

State of Illinois)
) SS:
County of Will County)

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

ADMINISTRATIVE ORDER NO. 2020 — 52

**UPDATED MISDEMEANOR/TRAFFIC DIVISION PROCEDURES FOR REMOTE
PROCEEDINGS**

IT IS HEREBY ORDERED THAT pursuant to Orders entered by the Illinois Supreme Court in Case Number 30370, Administrative Orders 2020-08, 2020-10, 2020-11, 2020-12, 2020-15, 2020-18, 2020-23 and 2020-32 entered by the Circuit Court of Will County, and all applicable laws, Illinois Supreme Court Rules and directives permitting the establishment of remote proceedings, in order to safeguard the health and welfare of the public as well as to help alleviate congestion in the courthouse, and until further notice, the Misdemeanor Division (Courtrooms 101, 202, 301, 302, 303 and 304) will participate in remote proceedings subject to the following conditions:

**MISDEMEANOR COURTROOMS (COURTROOMS 202, 301, 302, 303, 304) LOCATED IN THE WILL
COUNTY COURTHOUSE, 100 WEST JEFFERSON STREET, JOLIET, ILLINOIS**

1. **Courtrooms 202, 301, 302, 303, 304 Weekday 9:00 AM, 10:00 AM and 11:00 AM Court Calls** "Remote Proceedings" as used in this Administrative Order shall refer to Zoom audio-video communication conferences with Misdemeanor Division Judges. Until further order of the Chief Judge or administrative protocol issued by the Presiding Judge of the division all arraignments, status hearings, pre-trial conferences and other matters set on the above court calls at 9:00 AM, 10:00 AM and 11:00 AM will proceed via Zoom on the same date and time as previously scheduled unless otherwise ordered by the assigned judge. Litigants and counsel are advised that the courtroom numbers of the judges in the division have changed as result of the November 3, 2020 move from the building located at 14 West Jefferson Street to the new courthouse located at 100 West Jefferson Street, Joliet, Illinois. However, consistent with the assignment order entered in December 2019, each judge continues to hear the same cases previously assigned to that judge's courtroom. Judge

Breslan continues to hear the cases of defendants whose last name begins with the letters A-E, Judge Zelazo continues to hear the cases of those defendants whose last name begins with the letters F through K, Judge Braun hears those cases of Defendants whose last name begins with the letters L through Q and Judge Bertani hears those cases of defendant's whose last names begin with the letters R-Z. Judge Barrett hears post sentencing matters prosecuted by the State.

Each Judge's Zoom meeting identification number and password will remain the same, each day, and are as follows:

Judge Barrett (Rm 202):	ID # 920 2355 8579	Password: 123456
Judge Bertani (Rm 304):	ID # 979 9900 1965	Password: 123456
Judge Braun (Rm 301):	ID # 536 560 0178	Password: 123456
Judge Breslan (Rm 303)	ID # 976 1091 3597	Password: 123456
Judge Zelazo (Rm 302)	ID # 935 8789 0003	Password: 123456

Individuals without access to a computer with camera, or cell phone with camera, may access Zoom from a landline telephone by dialing one of the following United States dial-in numbers:

+1 312 626 6799	+1 929 436 2866	+1 301 715 8592
+1 669 900 6833	+1 253 215 8782	+1 346 248 7799

2. **Platform.** While the Misdemeanor Division may consider other platforms, all remote proceedings shall be conducted through the "Zoom" platform (www.zoom.us).
3. **Procedures for All Remote Proceedings.** The following procedures are required for all remote proceedings:
 - a. The Judge shall initiate or host the remote proceeding. Counsel and defendants should check in at least five minutes before the start of the court call.
 - b. The defendant (unless their presence has been waived by the court) and their attorney shall be present and available at the appointed time and date of the remote proceeding.
 - c. The official court record of the proceedings shall be the recording completed through the electronic Will County court reporting system. Other than the official court record, there shall be no broadcasting, recording or transcription of any kind of the court proceeding by any participant or observer. The Court reserves the right to arrange for livestreaming of the proceeding via youtube.com as it deems appropriate.

- d. Orders, when required by the court, shall be submitted to the court within one business day and reflect that the matter was heard on Zoom through a remote proceeding via videoconference or telephone call, the result, as well as the scheduling of any future dates. These orders shall also contain the email address of defense counsel.
 - e. Appropriate dress and decorum by counsel and defendants are expected.
 - f. General Zoom instructions and admonishments may be found on the Will County Circuit Clerk's website (www.circuitclerkofwillcounty.com) or otherwise provided to the defendant and counsel by the assigned judge.
 - g. Members of the public may utilize the above meeting identification numbers and passwords to observe and monitor court proceedings.
4. **Evidentiary Hearings and Trials in Misdemeanor Courtrooms 202, 301, 302, 303 and 304.** Evidentiary hearings and trials in Courtrooms 202, 301, 302, 303 and 304 will continue to be "in-person" proceedings and will continue to be set at 1:30 PM, 2:30, and 3:30, at the individual judge's discretion. Though motions to set evidentiary hearings (e.g. Motions to Suppress, Statutory Summary Suspension Hearings) should be placed on the appropriate judge's 9:00 A.M. call, evidentiary hearings will take place in the afternoon, to be set by the individual judge. As evidentiary hearings are not heard during morning court calls, counsel should not subpoena or schedule witnesses to appear in the morning unless directed by the court. Motions not appropriately presented may be stricken.
5. **Pleas and Proposed Agreed Dispositions in Misdemeanor Courtrooms, Transmission of Necessary Plea Documents to the Court Prior to Remote Hearings.** Guilty pleas and proposed agreed dispositions will be heard as remote proceedings during the morning court calls, provided the hearing does not require testimony. At least three business days prior to the scheduled hearing, counsel should submit to the judge all signed documents necessary to complete the hearing (e.g., Plea of Guilty, Jury Trial Waiver (if applicable), Admonishment forms, proposed Sentencing Order and Financial Sentencing Order, DUI evaluation). Commonly used forms are accessible through Circuit Clerk's website. See www.circuitclerkofwillcounty.com/court-forms/category/criminal as well as the iforms link also referenced on the Clerk's website.

Public Defenders and State's Attorneys may submit documents to the judge through the county's interoffice mail delivery system. Additionally, each judge is assigned an email address utilized solely as a conduit for receiving materials necessary to complete remote proceedings. These addresses may be used for transmitting plea documents to the judge but should not be utilized to otherwise communicate with the judge. These addresses are:

Judge Barrett – Rm 202:

misdemeanorA@willcountyillinois.com

Judge Bertani – Rm 304:	misdemeanorB@willcountyillinois.com
Judge Braun – Rm 301:	misdemeanorC@willcountyillinois.com
Judge Breslan – Rm 303:	misdemeanorD@willcountyillinois.com
Judge Zelazo - Rm 302:	misdemeanorE@willcountyillinois.com

NOTE: *The subject line of emails sent to the above addresses **must** reference both the case name and complete case numbers. Judges will only open emails containing this subject line information. Emails should not reference more than one defendant's cases. Failure to timely submit to the judge the necessary executed documents and materials will likely result in rejection of the plea or continuance of the case.*

- 6. Self Represented Defendants Unable to use Zoom.** If a defendant unrepresented by counsel is unable to use Zoom, whether by computer with camera, cell phone with camera, or telephone – and their presence at a 9:00, 10:00 or 11:00 AM proceeding in the above courtrooms has not been waived - that defendant must appear at the courthouse and participate in the proceeding through Zoom on a designated computer terminal, if available. If none are available, the defendant shall appear in the designated courtroom in the courthouse on the date and time their case is scheduled. The defendant will likely be directed to wait outside the courtroom until the defendant's case is called by the judge. Failure to appear under these circumstances may result in the entry of a bond forfeiture, issuance of a warrant for the defendant's arrest and/or entry of an ex parte judgment. *Defendants should note that access to a computer or smartphone is not necessary in order to utilize Zoom, as Zoom is readily accessible from a cell phone or landline (See Paragraph One of this order).*
- 7.** In the event additional courtrooms or judges are assigned to the misdemeanor division, the procedures set herein shall apply to that courtroom.

**COUTROOM 101 - PETTY TRAFFIC (JUDGE GAVLIN) LOCATED AT THE WILL COUNTY COURTHOUSE,
100 WEST JEFFERSON STREET, JOLIET, ILLINOIS**

- 8.** Effective December 14, 2020 and until further order by the Chief Judge or Administrative Protocol issued by the Presiding Judge of the division, all matters pending in Courtroom 101 of the Will County Courthouse other than trials and evidentiary hearings shall be heard as remote proceedings, utilizing Zoom, under the same procedures outlined in Paragraphs Two and Three above. Matters set for 9:00 AM and 1:00 PM in Courtroom 101 will heard on the Zoom platform. All evidentiary hearings, including trials, as well as matters requiring testimony, will be set at 10:00 A.M. or 2:00 P.M. and will continue to be "in person" proceedings requiring the Defendant's and any witnesses' presence at the Will County

Courthouse, 100 West Jefferson Street, Joliet, Illinois in Courtroom 101 at the time set by the judge.

9. Motions filed for hearing in Courtroom 101 should be set for hearing for either 9:00 A.M. or 1:00 P.M, depending on whether the prosecuting entity's cases are heard in the morning or afternoon. Attorneys and litigants who are uncertain whether their motion will be addressed in the morning (9:00 A.M.) or afternoon (1:00 P.M.) should contact the Circuit Clerk to determine whether the motion should be set at 9:00 A.M. or 1:00 P.M.

10. The Zoom meeting number and password for Courtroom 101 (Petty Traffic) shall remain the same each day, and is as follows:

Judge Gavlin - Rm 101 ID # 999 1636 9423

Password: 123456

Individuals without access to a computer with camera or cell phone may access Zoom from a landline telephone by dialing one of the following United States dial-in numbers:

+1 312 626-6799

+1 929 436 2866

+1 301 715 8592

+1 669 900 6833

+1 253 215 8782

+1 346 248 7799

The judge assigned to Courtroom 101 utilizes an email address as a conduit for receiving plea documents in advance of hearings set in Courtroom 101 (e.g., appearances by attorneys, signed guilty pleas, waivers). The subject line of any correspondence sent to the judge should contain the applicable case name and number. The email address for documents sent to the judge assigned to Courtroom 101 is:

TrafficA@willcountyillinois.com

Counsel and litigants should utilize the above address only to transmit to the judge appearances, plea-related documents, or other documents required by the judge.

11. **OUTER COURTS (PLAINFIELD, BOLINGBROOK, FRANKFORT AND WILMINGTON BRANCH COURTS).** All cases currently assigned to the outer courts (branch courts located Bolingbrook, Frankfort, Plainfield and Wilmington) will continue to be in-person proceedings.

12. It is intended that these protocols and procedures comply with all applicable law, the Illinois Supreme Court Orders entered in Case No. 30370, the Illinois Supreme Court's Rules, as well as local Circuit Court Rules, and remain consistent with any mandates and directives from the Illinois Supreme Court and Governor of the State of Illinois as they relate to the COVID-19 pandemic, including but not limited to the applicable Governor's Executive Orders entered March 20, 2020 forward and Administrative Order Numbers 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, 2020-15, 2020-18, 2020-23, and 2020-32.

13. This order is effective December 9, 2020.

Dated this 9th day of December, 2020

ENTER:  _____

Chief Judge

Circuit Clerk (Original)

Judges

State's Attorney

Public Defender

Will County Bar Associations