

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
FOURTH MUNICIPAL DISTRICT

**STANDING ORDER JUDGE KEVIN LEE**

1500 Maybrook Drive  
Maywood, Illinois 60153  
Room 111  
Zoom I.D. 936-6870-5913  
Password: 862976  
Office of the Presiding Judge: 708.865.6060  
Fourth District Clerk's office 708.865.5186

**A. Room 111 Daily Schedule**

<b>MON</b>	<b>9 am</b> Initial case management call for evictions. Eviction cases continued for status on service.	<b>10 am</b> All eviction cases continued for ERP or settlement status.	<b>11:30</b> Motion call for eviction cases. Scheduled emergency motions.	<b>1:30</b> Post judgment and small claims.
<b>TUE</b>	<b>9:30 am</b> Case management law, municipal cases > \$10k, ordinance violations and other municipal actions. Initial date on spindled motions on these cases.	<b>10:30 am</b> Case management and motions in contract and replevin cases.	<b>11 am</b> Petitions for name change.	<b>11:30 am -2:30 pm</b> Court scheduled hearings on contested motions. Pretrial and settlement conferences.
<b>WED</b>	<b>9 am</b> Initial case management call for evictions. Eviction cases continued for status on service.	<b>10 am</b> All eviction cases continued for ERP or settlement status.	<b>11:30 am</b> Motion call for eviction cases. Scheduled emergency motions.	<b>1:30 pm</b> Post judgment and small claims.
<b>THU</b>	<b>9:30 am</b> Prejudgment commercial collections bulk filers.		<b>1:30 pm</b> Post judgment commercial collections bulk filers.	
<b>FRI</b>	<b>9:30 am</b> Contested "in person" eviction trials.		<b>1:30 pm</b> Eviction prove-ups via Zoom.	

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**B. Court Proceedings**

All court proceedings are conducted remotely via Zoom except evidentiary hearings, contested trials and matters set for “in person” hearings by the court based on agreement of the parties.

**C. Appearance and Communications**

Each Defendant served must have an Appearance on file with the Clerk of the Court or that Defendant shall be in default and will not be permitted to address the court on any motions, trials, or other court proceedings. All communications with the court should be by filed pleading, motion, brief or proposed orders, etc. Communications with the presiding judge’s staff or the court clerk are allowed only on administrative, procedural, or scheduling matters. All communications with the court, court personnel, opposing counsel, parties or witnesses shall be presented in a civil and courteous manner.

**D. Orders**

**All orders on cases heard remotely must be emailed to:**  
**[d4crt111orders@cookcountycourt.com](mailto:d4crt111orders@cookcountycourt.com)**  
**on the date the case is on the call.**

Failure to submit an order to the court on the date the case was on the call may result in the case being involuntarily dismissed for want of prosecution. (“DWP”). Stamped copies of orders are returned to litigants automatically through Odyssey. This requires attorneys to properly enter their information in Odyssey including their ARDC number as Odyssey utilizes the ARDC database. The clerk’s office does not email individual orders to each litigant. Orders should properly reflect what occurred in court. In those instances, where the order is not accurate the court will modify the order based on the court’s half sheet. The following draft orders may be emailed to the clerk the day prior to the call.

- (i) Agreed settlement orders where all relevant parties have affixed signature to the order.
- (ii) Voluntary dismissal orders by plaintiff where there is no pending counterclaim, hearing, or trial date set and no dispositive motion has been filed.

**E. Alias SPS Continuance Process on 9 am Eviction Call**

If the initial attempt to serve defendant was unsuccessful, you can follow the steps below for a new status date by submitting an order in advance.

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- (i) The proposed order must be submitted by 2 pm on the business day prior to the court call to [d4crt111orders@coookcountycourt.com](mailto:d4crt111orders@coookcountycourt.com) with a copy to [ccc.d4rm111@cookcountyl.gov](mailto:ccc.d4rm111@cookcountyl.gov) For example, orders for the Monday call should be submitted no later than 2 pm on the preceding Friday. Do not submit the order any earlier than the business day before the call.
- (ii) The subject line on the email should state in all caps "ALIAS SPS ORDER FOR 11 / 15 / 25 COURT CALL."
- (iii) The proposed order must include the name and the license number of the SPS. The date should be left blank. The court will offer a continuance to the first **available date** on the 9 am call.
- (iv) All cases with an alias order will be called first. After your case is called, the court will insert the continuance date on your order. You may then log off the call. If you have a conflict with the proposed date an alternate date will be provided.
- (v) ***Submitting an order in advance does not excuse your appearance on the call. Failure to appear after submitting an order may result in a DWP.***

**F. Courtesy Copies**

E-filing pleadings, motions, affidavits, and case related documentation with the Clerk's electronic filing procedure does not constitute submission of courtesy copies for the court. An electronic courtesy copy of any motion, prove-up documentation, trial exhibits must be delivered to the court using the following email: [ccc.d4rm111@cookcountyl.gov](mailto:ccc.d4rm111@cookcountyl.gov) with a copy to [d4crt111orders@cookcountycourt.com](mailto:d4crt111orders@cookcountycourt.com) Courtesy copies for fully briefed contested motions must be provided fourteen (14) days prior to the scheduled hearing. Courtesy copies of other motions must be submitted three (3) days prior to the court appearance. ***Parties should not use either of these email addresses to request relief from the court or to copy the court on discussions between counsel. These email addresses are solely for the submission of documents.*** Communications with the Court should occur only in the manner specified in paragraph "B." The court prefers to receive courtesy copies electronically except in those rare instances where an electronic copy is impractical because the document is voluminous with multiple exhibits, tabs and/or photographs. ***If courtesy copies are not received as specified above the court may continue hearing on the motion.***

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**G. Default Motions and Prove Up Requirements on Evictions**

On all motions for default judgment and prove up, the moving party must e-file the following documents and send courtesy copies to the court via email ([ccc.d4rm111@cookcountyil.gov](mailto:ccc.d4rm111@cookcountyil.gov) with a copy to [d4crt111orders@cookcountycourt.com](mailto:d4crt111orders@cookcountycourt.com)) the day before the prove up.<sup>1</sup>

- (i) Notice of Termination of Tenancy served upon tenant(s).
- (ii) Proof of Service Affidavit from the deputy sheriff or special process server for each defendant in default. Constructive Service (5/9-107): Affidavit as set forth in statute and posting or publication affidavit from sheriff or publication service.
- (ii) Affidavit of military service.
- (iv) \* Verified Complaint (if only seeking damages set forth on complaint); OR, \*\* Prove-Up Affidavit setting forth the facts supporting damages thru date of possession and judgment and that Plaintiff has not accepted any payment of rent in excess of the amount set forth in the 5-day notice; OR, \*\*\* Sworn testimony supporting damages thru date of possession and judgment, including testimony that plaintiff has not accepted any payment of rent in excess of the amount set forth in the 5-day notice. Presentation of testimony for default judgment and prove up matters is conducted via Zoom.
- (v) Proof of Notice - See Circuit Court Rule 2.1  
On all motions for default judgment, all parties who have been served shall be given notice as provided in CCR 2.1, without regard to whether an appearance has been filed.
- (vi) Petition for Attorney's Fees – on applicable cases only. (Commercial & Condo). Attorney's fees will only be permitted on residential evictions where the lease predates the effective date of the CCRLTO.

**H. Non-Compliance Prove Up Requirements**

On motions for an eviction order of possession and / or money judgment based on the noncompliance of a party on an agreed order, the plaintiff must submit either an affidavit in support of the required elements of proof for judgment or sworn testimony of a witness in support of the required elements of proof for judgment to be entered.

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<sup>1</sup> If the prove up is scheduled for room 082 the courtesy copies should be sent to [ccc.maywoodcr082@cookcountyil.gov](mailto:ccc.maywoodcr082@cookcountyil.gov) 3 business days prior to the call. The room 082 prove up call is conducted via Zoom with the following ID: 889 7720 5470 and password 858040.

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Attorneys may not seek an order of possession or money judgment based upon an attorney's oral representation to the court. Notice must be provided to each defendant unless the compliance court date was set forth in the agreed order.

**I. Trials**

Trials are conducted "in person" in Room 111 at the Maywood Courthouse unless otherwise authorized by court order. Trial dates are firm and will not be typically rescheduled absent compelling circumstances. A request for a continuance for trial must be in writing and heard at least 5 business days preceding trial unless emergency circumstances are the basis for the requested continuance. A pretrial conference will be held approximately two weeks prior to all jury trials. The parties must exchange witness lists, exhibit lists, jury instructions, statement of the case and all preliminary motions fourteen (14) days before the pretrial conference. All these items must be provided to the court seven (7) days prior to the pretrial conference.

**J. Motions**

- (i) **Evictions:** Motions on eviction cases should be noticed for the first available Monday or Wednesday at 11:30 am. Motions filed but not promptly noticed for hearing are subject to being stricken.
- (ii) **Law and Municipal cases:** Motions on law and municipal cases over \$10,000 should be noticed for Tuesday only at 9:30 am. Motions for summary judgment must be filed no later than 45 days prior to trial if an earlier date has not been scheduled.
- (iii) **Contract and replevin cases:** Motions should be noticed for Tuesday only at 10:30 am.
- (iv) **Arbitration Matters:** Motions on pending arbitration matters should be noticed for Tuesday only at 9:30 am.
- (iv) **Post judgment cases:** Motions on post judgment municipal cases less than \$10,000 should only be scheduled for Monday or Wednesday at 1:30 pm.
- (v) **Application for Waiver of Court fees pursuant to Supreme Court 298:** are heard in person upon request when court is in session for self-represented litigants.

**K. Format of Briefs**

Briefing Schedule / Briefs: The Court may set a briefing schedule on contested motions. All briefs should be double-spaced with 12-point font and 1-inch margins. Briefs in support and in response to a motion shall not exceed ten (10) pages unless permission is granted from the court to exceed this limit.

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**L. Emergency Motions**

Matters determined to require emergency scheduling will be heard Monday and Wednesday ONLY at 11:30 am. The motion and notice must be filed with the Clerk of the Court and a courtesy copy of the motion marked “EMERGENCY MOTION” and all supporting papers, including notice and proof of service, must be submitted via email to the room 111 clerk ([d4crt111orders@cookcountycourt.com](mailto:d4crt111orders@cookcountycourt.com)) with a copy to ([ccc.d4rm111@cookcountyl.gov](mailto:ccc.d4rm111@cookcountyl.gov)) no later than 4 p.m. on the business day before presentment. If courtesy copies are not timely submitted the motion will not be heard on the selected date. Emergency motions must set forth a verifiable EMERGENCY.

**M. Mediation**

Mediation is available on evictions through the ERP program at the initial case management hearing. Mediators from Dominican University will also be available on the Friday eviction trial call. Mediators from CCR are available on the Monday afternoon small claims call and Wednesday upon request.

**N. Mandatory Arbitration**

Attorneys should use the standard form “all discovery closed arbitration order” when cases are referred to mandatory arbitration. After the court enters the order the presiding judge’s office will schedule the arbitration and send notification of the date. Scheduling questions should be directed to the presiding judge’s office. The court does not handle scheduling of arbitration matters. Motions on pending arbitration matters are heard in Room 111 only. Judgement on arbitration awards are heard in Room 112 only.

**O. Post Judgement Matters**

Courtesy copies of all supporting documents (proof of service, citation answer, etc.) should be provided one business day before hearing for all citations and petitions for revival or turnover.

**P. Settlements**

As a courtesy to the court and other litigants, please email Judge Lee’s court clerk at [D4crt111orders@cookcountycourt.com](mailto:D4crt111orders@cookcountycourt.com) with a copy to [ccc.d4rm111@cookcountyl.gov](mailto:ccc.d4rm111@cookcountyl.gov) if any scheduled matter (i.e. fully briefed motion; trial, etc.) has been resolved and no longer requires the hearing/trial date.

**Q. Motions to Transfer**

Motions to transfer venue to another district or county should include as exhibits all service attempts by the sheriff and/or private process server. The motion should also include as an exhibit all evidence that demonstrates the defendant currently resides in the district you are seeking to have the case transferred such as a TLO, USPS address report,

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vehicle registration or other investigative report. A proposed order should be provided which has a signature block for both the trial judge and the presiding judge.

**R. Petitions for Name Change**

Petitions for name change are heard on Tuesdays only at 11 am. Proof of publication, if appropriate, should be filed with a courtesy copy to the court the day before the matter is heard. All questions on the form petition should be answered. The petition must be signed and certified. For minor name changes a separate child information sheet must be completed for each child. The question related to consent of the non-custodial parent must be addressed. Children aged 7 or older must be present at the hearing. All forms and instructions for name changes can be found at [www.illinoiscourts.gov](http://www.illinoiscourts.gov) in the section for approved statewide forms.

**S. Voluntary dismissals – with or without Prejudice**

Motions to vacate a voluntary dismissal must be filed within 30 days of the date of dismissal or a new action must be filed by plaintiff, unless an agreed order of dismissal is signed by both plaintiff and defendant and the order specifically states that leave to reinstate is granted and the court retains jurisdiction. See 735 ILCS 5/2-1203(a) and *Eighner v. Tiernan*, 2021 L 126101, Supreme Court of Illinois.

**T. Applicable rules & statutes –**

- **General Order No. 1.2, 2.3 – Municipal Department**  
(d) Place of Filing – Civil Proceedings  
(2) The district in which the transaction or some part thereof occurred out of which the cause of action arose. Actions of attachment, distress for rent, forcible enter and detainer, and for the recovery of property may be filed in the district where the property is located.
- **Supreme Court Rule 139. Practice and Procedure in Eviction Cases**  
(b) Supporting Documents for Eviction Complaints – Supreme Court Order M.R. 30370 (dated 09/13/21)  
Notice regarding the Court-Based Rental Assistance Program.
- **735 ILCS 5/9-107. Constructive Service**  
Please review applicable statute and case law for due diligence & due inquiry requirements: *Equity Residential Prop. Mgmt. Corp. v. Nasolo*; 364 Ill. App. 3d 26 (2006) *Corlis v. Edelberg*; 2018 IL App 1st, 170049 (2018)
- **735 ILCS 9-109.6 Residential Eviction Order; form.**  
A standardized residential eviction order form, as determined by the Supreme Court, shall be used statewide.

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*\*\*\* Litigants are strongly encouraged to utilize all approved Supreme Court forms for Eviction cases\*\*\**

- **Cook County Residential Tenant Landlord Ordinance** – effective 06/01/2021 (29 pages) Litigants must review.
- **Illinois Rules of Evidence – Rule 803 (6); Rule 901 and Rule 902 (11)** – for admissibility of records kept in the regular course of business activity.