

17th JUDICIAL CIRCUIT COURT

EUGENE G. DOHERTY
CHIEF JUDGE



WINNEBAGO COUNTY COURTHOUSE
400 WEST STATE STREET - ROOM 215
ROCKFORD, ILLINOIS 61101
PHONE 815-319-4800

PRESS RELEASE

Date: January 5, 2021

FOR IMMEDIATE RELEASE

Contact: Thomas Jakeway
Trial Court Administrator
Tel. (815) 319-4806

17TH CIRCUIT COURT SETS PLANS TO RESUME JURY TRIALS

Jury trials have been paused in Winnebago and Boone Counties since last fall due to COVID-19, and the Court today set the following targets for resumption of jury service:

- Grand jury: new panels will be sworn in at the beginning of February.
- Criminal jury trials: will resume in March 2021.
- Civil jury trials: will resume in May 2021.

“We were able to pause some of the Court’s essential work to help mitigate the community spread of the virus, but we must make plans to bring back these vital functions,” said Chief Judge Eugene Doherty. “When jurors are asked to report, they will see the extensive preparations undertaken with their safety in mind.”

Those with cases in the courthouse should be aware that many proceedings have been moved to a virtual platform. Litigants with questions about attending court remotely should go to <https://tinyurl.com/virtualcourt17>.

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STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF BOONE
COUNTY OF WINNEBAGO

ADMINISTRATIVE ORDER 2021-03
TEMPORARY ORDER - COVID-19 PROCEDURE

This order supersedes Administrative Order 2020-28 entered on November 17, 2020.

Whereas the Circuit Court, pursuant to the Supreme Court's order of March 17, 2020, in M.R. 30370, previously reduced its operations to essential activities;

Whereas, the Supreme Court's order of May 20, 2020, in M.R. 30370, allows circuits to adopt their own plans for a resumption of court activity, and this Circuit did so effective June 1, 2020, as provided in Administrative Order 2020-21 entered on May 21, 2020;

Whereas, the Supreme Court's order of May 20, 2020, in M.R. 30370, implicitly allows circuits to step back from their reopening plans as dictated by local conditions;

It is therefore ORDERED that, effective immediately, the following procedures are in effect in the 17th Judicial Circuit:

1. **Masks / Face Coverings.** Pursuant to General Order 1.03, all persons, including attorneys, must wear a mask or face covering in public areas of the courthouse. This provision does not apply to any person who is: under age 2; incapacitated; having trouble breathing; or unable to remove the mask or face covering without assistance. Persons required to speak in the course of a court proceeding may be directed to remove a mask or face covering when speaking if necessary to make a record.
2. **Reduced Call Size.** In order to reduce the number of people in the building(s), the Court will, to the extent possible, reduce the number of cases slotted for each court call. This will in many instances require staggered court times. Attorneys are reminded that it is essential that they appear at the designated time in order to make this process work.
3. **Represented Parties Excused.** Unless ordered by the judge or directed by their attorney, parties in civil and family cases are strongly encouraged not to attend routine court hearings. Attorneys should advise their clients not to attend court unless their attendance is strictly necessary given the nature of the hearing at issue. In criminal cases, judges should discuss with the attorneys whether the defendant's presence might be excused.
4. **Additional Persons Discouraged.** Litigants are strongly discouraged from bringing any other person with them to the courthouse.
5. **Virtual Proceedings.** The Court will operate with increased reliance on virtual proceedings and hearings pursuant to Supreme Court Rules 45 and 241. Attorneys and parties who are offered the opportunity to appear virtually are strongly encouraged to do so. Those participating in a virtual hearing should plan to timely appear as scheduled and should become familiar with the evolving protocols at <https://tinyurl.com/virtualcourt17>.

6. **Bench Warrants and Defaults.** Judges may refrain, in appropriate circumstances, from the issuance of bench warrants or the entry of default judgments. Individual judges may, based on the nature of the hearing, the case, and their call, be more flexible in excusing the appearance of a party or defendant.
7. **Criminal Jury Trials.** Effective immediately and until March 1, 2021, no criminal jury trials may proceed in the 17th Judicial Circuit Court. Dates set for jury trial on any judge's calendar falling prior to March 1, 2021, remain on the judge's calendar at the judge's discretion, but they may not proceed to trial. Pursuant to the Supreme Court's order, in criminal trials the period of delay shall not be attributable to either the State or the defendant for purpose of 725 ILCS 5/103-5.

Criminal jury trials set to resume on and after March 1, 2021, shall be subject to the following terms:

- a. All criminal jury trials in Winnebago County will be conducted in courtrooms A and/or D of the Criminal Justice Center. All criminal jury trials in Boone County will be conducted in courtrooms 1 and/or 2.
- b. Courtroom seating will be laid out differently to allow for personal distancing. This may require seating of some jurors in one side of the gallery.
- c. Jurors will wear masks or face coverings, except when answering questions during voir dire.
- d. Attorneys will wear masks or face coverings, except when addressing the court/jury.

8. **Civil Jury Trials.** Effective immediately and until May 1, 2021, no civil jury trials may proceed in the 17th Judicial Circuit Court. Dates set for jury trial on any judge's calendar falling prior to May 1, 2021, remain on the judge's calendar at the judge's discretion, but they may not proceed to trial.

Civil jury trials set to resume on and after May 1, 2021, shall be subject to the following terms:

- a. All criminal jury trials in Winnebago County will be conducted in courtrooms A and/or D of the Criminal Justice Center. All criminal jury trials in Boone County will be conducted in courtrooms 1 and/or 2.
- b. Courtroom seating will be laid out differently to allow for personal distancing. This may require seating of some jurors in one side of the gallery.
- c. Jurors will wear masks or face coverings, except when answering questions during voir dire.
- d. Attorneys will wear masks or face coverings, except when addressing the court/jury.
- e. Courtrooms 412 and 426 will have one jury week per month. Jury weeks in those courtrooms (see amended Civil Jury Calendar) will begin on Wednesday (instead of Monday) to avoid congestion in the jury assembly room on days when there are jurors summoned for criminal trials. Juries will be comprised of up to 12 jurors, with a maximum of one alternate in addition. Stipulations to six-person juries are encouraged.

- f. Courtroom 209's jury weeks will remain the same, but jury trials in that courtroom will be limited to six person juries to permit appropriate social distancing given the size of that courtroom. Cases with a 12-person jury demand will not proceed to trial at this time. Civil jury trials in 209 will be on a backup basis to criminal trials scheduled to commence the same day. If an insufficient number of jurors are available after the criminal juries are seated, the trial in 209 will be continued.
8. **Alternate Court Spaces.** The following will be utilized as alternate court spaces:
- a. In Winnebago County, the County Board Room, Winnebago County Courthouse, 400 West State Street, 8th Floor, Rockford, Illinois 61101.
 - b. In Boone County, Community Building Complex of Boone County, 111 West 1st Street, Belvidere, Illinois 61008.
9. **Individual Judge/Division Order.** Attorneys and parties should be aware that individual judges and/or divisions may issue their own guidance on practices in certain courtrooms.

ENTER: _____


Eugene G. Doherty, Chief Judge

DATED: _____

1/5/21