

STATE OF ILLINOIS        )  
                                      ) SS.  
COUNTY OF WILL         )

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
WILL COUNTY, ILLINOIS

ADMINISTRATIVE ORDER NO. 2020- 21

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CIVIL DIVISION PROCEDURES FOR REMOTE COURT MATTERS  
UNDER THE EXIGENT CIRCUMSTANCES CREATED BY THE CORONAVIRUS (COVID-19)

THIS ORDER IS EFFECTIVE JUNE 1, 2020

1. WHEREAS, the COVID-19 pandemic has resulted in deaths and illness to thousands of individuals around the world prompting Federal and State Declarations of Emergency;
2. WHEREAS, the health and safety of the public, Court employees and all others doing business in the judicial facilities in the Twelfth Judicial Circuit is of paramount importance to the Court;
3. WHEREAS, all health and safety requirements must be carefully tailored to respect the Constitutional rights and responsibilities of litigants and those impacted by litigation;
4. WHEREAS, the Court should continue to employ all reasonable measures to reduce the need for large gatherings in order to protect the public, Court employees and those doing business in the Court facilities in the Twelfth Judicial Circuit;
5. WHEREAS, the Chief Judge has administrative authority to enter Orders setting forth the docket and schedules of cases pursuant to Supreme Court Rule 21;
6. WHEREAS, on May 20, 2020, the Supreme Court amended its Order of March 17 and further provided written guidelines to be followed by the Chief Judge as Court facilities and services begin to resume;
7. WHEREAS, the Chief Judge of the Twelfth Judicial Circuit has issued Administrative Orders 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-20;

IT IS HEREBY ORDERED THAT pursuant to Administrative Order 2020-08 allowing civil cases to proceed by the electronic filing of documents and by permitting the establishment of electronic conferences in civil court matters, and during such times as court operations are reduced, the Civil Division sets forth the following procedures consistent with Administrative Order 2020-08 and 2020-20. To the extent that there is a conflict with any prior Administrative Orders, this Administrative Order supersedes the same.

1. STATUS HEARINGS. Effective immediately until further notice, the status hearings scheduled for cases on the mortgage foreclosure call (Judge Jarz - A311), arbitration call (Judge Petrungaro - A117), civil jury law division call (Judge Rickmon - A201), civil non-jury call (Judge Anderson - A236), small

claims call (Judge Osterberger – Main courthouse 111), cases before Judge O’Leary (A227) and Judge Rossi (A129), and the probate call (Judge Allen or Judge Pavich – RVJC Room 002) will be conducted by remote hearing as set forth in Administrative Order 2020-20, Remote Appearances in Civil Matters and the accompanying Remote Court Call Instructions.

- 2. PRETRIAL SETTLEMENT CONFERENCES.** Cases scheduled for pretrial/settlement conferences with Judge Powers (Main courthouse 462) will continue as scheduled by remote hearing, subject to the following:

  - A.** Pretrial memoranda **must** be submitted one week in advance of the pretrial to Judge Powers by email at [jpowers@willcountyillinois.com](mailto:jpowers@willcountyillinois.com). Failure to submit a pretrial memorandum will result in cancelling of the pretrial.
  - B.** All attorneys must be present on the remote hearing at the designated time and place. Failure to be present on time will result in the call being terminated.
- 3. EMERGENCY MOTIONS.** Emergency motions may be filed electronically and submitted through EFile IL (with all counsel or self-represented litigant(s) sent via email) The judge will determine whether the motion qualifies as an emergency motion and may decide to schedule a remote hearing as set forth in Administrative Order 2020-20, Remote Appearances in Civil Matters and the accompanying Remote Court Call Instructions.
- 4. CASE STATUS SETTINGS AND ALIAS SUMMONSES.** Attorneys and/or self-represented litigants who have matters set for any type of status are encouraged to submit an agreed order setting forth the status of the case and setting a new status date. Status orders may be submitted through EFile IL. Motions for alias summons or for service by special order of court pursuant to Section 2-203.1 of the Code of Civil Procedure (with the appropriate affidavits) may be submitted using the same method as submission of Agreed or Non-Contested Orders outlined below. A proposed order must be included.

  - a. Civil Jury Law Division case status settings and alias summonses (Judge Rickmon – A201): Attorneys and/or self-represented litigants on cases filed in 2018, 2019 and 2020 are required to confer in advance and submit Orders through EFile IL. Only if the parties are unable to agree to an Order, should they appear in Court through the remote hearing.
- 5. RULE 218 CASE MANAGEMENT CONFERENCES.** Effective immediately until further notice, Rule 218 case management conferences will be conducted by remote hearing, as set forth in Administrative Order 2020-20, Remote Appearances in Civil Matters and the accompanying Remote Court Call Instructions. Attorneys and/or self-represented litigants are encouraged to confer remotely in advance and submit proposed agreed scheduling orders using the same method as submission of Agreed or Non-Contested Orders outlined below. These orders should be submitted at least 24 hours before the scheduled court date.

  - a. Civil Jury Law Division Rule 218 Case Management Conferences (Judge Rickmon – A201): Attorneys and self-represented litigants on cases filed in 2018, 2019 and 2020 are required to confer in advance and submit Orders through EFile IL. Only if the parties are unable to agree to an Order, should they appear in Court through the remote hearing.

6. AGREED OR NON-CONTESTED ORDERS. Agreed or non-contested orders, including briefing schedules on newly filed contested motions may be submitted through EFile IL as long as the order is submitted at least 24 hours prior to the next court date.

- a. Orders submitted through EFile IL MUST
- (1) be marked "AGREED" or "NON-CONTESTED";
  - (2) identify the attorney/party presenting the order;
  - (3) provide a brief recitation of the status of the case;
  - (4) include a new court date; and
  - (5) be provided by the filing party to all attorneys and/or self-represented litigant(s).

NOTE: simply because the attorneys or parties are in agreement, that does not mean the Court will automatically sign the order. The Court will make any modifications or additions it deems proper.

7. CONTESTED MOTIONS. On contested motions, the following procedures are applicable:

- A. **Hearing by Remote Call.** The case shall proceed on the currently scheduled time and date by remote hearing, subject to the procedures set forth in Administrative Order 2020-20, Remote Appearances in Civil Cases and the accompanying Remote Court Call Instructions.
- B. **Failure to Appear.** If any attorney or self-represented litigant fails to timely appear for the contested motion by remote hearing, the matter may be stricken and/or reset for status.
- C. **Ruling on Briefs.** The parties are encouraged to agree to waive oral argument on contested motions. The parties are directed to submit an Agreed Order through EFile IL waiving oral argument at least 24 hours in advance of the scheduled hearing date. The Court will thereafter rule by mail, or in its discretion, reschedule the matter for hearing.

8. SUBMISSION OF ORDERS. Orders are required to be submitted by the end of the business day through EFile IL.

9. REMOTE APPEARANCES IN CIVIL MATTERS. The procedures set forth in Administrative Order No. 2020-20, Remote Appearances in Civil Matters, and the accompanying Remote Court Call Instructions remain in full force and effect for all civil matters commencing Monday, June 1, 2020 and until further order of Court.


10. SUMMONS ISSUANCE – RESPONSIBILITY TO INFORM OF REMOTE APPEARANCE IN CIVIL MATTERS. Anyone initiating a lawsuit and/or serving summons shall inform the defendant that they are to appear by remote hearing and shall provide a copy of the Administrative Order No. 2020-20, Remote Appearances in Civil Matters and the accompanying Remote Court Call Instructions.

11. FAILURE TO APPEAR. Failure to appear, whether through the Zoom call or in person, may result in a default judgment or a dismissal for want of prosecution.

12. It is intended that this Administrative Order shall comply with applicable law, Supreme Court Rules, and Local Circuit Court Rules, and will be consistent with the mandates, directives, and guidelines from the Illinois Supreme Court.

13. This Order is effective June 1, 2020, and shall remain in effect until further Order of Court.

DATED THIS 27<sup>th</sup> DAY OF may, 2020.

  
Richard C. Schoenstedt, Chief Judge

Circuit Clerk (Original)  
Judges  
State's Attorney  
Public Defender  
Will County Bar Associations