

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - CHANCERY DIVISION**

Judge Cecilia A. Horan  
General Chancery Calendar 9  
2008 Daley Center  
Telephone: (312) 603-5926  
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**STANDING ORDER**

(Effective August 7, 2020)

This standing order governs practice on all cases assigned to Calendar 9 in the Chancery Division, supersedes prior standing orders, and supplements the Illinois Code of Civil Procedure, Illinois Supreme Court Rules, and Rules and General Orders of the Circuit Court of Cook County.

**I. Remote Proceedings**

All remote proceedings will be held on the Zoom video-conference application. To join the virtual proceeding by desktop or laptop, tablet, or smartphone:

- Click the link below:  
<https://circuitcourtofcookcounty.zoom.us/j/95658991093?pwd=VUYvQUZxcTA2K2x4YUhEdnpMTFBiQt09>
- Alternatively, use the following Zoom log-in number and password:  
**Meeting ID: 956 5899 1093**  
**Password: 129359**
- Alternatively, dial-in by calling **(312) 626-6799**.

Check-in with the Clerk before the start time by using the Chat icon. Include the name of the case, case number, and the side that you represent. Keep your video off and your audio muted until your case is called. After the case is heard, the parties shall prepare an order in a Word file reflecting the Court's ruling and send it to the Court's email address no later than 1:00 p.m. of the day of the hearing. After reviewing and make any necessary modifications to the order, the Court will sign it and the Clerk will then enter it.

**II. Attorney Conduct**

Zealous advocacy is the lawyer's professional obligation. Incivility has no place in a respected and credible judicial system. The attorney should practice civility and professionalism, in and out of court, including at depositions and in written and verbal communications.

**III. Motions**

## **A. Regular Motions**

Regular motions are heard daily at 9:00 a.m. Any party may notice a motion for presentment at a previously scheduled status call. A courtesy copy of the motion (and notice of motion) must be delivered to the Court's email address or the drop-off box outside the courtroom before noon at least three (3) court days before the date on which the motion is noticed for presentment. Failure to do so may result in the motion being stricken from the call.

For motions for default, all parties who have been served shall be given notice as provided in Circuit Court Rule 2.1, without regard to whether an appearance was filed. In addition, the motion shall be accompanied by the Sheriff's return of service or affidavit of the process server, and an affidavit establishing compliance with the Servicemembers Civil Relief Act.

## **B. Emergency Motions**

Emergency motions may be noticed for any day at 9:00 a.m. Emergency motions will not be considered unless the motion is given to the court clerk or sent to the Court's email address by 8:45 a.m. on the day that it is noticed. Do not schedule these motions in Room 802 of the Daley Center.

True emergencies are rare. The movant must establish that the situation was not reasonably foreseeable and could lead to irreparable harm if relief is not obtained prior to the time that the motion can be heard on the Court's regular motion or status call. Any application for relief that does not fit this criteria will not be heard as an emergency matter. Matters that have become urgent by reason of a party's failure to exercise diligence do not constitute emergencies.

## **C. Motions for Temporary Restraining Order**

All motions for a temporary restraining order must be scheduled with Judge Horan's law clerk, by telephone or through the Court's email address. The movant shall provide a courtesy copy to the law clerk when the motion is scheduled. Some form of notice must be provided unless it clearly appears that immediate and irreparable harm will result before notice can be given or if notice is given.

## **D. Routine Motions**

Routine motions do not require a court appearance. The movant shall email to the Court the notice of motion and motion. All routine motions shall be designated as such and noticed for presentment at 8:45 a.m.

A party may object to a routine motion in writing or orally, in person, by phone, or by email. Objections must be made before 8:45 a.m. on the day of presentment. The objecting party must provide a basis for objection. If an objection is received, no order will be entered on

the routine call. If the movant wishes to pursue the motion following an objection, (s)he must schedule the motion as a regular motion. If no objection is received, the order will be entered and file-stamped copies of the order will be emailed to the parties after 12:00 p.m. the next court day. The Court may require a “routine motion” to be noticed on the regular motion call.

The following motions are considered “routine” for the purposes of this Standing Order:

- Motions to vacate a technical default and for leave to file an appearance, motion, or answer.
- Motions for leave to file instanter or within 28 days an answer or any other pleading after the time provided by law, unless a court-ordered deadline already exists.
- Motions for leave to file an amended pleading against one already a party.
- Motions to amend a complaint adding a new defendant(s) with summons to issue.
- Motions for leave to file an appearance.
- Motions to substitute one attorney for another by agreement. A motion to withdraw without substituting another attorney is not a routine motion.
- Motions to appoint a special process server.
- Stipulations to dismiss all or any part of a case, except class actions.
- Motion for voluntary non-suit by a plaintiff.
- Petitions for the issuance of subpoena in out-of-state cases.
- Agreed briefing schedules for motions to strike or dismiss, motions for judgment on the pleadings, motions for summary judgment, or cases on administrative review.
- Motion to remove a record on administrative review. The order shall provide a date by which the record must be returned to the clerk.

#### **IV. Briefs**

The most effective written submissions are concise and devoid of hyperbole. All briefs shall be double spaced, in 12-point font, and have one-inch margins. The following page limitations shall apply:

- Motion together with any supporting memorandum - 15 pages
- Response - 15 pages
- Reply - 7 pages

Papers not meeting these requirements will be stricken. Leave to submit papers exceeding these page limits will be allowed only in rare instances and upon a showing of good cause. No supplemental briefs or citations may be filed without leave of court. Citations to Illinois reviewing court cases shall be to the official reporter.

#### **V. Agreed Orders**

Parties may present agreed orders to the Court daily by emailing them to the Court. Agreed orders will generally be entered the following court day and will be sent to all parties by email after 12:00 p.m. The Court reserves the right to deny any request for entry of an agreed order.

## **VI. Status and Case Management Conferences, and Clerk's Status**

Status and case management conferences are heard daily at 9:30 a.m. The purpose of these conferences is to ensure the efficient and timely progress and disposition of the case. Counsel familiar with the case and *pro se* litigants must appear. Failure to attend may result in a case being dismissed for want of prosecution, or the entry of an order of default.

The Clerk's Office will automatically schedule an initial Case Management Conference approximately 180 days after the complaint is filed. If some or all of the parties have appeared before the Court prior to the date set by the Clerk's Office for the initial Case Management Conference and the case has been given another date on Calendar 9, no appearance is required on the date set by the Clerk's Office, and the matter will be stricken from the Case Management Call.

At the initial case management conference, the parties should be prepared to discuss the nature of the case, settlement opportunities, any third party pleadings, and contemplated motion practice.

In addition, all parties must be prepared to discuss contemplated discovery, including both written and oral fact and expert discovery, and the length of time that each party estimates will be necessary for the completion of discovery. A credible judicial system dispenses justice in a timely manner. Delays in the completion of discovery frustrate the orderly and efficient disposition of disputes, and undermine the faith of the parties and public. The Court expects the parties and counsel to comply with discovery deadlines set by the Court. The Court will enter a discovery schedule at the initial case management. At subsequent case management conferences all parties should be prepared to discuss discovery completed to date and any delays encountered in complying with discovery deadlines.

The movant is responsible for providing the Court with courtesy copies of fully briefed motions, along with the complaint and, if applicable, answer, depositions, and exhibits. These courtesy copies must be emailed to the Court after the motion has been briefed.

## **VII. Set Calls**

### **A. Contested Motions**

Contested motions will be heard at 10:00 a.m. and 10:45 a.m. daily. Hearings on contested motions are scheduled when courtesy copies of the briefs are submitted to the Court at the Clerk's status. Failure of any counsel to attend the hearing may result in the forfeiture of oral argument and, in any event, the Court may in its discretion dispense with oral argument and rule based on the briefs alone.

## **B. Pretrial Settlement Conferences**

Parties are encouraged to explore and negotiate settlements of their cases early and often. If after conferring with all parties and having obtained a consensus that a pretrial conference may be of assistance, any party may move the Court to set a pretrial conference. Unless excused by the Court, all parties must appear at the scheduled pretrial conference with counsel familiar with the case or, in the case of *pro se* litigants, on their own behalf. No pre-trial conference will be held unless the parties exchange a demand and offer in writing in advance of the conference.

No later than three days prior to the pretrial settlement conference, each party shall serve on the Court a pretrial memorandum up to five pages, double-spaced. The pretrial memorandum may include: (1) a statement of the case; (2) an outline of the claims and defenses; (3) a statement of the factual and legal issues; (4) the relief sought, including damages, and the basis therefor; and (5) the status of settlement negotiations. In addition, counsel shall verify whether a jury demand has been made with regard to any claims and state each party's intent to proceed to a jury trial or to waive its right to trial by jury.

## **VIII. Trial**

Once set, trial dates are firm and will not be rescheduled absent compelling circumstances. Any motion under Supreme Court Rule 231 to continue a trial must be supported by a specific, detailed affidavit and be made by written motion no less than five days before the date set for commencement of the trial.

Depending on the nature of the case, the court may schedule a final pretrial conference shortly prior to trial. Regardless of whether a final pretrial conference is scheduled, parties must exchange and deliver to chambers, via email, the final pretrial memorandum ten days prior to trial. The purpose of this memoranda is to identify the issues to be decided at trial, ensure that essential trial preparation is done in a timely fashion, and eliminate unnecessary delays during the course of the trial.

The final pretrial memoranda must contain the following:

- The estimated length of trial.
- A short statement of the case, specifying the claims and defenses to be tried.
- A list of all potential witnesses, indicating who will and who may be called to testify.
- A statement of all facts stipulated to by the parties.
- Copies of any Supreme Court Rule 216 requests to admit and responses thereto that any party anticipates using at trial.
- A table of exhibits a party intends to use at trial, which shall include any understanding counsel may have regarding stipulations or agreements as to foundation and/or admissibility.
- An affidavit of compliance with all Supreme Court Rule 237 notices and a statement of all outstanding disputes regarding such notices.

- Parties expecting to offer opinion testimony shall tender a copy of any responses to Supreme Court Rule 213 interrogatories and deposition testimony that will support the opinion testimony to be offered at trial.
- A statement of law governing the issues in the case, with citation to legal authorities.
- A certification by each party that (s)he has examined the docket and determined that no jury demand has been made or that, if such a demand was previously made, a written waiver has been executed.

At the conclusion of trial, the Court will instruct the parties whether they will be required to submit a post-trial brief and/or proposed findings of fact and conclusions of law.

## **IX. Court Reporters**

Any party desiring a transcript of proceedings of any matter heard on Calendar 9 is responsible for providing a private court reporter, and providing the court reporter with access information for any remote hearing. A court reporter is essential to preserve the record, particularly in the case of dispositive motions and testimony taken at hearings and at trials.

## **X. Interpreters/Translators**

Except as provided below, any party who requires an interpreter must provide one at their own expense. Any indigent party who cannot afford an interpreter shall, at least at least five (5) days prior to the hearing, contact the Court about scheduling an interpreter. In a remote proceeding conducted over Zoom, the Court has the ability to enable language interpretation to designate a participant as the interpreter in the proceeding.

ENTER:

/s/ Cecilia A. Horan