

STATE OF ILLINOIS)
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NINETEENTH JUDICIAL CIRCUIT)

ADMINISTRATIVE ORDER 20-30

NINETEENTH JUDICIAL CIRCUIT
CIRCUIT COURT OF LAKE COUNTY

TEMPORARY PROCEDURES FOR CIVIL DIVISION CASES

Consistent with the Order of the Illinois Supreme Court in M.R. 30370, dated March 17, 2020, which was adopted in response to the COVID-19 outbreak and the emergencies declared by the State and Federal governments, and Administrative Order 20-23, and in order to protect the health and safety of the general public, judges and court employees, and pursuant to Illinois Supreme Court Rule 21(b) and the Court's inherent authority;

IT IS HEREBY ORDERED that, Administrative Order 20-27 is vacated.

IT IS FURTHER ORDERED that, the following temporary procedures will apply to all cases assigned to the Civil Division of the Nineteenth Judicial Circuit, specifically including cases with the following case designations: L, MR, TX, TD, P, CH, SC, LM, AR, ED and MC.

THE FOLLOWING PROCEDURES APPLY PRIOR TO JUNE 1, 2020:

1. **SCHEDULED MOTIONS.** All court hearings scheduled to occur prior to June 1, 2020, are hereby cancelled and will be automatically continued by the Clerk's Office, with certain exceptions set forth herein. All parties of record will receive notice of the continued court date.
2. **SCHEDULED BENCH TRIALS.** All bench trials, and associated final pre-trials, scheduled to occur prior to June 1, 2020, are stricken and the assigned judge will set a status date for resetting trial dates.
3. **SCHEDULED JURY TRIALS.** All civil jury trials and associated final pre-trials scheduled to occur prior to October 5, 2020, are hereby cancelled and the assigned judge will set a status date for resetting of the trial dates. For any cancelled jury trial where the parties waive a jury, the parties may move the Court to set an earlier bench trial date.
4. **SCHEDULED ARBITRATIONS.** All arbitration hearings scheduled to occur prior to July 6, 2020, are hereby cancelled. The parties are encouraged to confer and submit a proposed order resetting the arbitration hearing for a

mutually convenient date, consistent with the procedure for submitting agreed orders set forth below.

- a. Proposed orders should be submitted to the Court prior to June 1, 2020. If the parties are unable to agree upon an arbitration hearing date, the Court will schedule a status hearing to reset the arbitration date.

5. **RULE 218 CASE MANAGEMENT CONFERENCES.** Until further order of the Court, Rule 218 case management conferences/progress calls will not be conducted in court. The parties are encouraged to confer and submit proposed agreed scheduling orders using the submittal method for agreed orders outlined in this Administrative Order. If the parties are unable to agree or no agreed order is timely submitted, the Court will unilaterally select a track schedule for the case, and the corresponding Rule 218 order will be entered and sent to the parties by the Clerk. For Rule 218 case management conferences/progress calls that were initially scheduled between March 17 – May 29, proposed 218 orders should be submitted to the Court prior to June 1, 2020. For Rule 218 case management conferences/progress calls scheduled after June 1, 2020, proposed 218 orders should be submitted at least 24 hours prior to the scheduled date of the Rule 218 case management conferences/progress call. Consistent with the court's prior practice, the Clerk will continue to mail 218 track schedules along with notice of the scheduled 218 progress call date.

6. **SCHEDULED PRE-TRIAL SETTLEMENT CONFERENCES.** All Pre-Trial Settlement Conferences scheduled to occur prior to June 1, 2020, are cancelled, and no re-scheduled date will be set by the Court at this time. The parties may move to re-set the Pre-Trial Settlement Conference before the assigned judge.

7. **REMOTE PRE-TRIAL SETTLEMENT CONFERENCES BY REQUEST PRIOR TO JUNE 1, 2020.**

- a. Any attorney who desires a remote pretrial settlement conference may request one with the agreement of the opposing party.
- b. If the parties are in agreement they shall contact the Clerk via email only at ccCivilFiling@lakecountylil.gov stating that they desire a pretrial with the judge assigned to the case. Attorneys shall also submit a written consent to a remote pretrial conference at the time that they request the pretrial.
- c. At the time of the request, the parties shall electronically submit their pretrial settlement memoranda, as required by Local Court Rule 2-3.01(E), to the Clerk. Please note that no pretrial settlement conference will be scheduled unless the Court receives the pretrial memoranda.

- d. The Clerk will coordinate with the Judge assigned to the matter and set a date and time for the pre-trial settlement conference to be conducted using Zoom. The Court will provide the parties with a Zoom Meeting ID and Password. Parties must be prompt, and, absent a court order, the Pretrial Conference must conclude within one hour of commencing. Failure of the parties to be on the Zoom conference when the Judge joins will result in the conference being concluded. The parties may attempt to reschedule.
8. **DISCOVERY.** Discovery in civil matters should continue as scheduled. Participants in litigation will not be penalized if discovery compliance is delayed for reasons related to the COVID-19 emergency. Parties are encouraged to continue with written discovery and conduct video depositions when practical. Where discovery has been impractical due to the current emergency, the parties may request relief from deadlines, or they may choose to submit a proposed agreed order using the submittal method for agreed orders outlined in this Administrative Order.
9. **VIDEO DEPOSITIONS.** Video depositions shall be conducted in accordance with the Administrative Order issued by the Illinois Supreme Court on April 29, 2020, MR 30370.
10. **STATUS HEARINGS.** Parties who have or had matters set for any type of status before the Court prior to June 1, 2020, are encouraged to remotely submit an agreed order setting forth the status of the case and setting a new status date thereafter. Proposed status orders may be submitted to ccCivilFiling@lakecountyil.gov.
11. **ROUTINE MATTERS.** Motions for Alias Summonses, Appointment of Special Process Server, or for Service by Special Order of Court pursuant to Section 2-203.1 of the Code of Civil Procedure shall be submitted to the Clerk's Office by email at ccCivilFiling@lakecountyil.gov and will be ruled on remotely. Such motions must be supported by proper affidavits of non-service and must include a proposed order in Microsoft Word.
12. **EMERGENCY MOTIONS.** Prior to June 1, 2020, emergency matters of any type will be heard. Any attorney or self-represented litigant wishing to have an emergency matter heard must contact the Clerk's Office by telephone to schedule the hearing. All emergency matters, whether contested or uncontested, may be heard by remote court appearance via CourtCall, the designated remote appearance vendor of the Nineteenth Judicial Circuit. All litigants are strongly encouraged to make remote appearances, rather than appear physically in court, in order to diminish the risk of infection. The Clerk's Office will provide CourtCall information upon request. For those who do come to the courthouse in person, all emergency matters will be heard in Courtroom C-202, regardless of which judge is assigned to the

case. Courtroom C-202 has been equipped with video-conferencing equipment, which can be utilized upon request.

13. AGREED ORDERS. The Civil Division will accept proposed agreed orders. Proposed agreed orders should be submitted to the Clerk's Office by email at ccCivilFiling@lakecountyil.gov. Upon receipt, the Clerk's Office will forward the proposed agreed order to the assigned judge. If the assigned judge approves the agreed order, the Clerk will present the agreed order to the on-duty judge in the courthouse for signature. The Clerk will then email the signed order to the parties.

14. HEARINGS ON PREVIOUSLY SCHEDULED CONTESTED MOTIONS.

As to any contested motion that had been set for argument between March 17 – May 29th, any party may submit the fully briefed motion to the assigned judge for consideration and ruling. Any such motion must be submitted to the courtroom email box for the assigned judge's courtroom and must also be mailed to the courthouse by regular mail, addressed to the attention of the assigned judge. The submission shall include a cover letter copying all parties of record. The cover letter shall identify all enclosed briefs and request the court to rule on the fully briefed motion. The submission shall also enclose a Proposed Order in Microsoft Word. The Proposed Order shall include the following alternatives: "Granted", "Denied", and "Granted in Part and Denied in Part for the Following Reasons". The Court, on receiving such motion and related briefs, may review and rule on the motion without oral argument, as provided in Local Rule 2-1.01(Q). If the Court determines that oral argument is necessary, the parties will be contacted by the Clerk to schedule an oral argument on CourtCall pursuant to Administrative Order 20-13. Once the Court enters an order, the Clerk will send the order to the parties by email and regular mail. Emailed briefs shall be directed to the assigned judges as follows:

C-201	CC201@lakecountyil.gov	Judge Rochford
C-202	CC202@lakecountyil.gov	Judge Hoffman
C-204	CC204@lakecountyil.gov	Judge Berrones
C-205	CC205@lakecountyil.gov	Judge Brodsky
C-206	CC206@lakecountyil.gov	Judge Cornell
C-207	CC207@lakecountyil.gov	Judge Haxall
C-303	CC303@lakecountyil.gov	Judge Salvi
C-304	CC304@lakecountyil.gov	Judge Ortiz
C-306	CC306@lakecountyil.gov	Judge Melius
C-307	CC307@lakecountyil.gov	Judge Betar
C-406	CC406@lakecountyil.gov	Judge Jasica
C-407	CC407@lakecountyil.gov	Judge Seneczko

IT IS FURTHER ORDERED THAT THE FOLLOWING PROCEDURES TAKE EFFECT JUNE 1, 2020:

15. ALL CIVIL PROCEEDINGS TO BE HELD REMOTELY BEGINNING JUNE 1, 2020, WITH LIMITED EXCEPTIONS. Beginning June 1, 2020, all court proceedings in the Civil Division of the Nineteenth Judicial Circuit will be held remotely using Zoom, with limited exceptions. Scheduled court calls will have a Zoom Meeting ID, Password and Link posted by courtroom, date and time at the following website:

<https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings>.

A Nineteenth Judicial Circuit Zoom Instruction and Protocol Sheet can be found at the following link:

<https://19thcircuitcourt.state.il.us/DocumentCenter/View/2812/Zoom-Instruction-and-Protocol-Sheet-51820>.

All parties are directed to read and follow the information provided, and to follow the protocol during Zoom court appearances. Any parties who believe they have good cause why they cannot appear via Zoom may file a motion requesting a physical court appearance. The motion must set forth a good faith basis for the movant's request, along with any proposed alternative procedure for the appearance. Any physical court appearance will take place only by order of the court.

16. PRESENTMENT OF MOTIONS. For any motion set for presentment on or after June 1, 2020, and until further order of this court, any notice of motion shall contain the following language: "Parties wishing to attend the presentment of this motion shall not appear in person in the courtroom, unless specially ordered to do so by the court. This proceeding will be conducted by 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>."

a. There will be a single Zoom ID, Password and Link for each morning or afternoon court session. Even if your case is scheduled at a time later than the initial start time of the court call, you can enter the court session at your scheduled time by using the Zoom Link and entering the meeting ID and Password into Zoom.

b. If the parties to a motion set for presentment wish to waive briefing, they may appear on Zoom at the time the motion is presented and should be prepared to argue the motion. If the parties wish to brief the motion, they are strongly encouraged to submit an agreed briefing schedule to the court prior to the presentment date. No court appearance is necessary if

an agreed briefing schedule has been submitted and approved by the Court. The agreed order must be submitted to the Clerk's Office by email at ccCivilFiling@lakecountyil.gov. No hearing date will be set at the time of presentment, whether the briefing schedule is set by the Court or by agreed order.

- c. At the time the Reply is due, the movant shall supply all courtesy copies for the fully briefed motion to the court, both electronically, through the courtroom email box listed in Paragraph 14 of this Administrative Order, and also by regular mail addressed to the assigned judge at the courthouse.
- d. Once the assigned judge has received the fully briefed motion, he or she will decide whether oral argument is necessary. If so, the parties will be contacted by the Clerk to schedule a Zoom hearing. If no oral argument is scheduled, the assigned judge shall issue a ruling on the motion within 14 days of receiving the briefs. If no ruling is issued on that date, the assigned judge will issue an under-advisement order, and set the case for ruling on a date certain. The parties will not appear in court on the ruling date. They will receive an order from the Court by email.

17. RULE 218 MANAGEMENT CONFERENCES. Beginning June 1, 2020, Rule 218 Conferences will continue to be conducted as specified in Paragraph 5 of this Administrative Order. Consistent with the court's prior practice, the Clerk will continue to mail 218 track schedules along with notice of the scheduled 218 progress call date.

18. BENCH TRIALS. Bench trials scheduled on or after June 1, 2020, will be conducted remotely pursuant to the Nineteenth Judicial Circuit's Zoom Bench Trial Protocol, which may be modified by standing order of the assigned judge. The remote appearance procedures in that Protocol will apply to all persons participating in bench trials, including the parties, counsel, and witnesses. Parties who can demonstrate good cause why they cannot proceed with a remote bench trial may file a motion with the court. Motions requesting a physical appearance or alternative bench trial procedure, with a proposed order, must be filed, and courtesy copies sent to the court at ccCivilFiling@lakecountyil.gov, at least 14 calendar days prior to the scheduled bench trial. The motion shall set forth the basis for the movant's request along with the proposed alternative procedures. The parties can request a copy of this Protocol from the Clerk at any time, and it will be posted with each courtroom's standing Orders on the website of the Nineteenth Judicial Circuit.

19. ARBITRATION HEARINGS. All arbitration hearings scheduled on or after July 6, 2020, will be conducted remotely pursuant to the Nineteenth Judicial

Circuit's Zoom Bench Trial Protocol, which will be adopted by the court subject to the provisions set forth in Illinois Supreme Court Rule 90. Remote appearance procedures will apply to all persons participating in arbitration hearings, including the parties, counsel, and witnesses. The Arbitration Administrator will issue invitations for the hearing date and time to all parties and arbitration participants. The Arbitration Chair will serve as Zoom host. Parties who can demonstrate good cause why they cannot proceed with a remote arbitration hearing may file a motion with the court. Motions requesting a physical or other alternative hearing method, and a proposed order, must be filed, and courtesy copies sent to the court, at the appropriate courtroom listed in paragraph 14 of this Administrative Order at least 14 days prior to the scheduled arbitration hearing. The motion shall set forth the basis for the movant's request along with the proposed alternative procedures. The Nineteenth Judicial Circuit's Zoom Bench Trial Protocol will be provided to the parties at least 7 days in advance of the scheduled arbitration date. The parties can request a copy of this protocol from the Clerk at any time, and it will be posted on the website of the Nineteenth Judicial Circuit.

20. **PRE-TRIAL SETTLEMENT CONFERENCES AFTER JUNE 1, 2020.** Pre-Trial Settlement Conferences scheduled on or after June 1, 2020 will be conducted remotely on Zoom. All parties of record will receive a Zoom Meeting ID, Password and Link prior to the scheduled Pre-Trial. The plaintiff and the assigned insurance adjuster for the defendant shall also be present by Zoom. The parties shall electronically submit their pretrial settlement memoranda as required by Local Court Rule 2-3.01(E), by courtesy copy to the court, both electronically to the courtroom mailbox listed in Paragraph 14 of this Administrative Order, and by regular mail to the attention of the assigned judge in the courthouse.
21. **AGREED ORDERS.** Civil Division Judges will continue to accept proposed agreed orders remotely after June 1, 2020, and until further order of Court. Proposed agreed orders should be submitted to the Clerk's Office by email to ccCivilFiling@lakecountyil.gov.
22. **STATUS HEARINGS.** Status dates will be converted to remote reporting dates. Parties are encouraged to remotely submit an agreed order setting forth the status of the case and setting a new status date thereafter. Proposed status orders may be submitted to ccCivilFiling@lakecountyil.gov
23. **ROUTINE MATTERS.** Motions for Alias Summonses, Appointment of Special Process Server, or for Service by Special Order of Court pursuant to Section 2-203.1 of the Code of Civil Procedure shall be submitted to the Clerk's Office by email at ccCivilFiling@lakecountyil.gov and will be ruled

on remotely. Such motions must be supported by proper affidavits of non-service and must include a proposed order in Microsoft Word

24. SPECIAL PROCEDURES IN SC, LM, AND AR CASES, AND FOR CITATIONS TO DISCOVER ASSETS, PETITIONS FOR RULES TO SHOW CAUSE, AND POST JUDGEMENT SUPPLEMENTAL PROCEEDINGS.

- a. Effective on the date of this order, any newly filed SC, LM or AR case, and any Citation to Discover Assets, Petition for Rule To Show Cause, or Post Judgement Supplemental Proceeding (regardless of case designation) must contain the following language in the Summons, Citation, or Petition, in both English and Spanish:

“On the date indicated below, do not come to the courtroom. You must instead appear in court using Zoom video or telephone conferencing. This is to protect your safety, and the safety of others. Each scheduled court call will have a Zoom Meeting ID, Password and Link posted by courtroom, date and time at the following website:

<https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings>.

You should attend court by clicking on this link and entering the Meeting ID and Password. If you fail to attend court by Zoom, you may be defaulted. A **Zoom Instruction and Protocol Sheet** can be found in both English and Spanish at the following website:

<https://19thcircuitcourt.state.il.us/DocumentCenter/View/2812/Zoom-Instruction-and-Protocol-Sheet-51820>.”

“Por motivos de su propia seguridad y la de los demás, las comparecencias en el juzgado se están realizando únicamente por medio de video y teleconferencias vía Zoom. Ninguna audiencia se está llevando a cabo en persona.

La fecha, la hora, el código de identificación de la reunión en Zoom (ID), la contraseña (Password) y la liga de enlace (Link) en que Ud. deberá comparecer estarán indicadas por juzgado y lo encontrará en el siguiente sitio web: <https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings>

El horario y enlaces para todas las audiencias judiciales se publicarán en esa página.

Para comparecer, Ud. debe de hacer clic en el enlace que le corresponda a su audiencia en particular.

Las comparecencias son obligatorias y su incumplimiento estará sujeto a las consecuencias judiciales correspondientes.

Las instrucciones sobre cómo utilizar Zoom, las puede encontrar en inglés y/o en español, en la siguiente liga de enlace:
[https://19thcircuitcourt.state.il.us/DocumentCenter/View/2813/Spanish Zoom-Instruction-and-Protocol-Sheet-51820.](https://19thcircuitcourt.state.il.us/DocumentCenter/View/2813/Spanish Zoom-Instruction-and-Protocol-Sheet-51820)”

- b. Parties who believe they have good cause why they cannot appear via Zoom may contact the Circuit Clerk’s Office to request an in-person hearing at **847-377-3209**.
- c. In any SC, LM, or AR case, or for any Citation to Discover Assets or Rule to Show Cause, if the plaintiff wishes to seek a default order, contempt order or body attachment on any court date that has been re-scheduled by this or any prior Administrative Orders due to COVID-19 health emergency, the Plaintiff shall have the burden of proving to the Court that the defendant has been provided with the Zoom information contained in the paragraph 24a above. Plaintiff may provide such notice to the defendant by mailing it to the address shown on the defendant’s appearance, or, where no appearance has yet been filed, to the address where process was served on the defendant, and any known email address. The notice must specify the date, time and courtroom for the required Zoom appearance and must contain the Zoom notification language specified in paragraph 24a above, in both English and Spanish. Unless it reasonably appears to the Court that the defendant has received such notice, the Court will set a new court date, and plaintiff will be required to notify the defendant of both the new court date, and the Zoom information specified herein.

25. MOTIONS FOR DEFAULT JUDGMENT AND ORDERS APPROVING SALE IN MORTGAGE FORECLOSURE CASES. In any Mortgage Foreclosure case, if the Plaintiff seeks a default judgment or order approving sale on any court date that has been re-scheduled by this, or any prior Administrative Order due to COVID-19 health emergency, the Plaintiff shall have the burden of proving to the Court that the Defendant has been provided with the Zoom notification contained in paragraph 24a of this Administrative Order, in both English and Spanish. Plaintiff may provide such notice to the defendant by mailing it to the address shown on the defendant’s appearance, or, where no appearance has yet been filed, at the address where process was served on the defendant, and any known email address. The notice must specify the date, time and courtroom for the required Zoom appearance and must contain the Zoom information language specified in the paragraph 24a above, in both English and Spanish. Unless it reasonably appears to the Court that the defendant has received such notice, the court will set a new court date, and plaintiff will be required to notify the defendant of both the new court date, and the Zoom notification specified herein.

Courtesy copies of any Motion for a Default Judgment or Motion for an Order Approving Sale in a Mortgage Foreclosure case must be submitted at least 14 days in advance to the courtroom email box for the assigned judge listed in Paragraph 14 of this Administrative Order, and must also be mailed to the courthouse by regular mail, addressed to the attention of the assigned judge. Emailed courtesy copies shall not be submitted in one bulk attachment; rather, each filing must be a separate attachment, properly identified and labeled. A proposed order must be included in Microsoft Word format as a separate attachment properly labeled.

Any agreed special progress call mortgage foreclosure orders can be submitted to the C-206 courtroom email 7 days in advance of the special progress call date. Future special progress call dates and details regarding the agreed orders can be found in a forthcoming Standing Order for C-206. If the agreed order is approved the Clerk will then email the signed order to the parties.

IT IS FURTHER ORDERED that, self-represented litigants seeking fee-waivers may apply without making a court appearance by using the procedure outlined above for agreed orders, i.e. the request should be submitted to the Clerk's Office by email, and the request will be routed for approval to the assigned judge. The order granting or denying the request will be emailed back to the self-represented litigant. Any litigant receiving a fee-waiver may use the CourtCall remote appearance service free of charge. Simply advise the CourtCall personnel that you have received a fee-waiver and they will verify the fee-waiver with the Clerk's Office.

IT IS FURTHER ORDERED that, the Clerk of the Circuit Court may receive, for the duration of Administrative Order 20-23, Civil Division filings by mail or over the counter from Self-Represented Litigants seeking an exemption from electronic filing. All attorneys shall continue to electronically file as mandated by the Illinois Supreme Court.

Dated this 18th day of May, 2020.

ENTERED:

A handwritten signature in cursive script, appearing to read "Diane E. Winter", is written over a horizontal line.

DIANE E. WINTER,
Chief Judge