

STATE OF ILLINOIS)
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NINETEENTH JUDICIAL CIRCUIT)

FILED
JUL 26 2021

ADMINISTRATIVE ORDER 21-21

NINETEENTH JUDICIAL CIRCUIT
CIRCUIT COURT OF LAKE COUNTY

**VACATION OF SOCIAL DISTANCING AND
INTERIM MODIFICATION OF COURT CALLS**

Consistent with the Order of the Illinois Supreme Court in M.R. 30370, dated June 30, 2021, stating that effective immediately the Chief Judges of each Circuit Court are no longer required to allow for appropriate social distancing as required by the Court's Order of May 20, 2020 and are permitted to relax or eliminate social distancing requirements; and in recognition of the elimination of capacity restrictions enacted per Executive Order of the Governor; and in consideration of the essential nature of the work of the courts and administrative efforts involved in resuming court operations and trials;

The Chief Judge of the 19th Judicial Circuit has conferred with the Lake County Health Department regarding social distancing and the current local conditions concerning COVID-19 and variants in Lake County. While the 19th Judicial Circuit will continue to closely monitor the metrics and Lake County Health Department guidance regarding COVID-19 and variants, and may issue further Orders regarding court operations;

It is in the best interest of the general public, judges and court employees, and pursuant to Supreme Court Rule 21(b) and the Court's inherent authority, to resume many pre-pandemic court operations in the Lake County Courthouse and Criminal Tower, the Depke Juvenile Justice Center, Arbitration Center, and Lake County Branch Courts in order to provide increased access to the Courts and to address delays caused by the COVID-19 pandemic.

IT IS THEREFORE ORDERED:

A. Effective Dates.

Effective September 7, 2021, the requirement to socially distance is vacated, however, it is strongly encouraged that all unvaccinated persons wear a face covering and maintain appropriate distance from others, prior Administrative Order 21-11, paragraph 1 is vacated, and Administrative Order 21-15 is vacated in its entirety. Administrative Orders 21-12 through 21-14 are modified/amended concerning the scheduling of court matters in person or remotely on Zoom as identified later in this Order. **Existing court dates will remain as scheduled unless modified by court order.**

B. Remote Hearings. IT IS FURTHER ORDERED that for any remote court appearance, a Zoom Meeting ID, Password and Link for all court calls will be listed by courtroom, date and time at:

[Remote Court Hearings \(Zoom\) | 19th Judicial Circuit Court, IL \(state.il.us\)](https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings).

There will be a single Zoom ID, Password and Link for each morning or afternoon court session.

C. Business Attire. Prior Administrative Orders relaxing courtroom attire requirements due to COVID are vacated. For court appearances, whether in-person or remotely on Zoom, attorneys shall dress in appropriate business attire.

D. Court Schedules. The following schedules will be in place **effective September 7, 2021**.

1. CIVIL DIVISION

a. Administrative Order 21-15 is hereby vacated.

b. **Uncontested Matters.** For all uncontested matters, including presentment of motions, status settings and progress calls, attorneys and self-represented litigants have the option to appear either in-person or remotely on Zoom.

c. **Notices of Motion.** Notices of motion must contain the following language. "Parties wishing to attend the presentment of this motion may appear in-person in the courtroom or may attend remotely on Zoom video and telephone conferencing. A Zoom Meeting ID, Password and Link for this court call will be listed by courtroom, date and time at:

[https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings.](https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings)"

d. **Contested Motions.** Contested motions may be heard in person or remotely on Zoom in the discretion of the assigned judge.

e. **Pre-Trial Settlement Conferences.** Settlement conferences may be held either in-person or remotely on Zoom, at the discretion of the assigned judge. Final pre-trial conferences will be heard in-person.

f. **Trials and Evidentiary Hearings.** Trials and evidentiary hearings will be conducted in-person, although the trial judge, in his or her discretion, may allow witnesses to testify remotely on Zoom. However, as indicated below, there is an exception that applies in high volume courtrooms.

g. **High Volume Courtrooms.** Attorneys and litigants in the below listed "high volume courtrooms" have the option of appearing in-person or remotely on Zoom, including appearances for trials. This applies in the Small Claims (SC), Law Magistrate (LM), Arbitration (AR) and Residential Mortgage Foreclosure (CH) courtrooms.

h. Probate Courtroom.

- Remote hearing methods as established for opening and closing estates, and other matters referenced in AO 21-16 will remain in place.
- All uncontested matters, including presentment of motions, status settings and progress call, will be conducted remotely on Zoom.
- All contested motions, the parties may, by agreement, choose to appear in-person or remotely on Zoom. In the event the parties cannot agree, the appearance in-person or on Zoom will be in the judge's discretion.
- Settlement conferences may be held either in-person, or remotely on Zoom, at the discretion of the judge.
- Trials and evidentiary hearings will be conducted in-person, although the trial judge, in his or her discretion, may allow witnesses to testify remotely on Zoom.

i. Agreed Orders. Agreed orders may be submitted to the assigned judge's courtroom email box but a judge may choose to require the appearance of the parties before the order is signed. The clerk will contact the parties in the event an appearance is necessary.

j. Remote/In-Person Hearings. The above rules are intended to act as general guidelines and each judge shall retain discretion to make exceptions to the rules.

2. FAMILY DIVISION

a. Administrative Order 21-14, paragraph 1 is vacated. The remaining paragraphs of AO 21-14 remain in full force and effect.

b. Uncontested Matters. All uncontested matters, including presentment of motions, status settings and progress calls, will be conducted remotely on Zoom on the 9:00 a.m. court calls. Minor contested matters may proceed remotely at the discretion of the judge. Notices of motion must contain the Zoom information currently set out in Paragraph 4 of AO 21-14.

c. Contested Matters. Contested motions, trials and other evidentiary matters will be conducted in-person on the 1:30 p.m. court calls although the judge, in his or her discretion, may schedule remote hearings by court order.

d. Pre-Trial Settlement Conferences. Settlement conferences will be held remotely on Zoom, although the judge, in his or her discretion, may schedule by court order in-person conferences.

e. Trials and Evidentiary Hearings. Trials and evidentiary hearings will be conducted in-person, although the trial judge, in his or her discretion, may allow witnesses to testify remotely on Zoom.

- f. Self-Represented Litigant Call.** All matters will be held remotely on Zoom. Certain matters may be heard in-person at the discretion of the judge and pursuant to court order.
- g. Prove-up/ Child Support Call.**
- Prove-up hearings will be scheduled remotely on Zoom for the morning calls and will be scheduled in-person for the afternoon calls.
 - The child support call will be heard in-person.
 - The trial judge, in his or her discretion, may allow an attorney or litigant to appear remotely, by court order for the child support call.
- h. Remote/In-Person Hearings.** The above rules are intended to act as general guidelines and each judge shall retain discretion to make exceptions to the rules.

3. CRIMINAL DIVISION

- a. Administrative Order 21-12** paragraph 1 is vacated. A.O. 21-12 paragraph 9 shall be vacated on 10/1/21. All criminal jury trials shall be governed by Illinois Supreme Court order M.R. 30370, signed June 30, 2021, "Beginning October 1, 2021, statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5) and section 5-601 of the Juvenile Court Act of 1987 (705 ILCS 405/5-601) shall no longer be tolled."
- b. Felony / Misdemeanor Division.**
- Arraignments, case management dates, continuances and pleas will be heard remotely on Zoom.
 - All motions, hearings, sentencing hearings, bench and jury trials will be conducted in-person. Generally, in-person hearings will be scheduled in the afternoon, however, a Judge in his/her discretion, may specially set an in-person hearing in the morning.
 - Discharge hearings and mental health proceedings will be heard in-person.
- c. Domestic Violence.** All statuses, arraignments, and pre-trials will be heard remotely on Zoom. Trials and hearings will be held in-person.
- d. Orders of Protection.** Emergency and plenary hearings will be held in-person. Status of service calls will be held remotely on Zoom. The Judge in his/her discretion, may specially set a plenary hearing to be heard remotely on Zoom.
- e. Bond Court.** Bond court matters will be heard remotely on Zoom.

f. **Traffic Court.** All appearances, hearings and trials will be in-person or on Zoom beginning September 7, 2021.

g. **Specialty Courts.**

- Drug Court - Proceedings will be in-person with 5-6 clients per session. A concurrent remote court session will also be offered.
- TIM Court - Proceedings will be in-person with 5-6 clients per session. A concurrent remote session will also be offered.
- VTAC - Proceedings will be in-person with 5-6 clients per session. A concurrent remote session will also be offered.
- Graduations will be conducted using a hybrid of in-person attendees, Zoom attendees, and live streaming.
- Fitness Hearings-Status dates will be conducted remotely on Zoom for all in custody, outpatient restoration, and DHS defendants. The Court may order in-person proceedings, especially for discharge hearings.
- STOP & APP cases will be heard remotely on Zoom.

h. **Expungements/Sealing.** Petitions will be heard remotely on Zoom.

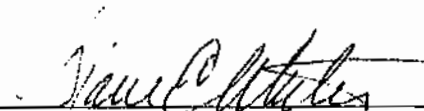
i. **Remote/In-Person Hearings.** The above rules are intended to act as general guidelines and each judge shall retain discretion to make exceptions to the rules.

4. **JUVENILE DIVISION.** Calls will be conducted remotely on Zoom. Trials and evidentiary matters will be conducted in-person at the discretion of the judge pursuant to court order. These rules are intended to act as general guidelines and each judge shall retain discretion to make exceptions to the rules.
5. **JURY TRIALS.** All civil and criminal jury trials will be heard in-person and continue to follow social distancing requirements and COVID protocols.
6. **WEDDINGS.** Weddings will be performed by a judge either in-person or remotely and at discretion of the wedding parties. Parties wishing to be married by a judge should follow the revised instructions.
[Marriage-Instructions-Effective-June-2021 \(state.il.us\)](https://www.state.il.us/courts/civil/2021/06/01/marriage-instructions-effective-june-2021)
7. **WILLIAM D. BLOCK LAW LIBRARY & CENTER FOR SELF-REPRESENTATION.** The law library and Center for Self-Representation will be open to the public during regular business hours. The law library will continue to serve litigants needing assistance to access their court hearing remotely.
8. **ARBITRATION HEARINGS.** In-person arbitration hearings will resume per the arbitration schedule. The parties may, by agreement, choose to appear in-person or remotely on Zoom. In the event the parties cannot agree, the appearance in-person or on Zoom will be in the judge's discretion.

9. **BANKRUPTCY/WORKERS' COMPENSATION.** Bankruptcy hearings will not be conducted at the Lake County Courthouse until further order of the Bankruptcy Court. The Workers' Compensation matters shall resume at the Lake County Courthouse per the schedule determined by the Illinois Worker's Compensation Commission.
10. **KIDS KORNER.** Kids Korner will begin preparations to resume operations with proper safety protocols in place and will open to the public when the room and personnel are ready.
11. **OTHER MATTERS.** Non-essential gatherings, meetings and programs at the Lake County Courthouse and Criminal Tower, or the Depke Juvenile Justice Center may be held upon authorization by the Chief Judge or Court Administration.

Dated this 26th day of July, 2021.

ENTERED:



DIANE E. WINTER,
Chief Judge