



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

ADMINISTRATIVE ORDER 2011 - 13

SUBJECT: Mental Health Court - Case Procedures

EFFECTIVE August 22nd, 2011 the following procedures shall apply for cases initiated in the County Division that are assignable to the Mental Health Court Calendar 2. This order supersedes all prior Administrative Orders relating to Mental Health Court Case Procedures.

I. The Administrative Call for Calendar 2

The Administrative Call for Calendar 2 shall continue to convene daily at 11:00 a.m. and 2:30 p.m. in Courtroom 1703 of the Richard J. Daley Center 50 W. Washington Street, Chicago, Illinois. The call will be presided over by the Emergency Judge or any other judge designated by the Presiding Judge of the County Division from time to time. This call will entertain such Mental Health Court matters not otherwise provided for herein, or as so designated by the Court.

II. Hearings: Scheduling of Petitions for Involuntary Admission to and Immediate Hospitalization in a Mental Health Facility. (Emergency Admission by Certification) (405 ILCS 5/3-611).

Upon receipt of a Petition filed seeking the involuntary admission and/or immediate hospitalization of an individual in a mental health facility the Clerk of Court shall continue to schedule a hearing on said Petition in accordance with the schedule listed below. The following mental health facilities will arrange for transportation for hearing to the following locations on the given dates. The hearing may be heard in the individual hospital where the patient is resident if that facility is the only hearing for that date, and if that facility is a previously approved "Place for Hearing Court" facility (see attachment "A", which is incorporated herein).

The Hearing days, venues (locations) and mental health facilities (Hospitals) assigned for Mental Health hearings and proceedings at said venues are as follow:

<i>Day of Hearing</i>	<i>Location of Hearings</i>	<i>Hospitals</i>
<i>Monday</i>	<i>No hearings, except emergencies and as coverage of holidays that fall on Tuesdays through Fridays, or as otherwise set by any Judge</i>	<i>Any Hospital</i>
<i>Tuesday</i>	<i><u>Tinley Park Mental Health Center</u> State Psychiatric Hospital 7400 183rd St. Tinley Park, IL 60477 (708) 614-4002</i>	<i>Christ Hospital, Ingalls, Jackson Park, little Company of Mary, Mercy Hospital, Palos Community, Tinley Park Hospital</i>
<i>Wednesday</i>	<i><u>University Of Illinois</u> (at Chicago) Psychiatric Institute 1601 W. Taylor St. Chicago, IL. 60602 (312) 996-0556</i>	<i>Chicago Lakeshore, Hartgrove, Illinois Masonic, Lincoln Park, Methodist, Northwestern, Jesse Brown VA, Mount Sinai, Rush, St. Anthony, St. Mary's Hospital, St. Elizabeth Hospital, UIC</i>
<i>Thursday</i>	<i><u>Madden Mental Health Center</u> State Psychiatric Hosp. 1200 S. First Ave Hines, IL 60141 (708) 338-7400</i>	<i>Bowman, Hines VA, Loretto, Madden, McNeal, Norwegian American, River Edge, Westlake Hospital</i>
<i>Friday</i>	<i><u>Chicago Read Mental Health Center</u> State Psychiatric Hosp. 4200 N. oak Park Ave Chicago, IL. 60634 (773)-794-4000</i>	<i>Alexian Brothers, Chicago Read, Elgin, Evanston North Shore, Kindred, Lutheran General, Streamwood, Thorek, Northwest Community, Skokie Valley, St. Joseph, Swedish Covenant, Weiss</i>

In cases where a patient cannot be transported for good cause, that request shall be presented to the court at the time of the case management conference call, or at the administrative call upon an emergency. The case management judge or presiding judge may, within its discretion, change the location of a hearing than what is proscribed above and have said hearing be heard on-site at the facility where the patient is currently located. Set hearing days that fall on a legal holiday shall be scheduled for the next business day at the location assigned for that given day.

The Mental Health Location shall provide appropriate conference room or office space for a judicial hearing, including adequate security, use of a fax machine and copier, unpaid parking for all court personnel, and any other reasonable and necessary resources.

III. The Case Management/Scheduling Conference Call

The process of having an initial case management conference call upon the filing of a Petition seeking the involuntary immediate admission and/or treatment shall continue as before. These actions involve petitions seeking the involuntary and immediate hospitalization of an individual in a mental health facility accompanied by a certificate of examination as provided by 405 ILCS 5/3-602 or a Petition to Involuntarily Administer Psychotropic Medication or Electroconvulsive therapy and any other procedures required per statute. Upon receipt of same, the Clerk of Court shall schedule a Case Management/Scheduling Conference at 11:00 a.m. Administrative Call for Calendar 2 in Courtroom 1703A of the Richard J. Daley Center, 50 W. Washington Chicago, Illinois in accordance with the following schedule:

<i>Conference Day</i>	<i>Hospitals Subject to the Conference – Courtroom 1703A</i>
<i>Mondays</i>	<i>Christ Hospital, Ingalis, Jackson Park, little Company of Mary, Mercy Hospital, Palos Community, Tinley Park Hospital</i>
<i>Tuesdays</i>	<i>Chicago lakeshore, Hartgrove, Illinois Masonic, Lincoln Park, Methodist, northwestern, Jesse Brown VA, Mount Sinai, Rush, St. Anthony, St. Mary's Hospital, St. Elizabeth Hospital, UIC</i>
<i>Wednesday</i>	<i>Bowman, Hines VA, Loretto, Madden, McNeal, Norwegian American, River Edge, Westlake Hospital</i>
<i>Thursdays</i>	<i>Alexian Brother, Chicago Read, Elgin, Evanston North Shore, Kindred, Lutheran General, Streamwood, Thorek, Northwest Community, Skokie Valley, St. Joseph, Swedish Covenant, Weiss</i>
<i>Fridays</i>	<i>Expedited cases, emergencies, status and other matters set by a judge</i>

If the date for Case Management/Scheduling Conference set by this Administrative Order falls on a legal holiday, the matter shall be scheduled for the prior business day for Case Management/Scheduling Conference on the 11:00 a.m. Administrative Call for Calendar 2.

NOTWITHSTANDING any of the foregoing, if the Petition is received by the Clerk of Court on the hearing date for the institution set by Section III of this Administrative Order, the Clerk of Court shall schedule the matter for a Case Management/Scheduling Conference on the Court business day that falls three business days after the date of filing on the 11:00 a.m. Administrative Call at the Richard J. Daley Center.

In order to assist the Court in the orderly administration of its business, the petitioner and/or respondent shall advise the Court on the date of any scheduled Case Management/Scheduling Conference of any request for continuance, for an independent examination (405 ILCS 5/3-804) or a trial by jury. A courtesy copy of a motion or request for a continuance shall be delivered to the Office of the Presiding Judge of the County Division, Suite 1701 of the Daley Center, no later than 10:00 a.m. on the date set for Case Management/Scheduling. Courtesy copy deliveries to the Court may be made electronically by transmission of fax or by email at cjcal3@cookcountygov.com. If emailing, it is best to fax a copy as well to assure timely receipt by the court. The failure to request an independent examination or trial by jury at the Case Management Conference or any continuance thereof may, absent a showing of good cause, result in a finding that such rights have been waived.

IV. Scheduling of Petitions for the Involuntary Administration of Psychotropic Medication and Electroconvulsive Therapy (ECT) (405 ICLS 5/2-107.1).

In order to comply with the requirements of 405 ILCS 5/2-107.1, upon receipt of a Petition for the Involuntary Administration of Psychotropic Medication and/or Electroconvulsive Therapy (ECT), the Clerk of Court shall schedule the matter for Case Management/Scheduling Conference and hearing in accordance with the provisions of Sections II and III, *supra*.

The Court will exercise its discretion to schedule these proceedings on the same day as proceedings seeking the involuntary admission of a respondent to a mental health facility.

Requests for continuances, regardless if it is as a matter of right (405 ILCS 5/207.1 (a-5) (2)) or for an independent examination (405 ILCS 5/3-804), shall be made at the Case Management/Scheduling Conference. The failure to make a timely request may result in a finding that the right to a continuance or examination as a matter of right has been waived, absent a showing of good cause to excuse this requirement or a showing that the denial of a continuance will result in denying the defaulting party their right to a fair hearing.

IV. Petitions for Examination or Admission by Court Order (405 ILCS 5/3-701 et seq.).

The Court will entertain Petitions for Examination or Admission By court Order pursuant to 405 ILCS 5/3-701 et seq., sometimes referred to as writs, in Courtroom 1703 of the Richard J. Daley Center at 11:00 a.m. and 2:30 p.m.

VI. Notices

Notice of the date of the scheduled hearing and case management conference shall be served on the Respondent, responsible relatives identified to the Clerk of Court, any attorney identified by the Respondent, the Legal Advocacy Service of The Illinois Guardianship and Advocacy Commission (LAS), and the State's Attorney's Office (SAO). The LAS and SAO shall provide the Clerk of Court with one address for service of all such Notices. Motions or request for continuances shall be pursuant to Statute and local rules of procedure, and may be made at the time of the case management conference. A courtesy copy of any motion must be faxed to the Office of the Presiding Judge no later than 11:00 a.m. of that morning before the scheduled conference calls.

VII. Transition Period

In an effort to ease the transition from the current process, if a hearing has been scheduled, efforts shall be made to transport the case to the proper location as stated above if

plausible and without harming the due process of the rights of any party. Cases already assigned a case management date shall proceed as follows, including Friday August 19th, 2011, during this transition period. The court, within its discretion, may continue or change the location as it sees fit and judicious.

VIII. Agreed Deferral of Mental Health Admission Proceedings.

The Court encourages the Petitioner and Respondent, through their respective attorneys, to consider the therapeutic and protective issues relating to the respondent and the community in an effort to resolve the matter through a negotiated settlement. This approach is authorized by Section 3-801.5 of the Code. (405 ILCS 5/3-801.5). Nonetheless, the Court shall approve any such resolution, within its discretion.

IX. Conduct of Hearings.

All hearings shall be conducted at the venues designated as designated above, or in case of emergencies at the location designated by the Chief Judge as a Place of Holding Court, a copy of which is attached herein as Exhibit "A". If there is only one hearing at one hospital for any given day, said hearing, within the court's discretion at the case management conference, may order that said hearing be held at the location of the facility where the patient is resident, assuming the facility has complied with suitable conference room and other requirements.

In all mental health proceedings a verbatim record of the proceedings shall be made pursuant to section 405 ILCS 5/3-817 (2011). All emergency and/or ex parte proceedings, including Writs for Commitment, shall require a verbatim record of the proceedings pursuant to Section 405 ILCS 5/308-17 (2011). All orders involuntarily admitting a respondent to hospitalization at a mental health facility shall contain language requiring the facility director to file a notice of discharge with the Clerk of Court within two business days of the discharge. Such

notice shall be docketed in the record of the case. All dispositional orders shall assess costs as required by Section 3-818 of the Code.

X. Orders of Protection.

Petitions seeking orders of protection shall be entertained by the Domestic Violence Division pursuant to Circuit Court Rules and such petitions shall be bifurcated from the mental health proceedings. The Presiding Judge shall transfer immediately the bifurcated Domestic Violence matter immediately upon notice. Said notice must be given immediately by the Petitioner and SAO. Such Petition shall be separately numbered and docketed by the Clerk of Court.

XI. Review or Modification of a Treatment Plan

Any party may seek a hearing to review or modify a treatment plan. Such request shall be in writing and identify the portions of the plan for which review and/or modification is sought. Any such hearing shall be conducted in accordance with Section 3-814 (d) of the Code.

XII. Modification of Involuntary Admission Orders; Transfers

Any person may petition the court for discharge from an involuntary admission order at any time during the ninety day period that it is in effect for commitment. Upon receipt of such petition, the Clerk of Court shall file and docket the matter in the proceeding that resulted in the order of hospitalization. The matter shall be set down for scheduling in accordance with the time parameters and schedule set out in Section II, above. The respondent shall cause notice of such filing and a copy of the pleading to be served on the SAO within one business day of filing. The Clerk of Court shall cause notice of the scheduling of the hearing as determined at the scheduling conference to be given to the respondent/petitioner, the SAO, LAS, facility director and not more

than two persons identified by the respondent/petitioner in their filing. The hearing on such petition shall be conducted under Article VIII of the Code (405 ILCS 5/3-800 et seq.).

Any person involuntarily admitted to hospitalization in a mental health facility, or their attorney, custodian, guardian, the facility director, or a responsible relative, as defined in Section 1-124 of the Code, may petition the Court for transfer to a different facility, program of alternative treatment or to an order of care and custody during the ninety day period that the initial order remains in effect.

Upon receipt, the Clerk of Court shall docket the filing in the proceeding that resulted in the order of hospitalization and set the matter for a scheduling conference in accordance with the scheduling grid set out in Section II, above. Notice of the filing and a copy of the pleading shall be served upon the SAO by the party filing the petition within one business day of filing.

XIII. Modification of Orders of Involuntary Admission to Programs of Alternative Treatment or Care and Custody.

Any person involuntarily admitted to a program of alternative treatment or an order of care and custody may petition the court for discharge from that order at any time that it remains in effect. Upon receipt of such petition, the Clerk of Court shall file and docket the matter in the original proceeding. The matter shall be set down for hearing in accordance with the schedule set out in Section II, above. The respondent shall cause notice of such filing and a copy of the pleading to be served on the SAO within one business day of filing. The Clerk of Court shall cause notice of the scheduling of the hearing to be given to the respondent/petitioner, the SAO, LAS, facility director and two not more than two persons identified by the respondent/petitioner in their filing.

Any person involuntarily admitted to a program of alternative treatment or an order of care and custody, his or her attorney, custodian, guardian, the facility director, or a responsible

relative, as defined in Section 1-124 of the Code, may petition the Court for transfer to a different program of alternative treatment or to a modification of the order of care and custody during the time that it remains in effect. Upon receipt, the Clerk of Court shall docket the filing in the proceeding that resulted in the order of involuntary admission and set the matter for a scheduling conference in accordance with the scheduling grid set out in Section II, above. Notice of the filing and a copy of the pleading shall be served upon the SAO by the party filing the petition within one business day of filing.

XIV. Revocation of Order of Involuntary Admission to a Program of Alternative Treatment.

At any time an order for involuntary admission to a program of alternative treatment remains in effect, the facility director may petition the Court to revoke or terminate such order. All such petitions shall be accompanied by a report by the director specifying why the program of alternative treatment is unsuitable, as well as, proof that such petition and supporting documents have been served on the respondent. Upon receipt of said petition, the Clerk of Court shall docket the matter in the original proceeding and schedule it for a scheduling conference in accordance with the scheduling grid in Section II, above. Notice of the scheduling of the case management conference shall be served upon the SAO and LAS and the respondent by the Clerk of Court.

XV. Petitions (*Writs*) for Orders of Habeas Corpus

All proceedings seeking an order of habeas Corpus shall be governed by Article X of the code of Civil Procedure (735 ILCS 5/10-101 *et seq.*) Upon receipt, the Clerk of the Court shall docket the matter as a separate proceeding and assign the matter to Calendar 2. The matter shall be scheduled for initial presentation on the Administrative Call for Calendar 2 at 11:00 a.m. on the fifth business day after the date of filing. Nothing in this Administrative Order shall prevent

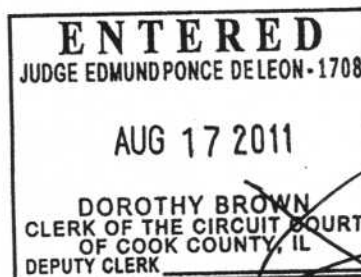
any person seeking such relief to have the matter heard as an emergency. All such requests shall be made at 11:00 a.m. or 2:30 p.m. daily in Courtroom 1703 of the Richard J. Daley center 50 W. Washington Street, Chicago, Illinois. Courtesy copies of all such requests shall be delivered to the Office of the Presiding Judge of the County Division 1701 Richard J. Daley Center, no later than one hour before the intended presentment. A verbatim record shall be required for such proceedings.

If the request for an Order of Habeas Corpus is filed in a pending matter, the filing should be brought to the immediate attention of the Presiding Judge for the purpose of scheduling a hearing on an expedited basis. The assigned emergency judge for that day shall hear the matter, unless otherwise ordered by the Presiding Judge.

Dated this 17th day of August, 2011 and spread upon the records of this court.



Edmund Ponce de Leon
Presiding Judge, County Division



Attachment A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

SPECIAL ORDER NO.: 2010-22

SUBJECT: PLACE OF HOLDING COURT

IT IS HEREBY ORDERED that:

Effective immediately, the following hospitals are hereby designated as Places of Holding court to conduct all hearings under the Mental Health and Developmental Disabilities Code (405 ILCS 5/1-100 et seq.) as designated from time to time by the Presiding Judge of the County Division:

Hartgrove Hospital
5730 West Roosevelt Road
Chicago, Illinois 60644

Loretto Hospital
Psychiatric Services
645 South Central Avenue
Chicago, Illinois 60644

MacNeal Hospital
3249 South Oak Park Avenue
Berwyn, Illinois 60402

Mercy Hospital
2525 South Michigan Ave
Chicago, Illinois 60616

Mt. Sinai Hospital
Psychiatric Unit
15th Street at California
Chicago, Illinois 60608

Riveredge Hospital
8311 Roosevelt Road
Forest Park, Illinois 60130

Rush Medical Center
Professional Building
The Searle Center, 5th Floor
1725 W. Harrison
Chicago, Illinois 60612

Rush Presbyterian St. Lukes Hospital
Department of Psychiatry
1653 West Congress Parkway
Chicago, Illinois 60612

St Anthony Hospital
Psychiatric Unit
2875 West 19th Street
Chicago, Illinois 60623

University of Illinois Hospital
Family Room, 8th Floor East
1740 West Taylor Street
Chicago, Illinois 60612

Advocate Christ Community Hospital
Psychiatric Services
4440 West 95th Street
Oak Lawn, Illinois 60453

Ingalls Memorial Hospital
1 Ingalls Drive
Harvey, Illinois 60426

Jackson Park Hospital & Medical Center
7531 Stony Island
Chicago, Illinois 60649

Little Company of Mary Hospital
2900 West 95th Street
Evergreen Park, Illinois 60805

Palos Community Hospital
12251 South 80th Avenue
Palos Heights, Illinois 60463

Chicago Read Mental Health Center
4200 North Oak Park Avenue
Chicago, Illinois 60634

Alexian Brothers Behavioral Health
Hospital
1650 Moon Lake Boulevard
Hoffman Estates, Illinois 60169

Chicago Lakeshore Hospital
4840 North Marine Drive
Chicago, Illinois 60640

Illinois Masonic Hospital
Psychiatric Unit
836 West Wellington Ave
Chicago, Illinois 60657

Kindred Hospital North
Mental Health Unit
2544 W. Montrose Ave
Chicago, Illinois 60618

Lutheran General Hospital
1775 Dempster Street
Park Ridge, Illinois 60068

Tinley Park Mental Health Center
7400 West 183rd Street
Mimosa Hall Room 5
Tinley Park, Illinois 60477

Methodist Hospital
Psychiatric Social Services Dept
5025 North Paulina
Chicago, Illinois 60640

Northshore University Health Systems
9600 Gross Point Road
Skokie, Illinois 60076

Northwest Community Hospital
Adult Psych Unit
800 West Central Road
Arlington Heights, Illinois 60005

Northwestern Memorial Hospital
Stone Institute of Psychiatry
320 East Huron
Chicago, Illinois 60611

Norwegian American Hospital
Behavior Medicine
1044 N. Francisco Ave.
Chicago, Illinois 60622

St. Joseph Hospital
Psychiatric Department
2900 Lake Shore Drive
Chicago, Illinois 60657

West Lake Hospital
Behavioral Health & Pro Care Center
1225 West Lake Street
Melrose Park, Illinois 60160

Streamwood Behavioral Healthcare System
1400 East Irving Park Road
Streamwood, Illinois 60107

Swedish Covenant Hospital
5145 North California Ave
Chicago, Illinois 60625

St Mary Medical Center
Inpatient Behavioral & Mental Health
Services
2233 West Division Street
Chicago, Illinois 60622

Thorek Hospital
Psychiatric Department
850 W. Irving Park road
Chicago, Illinois 60613-3099

Weiss Hospital
4646 North Marine Drive
Chicago, Illinois 60640

Bowman Health Center
710 S Paulina St
Suite 433
Chicago, Illinois 60612
Hines VA Hospital
5000 South 5th Avenue
Hines, Illinois 60141

Northshore University Health System
Evanston Hospital
2650 Ridge Road
Evanston, Illinois 60201

St Elizabeth Medical Center
Inpatient Behavioral & Mental Health
Services
1431 North Claremont Ave
Chicago, Illinois 60622