

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

CALENDAR 9 - ROOM 2008
JUDGE SANJAY T. TAILOR
STANDING ORDER

(Effective February 27, 2017)

This standing order governs practice on all cases assigned to Calendar 9 in the Chancery Division, supersedes prior standing orders, and supplements the Illinois Code of Civil Procedure, Illinois Supreme Court Rules, and Rules and General Orders of the Circuit Court of Cook County.

I. Attorney Conduct

Zealous advocacy is the lawyer's professional obligation. Incivility has no place in a respected and credible judicial system. The attorney should practice civility and professionalism, in and out of court, including in depositions and written and verbal communications.

II. Motions

A. Regular Motions

The Court will hear its regular motion call at 9:00 a.m. daily. Any party may notice a motion for presentment at a previously scheduled status call. A courtesy copy of the motion (and notice of motion) must be delivered to the drop-off box outside the courtroom before noon at least three (3) court days before the date on which the motion is noticed for hearing. Failure to do so will cause the motion to be stricken from the call.

On all motions for default, all parties who have been served shall be given notice as provided in Circuit Court Rule 2.1, without regard to whether an appearance was filed. In addition, the motion shall be accompanied by the Sheriff's return of service or affidavit of the process server, and an affidavit establishing compliance with Servicemembers Civil Relief Act.

B. Emergency Motions

Emergency motions may be noticed for any day at 9:00 a.m. Emergency motions will not be considered unless the motion is given to the court clerk by 8:45 a.m. on the day that it is noticed. Do not schedule these motions in Room 802.

True emergencies are rare. The movant must establish that the situation was not reasonably foreseeable and could lead to irreparable harm if relief is not obtained prior to the time that the motion can be heard on the court's regular motion or status call. Any application for relief that does not fit this criterion will not be heard as an emergency matter. Matters that have become urgent by reason of a party's failure to exercise diligence do not constitute emergencies.

C. Motions for Temporary Restraining Order

All motions for a temporary restraining order must be scheduled with the judge's law clerk, and the movant shall provide a courtesy copy to the clerk at that time. Some form of notice must be provided unless it clearly appears that immediate and irreparable harm will result before notice can be given.

D. Routine Motions

Routine motions do not require a court appearance. The movant shall place the notice of motion, motion and three copies of the draft order in the drop-off box outside the courtroom. All routine motions shall be designated as such and noticed for presentment at 8:45 a.m.

A party may object to a routine motion in writing or orally, in person or by phone. Objections must be made before 8:45 a.m. on the day of presentment. The objecting party must provide a basis for objection. If an objection is received, no order will be entered on the routine call. If the movant wishes to pursue the motion following an objection, (s)he must schedule the motion as a regular motion. If no objection is received, the order will be entered and file-stamped copies of the order will be available in the pick-up box outside the courtroom after 12:00 p.m. the next court day. The Court reserves the right to require a "routine motion" to be noticed on the regular motion call.

The following motions are considered "routine" for the purposes of this rule:

- Motions to vacate a technical default and for leave to file an appearance, motion, or answer.
- Motions for leave to file instant or within 28 days an answer or any other pleading after the time normally provided, unless a court-ordered deadline already exists.
- Motions for leave to file an amended pleading against one already a party.
- Motions to amend a complaint adding a new defendant(s) with summons to issue.
- Motions for leave to file an appearance.
- Motions to substitute one attorney for another by agreement. A motion to withdraw without substituting another attorney is not a routine motion.
- Motions to appoint a special process server.
- Stipulations to dismiss all or any part of a case.
- Motion for voluntary non-suit by a plaintiff.
- Petitions for the issuance of subpoena in out-of-state cases.
- Agreed briefing schedules for motions to strike or dismiss, motions for judgment on the pleadings, motions for summary judgment, or cases on administrative review.
- Motion to remove a record on administrative review. The order shall provide a date by which the record must be returned to the clerk.

III. Written Submissions to the Court

The most effective written submissions are concise and devoid of hyperbole. Papers filed with the court shall be double spaced, in 12-point font, and have one-inch margins. The following page limitations shall apply:

- Motion together with any supporting memorandum - 15 pages
- Response - 15 pages
- Reply - 7 pages

Papers not meeting these requirements will be stricken. Leave to submit papers exceeding these page limits will be allowed in rare instances only upon a showing of good cause. No supplemental briefs or citations may be filed without leave of court. Citations to Illinois reviewing court cases shall be to the official reporter.

IV. Agreed Orders

Parties may present agreed orders to the Court daily by delivering three copies of such orders to the drop-off box outside the courtroom. Agreed orders will generally be entered the following court day and will be available in the pick-up box outside the courtroom after 12:00 p.m.. The Courts reserves the right to deny any request for entry of an agreed order.

V. Status/Case Management Calls

Status and case management conferences will be heard at 9:30 a.m. The purpose of these hearings is to ensure the efficient and timely progress and disposition of the case.

A. Generally

At the status hearing, counsel familiar with the case and *pro se* litigants must appear. Failure to attend the status call may result in a case being dismissed for want of prosecution, or in an entry of an order of default.

B. Case Management Conferences

The Clerk's Office will automatically schedule an initial Case Management Conference approximately 180 days after the filing of the complaint. If some or all of the parties have appeared before the Court prior to the date set by the Clerk's Office for the initial Case Management Conference and the case has been given another date on Calendar 9, no appearance is required on the date set by the Clerk's Office, and the matter will be stricken from the Case Management Call.

At the initial case management conference, the parties should be prepared to discuss the nature of the case, settlement opportunities, any third party pleadings, and contemplated motion practice. In addition, all parties must be prepared to discuss contemplated discovery, including both written and oral fact and expert discovery, and the length of time that each party estimates will be necessary for the completion of discovery. A credible judicial system dispenses justice in a timely manner. Delays in the completion of discovery frustrate the orderly and efficient disposition of disputes, and undermine the faith of the parties and public. The Court expects the

parties and counsel to comply with discovery deadlines set by the Court. The Court will enter a discovery schedule at the initial case management.

At subsequent case management conferences all parties should be prepared to discuss discovery completed to date and any delays encountered in complying with discovery deadlines.

C. Clerk's Status

The movant is responsible for delivering courtesy copies of fully briefed motions, along with the complaint and, if applicable, answer, depositions, and exhibits. These courtesy copies must be presented at the clerk's status after the motion has been briefed.

VI. Set Calls

A. Contested Motions

Contested motions are set at 10:00 a.m. and 10:45 a.m. daily. Hearings on contested motions are scheduled when courtesy copies of the briefs are submitted to the Court at the Clerk's status. Failure of any counsel to attend the hearing may result in the forfeiture of oral argument and, in any event, the Court may in its discretion dispense with oral argument and rule based on the papers alone.

B. Pretrial Settlement Conferences

The Court encourages parties to explore and negotiate settlements of their cases. If after conferring with all parties and having obtained a consensus that a pretrial conference may be of assistance, any party may move the Court to set a pretrial conference. Unless excused by the Court, all parties must appear at the scheduled pretrial conference with counsel familiar with the case or, in the case of *pro se* litigants, on their own behalf. No pre-trial conference will be held unless the parties exchange a demand and offer in writing in advance of the conference.

No later than three days prior to the initial pretrial settlement conference, each party may serve on the other and the Court a pretrial memorandum up to five pages, double-spaced. The pretrial memorandum may include: (1) a statement of the case; (2) an outline of the claims and defenses; (3) a statement of the legal and factual issues presented; (4) the relief sought, including damages, and the basis therefor; and (5) the status of settlement negotiations. In addition, counsel shall verify whether a jury demand has been made with regard to any claims and state each party's intent to proceed to a jury trial or to waive its right to trial by jury.

VII. Trial

Once set, trial dates are firm and will not be rescheduled absent compelling circumstances. Any motion under Supreme Court Rule 231 to continue a trial must be supported by a specific, detailed affidavit and be made by written motion no less than five days before the date set for commencement of the trial.

Depending on the nature of the case, the court may schedule a final pretrial conference shortly prior to trial. Regardless of whether a final pretrial conference is scheduled, parties must exchange and deliver to chambers the final pretrial memorandum ten days prior to trial. The purpose of this memoranda is to identify the issues to be decided at trial, ensure that essential

trial preparation is done in a timely fashion, and eliminate unnecessary delays during the course of a trial.

The final pretrial memoranda must contain the following:

- The estimated length of trial.
- A short statement of the case, specifying the claims and defenses to be tried.
- A list of all potential witnesses, indicating who will and who may be called to testify.
- A statement of all facts stipulated to by the parties.
- Copies of any Supreme Court Rule 216 requests to admit and responses thereto that any party anticipates using at trial.
- A list of exhibits a party intends to use at trial. Opposite each exhibit, counsel shall state any understanding s/he may have regarding stipulations or agreements as to foundation and/or admissibility.
- An affidavit of compliance with all Supreme Court Rule 237 notices and a statement of all outstanding disputes regarding such notices.
- Parties expecting to offer opinion testimony shall tender a copy of any responses to Supreme Court Rule 213 interrogatories and deposition testimony that will support the opinion testimony to be offered at trial.
- A statement of law governing the issues in the case, with citation to legal authorities.
- A certification by each party that (s)he has examined the docket and determined that no jury demand has been made or that, if such a demand was previously made, a written waiver has been executed.

VIII. Post-trial Briefs

At the conclusion of trial, the Court will instruct the parties as to whether they will be required to file a post-trial brief or findings of fact and conclusions of law.

IX. Court Reporters

There are no official court reporters assigned to Chancery Division courtrooms. Any party desiring a transcript of proceedings of any matter heard on Calendar 9 is responsible for providing a private court reporter. A court reporter is essential to preserve the record, particularly in the case of dispositive motions and testimony taken at hearings and at trials.

ENTERED: February 27, 2017

/s/ Sanjay T. Tailor
Judge Sanjay T. Tailor