

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

GENERAL ADMINISTRATIVE ORDER NO. 2009 - 02

SUBJECT: 2009 CASE MANAGEMENT CALENDAR CALL

On April 1, 2009, General Administrative Order 2009 - 01 was issued, which provided that a Case Management Calendar Call for the Mortgage Foreclosure/Mechanics Lien Section of all pending mortgage foreclosure and mechanics lien cases filed prior to April 1, 2009, shall be scheduled by the Clerk of the Court for the months of July and August of 2009. Administrative Order 2009 - 01 further provided that the Case Management Calendar Call of mortgage foreclosure cases shall be scheduled on the days and at the times of the existing default foreclosure calls. The default mortgage foreclosure default calls were closed for the months of July and August, 2009 to accommodate the Case Management Calendar Call. Administrative Order 2009 - 01 further put limits on the scheduling of mortgage foreclosure cases filed in 2009 for Judgments of Foreclosure and Sale and Orders Approving Sale.

A meeting was held on April 17, 2009, for members of the mortgage foreclosure bar to outline the goals of the Mortgage Foreclosure Case Management System. It was explained that a primary goal of the Case Management Calendar Call is to categorize and code cases by type of property and that effective July 1, 2009, all mortgage foreclosure cases will upon filing be so coded. The goals of the Mortgage Foreclosure Case Management System, for both the cases to be heard on the 2009 Case Management Calendar Call and for those cases filed beginning July 1, 2009, were identified as follows:

Categorize and code cases by type of property:

Owner occupied single family home or condominium
Non-owner occupied single family home or
condominium
Owner occupied six units or less
Multi-unit residential
Commercial, Mixed commercial/residential, or
Industrial
Vacant land

With commercial/industrial properties, larger multi-unit dwellings, and larger mixed commercial/residential properties, explore Supreme Court Rule 218 requirements, including the status of the pleadings and discovery cut-off dates.

Identify cases where issues of priority of mortgages and liens predominate and explore Supreme Court Rule 218 requirements, including the status of the pleadings and discovery cut-off dates.

With owner occupied properties, ascertain whether an Access to Justice attorney should be appointed, whether credit counseling is appropriate, and whether the case is appropriate for court-ordered mediation.

With smaller mixed commercial/residential and smaller commercial properties, ascertain whether credit counseling and court-ordered mediation is appropriate.

With multi-unit residential buildings, ascertain whether tenants have been notified of the foreclosure case.

Identify cases where a receiver needs to be appointed and, where a receiver has been appointed, set regular reporting dates for the receiver.

Identify cases where mechanics lien issues predominate for possible transfer to the mechanics lien calendars.

Identify cases which have been consolidated or designated as related pursuant to General Orders 12 and 22 and cases which should be consolidated or designated as related.

Identify commercial/industrial foreclosures for possible transfer to the General Chancery Section.

Identify cases with quiet title, rescue fraud, and partition issues for possible transfer to the General Chancery Section.

Identify cases where the mortgagors have a pending divorce case for transfer to the Domestic Relations Division.

Identify cases where property is owned by a decedent's estate, disabled person's estate, or minor's estate for transfer to Probate Division.

Identify cases with fully briefed motions and set the motions for hearing.

Identify and correct coding errors by the Clerk of the Court.

Identify and dismiss cases where the mortgagor is in bankruptcy.

Identify and dismiss cases where the mortgagor has entered into a repayment plan, a loan modification, or other type of work-out.

Identify cases where the mortgagor has been attempting unsuccessfully to contact the lender and enter appropriate orders.

Identify and dismiss cases where the lender has not proceeded to judgment because of the lack of loan documents or incomplete loan history.

Ascertain why cases filed prior to January 1, 2008 have not yet proceeded to Judgment of Foreclosure and Sale and Order Approving Sale.

The Clerk of the Court has advised the Presiding Judge that the programming for Case Management Calendar Call has been completed. The codes for categorizing mortgage foreclosure cases have been developed. The judges in the Mortgage Foreclosure/Mechanics Lien Section have determined how many cases per day shall be called on their respective calendars and what days in July and August they will hold the Case Management Calendar Call for their respective calendars. The Clerk has written the appropriate program to accommodate their individual schedules.

The Case Management Calendar Call Order language and the postcard language has been sent to the Clerk for printing. A Mortgage Foreclosure Case Management Form, to be presented to the Court, but not filed with the Clerk of the Court, has been developed.

IT IS, HEREBY, ORDERED THAT:

1. The Clerk of the Court shall on June 2, 2009, run the final list for publication of mortgage foreclosure cases pending as of June 1, 2009, which were filed prior to April 1, 2009. That list is the list of cases which shall be called on the 2009 Case Management Calendar Call in July and August of 2009. Mechanics lien cases will not be called on the 2009 Case Management Calendar Call. The annual Calendar Call for mechanics lien cases will be scheduled by a separate Administrative Order.

2. The Clerk of the Court shall schedule the Case Management Calendar Call on the days and at the times of the existing default foreclosure calls for Calendars 52-63 with the following exceptions:

One additional time slot shall be added for mortgage foreclosure cases on Calendars 52, 53, and 54. Those additional time slots are as follows:

Calendar 52, heard by Judge R. Quinn, on Thursdays at 1:30 P.M. in 2810

Calendar 53, heard by Judge Nixon, on Wednesdays at 1:30 P.M. in 2802

Calendar 54, heard by Judge C. Quinn on Mondays at 1:30 P.M. in 2808

The start time each day for Calendar 60, Judge Valderamma, shall be 9:30 A.M., instead of 10:00 A.M.

3. The Clerk of the Court shall mail postcards to all parties of record for the Case Management Calendar Call, except that no postcards shall be sent to the law firms of Codilis & Associates, P.C., Fisher and Shapiro, LLC, and Pierce and Associates, P.C. The Clerk shall send electronic lists of cases to those three law firms.

4. The Clerk of the Court may print the Case Management Calendar Call schedule in four installments, with the lists available to the public no later than June 15, June 30, July 1, and July 15, 2009.

5. Effective immediately, no off-call dismissals of cases on the Case Management Calendar Call will be permitted. Mortgage foreclosure cases that are resolved by an Order Approving Sale or otherwise dismissed during the month of June, 2009, will be included in the final run of cases that the Clerk will print on June 2, 2009.

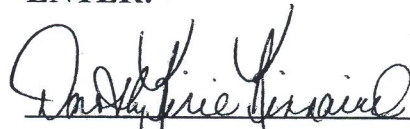
6. Plaintiffs' counsel shall complete a Mortgage Foreclosure Case Management Form for each case to be called on the Case Management Calendar Call. A copy of the Case Management Form is attached hereto. The form shall be reviewed, approved, and signed by a Supervising Attorney. It shall not be filed with the Clerk of the Court. Original completed Case Management Forms shall be placed in the drop-off bins on the 28th floor no later than four (4) days before each case is scheduled to be called on the Case Management Calendar Call. If a case that is scheduled on the Case Management Calendar Call has previously been dismissed, including any case dismissed in the month of June, it is not necessary to complete a Case Management Form. Counsel need only fill in the case name, the case number, and the case management conference date and attach a copy of the dismissal order to the Case Management Form.

7. Plaintiffs' counsel must appear for each case scheduled on the Case Management Calendar Call or an Order dismissing the case for want of prosecution may be entered. Plaintiffs' counsel should bring to court a copy of the completed Case Management Form, notwithstanding that the original form was previously delivered in advance of the case management conference.

8. An order will be entered for each case which appears on the 2009 Case Management Calendar Call, either a Case Management Calendar Call Order and/or, if appropriate, a Transfer Order.

9. When the Clerk of the Court has run the final list for publication of the 2009 Case Management Call, has printed the first of the four installments of the Case Management Call schedule, and has mailed the first set of postcards for the Case Management Calendar Call, the Clerk may reopen the default foreclosure calls for the months of September and October. Once the Clerk opens the default calls for the months of September and October, the Clerk is authorized to schedule all 2009 cases for all purposes beginning September 1, 2009.

ENTER:

A handwritten signature in dark ink, appearing to read "Dorothy Kirie Kinnaird", is written over a horizontal line.

Dorothy Kirie Kinnaird
Presiding Judge
Chancery Division

Date: June 1, 2009

ENTERED

JUN 01 2009 *DK*

JUDGE
DOROTHY KIRIE KINNAIRD - 276