authorizes the Illinois courts to establish and periodically update temporary procedures to minimize the impact of COVID-19 on the court system; and

WHEREAS; the Order issued by the Illinois Supreme Court authorizes courts to hear both essential and non-essential court matters and proceedings remotely; and

WHEREAS, the Chief Judge of the Twenty-Third Judicial Circuit previously issued General Order 20-03 activating the Emergency Preparedness Plan for the courts in DeKalb and Kendall County which limits daily court proceedings to those Category 1 and 2 Essential Court Functions as set forth in the General Order, which was extended pursuant to General Orders 20-09 and 20-12; and

WHEREAS, while court proceedings are presently limited to certain essential proceedings as identified in the Emergency Preparedness Plan of the DeKalb County Courts, judges recognize that the resolution of many pending matters are essential to the individuals involved in those proceedings, and the Courts in DeKalb County have the ability to begin hearing both essential and non-essential matters remotely on a limited bases.

Furthermore, in an effort to resolve some of the matters which remain pending during the COVID-19 Pandemic, the courts are prepared to undertake remote hearings to assist parties and limit the number of people in the DeKalb County Courthouse and in each of the individual courtrooms to as few as needed to accomplish critical tasks.

NOW, THEREFORE, pursuant to the authority granted in Illinois Supreme Court Rule 21(b) and the court's inherent authority IT IS ORDERED that the following temporary procedures will apply to all misdemeanor and felony cases.

1. At the discretion of the assigned judge, arguments on contested criminal court hearings, status hearings, and any other motion or hearing (non-evidentiary) that any judge, in his or her discretion elects to hear, may be undertaken by way of remote hearing either telephonically or via the Zoom platform. (www.zoom.us). Contested criminal evidentiary hearings may be undertaken via the Zoom platform.
2. Bond reduction motions and motions to increase or revoke bail shall be heard upon notice during daily scheduled bond proceedings before the assigned bond court judge. However, sequential bond reduction motions and motions to amend/modify bond conditions shall be brought before the judge assigned to the case.
3. Eligibility for a remote contested hearing is limited to cases wherein the defendant is represented by counsel, and all parties, including the defendant, consent to the hearing

method and all parties, including the defendant (unless presence is waived), have access to the Zoom platform and/or telephonic conferencing abilities. These limits will be frequently reviewed and modified, if possible, in an ongoing effort to expand access to justice.

4. Each judge may, in his or her discretion, provide a period of time available for remote hearings. The remote hearing must be initiated by one or both of the parties by requesting the scheduling of the remote hearing with the judge presiding over the case via email to the judge. The judge will then schedule the remote hearing in an available time slot and will "host" the meeting. The parties will prepare a court order scheduling the remote hearing after obtaining the time and date from the Court. The Court will "invite" the prosecution, defense, for felony matters, the court appointed court reporter and the circuit clerk. A party intending to call a witness is responsible for providing the required information to that witness. Felony judges are encouraged to stagger the time available for remote hearings to ensure the availability of a court appointed court reporter.
5. Except as otherwise provided for in this order, hearings conducted pursuant to this order shall adhere to the same standards as hearings in a courtroom and in accordance with the Illinois Rules of Criminal Procedure, the Illinois Rules of Evidence, Illinois Supreme Court Rules and the Rules of Practice of the Circuit Court, Twenty-Third Judicial Circuit. If any party does not appear at the time scheduled for the remote hearing, the hearing will be cancelled and will only be rescheduled upon presentation of a written motion requesting same.
6. The attorney for any party requiring the use of a court appointed interpreter is responsible for providing the Court Administrator with a court order specifying the hearing date and

time, the language required, and for providing the information required by the court appointed interpreter to attend the remote hearing.

7. The precise method in which a remote hearing will be conducted remains within the sound discretion of the judge assigned to the case, within the bounds of applicable law, rules and practice procedures.
8. For all felony cases, the court appointed reporter is the only person authorized to record the remote hearing by stenography, electronic means or any other method. For misdemeanor cases, the electronic recording system in use in the DeKalb County Courthouse and approved by the Supreme Court of Illinois shall be the official record. Any recording by a parry or other person is strictly prohibited and subject an individual to contempt of court proceedings.
9. It is the responsibility of counsel, defendants, witnesses, court reporter and court appointed interpreters participating in, or attending remote proceedings to ensure that they have a good connection to the internet with sufficient bandwidth for video and audio. Similarly, individuals and attorneys appearing remotely should comport themselves in the same manner they would when they appear in an actual courtroom. This includes wearing appropriate attire, being in a location where they will not be interrupted or distracted by extraneous matters.
10. American courts are generally open to the public. Consideration must be given by the Court and parties of how best to allow the press and public access to remote hearings conducted in criminal cases. Individuals who desire to observe a hearing should contact the Court Administrator's Office (dakerlow@dekalbcounty.org) for directions on how to attend.

Enter: May 4, 2020.

Honorable. Robbin Stuckert
Presiding Judge

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
DE KALB COUNTY, ILLINOIS

SECOND AMENDED
ADMINISTRATIVE ORDER 20-01

Proof of insurance, with name and ticket number, may be submitted by email to: www.dekalbcircuitclerk@dekalbcounty.org or by fax to 815-895-7140, beginning March 18, 2020 through August 31, 2020.

Dated this 4th day of May, 2020

Robbin J. Stuckert
Presiding Judge