



# STATE OF ILLINOIS CIRCUIT COURT OF COOK COUNTY

Honorable Timothy C. Evans, Chief Judge

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## GENERAL ORDER NO. 1.2,2.1 - County Department

The County Department is composed of the following divisions:

### (a) - Law Division

(1) The Law Division hears civil actions at law, whether or not a jury is demanded, except:

- (i) Actions filed in Municipal District One with complaints or counterclaims for compensatory and consequential money damages not in excess of \$30,000 unless a tax claim in excess of \$3,000 is involved;
- (ii) Actions filed in Municipal Districts Two, Three, Four, Five or Six with complaints or counterclaims for compensatory and consequential money damages not in excess of \$100,000 unless a tax claim in excess of \$3,000 is involved;
- (iii) Actions for the recovery of property of a value not in excess of \$30,000 filed in Municipal District One;
- (iv) Action for the recovery of property of a value not in excess of \$100,000 filed in Municipal Districts Two, Three, Four, Five and Six;
- (v) Actions of forcible entry and detainer;
- (vi) Actions arising under the Parentage Act of 1984, as amended (750 ILCS 45/1 et seq.);
- (vii) Actions brought under the Land Titles Act of 1897, as amended.

(2) The amount of punitive damages sought may be considered in determining whether an action filed in the Law Division shall remain in the Law Division if the court, in its discretion, finds a reasonable likelihood of proving facts at trial sufficient to support a substantial award of punitive damages.

(3) The Law Division consists of the following sections:

- (i) Motion Section;
- (ii) Assignment Section;

- (iii) Jury Section;
- (iv) Non-Jury Section;
- (v) General Individual Calendar Section;
- (vi) Commercial Individual Calendar Section;
- (vii) Complex Litigation Case Management Section (to manage complex litigation consistent with the requirements of Supreme Court Rule 218);
- (viii) Tax and Miscellaneous Remedies Section (to include replevin, condemnation, habeas corpus, ejectment, citations, garnishments, executions, levies, attachments and other supplemental proceedings, statutory summons under the Workers' Compensation Act [820 ILCS 305/19], administrative review under the Unemployment Insurance Act [820 ILCS 405/1100] and all tax matters including administrative review of such matters [except administrative review of Property Tax Appeal Board final decisions taken pursuant to 35 ILCS 200/16-195] when the amount in controversy exceeds \$3,000 regardless of the remedy requested).

[Amended, effective June 12, 1998 (Subsection 3 only).]

**(4)** Law Division actions may be filed and disposed in Municipal District court locations Two, Three, Four, Five and Six as follows:

(i) Law Division actions, excluding commercial actions as set forth on the Law Division Civil Action Cover Sheet, seeking compensatory and consequential damages in excess of \$100,000 wherein the occurrence took place or a defendant resides within the boundaries of Municipal Districts Two, Three, Four, Five, or Six may be filed and heard in the respective Municipal District court locations. A motion objecting to the location where the action is pending may be filed and noticed before the assigned suburban judge not later than the time for a party to appear or any extension thereof. Upon the filing of such motion the judge shall enter an order transferring the action to the Presiding Judge of the Law Division for reassignment within the Law Division in the Richard J. Daley Center. Thereafter, only the Presiding Judge of the Law Division, for administrative purposes with notice to all parties of record, may transfer any Law Division case pending in Municipal Districts Two, Three, Four, Five or Six to the Law Division of the Richard J. Daley Center for reassignment. A motion for substitution of judge shall not serve as a basis for transfer of an action to the Richard J. Daley Center unless the Presiding Judge of the Law Division determines that no other judge is available in the municipal district location.

(ii) In those Municipal District court locations where more than one Law Division calendar is established, actions filed pursuant to section (i) above shall be randomly assigned.

**(5)** The following definitions shall apply to section 2.1(a):

(i) Any private corporation or railroad or bridge company organized under the laws of this State and any foreign corporation authorized to transact business in this State is a resident of any district in which it has its registered office or other office. If there is no registered office or other office in Cook County, the corporation or company is deemed to be a resident of any district in which it is transacting business.

(ii) A partnership sued in its firm name is a resident of any district in which any partner resides or in which the partnership has an office or is doing business.

[Amended, effective August 1, 1996.]

**(b) - Chancery Division**

The Chancery Division is composed of the following sections:

**(1) General Chancery.**

The General Chancery Section hears actions and proceedings, regardless of the amount of the claim, concerning class actions, arbitration, injunctions, temporary restraining orders (other than matters brought under the Controlled Substance and Cannabis Nuisance Act, (740 ILCS 40/0.01 et seq.), mandamus, quo warranto, declaratory judgments, interpleader, ne exeat, specific performance, rescission and reformation of contracts, creditors rights, complaints for contribution, actions to quiet title and the setting aside of deeds, partition, equitable liens, redemption rights, declarations concerning the constructions of trust and wills (other than during the period of an estate administration), the appointment of trustees, successor trustees and the removal of trustees (other than during the period of an estate administration), receiverships, accounting cases, dissolution of partnerships and corporations, or other proceedings under the Corporations and Partnership Acts, proceedings under the Illinois Uniform Transfers to Minors Act (760 ILCS 20/1 et seq.), statutory review, certiorari (except under the Workers' Compensation Act (820 ILCS 305/19), and all administrative review (except tax matters, matters under the Unemployment Insurance Act (820 ILCS 405/1100), and matters concerning vehicle impoundment under ordinances 8-8-060 and 8-20-015 of the Municipal Code of Chicago (1993), and decisions of the Illinois State Toll Highway Authority imposing civil fines pursuant to authority granted under the Toll Highway Act (605 ILCS 10/10), and all other actions or proceedings formerly cognizable in courts of Chancery not otherwise provided for.

[Amended, effective January 1, 2008.]

**(2) Mortgage Foreclosure/Mechanics Lien Section.**

The Mortgage Foreclosure/Mechanics Lien Section hears all actions and proceedings concerning Mechanics Lien rights under contracts, either expressed or implied, liens on chattels for labor or storage, and other lien remedies available under 770 ILCS 60/0.01 et seq., and all actions and related proceedings initiated under the Illinois Mortgage Foreclosure Act, 735 ILCS 5/15-1101 et seq.

[Amended, effective March 1, 2005.]

**(c) - Domestic Relations Division**

The Domestic Relations Division hears actions or proceedings seeking an order or judgment relating to dissolution of marriage or civil union, declaration of invalidity of marriage or civil union or legal separation, child support and maintenance, child custody, or visitation arising under the Illinois Marriage and Dissolution of Marriage Act, the Illinois Religious Freedom Protection and Civil Union Act, the Hague Convention, the Illinois Parentage Act of 1984, the Illinois Public Aid Code, the Illinois Uniform Premarital Agreement Act, Non-Support of Spouse and Children Act, Non-Support Punishment Act, Revised Uniform Reciprocal Enforcement of Support Act, Uniform Interstate Family Support Act, Expedited Child Support Act, Income Withholding for Support Act, Emancipation of Mature Minors Act, Uniform Child Custody Jurisdiction Enforcement Act, Rights of Married Persons Act, and related Acts. Such proceedings also include all post-judgment matters relating thereto and petitions for civil orders of protection filed in conjunction with domestic relations matters involving the same parties pursuant to the Domestic Violence Act of 1986 except for those matters heard in the Domestic Violence Division.

[Amended May 23, 2011, effective June 1, 2011.]

**(d) - County Division**

The County Division hears actions and proceedings concerning mental health, the adoption of children and the taking of any and all

consents pertaining to any adoption matters, the marriage of minors, inheritance taxes, elections, actions brought under Article 14 of the Illinois School Code of 1961 (105 ILCS 5/1-1 et seq.), actions brought under The Land Titles Act of 1897, as amended, proceedings pursuant to Supreme Court Rules 754 and 764, review of final decisions of the Property Tax Appeal Board pursuant to 35 ILCS 200/16-195, actions filed to forfeit property seized pursuant to the Criminal Code of 1961, as amended, the Cannabis Control Act, the Controlled Substances Act, Methamphetamine Control and Community Protection Act and forfeitures attendant to prohibition against illegal money laundering, Petitions for Change of Name (735 ILCS 5/21-101 et seq.) and other matters formerly cognizable in the Circuit Court of Cook County not otherwise provided for. County Division actions under 735 ILCS 5/21-101 et seq. (Change of Name) may be filed and disposed of in Municipal District Court locations Two, Three, Four, Five and Six.

[Amended, effective January 1, 2008.]

#### **(e) - Probate Division**

The Probate Division hears actions and proceedings concerning the probate and contest of wills and testamentary instruments, claims against an estate arising in contract, tort or otherwise, actions and proceedings arising under the Illinois Power of Attorney Act (755 ILCS 45/1-1 et seq.), and the administration of estates of decedents, disabled persons, minors and wards and petitions pursuant to the Illinois Insurance Code to permit an insurance company to make payments on a structured settlement of a claim for personal injury to anyone other than the beneficiary of the settlement or by the beneficiary of such a structured settlement to assign the payments of the settlement to another (215 ILCS 5/155.31). The Probate Division also hears actions and proceedings concerning contracts to make a will, construction of wills, the appointment of testamentary trustees during the period of administration, and the appointment of receivers pursuant to Supreme Court Rule 776.

[Amended, effective January 2, 1998.]

#### **(f) - Criminal Division**

The Criminal Division hears criminal actions and prosecutions, commenced by indictment or information, except for those actions heard in the Domestic Violence Division, related matters arising under the Mental Health and Developmental Disabilities Code, as amended (405 ILCS 5/1-100 et seq.) and proceedings commenced under the Sexually Violent Persons Commitment Act, (725 ILCS 207/1 et seq.). The Criminal Division also hears criminal actions and proceedings concerning habeas corpus and extradition in criminal matters and petitions to expunge records of arrest pursuant to the Criminal Identification Act of 1931, as amended (20 ILCS 2630/0.01 et seq.).

[Amended, effective April 19, 2010.]

#### **(g) - Domestic Violence Division**

The Domestic Violence Division hears actions and proceedings for civil no contact orders arising under the Civil No Contact Order Act (740 ILCS 22/101, et seq.), stalking no contact orders arising under the Stalking No Contact Order Act (740 ILCS 21/1, et seq.), orders of protection arising under the Domestic Violence Act of 1986 (750 ILCS 60/101, et seq.), except actions arising under the Juvenile Court Act (705 ILCS 405/1 1, et seq.), the Mental Health and Developmental Disabilities Code (405 ILCS 5/1 100, et seq.), and the Probate Act of 1975 (755 ILCS 5/1 1, et seq.). The Division also hears all of the following criminal actions and proceedings involving family and household members, as defined in the Domestic Violence Act of 1986:

1) all matters through the preliminary examination or indictment, pursuant to 725 ILCS 5/109 3.1, in which the most serious offense charged is a class 1, 2, or 3 felony; and

2) all matters in which the most serious offense charged is aggravated stalking, any class 4 felony, or any misdemeanor.

**(h) - Elder Law and Miscellaneous Remedies Division**

The Elder Law and Miscellaneous Remedies Division hears the following actions and proceedings involving elderly persons, as defined by the rules of this court and relevant statutes:

- 1) cases arising under the Adult Protective Services Act, 320 ILCS 20/1, et seq.;
- 2) cases arising under the Illinois Power of Attorney Act, 755 ILCS 45/1-1, et seq.;
- 3) domestic violence cases as defined in Part 22 of the rules of this court.;
- 4) the following criminal offenses in which the victim is an elderly person:
  - a. any felony in which the victim is an elderly person
  - b. criminal abuse or neglect of a person with a disability
  - c. theft
  - d. aggravated identity theft
  - e. forgery
  - f. burglary
  - g. residential burglary
  - h. aggravated home repair fraud
  - i. possession of lost/mislaid credit/debit card
  - j. possession of another's credit/debit card
  - k. criminal housing management
  - l. aggravated criminal housing management
  - m. violation of an order of protection
  - n. criminal trespass to a residence
  - o. criminal damage to property
  - p. possession of a stolen motor vehicle
  - q. aggravated possession of a stolen motor vehicle

This order incorporates the above referenced statutes as they may be amended from time to time.

[Amended, effective, September 29, 2014.]



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