

2020

**Standing Order for Judge Moira Susan Johnson
Calendar F – Courtroom 2201**

Court Clerk: John Kustra

Law Clerk: Alexandra Golata

Phone: (312) 603-6064

Case Management Conferences & Focused Case Management Conferences

Initial Case Management Conferences [CMCs] are set for Wednesdays at 9:30 a.m. and 10:00 a.m.

Focused Case Management Conferences [FCMCs] are set on Thursdays.

FCMC Motion

If you seek to present a motion at a FCMC, DO NOT spindle it. Please provide notice to opposing counsel and see the court clerk at the beginning of your call.

Routine Motions

Routine motions are every day of the week (Monday through Friday) at 8:45 a.m. If the court clerk is not in the courtroom, please leave the routine motion in the designated bin. Orders will be available for pick-up at 11:00 a.m. or after 2 p.m. If you contest a routine motion, notify opposing counsel and contact the Court at (312) 603-6064 prior to 8:45 a.m. In the event of an objection, you must spindle the routine motion as a regular motion.

Routine Motions include:

Vacate Defaults and for Leave to File Appearance, Answer, Jury Demand

Leave to File an Additional Appearance

Leave to File Amended Complaint/Third-Party/Counterclaim

Agreed Dismissal Order

Appoint Special Process Server

*A party can bring a Motion to Appoint Special Process Server only AFTER the Sheriff makes attempts at service.

HIPPA Orders

If agreed, then you can bring the HIPPA Order anytime while court is in session. If the Order is not agreed, then you must bring the HIPPA Order as a routine motion or spindle it.

Emergency Motions

Emergency motions are heard every day of the week (Monday through Friday) at 9:15 a.m. Emergency motions must be signed up on the sign-in sheet in the courtroom on the date of the motion no later than 9:00 a.m. At that time, counsel should provide the clerk with the original notice of motion and a courtesy copy of the motion.

Exception: For any Focused Case Management Conference (FCMC) cases, emergency motions will be heard during the next FCMC, or on the regular Emergency Motion Call.

Default Motions

The moving attorney must provide proper notice and present the following: Original Notice of Motion; Original Motion; Copy of the Summons; Copy of the Return of Summons; Attorney's Certificate; Military Affidavit (if defaulting an individual); and Proposed Draft Order.

Regular Motions

Regular Motions are heard on Mondays, Tuesdays, Thursdays, and Fridays at 9:30 a.m. All Motions must be E-Filed.

Exception: Motions in Proximity to CMC Date

If you have a Motion and it is close to your CMC date [i.e., within 2 weeks], you DO NOT have to spindle a slot. You may bring the file-stamped notice of motion and motion to the CMC date. Provide Notice of Motion and a copy of the Motion to opposing counsel.

Contested Motions

For contested motions, the court will assign a briefing schedule, a clerk status date, and a hearing date for oral arguments or a decision date for written decisions. For oral arguments, the court will hold a Case Management Conference (CMC) at the time of the hearing. This Court does not hear oral arguments for *forum non conveniens* and change of venue motions. This Court will issue a written opinion after receiving all of the briefs on *forum non conveniens* and change of venue motions. This Court will assign a CMC date and time in the written decision if the case stays on Calendar F.

Clerk's Status

Clerk's Status dates are on Tuesdays, Wednesdays, and Thursdays at 10:35 a.m. At the Clerk's Status, the moving party MUST provide the Law Clerk in the antechambers of courtroom 2201 with complete courtesy copies; this includes copies of all the briefs and other necessary pleadings, exhibits, and complete deposition transcripts. This Court does not accept Clerk's Status courtesy copies by mail.

If the movant FAILS to deliver complete courtesy copies to the Law Clerk at 10:35 a.m., then the motion will be stricken. This Court will NOT accept stricken contested motions on an emergency motion basis. All stricken motions must be re-noticed on the regular motion call.

Oral Arguments

Oral arguments are heard on Tuesdays, Wednesdays, and Thursdays afternoons at 2:00 p.m., 2:30 p.m., 3:00 p.m., and 3:30 p.m. It is the responsibility of the parties to preserve the record. As such, this Court strongly recommends that parties order a court reporter for oral arguments. This Court may issue a written opinion after oral arguments.

Contested motions may be transferred to Room 2005 for assignment to Judge Flannery for hearing purposes only. Cases will be returned to Calendar F upon completion of the contested motion.

Page Limitation for Briefs

Briefs in excess of 15 pages will not be accepted by this Court unless this court grants leave. All briefs should be typed in Times New Roman Size 12 Font and double-spaced.

Pre-Trial Conferences

Pre-trial conferences are conducted by agreement of the parties on Monday and Friday afternoons. To schedule a pre-trial conference, contact the Law Clerk at (312) 603-6064. You should provide a pre-trial memorandum to this Court no later than 3 days before the pre-trial conference. All parties may be present and participate in the pre-trial.

Settlements

All settlements involving minors, disabled estates, or decedents must be approved by this Court. Please be prepared to provide this Court with the settlement petition and proposed orders.

All orders must indicate that the settlement amount is *fair and reasonable* and contain necessary and proper dismissal language.

Please provide an itemization of your firm's claimed case expenses. Note that *overhead expenses, i.e., general office expenses such as photocopying, legal newspaper subscriptions, telephone and delivery services, telecopier and computer research (i.e., Westlaw) and other similar expenses cannot be itemized and charged to the client. Additionally, prospective expenses, such as probate filing fees, bond fees, etc., are not recoverable in the Law Division.* However, to ensure recovery of said expenses, the following language may be included:

"The probate expense(s) claimed herein appear reasonable; however, reimbursement of ~~the same must be obtained from the probate estate.~~"

For cases in which the proceeds distributable to a ~~minor or disabled person~~ are less than \$10,000 the order must include the following language:

- These funds shall be distributed to the name of parent/guardian next of kin for the sole benefit of name of minor/disabled person and/or these funds shall be placed in an interest bearing bank account, subject to Court Order, at name of bank, account # _____ and held therein until the ~~minor reaches majority/the disability is removed.~~

For cases in which the proceeds distributable to a minor or disabled person are in excess of \$10,000 the order must include the following language:

- The Parent/Guardian/Next of Kin is authorized and directed to execute releases upon receipt of the sum offered and to distribute the proceeds in accordance with the provisions of this order, provided that the amount distributable to the minor/disabled person shall be paid only to the Administrator of the Estate appointed by the Probate Division of the county where the ~~minor or disabled person resides.~~ This order shall be effective only after the entry in the Probate Division of an order approving the settlement and distribution provided for in this order.

For wrongful death cases in which a probate estate was opened, the distributable amount is administered by the Probate Division.

The order must include the following language:

- The Independent Executor is authorized and directed to execute releases upon receipt of the sum offered and to distribute the proceeds in accordance with the provisions of this order. This order shall be effective only after the entry in the Probate Division of an order approving the settlement and distribution provided for in this order.

In all cases where there is no need for probate administration, the order must state that Vouchers evidencing attorney's expenses and disbursement of funds shall be filed with this Court within 60 days. If there are any liens, the order should indicate the adjudicated amount.

If an attorney is uncertain as to what language should be included in an order, the law clerk can provide examples or guidelines upon request.

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:45 am	Routine Motions	Routine Motions	Routine Motions	Routine Motions	Routine Motions
9:15 am	Emergency Motions	Emergency Motions	Emergency Motions	Emergency Motions	Emergency Motions
9:30 am	Regular Motions	Regular Motions	CMC	Regular Motions	Regular Motions
10:00 am	CMC	CMC	CMC	CMC	CMC
10:15 am	CMC	CMC	CMC	CMC	CMC
10:35 am	-----	Clerk's Status	Clerk's Status	Clerk's Status	-----
10:45 am	CMC	CMC	CMC	CMC	CMC
11:00 am	CMC	CMC	CMC	CMC	CMC
11:30 am	-----	-----	-----	-----	-----
1:30 pm	-----	-----	-----	-----	-----
2:00 pm - 3:30 pm	Pre-trials	Contested Hearings	Contested Hearings	Contested Hearings	Pre-trials

Judges Stamp Associate Judge Moira S. Johnson

ENTERED: **AUG 13 2020**

Judge

Moira S. Johnson
Circuit Court - 18CG
Judges No.