

STANDING ORDER

EFFECTIVE: May 15, 2023

Honorable DANIEL TIERNAN, Circuit Court Judge
Probate Division - Calendar 7 – Decedent Estates
Daley Center, 50 West Washington Street - Room 1803
Chicago, IL 60602
312-603-7546 – office number
312-603-6721 – fax number

10:00 a.m.	Agreed Orders; Scheduling Orders, Motions
10:15 a.m.	Application for Letters and Proof of Heirship; Opening & Closing of Decedent Estates
11:00 a.m.	Petitions to Settle Cause of Action; Presentation of Vouchers; Petition for Transfer of Structured Settlement Payment Rights
11:30 a.m.	Set Matters
2:00 p.m.	Set Matters

COURTESY COPIES

Paper Courtesy copies for openings, closings and settlements may be tendered in open court at the hearing along with proposed orders or provided prior to the hearing if hand delivered or mailed (not e-mail) to the Courtroom at the address listed above at least 2 court days prior to the hearing date unless otherwise provided by a court ordered briefing schedule. **E-mail will not be accepted for courtesy copies.** The court encourages attorneys to provide courtesy copies prior to hearing for openings involving complicated heirship, closings with many heirs or legatees, all settlements, and all motions/petitions/claims for presentment.

AGREED ORDERS AND SCHEDULING ORDERS

Parties may ask the Court to consider entering agreed orders for continuances on uncontested matters via e-mail, regular mail or courier. Requests shall be provided at least 2 court days prior to the court date. All proposed agreed orders **shall** include a copy of the Court's previous order and a copy of an e-filed status report. **The Court will not accept "agreed" orders changing a hearing date on motions or trials.**

Even if a request is made, you are required to appear pursuant to the last order, unless you receive an entered order prior to the scheduled hearing or are otherwise instructed by the Court that your appearance is waived.

MOTIONS OF COURSE

Motions for initial presentment shall be heard in person at 10:00 A.M. daily. In the event that the motion is a contested matter that will require a briefing schedule, moving counsel need only supply a courtesy copy of the motion (without supporting memorandum) in advance of the initial presentment date. Motions concerning discovery issues shall be accompanied by a copy of the most recent discovery or case management order entered in the case. Such motions must also contain a **factual** statement as to the efforts undertaken by counsel pursuant to Supreme Court Rule 201(k). Failure of moving counsel to include the Rule 201(k) factual statement constitutes grounds for striking the motion.

OPENING & CLOSINGS

Opening & Closing of Decedent Estates, Application for Letters and Proof of Heirship, shall be heard in person at 10:15 a.m. daily. **If heirship is extensive, a courtesy copy is required along with a copy of the Will if applicable.** Notice to all parties must be given in accordance with the Illinois Supreme Court Rules, Circuit Court Rules and the Probate Act.

PETITIONS TO SETTLE CAUSE OF ACTION & PETITIONS FOR TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS

These petitions shall be heard in person at 11:00 A.M. daily.

EMERGENCY MOTIONS:

Emergency petitions will be heard as add-ons in person on the 11:00 a.m. call. A hard copy of the motion marked “EMERGENCY MOTION” shall include a factual basis stating the nature of the emergency and all supporting documents must be delivered to the courtroom by hand or mail (not e-mail) no later than 10:00 A.M. on the court day preceding presentment. Counsel should be aware that true emergencies are rare and that if, upon initial presentment in court it is determined that the matter presented is not a true emergency, counsel may be directed to place the matter on the Court’s regular motion call.

SET CALL:

The Set Call consists of contested matters and Final Pretrial Conferences.

Contested matters set by the Court shall be heard in person beginning at 11:30 a.m. Please note that there is a fifteen (15) page [standard margins, double-spaced] limit on all supporting and response briefs. There is a ten (10) page [standard margins, double-spaced] limit on all reply briefs.

Motions for leave to file oversize briefs are strongly discouraged. ***No filing should be e-mailed or faxed to chambers.*** On the status date following completion of briefing, a hearing date will be set. No hearing dates will be set unless the Court has been provided with courtesy copies of all relevant pleadings. The moving party must present a complete set of courtesy copies.

COURT REPORTERS:

Counsel should be aware that there are no official court reporters assigned to Probate Division Decedent Estate courtrooms. Any party desiring a transcript of proceedings of any matter heard on Calendar 7 is responsible for providing a private court reporter who shall appear in person.