

CIRCUIT COURT OF COOK COUNTY- CHANCERY DIVISION
JUDGE PAMELA McLEAN MEYERSON
CALENDAR 11
STANDING ORDER

Richard J. Daley Center, Courtroom 2305
Telephone 312-603-6034

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Zoom information:

Zoom Meeting ID: 928 9663 2736; Zoom Password: 813107

Calendar 11 Staff Attorneys (Law Clerks) as of June 2023:

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This order is entered to explain the general courtroom procedures for cases assigned to Chancery Calendar 11. The court may modify these procedures when necessary and appropriate.

This order supplements and should be read along with General Administrative Order 2023-05, Resumption of Full Court Proceedings (Amended), which describes procedures applicable for all cases pending in the Chancery Division.

All communications with the court on substantive matters should be by the filing of pleadings, motions, applications, petitions, briefs, legal memoranda, *etc.* Communications with law clerks are allowed only on administrative and scheduling matters.

SCHEDULE:

9:30 a.m. Case management and motion call.

10:15 a.m. Status call.

PLEASE NOTE: Motions in cases set for status may be presented at this call.

11 a.m. & 2:00 p.m. Motions or trials scheduled by the court.

I. CASE MANAGEMENT CONFERENCES

- a. When a case is first filed, the Clerk’s office will automatically schedule it for an initial case management conference at **9:30 a.m., typically four months after the case is filed.** Unless any party requests otherwise, this hearing will take place by Zoom using the above log-in information. At least three days before the first appearance, the parties should be prepared to submit courtesy copies of their pleadings, *e.g.*, complaint, answer, affirmative defenses, counterclaims, and cross-claims.
- b. Counsel with authority to commit to all scheduling orders must appear at the case management conference and be prepared to inform the court as to status of service of process upon each defendant, the nature of the litigation, the status of the pleadings, any pending or contemplated motions, and all contemplated or completed discovery. The

court may enter orders relating to pleadings, compelling compliance with overdue discovery, and setting time limitations for the conclusion of written and/or oral discovery.

- c. The court expects all defendants who have been served to participate in the case management conference, regardless of whether they have filed a responsive pleading.
- d. Failure to appear for a case management conference may result in dismissal for want of prosecution, default, or other appropriate sanctions.

II. MOTIONS

Non-evidentiary hearings on Calendar 11 motions will ordinarily be conducted by Zoom, and evidentiary hearings will ordinarily be conducted in person in Courtroom 2305. Any party may request a change in this procedure for their motion.

Regular Motion Call

- a. The court’s regular motion call is at **9:30 a.m.** daily. However, if a case is set for status at 10:15 a.m., a party may schedule a motion for presentment at 10:15 without seeking leave, *i.e.*, a party may “piggyback” a motion onto a status. A regular motion must be spindled online with the Clerk of Court (or in person in Room 802 if leave has been granted to do so). The clerk’s office will provide all dates. The staff in Room 2305 cannot assist a party in scheduling a regular motion.
- b. File-stamped courtesy copies of all motions must be emailed to the court or dropped off to Courtroom 2305 at least *three (3) business days* before the presentment date. If the movant fails to do so, the motion may be stricken from the court’s regular motion call and may not be heard by Judge Meyerson. In such event, the movant must re-notice and spindle the motion for a future date with the clerk’s office.
- c. **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 has been filed. A motion for default must contain:
 - Copy of the notice and motion;
 - Face of the summons;
 - Copy of the return of summons;
 - The certificate of the officer or affidavit of the person who served the summons;
 - Attorney or pro se litigant certificate, certifying that the online court file has been checked for any appearance or answer filed by the defendant; and
 - A military affidavit if defaulting an individual.

After an order of default is entered, the court will set the case for prove up, with notice. On the prove-up date, the plaintiff must offer affidavits or live testimony to prove the case. Courtesy copies of any prove-up affidavits and a draft judgment order should be submitted to the court at least *two (2) days* in advance of the prove-up hearing.

- d. **Motions to File Under Seal & Protective Orders**
 - Cannot apply to all documents and/or pleadings.

- Must state in the text of the order that the protective order will not apply to court orders.
- The request must recite the privacy interests involved and why a protective order is necessary, and it should be supported by affidavit.
- Any motion to file under seal should include redacted and unredacted versions with the redactions highlighted.
- Parties in pending cases may submit an agreed protective order off-call, provided it complies with the requirements of this provision.
- All proposed protective orders must include the following language:

“The parties must seek leave of court to file documents or other materials containing Confidential Information under seal. To the extent possible, the parties shall redact Confidential Information from documents or other materials filed with the court so as to minimize requests to file under seal. If leave is allowed to file documents or other materials under seal, such documents or other materials shall be submitted in an envelope or other container labeled “CONTAINS CONFIDENTIAL INFORMATION – SEALED PURSUANT TO COURT ORDER” and including the caption of this action and a description of the nature but not the substance of the contents.”

- e. **Motions to Reconsider-** For any motion where the court is called upon to rule on any previous briefing, such as a motion to reconsider, the movant must also provide courtesy copies of the previous briefing.

Emergency Motions & Temporary Restraining Orders

f. Emergency Motions

1. All emergency motions must be scheduled by one of the Calendar 11 law clerks. The party seeking to schedule an emergency motion must contact Calendar 11 chambers by phone or email. A courtesy copy of the file-stamped motion marked “EMERGENCY MOTION” and all supporting documents must be made available to the law clerk when scheduling the motion. Notice of the motion should not be sent to opposing parties until the motion is scheduled with the court.
2. The court will review the motion to determine if it is an actual emergency, defined in General Administrative Order 2023-05 as “those matters involving sudden and unforeseen circumstances that may cause injury, loss of life or damage to property and that requires an urgent response and remedial action.”
3. An attorney *with knowledge of the case* must be available when scheduling the emergency motion. Matters that have become urgent by reason of a party’s failure to seek timely relief do not constitute emergencies. If the motion fails to set forth an emergency basis, the law clerks will not schedule the motion as an emergency. The motion may then be scheduled on the regular motion call through the Clerk’s office.
4. If the court schedules the matter as an emergency motion, the movant should notify the opposing party of the motion as soon as possible, by the best means available to provide actual notice. Except in extraordinary circumstances, the court will not schedule an emergency motion with less than *24 hours notice*.

- i. Temporary Restraining Orders (TRO)** Motions for temporary restraining orders shall be presented according to the above emergency motion procedures.
1. The court may allow a TRO hearing to be held *ex parte* only if it clearly appears from the specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon. See 735 ILCS 5/11-101.
 2. TRO motions must be accompanied by a verified complaint or an affidavit in compliance with § 5/11-101.

Routine Motions / Orders

- g. The motions listed below may be brought as routine motions and need not be spindled with the Clerk’s office:
- **Motions without notice:**
 - appointment of a special process server; and
 - service by special order of court (735 ILCS 5/2-203.1), with required affidavit.
 - **Motions with notice:**
 - to vacate any and all technical defaults and for leave to file an appearance, motion, or answer;
 - for leave to appear as attorney or as additional counsel;
 - to substitute one attorney for another by agreement; and
 - for voluntary dismissal by plaintiff where no hearing or trial date is set and no dispositive motion has been filed.
- h. Routine motions and orders will be accepted off-call (by email or physical copy) Monday through Friday from 9:00 a.m. to 4:00 p.m. Parties must provide the court with a copy of the file-stamped motion, a notice of motion clearly designating the motion as routine, and a copy of the proposed order.
- i. If the court receives an objection to a routine motion, then the order will not be entered, the parties will be notified, and the motion must be spindled on the regular motion call.

III. STATUS HEARINGS

After the first court appearance, the court typically sets a case for a future status hearing at **10:15 a.m.** unless the court specifically orders otherwise, all parties are expected to appear at all status hearings.

IV. BRIEFS

- a. Briefs and memorandums are limited to *fifteen (15) double-spaced pages*. Leave is required to exceed the page limit. The court may strike filings that exceed the page limit without leave of court. *Please note:* The court considers it improper to withhold case law support from an initial memorandum to present the case law for the first time in a reply brief.
- b. **Citations.** All citations to authority should comply with Illinois Supreme Court Rule 6 and the Bluebook, and should be to official reporters; parallel citations are unnecessary.

Citations must use pin cites when applicable. Since court personnel only have access to LEXIS, parties should provide the court with copies of cases cited in their memoranda that are not available from the official reporters or LEXIS.

- c. **Insurance Contracts.** If an insurance contract is at issue, the movant (or the insurance company on cross-motions) must provide the court with Bates-stamped copies of the insurance contract, including the application and a certificate if relevant and available. All motions should then refer to these Bates-stamped copies and need not include the policy as an exhibit.

V. HEARINGS ON CONTESTED MOTIONS.

- a. When setting a briefing schedule, the court ordinarily asks the movant to submit a full set of courtesy copies when briefing is complete. These copies may be submitted by email unless otherwise ordered. The full set would typically include:
 - Motion, supporting brief, response brief, reply brief, and all exhibits (tabbed for physical copies and clearly marked for electronic copies);
 - Sur-response and sur-reply, and all exhibits, if applicable;
 - Most recent complaint;
 - Any other relevant pleadings; and
 - The administrative record in an administrative review case.
- b. After receiving the courtesy copies, a Calendar 11 law clerk will contact all parties to set a hearing date.
- c. If the respondent fails to file a written brief in response to the motion, the respondent will be deemed to have waived oral argument on the motion and the court will set a ruling date on the motion.

VI. TRIALS

Trials are ordinarily held in person in Courtroom 2305. The courtroom can be set up to accommodate requests for witnesses if they cannot appear in person to testify remotely.

Pre-Trial Conference

- a. At the time the court sets a trial date, a pre-trial conference will also be set. At the pre-trial conference, the court will review the parties' trial materials; rule on motions in limine; and discuss trial scheduling, numbers of witnesses and exhibits, and any other matters pertaining to trial (see below).

Trial Materials

- b. When setting the pre-trial conference, the court will also set a schedule for the parties to submit trial material to each other and to the court.
- c. The parties are strongly encouraged to submit joint or agreed trial materials to the extent possible. To the extent that separate trial materials are submitted, they must be accompanied by a statement detailing the good faith efforts of the parties to agree on a joint submission. Trial materials shall include:

- A joint short statement of the nature of the case;
- A list of all potential witnesses, indicating those who will and who may be called by which party or parties;
- A table of contents including a complete list of all exhibits each party intends to use at trial.
 - All exhibits should be page-numbered, tabbed, and presented in binders.
 - All exhibits shall be listed by the number that the party offering it intends to use at trial, and any stipulations or agreements as to foundations or admissibility. If no written objection is made as provided in this standing order, the exhibit(s) will be received in evidence without any further authentication or hearing as to relevance or any other issue;
- Copies of any Supreme Court Rule 216 requests to admit and responses thereto which any party anticipates using at trial;
- Copies of all motions in limine and supporting and opposing memoranda. Motions in limine must be discussed between and among counsel in advance of the pre-trial conference to ensure that the motions remaining are those that the parties in good faith cannot resolve before trial;
- 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 responses to Supreme Court Rule 213 interrogatories (with any supplements) and/or deposition testimony that will support the opinion testimony to be offered at trial. If testimony is challenged at trial as not in compliance with Rule 213, the proponent will be expected to promptly locate the previous disclosure demonstrating compliance with the Rule's requirements;
- Copies of evidence depositions; and
- Copies of the most recent pleadings (*i.e.*, complaint, answer, counterclaim, third-party complaint with all exhibits attached, and so forth).

Motions to Continue Trial Dates

- d. Trial dates are firm. Any request to continue a trial date must be made by written motion in advance of the pre-trial conference, must show good cause, and must be supported by a detailed affidavit.

Interpreters

- e. Parties are expected to provide their own interpreters. If a party is indigent and cannot afford an interpreter, the party should call chambers as soon as possible (at a minimum three (3) days before the first scheduled trial date) to request an interpreter.

VII. SETTLEMENT CONFERENCES

- a. A settlement conference may be ordered on the oral or written motion of a party. However, the settlement conference will not be scheduled until each party completes and serves on the other party/parties the form settlement conference worksheet, which is available on the court's website and in courtroom 2305. The completed settlement conference worksheets shall not be filed with the clerk, but shall be delivered to the court

- no later than fourteen (14) days before the status date set for scheduling the settlement conference.
- b. The settlement conference may be conducted in person or by Zoom as the Court orders. Counsel is expected to have authority to settle the case. Clients must be present for the settlement conference unless excused by the court.
 - c. PLEASE NOTE: At each settlement conference, the court expects to discuss substantive matters relating to the case. If no settlement is reached, parties mat not bring a motion to substitute or disqualify the judge based on the matters she has heard at the settlement conference.

VIII. COURT REPORTERS

There is no court reporter assigned to Calendar 11. If a party wants the court proceedings transcribed, the party must provide a court reporter.