IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION

GENERAL ADMINISTRATIVE ORDER 21-2

Resumption of Trial Setting and Trial Calls and the expansion of Jury Trials.

This order amends and supersedes Sections 1 and 2 of Law Division General Administrative Order 20-9:

IT IS HEREBY ORDERED:

1.1 Pursuant to Circuit Court General Administrative Order 2020-07:

Court proceedings may be conducted in person, remotely or in a hybrid of the two. Conducting proceedings with all persons physically present shall be preferred, with the understanding that each impending court proceeding may be evaluated to determine whether it is appropriate for some or all participants to appear remotely.

1.2 Cases With Self-Represented Litigants:

The court will identify all pending cases involving self-represented litigants. In each case, the self-represented litigants will be contacted and provided with the relevant procedure pursuant to Section 1.1 of this order.

1.3 Jury Cases Set For Trial:

All Jury Trial dates originally set from March 17, 2020 through March 31, 2022 are converted to "Trial Setting" dates.

1.4 Resumption of Setting Jury Trial Dates:

On or before September 20, 2021, the Jury Trial Setting Call shall resume. The court will begin the Jury Trial Setting process with pending cases originally set for trial on or after March 17, 2020. Cases will be set on the Jury Trial Setting Call in chronological order

based on the original trial date.
Example (March 2020 cases shall appear on the Jury Trial Setting Call before the April 2020 cases etc.)

The expectation is that cases will be set for trial as expeditiously as possible.

All parties and counsel of record will receive electronic or postcard notice of the date, time and manner of the Jury Trial Setting Call.

1.5 Motions to Advance Cases for Trial Pursuant to 735 ILCS 5/2 – 1007.1 "Preference in Trial Setting":

The court will entertain motions to advance for trial based on the age of a party, financial hardship, extending and improving quality of life and medical care for the seriously ill.

1.6 Expanded Resumption of Jury Trials:

On or after September 20, 2021, Jury Trials may proceed in all sections of the Law Division.

The manner in which the Jury Trial will be conducted will be at the discretion of the Trial Judge pursuant to Section 1.1 of this order.

1.7 Non-Jury Cases Set for Trial:

Non-Jury cases may proceed to trial as the discretion of the assigned judge pursuant to Section 1.1 of this order and shall be in chronological order based on the original trial date, if applicable.

1.8 Other Court Dates (All Sections):

All case management and status court dates shall be scheduled pursuant to Section 1.1 of this order.

The assigned judge will determine the method of court proceeding.

All case management and status dates currently scheduled by the assigned judge shall stand.

1.9 Discovery (All Sections):

Case management will continue for all cases pending in the Law Division. Case Management procedures for cases in each Section shall be governed by the relevant procedures, set forth in the relevant sections of this order (Administrative, Motion, Commercial, Tax and Miscellaneous Remedies, Individual and Trial).
This order does not reopen discovery for any case in which ***discovery*** was closed by court order. Any motion to reopen discovery or to address discovery issues shall be brought before the assigned judge in the manner set forth in the relevant sections of this order.

1.10 Initial Case Management Dates (All Sections):

Initial case management dates currently scheduled and those scheduled in the future shall be conducted pursuant to Section 1.1 of this order.

The assigned judge will determine the method of proceeding.

This order does not limit the assigned judge's discretion to reschedule Initial Case Management for any case to a different date.

1.11 Newly Filed Motions (All Sections):

Please note that all motions presented to the court must be filed electronically with the Clerk of the Circuit Court using the "DO NOT SCHEDULE" option and emailed to the assigned judge, and copies must be provided to all parties of record.

Litigants shall comply with the motion procedures of the assigned judge, as set forth in the relevant sections of this order, and in compliance with the assigned judge's standing orders.

This order does not limit the assigned judge's discretion to order the scheduling of motions electronically with the Clerk of the Circuit Court.

1.12 Emergency Motions (All Sections):

Litigants shall comply with the emergency motion procedures of the assigned judge, as set forth in the relevant sections of this order, and in compliance with the assigned judge's standing orders.

1.13 Pre Trial and Mediation of Cases:

(This section updates and supersedes Law Division General Administrative Order 20-7 entered on August 26, 2020)

Pursuant to Circuit Court General Administrative Order 2020-07, Section n(ii) and n(iii)

There shall be mandatory pre-trial conference for all cases that were ready for trial but were not permitted to proceed due to the COVID-19 pandemic, including every case that had a jury trial date on or after March 17, 2020.

The above paragraph means that every case that had a jury trial date on or after March 17, 2020, is subject to a mandatory pre-trial conference.

Mediation of cases by an agreement of the parties is an alternative to pre-trial of cases provided in the provision above, if the mediation is completed prior to the discovery completion date reflected in Section 7.2 of this order.

Any case previously set for trial that had been transferred for pre-trial prior to August 26, 2020, shall remain before the agreed upon judge for the pre-trial conference only.

For pending cases that have not been set for trial, the parties may agree to the transfer of their case for pre-trial to any Law Division Judge, provided the agreed upon judge is willing to conduct the pre-trial.

The transfer order shall be submitted to the Presiding Judge pursuant to Section 2.11 of this order, and shall be for pre-trial only.

Proceedings shall be conducted pursuant to Section 1.1 of this order.

1.14 Law Division Standing Order for Participation in Court Proceedings by Videoconference or Telephone:

http://www.cookcountycourt.org/Portals/0/Law%20Divison/General%20Administrative%20Orders/20-06/Video%20Protocols%20(GAO%2020-6%20LAW%20DIVISION).pdf?ver=2020-07-07-152102-527

Nothing in this portion of the order would limit the assigned judge's discretion to conduct remote proceedings in the manner they determine.

Section 2: Administrative Section Courtrooms 2005 & 2006

2.1 Jury Trials and Jury Trial Setting Dates for Courtroom 2005:

All jury trial dates, set between March 17, 2020 and March 31, 2022, are converted to "Trial Setting" dates.

On or before September 20, 2021, the Courtroom 2005 Jury Trial Setting Call shall resume, and Jury Cases shall be set for trial pursuant to Section 1.4 of this order.

All parties and counsel of record will receive electronic or postcard notice of the date, time and manner of the Jury Trial Setting Call.

On or after September 20, 2021 the Courtroom 2005 Trial Assignment Call shall resume and, all Jury Cases answering ready for trial shall be randomly assigned to a judge for immediate trial.

2.2 Non-Jury Trials and Non-Jury Trial Setting Dates for Courtroom 2005:

On or before September 20, 2021, the Courtroom 2005 Non-Jury Trial Setting Call shall resume, and Non-Jury Cases shall be set for trial pursuant to Section 1.4 of this order.

All parties and counsel of record will receive electronic or postcard notice of the date, time and manner of the Non-Jury Trial Setting Call.

On or after September 20, 2021, the Courtroom 2005 Trial Assignment Call shall resume and all Non-Jury Cases answering ready for trial shall be randomly assigned to a judge

for immediate trial.

2.3 Trial Setting Call-Courtroom 2006:

The Trial Setting Call in Courtroom 2006 shall remain suspended until all cases originally set for trial from March 17, 2020 through March 31, 2022 are reset for trial and all cases certified ready for trial that did not originally have a trial date receive one.

2.4 Prove-up Assignment Call-Courtroom 2005:

On or after September 20, 2021, cases set for Prove-Up in Courtroom 2005 shall appear on the Prove-Up call and will be randomly assigned to an available judge for Prove-Up.

Parties should appear in Courtroom 2005 at 10:00 a.m. on the day the Prove-Up is scheduled and be prepared to Prove-Up the case

2.5 Call of Cases Transferred To Law Division-Courtroom 2005:

Cases transferred into the Law Division from other divisions, will be reviewed by the court, commencing with cases transferred in as of March 18, 2020.

Based on that review, a random assignment will be made to the appropriate section of the Law Division. All parties of record and the assigned judge will be notified of the assignment, so an initial case management date can be scheduled by the assigned judge with notice to all parties of record.

2.6 Administrative Motions-Courtroom 2005:

Administrative motions include, but are not limited to: (1) ***motions to extend the discovery completion deadline for cases assigned for Active Case Management*** * (2) motions to set or continue jury trials; (3) motions to set or continue prove ups; (4) motions to set or continue non-jury trials; (5) motions to consolidate or reassign cases, pursuant to Circuit Court General Orders 12 or 22; (6) motions to reassign pursuant to Law Division General Administrative Order 16-2; (7) motions to remove cases from any Law Division Stay Calendar and (8) motions to advance for trial.

**** Please note that motions to extend the discovery completion deadline shall contain the name of the assigned Active Case Management Judge when presented. The Presiding Judge will only rule on extending the discovery completion deadline. Specific discovery deadlines will be addressed by the assigned Active Case Management Judge. The Presiding Judge will not enter a***

specific discovery schedule.

All motions shall be emailed to **law.cal2005cc@cookcountyil.gov** with copies emailed to all parties of record. Upon receipt of the motion, the court will determine if the motion can be ruled on summarily or will require briefing.

If briefing is required, the parties can agree to a briefing schedule, or the court will enter one. The court will determine if oral argument is needed, and if needed, the court will schedule a remote hearing using video or teleconference platforms. Notice to all parties and counsel of record and public access information shall be provided by the court.

Proceedings shall be conducted pursuant to Section 1.1 of this order.

2.7 Emergency Motions: Courtroom 2005:

"Emergency motions" are those in which irreparable harm will be caused if not addressed immediately. No other emergency motions should be filed.

- Please note that discovery motions for cases assigned to other sections of the Law Division should not be presented in Courtroom 2005, and should be presented before the assigned judge or designated emergency judge, as detailed in the relevant sections of this order.

2.8 Scheduling Emergency Motions-Courtroom 2005:

The movant shall email a copy of the emergency motion and notice to the Presiding Judge's Law Clerk at: **law.cal2005cc@cookcountyil.gov**

Proceedings shall be conducted pursuant to Section 1.1 of this order.

If the court determines the motion is not a valid emergency, the court will inform the movant, and will instruct the movant to notify all parties that the motion will not be heard.

Based upon volume and changes in circumstances, these procedures may change. Any changes will be posted on the Law Division Section of the Chief Judge's website.

2.9 Notice of Emergency Motions- Courtroom 2005:

All emergency motions should be noticed for 11:00 A.M. For a remote hearing, a minimum of twenty-four (24) hours should be provided in advance of the hearing, except for good cause shown.

2.10 Routine Motions-Courtroom 2005:

Routine motions include, but are not limited to: (1) Petitions to Appoint a Wrongful Death Special Administrator; (2) Supreme Court Rule 298 Petitions for Fee Waivers; (3) Petitions to File Under a Fictitious Name; (4) Petitions to Disburse Funds to a minor who has attained the age of majority.

Routine motions shall be emailed to: the Presiding Judge's Law Clerk at **law.cal2005cc@cookcountyil.gov**, with notice provided to all counsel of record

2.11 Agreed Dismissal and Pre-Trial Transfer Orders: Courtroom 2005:

Copies of the agreed order dismissing or transferring a case for pre-trial should be emailed to the Presiding Judges Law Clerk at **law.cal2005cc@cookcountyil.gov**, with notice provided to all counsel.

2.12 Contact Information:

Courtroom 2005: (312) 603-6343
Courtroom 2006: (312) 603-5923

Please leave a detailed voicemail message if there is no answer. All calls will be returned as promptly as possible.

This order shall take effect immediately.

ENTERED
SEP 09 2021
JUDGE FLANNERY

ENTERED:

James P Flannery Jr.
(Signature Authorized By Presiding Judge James P. Flannery, Jr.)

Honorable James P. Flannery, Jr.
Presiding Judge, Law Division