

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

**GENERAL ADMINISTRATIVE ORDER NO. 2011-03**

**SUBJECT: UNCONTESTED VACANT RESIDENTIAL MORTGAGE  
FORECLOSURE CALLS**

Mortgage foreclosure case filings in the Chancery Division of the Circuit Court of Cook County have increased in the past eleven (11) years, according to the records of the Clerk of the Court, as follows:

2000	12,705
2001	16,228
2002	17,450
2003	15,815
2004	15,632
2005	16,494
2006	22,248
2007	32,651
2008	43,876
2009	47,049
2010	50,621

A continued rise in mortgage foreclosure cases is expected in the year 2011. As of July 31, 2011, there were 76,603 cases pending in the Circuit Court of Cook County.

Representatives from government bodies, community groups, and other parties who are interested in and working to alleviate problems associated with and resulting from the housing crisis have brought to the Court's attention the difficulties associated with vacant and abandoned properties in Cook County. Vacant and abandoned properties cause many public safety hazards and problems for communities including decreased home values, increased crime, dangerous conditions, and general deterioration resulting in urban blight.

While it is in each municipality's best interest to keep the homes occupied, due to the current economic situation, vacant properties inevitably continue to rise in Cook County and continue to contribute to urban blight. In order to help alleviate urban blight and allow municipalities to timely and appropriately address vacant and abandoned residential properties that are in foreclosure, the Mortgage Foreclosure/Mechanics Lien Section of the Chancery Division will begin an uncontested vacant residential mortgage foreclosure call.

Effective no later than January 1, 2012, a Pilot Project will commence in the Mortgage Foreclosure/Mechanics Lien Section of the Chancery Division in which uncontested cases involving vacant and abandoned residential properties will be heard on three (3) new calendars created for that purpose. The additional judges assigned to the Chancery Division for the Pilot Project will be

assigned by the Presiding Judge to hear cases for designated calendars. All cases heard during the Pilot Project will remain on the calendars assigned pursuant to General Order No. 3.1.

Chief Judge Timothy C. Evans has entered a Special Order additionally assigning to the Chancery Division seven (7) judges regularly assigned to Municipal District One, Municipal Department. Those judges are Supervising Judge William G. Pileggi, Judge Pamela Hughes Gillespie, Judge Laurretta Higgins Wolfson, Judge Daniel B. Malone, Judge Patrick T. Rogers, Judge James M. McGing, and Judge Joseph M. Sconza.

Supervising Judge Pileggi, Judge Gillespie, and Judge Wolfson have been assigned to the three new calendars for the Pilot Project (Calendars 65, 66, and 67, respectively) and Judges Malone, Rogers, McGing and Sconza will cover the new calendars for the Pilot Project as needed.

Judges assigned to the Mortgage Foreclosure/Mechanics Lien Section of the Chancery Division for the Pilot Project may hear cases classified according to random assignment bank category (8), Mortgage Foreclosures (See General Order No. 3.1 (1.2)) and that are designated as vacant residential properties.

IT IS HEREBY ORDERED:

1. A Pilot Project Establishing Uncontested Vacant Residential Foreclosure Calls in the Mortgage Foreclosure/Mechanics Lien Section of the Chancery Division is established to commence no later than January 1, 2012.
2. Calendars 65, 66, and 67 are hereby established as uncontested, vacant residential foreclosure calendars.
3. Effective no later than January 1, 2012, Supervising Judge William G. Pileggi is assigned to Calendar 65, Judge Pamela Hughes Gillespie is assigned to Calendar 66, and Judge Laurretta Higgins Wolfson is assigned to Calendar 67.
4. The regular schedule for the Pilot Project is as follows:

Calendar	Judge	Courtroom	Case Management/Default Call	
			Time	Days of the Week
65	Pileggi	1103	1:00 PM	Monday, Tuesday, and Wednesday
66	Gillespie	1103	2:30 PM	Monday, Tuesday, and Wednesday
67	Wolfson	1107	1:00 PM	Monday, Tuesday, and Thursday



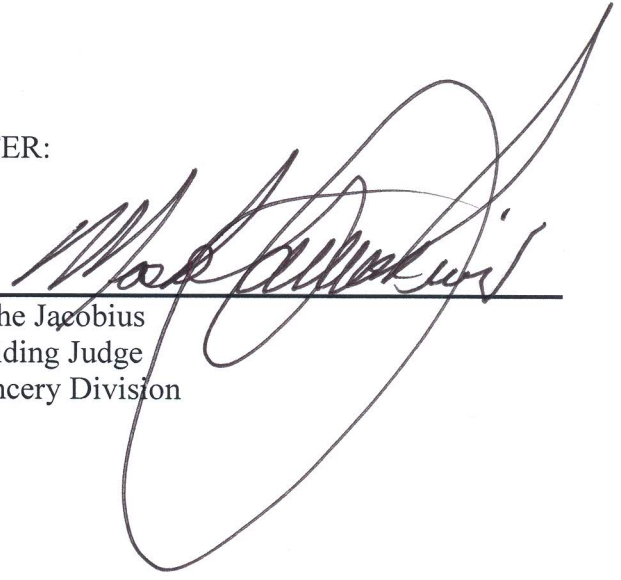
5. The Clerk of the Circuit Court shall provide a court clerk to staff the calls on the newly created calendars 65, 66, and 67 as scheduled, and as may be adjusted from time to time.
6. The Clerk of the Circuit Court is hereby ordered to add categories “Vacant Residential (six (6) units or less)” (0038) and “Vacant Residential single-family home or condominium” (0039) to the Chancery Division Civil Cover Sheet Mortgage Foreclosure/Mechanics Lien Section.
7. The Clerk of the Circuit Court shall randomize mortgage foreclosure cases designated as categories 0036 (Vacant Land), 0038 (Vacant Residential (six (6) units or less), or 0039 (Vacant Residential Single-Family Home or Condominium) equally among calendars 65, 66, and 67 pursuant to General Order 3.1(1.2).
8. The Clerk of the Circuit Court shall assign a case management date to each case randomized on Calendars 65, 66, or 67 of ninety (90) days from the date of filing in accordance with Illinois Supreme Court Rule 218.
9. Any plaintiff initiating a foreclosure action on the vacant property calendars shall designate the action as category 0036, 0038, or 0039 on the Civil Cover Sheet and shall attach an affidavit attesting that the property is residential as defined in the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1219 (2011), and stating there is no occupant as defined by 735 ILCS 5/15-1223. In addition to testifying to the vacancy of the property, the affiant must attest to the measures taken to make such a determination and attach to the affidavit any necessary documentation supporting the affiant’s determination(s).
10. Any case initiated on Calendars 65, 66, or 67 in which a defendant, a lien holder (other than the foreclosing party or a second mortgagee) such as a mechanics lien claimant, or any other interested party appears or otherwise participates in the case, shall be transferred to the Presiding Judge of the Chancery Division for random assignment to one of the general Mortgage Foreclosure Calendars (i.e., Calendars 55 through 64) pursuant to General Order 3.1(1.2). Any party may file a motion to request the transfer or the court may, on its own motion, transfer the case to the Presiding Judge of the Chancery Division.
11. Any representative of any municipality, which has obtained an order in a pending foreclosure action allowing it to intervene, may file the appropriate petition to transfer a case from a general Mortgage Foreclosure Calendar to the vacant residential foreclosure calendars. The petition to transfer shall be spindled with the Clerk of the Court and presented to the Presiding Judge of the Chancery Division in Courtroom 2403 and shall have attached to it as exhibits: (1) an affidavit testifying to the vacancy of the property; (2) a copy of the foreclosure action; (3) an affidavit attesting to a review of the file and that no defendant has filed an appearance in the case; and (4) a copy of the order from the mortgage

foreclosure judge allowing the municipality to intervene (if applicable). The affidavit attached shall attest that the property is residential as defined in the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1219 (2011), and state that there is no occupant as defined by 735 ILCS 5/15-1223. In addition to testifying to the vacancy of the property, the affiant must attest to the measures taken to make such a determination to the complaint and attach to the affidavit any necessary documentation supporting the affiant's determination(s). Proper notice of the petition to transfer shall be provided to all parties named in the case.

12. Any motion that a plaintiff wants to present in any case assigned to calendar 65, 66, or 67 must be properly spindled with the Clerk of the Circuit Court in Room 802 of the Richard J. Daley Center.
13. All courtesy copies and courtroom procedures for Calendars 65, 66, and 67 will be governed by the Mortgage Foreclosure/Mechanics Lien Section Courtroom Procedures and applicable law as set forth by the Illinois Code of Civil Procedure, Illinois Mortgage Foreclosure Law, Illinois Supreme Court Rules, and all local rules and general orders.

Date: August 19, 2011

ENTER:



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Moshe Jacobius  
Presiding Judge  
Chancery Division