

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT – CHANCERY DIVISION**

**CALENDAR 12 – ROOM 2403
PRESIDING JUDGE MICHAEL T. MULLEN
STANDING ORDER**

Telephone: (312) 603-4181

Calendar 12 Email:

ccc.chancerycalendar12@cookcountyl.gov

Courtroom Clerk: Katrice Brown

Staff Attorneys:

Joshua Klein (3-4451), Alexis Cortez (3-4572)

Remote Hearing Login Information:

Zoom Meeting ID: 990 0014 8007

Password: 545631

Zoom Link:

<https://circuitcourtofcookcounty.zoom.us/j/99000148007?pwd=a2RoRVZWTUVaZklXdStZVTBIT1U1QT09>

Dial-in: +1 312 626 6799 US (Chicago)

**9:30 A.M. CONSOLIDATION &
NEW PETITION FOR SURPLUS FUNDS CALL [REMOTE]¹**

Motions to Consolidate or Designate as Related Within Chancery Division

1. ***Generally.*** All Motions to consolidate or to designate two or more **Chancery Division** cases as related are heard by the Presiding Judge of the Chancery Division. See General Order 12.3. The Presiding Judge of the Chancery Division rules **only** on the merits of the Motions to Consolidate or Designate as Related, **not** the merits of any other pending motions in the cases.
2. ***Courtesy Copies.*** At least **five (5) business days** before the date on which the motion is noticed for hearing, courtesy copies must be delivered in **hard copy** to Chambers and **emailed** to Calendar 12's email. The copies must include the motion, notice of motion, and copies of the **operative complaint** (without exhibits) for each involved case.
3. ***Notice.*** Notice must be provided to all parties in each case seeking to be consolidated or designated as related.
4. ***Scheduling.*** The Motion to Consolidate or Designate as Related must be scheduled before the Presiding Judge of the Chancery Division through the e-filing system. For assistance with e-filing or scheduling, please contact the Chancery Division Clerk's Office at (312) 603-5133, (312) 603-5434, or ChanceryDivservices@cookcountycourt.com.
5. ***Across Divisions.*** In accordance with General Order 12.1., Motions to Consolidate or Designate as Related cases **across different divisions** are heard by the Presiding Judge of the **Law Division** **not** the Presiding Judge of the Chancery Division.

¹ Pursuant to IL. Sup. Ct. Rule 45 (eff. Jan 1, 2023) and Chancery Division General Administrative Order 2023-05, the Court will continue to conduct its 9:30 a.m. Call remotely via Zoom. Litigants may however appear in-person in courtroom 2403 if they so choose. Further, the Court can and may mandate certain litigants to appear only In-Person.

6. **General Orders.** The following General Orders, available [here](#), provide further information and procedures with respect to the consolidation or designation of a case as related to another case:
 - General Order 3.1,1.6 – Consolidation of Cases
 - General Order 3.4 – Foreclosure Suits
 - General Order 12.1 – Any Action in County Department
 - General Order 13 – Transfer of Previously Assigned Cases
 - General Order 22.1 – Related Cases
 - General Order 22.2 – Related Cases
 - General Order 22.3 – Related Cases
 - General Order 22.4 – Transferred Cases

Petitions for Turnover of Surplus Funds [FRIDAYS ONLY]

1. **Generally.** The Court **only** rules on the Petitions for Turnover of Surplus Funds with respect to foreclosure cases; all other motions, including those to prove up liens, must be presented before the foreclosure court. Each petitioner seeking a turnover of funds must submit their own separate Petition.
2. **Scheduling.** Petitions are scheduled on Fridays. Initial presentments are scheduled at 9:30 a.m. Continued Petitions are scheduled at 10:00 a.m. All initial presentments must be scheduled through the e-filing system. For assistance with e-filing or scheduling, please contact the Chancery Division Clerk's Office at (312) 603-5133, (312) 603-5434, or ChanceryDivservices@cookcountycourt.com.
3. **GAO 2024-01.** Please carefully **read** and **follow** **all** requirements as set forth in Chancery Division General Administrative Order 2024-01, which can be found at: <https://www.cookcountycourt.org/division/chancery-division#ocj--general-administrative-orders>
4. **Forms.** Form Petitions can be found at: [CCCH0317.pdf \(cookcountyclerkofcourt.org\)](https://www.cookcountycourt.org/division/chancery-division#ocj--general-administrative-orders).
5. **Courtesy Copies.** At least **five (5) business days** before the date on which the Petition is noticed for hearing, a courtesy copy of the Petition, notice, and all supporting documents must be delivered in **hard copy** to Chambers and **emailed** to Calendar 12's email. If courtesy copies are not delivered on time, the Court may strike the Petition.
6. Any non-scheduling or filing questions may be emailed to Calendar 12's email.

10:00 A.M. STATUS & MOTION CALL [REMOTE]²

Status

The Court sets cases for status on Monday through Friday at 10:00 a.m. Status may relate to the progress of the case toward a trial or other disposition, or to pending motions. New motions may be presented on the status date as long as the procedures for Regular Motions (see below) are followed.

² Pursuant to IL. Sup. Ct. Rule 45 (eff. Jan 1, 2023) and Chancery Division General Administrative Order 2023-05, the Court will continue to conduct its 10 a.m. Call remotely via Zoom. Litigants may however appear In-Person in courtroom 2403 if they so choose. Further, the Court can and may mandate certain litigants to appear only In-Person.

Regular Motions

1. **Generally.** The Regular Motion call is Monday through Friday at 10:00 a.m. by Zoom or teleconference.
2. **Scheduling.** All Regular Motions must be filed and noticed for presentment to the Court via the Clerk's office.
3. **Presentment.** All Regular Motions are to be presented to the Court.
4. **Courtesy Copies.** At least **five (5) business days** before the date on which the motion is noticed for hearing, a courtesy copy of the motion and notice of motion must be delivered in **hard copy** to Chambers. If courtesy copies are not delivered on time, the Court may strike the motion.
5. **Notice.** Movant must give notice of the motion to all other parties in accordance with Circuit Court Rule 2.1.

Motions for Default Judgment

1. **Notice.** All parties who have been served must be given notice, even if the party has not filed an appearance.
2. **Materials.** The following materials must be attached to the motion:
 - a. Copy of notice of motion and motion.
 - b. Copy of summons and complaint.
 - c. Copy of affidavit of service.

Note: A copy of the Cook County Sheriff's website which notes that service has been effectuated is insufficient to prove service.
 - d. Attorney or *pro se* litigant's certification that both the Court file and the computer register have been checked for any appearance or answer by defendant(s). The certificate must be dated no more than ten (10) days before the date selected for presentation of the motion.
 - e. If defaulting an individual, a military affidavit as required by federal law can be found at: ([CCG N004 02-06-11.pmd \(cookcountyclerkofcourt.org\)](#)).
 - f. A copy of a proposed draft order specifying relief sought.
3. **Courtesy Copies.** At least **five (5) business days** before the date on which the motion is noticed for hearing, a courtesy copy of the motion and all supporting materials listed in section two above must be delivered in **hard copy** to Chambers. If courtesy copies are not delivered on time, the Court may strike the motion.
4. **Prove up.** Where appropriate, the Court will schedule a date certain for prove up of the motion prior to issuing a default judgment.

Routine Motions

1. **Presentment.** Routine motions will be accepted as "drop-offs" and do not require a court appearance.
2. **Courtesy Copies.** At least **one (1) business day** before the order will be entered by the Court, courtesy copies should be delivered in **hard copy** to Chambers and **emailed** to Calendar 12's email. Courtesy copies should include the motion, notice, and **two (2) copies of a DRAFT ORDER** granting the relief requested.
3. **Notice.** Proper notice is required. See Circuit Court Rule 2.1. The notice should indicate when the routine motion will be dropped off. If the Court receives no objection to the

routine motion, *stamped copies of an order granting the requested relief will be made available by the Clerk's Office on Odyssey*. However, the Court retains discretion to reject draft orders or routine motions that the Court determines, in its discretion, should not be granted.

4. **"Routine" Motions.** The Court will only consider the following motions as "routine":
 - a. motions for leave to file an appearance, answer, or motion;
 - b. motions to appoint special process server (notice not required);
 - c. agreed orders to extend time to file pleadings or briefs, continue a court date, or amend a briefing schedule;
 - d. agreed dismissal orders; and
 - e. motions for voluntary dismissal.
5. **Alias Summons.** Parties do NOT need leave from the Court to issue an alias summons and may do so at any time after the commencement of suit.
6. **Agreed Dismissal.** Agreed dismissal orders must contain the original signature of all parties and/or their counsel. Please be sure to strike all future scheduled dates.
7. All other motions must be spindled with the Clerk's Office through e-Filing.³

Initial Case Management Conference ("ICM")

1. **Generally.** The Clerk's Office automatically schedules the date of, and gives notice by email of, an Initial Case Management ("ICM") Conference for approximately 90 days after the filing of a complaint. Motions may be presented at an ICM Conference as long as the procedures for Regular Motions (see above) are followed.
2. **Courtesy Copies.** If the ICM Conference is the first appearance by counsel or a self-represented litigant, a courtesy copy of the complaint must be delivered in **hard copy** to the Court **five (5) business days** in advance.
3. **Prior Appearance.** The Court will strike the ICM date if:
 - a. Some or all of the parties have appeared before the Court prior to the ICM date set by the Clerk's Office for the ICM Conference; **and**
 - b. The case has been given another date for status or hearing on Calendar 12.
4. Please **email** Calendar 12's email if you are unsure of your next Court date.

11:00 A.M. CONTESTED MOTION CALL [IN-PERSON OR BY ZOOM—NOT HYBRID]

Contested Motions & Briefs

1. **Generally.** At the time contested motions are presented, or by Agreed Order (see below), the Court will enter a briefing schedule and set a Clerk's Status date. An argument date will be set by the Court on the Clerk's Status date.
2. **Clerk's Status.** At least **five (5) business days** prior to the Clerk's Status, the **movant** must deliver in **hard copy** to Chambers courtesy copies of all contested motion briefing. This includes Respondent's briefs, exhibits, or other materials incorporated by reference.

³ As of July 1, 2018, e-Filing is mandatory in Illinois for all Civil Areas (except Quasi Criminal, Housing and Wills). Illinois Supreme Court Order M.R. 18368.

3. **Additional Materials.** If depositions are cited in support of or in opposition to a motion, a copy of the entire transcript must be provided to the Court. A copy of the Administrative Record must be submitted to the Court for administrative review cases.
4. **Format, Length, and Exhibits.** All briefs must be double-spaced, in 12-point Times New Roman font, set with 1-inch margins, and must not exceed fifteen (15) double-spaced single-sided pages (exclusive of Exhibits), unless otherwise given leave by the Court. A Table of Contents for all Exhibits must be provided, **and** the Exhibits must be tabbed (**including** digital Exhibits).
5. **Citations.** All Illinois case citations must use the public-domain citation or, for cases filed before July 1, 2011, the Illinois's official reports (Illinois Reports (Ill. or Ill. 2d) or Illinois Appellate Court Reports (Ill. App., Ill. App. 2d, or Ill. App. 3d)), and **not** to the North Eastern Reporter (N.E.2d). See Ill. S. Ct. R. 6 (eff. July 1, 2011). All online citations must be to LEXIS.
6. **Briefing Deadlines and Extensions.** Unless otherwise ordered by the Court, any brief filed after a briefing deadline may be stricken.
7. **Supplemental Briefing.** Unless otherwise directed by the Court, the parties may file supplemental briefs **only** if a request is made by written motion, **and** the Court deems additional briefing necessary.
8. **Arguments.** At the Clerk's Status, the Court will set an argument date. If the movant fails to provide any of the required materials listed above, the Court may defer setting an argument date. Arguments on contested motions are scheduled for 11:00 A.M. and are conducted **in-person or by Zoom, but not hybrid**.
9. **Remote Argument Request.** At the time of the Clerk's Status a party may request, for good cause, to appear at the argument remotely.

**EMERGENCY MOTIONS &
MOTIONS FOR TEMPORARY RESTRAINING ORDER
[IN-PERSON OR BY ZOOM—NOT HYBRID]**

Emergency Motions

1. **Procedure.** Emergency Motions must be scheduled with one of Judge Mullen's Law Clerks no later than 4:00 p.m. Dates and times will not be given over the telephone. The movant shall present the motion, relevant pleadings, attachments, affidavit(s) and complaint stating the basis for the emergency to the law clerk *via email*. If the matter is a true emergency, an immediate hearing date will be set and movant shall provide notice to the opposing parties or their counsel. If the Court finds that there is not an emergency, the Motion shall proceed as a Regular Motion (see above).
2. **True Emergencies.** Generally, a true emergency exists only where: (1) there was no opportunity to notice a motion for a regular motion call; and (2) without immediate court action, there will be irreparable damage to a party. Matters that have become urgent by reason of a party's failure to seek timely relief are not emergencies and will not be scheduled as an emergency.

Temporary Restraining Order (“TRO”) Motions

TRO motions should be presented according to the emergency motion procedure.

1. **Scheduling.** Motions for TRO are treated as either Regular Motions or Emergency Motions (see above).
2. **Notice.** The movant must notify all parties of the date and time of the TRO hearing. 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.
3. **Materials.** TRO motions must be accompanied by a verified complaint or an affidavit in compliance with 735 ILCS 5/11-101.
4. **Courtesy Copies.** A courtesy copy of the TRO motion, including proof of notice, as well as all supporting documents, must be delivered in **hard copy** to Chambers and **emailed** to Calendar 12’s email prior to any hearing.

TRIALS & EVIDENTIARY HEARINGS [IN-PERSON]

Trial & Evidentiary Hearing Setting

1. **Generally.** Trial and evidentiary hearing dates are firm and, absent compelling circumstances, will not be rescheduled. Trials and evidentiary hearings are conducted **in-person**. Any motion to continue a trial or evidentiary hearing must be made in writing no less than **five (5) business days** prior to the date set for commencement of the trial or evidentiary hearing, **and** must be supported by a specific, detailed affidavit.
2. **Remote Participation Request.** At the time the trial dates are set, a party may request, for good cause, remote participation by litigants or witness. Counsel, litigants, and witnesses **must** appear in-person for trials, unless otherwise ordered.

Pre-Trial Case Management Conferences

Pre-Trial Case Management Conferences (“Pre-Trial CMC”) will be conducted in-person. The Court will hear any Motions *in Limine*. Trial witness scheduling and logistics, including any technology the parties wish to utilize, will be discussed. All attorneys who intend to act as trial counsel must be present, unless leave of Court is obtained prior to the Pre-Trial CMC.

Trial Materials

1. **Pre-Trial Memoranda.** Pre-Trial Memoranda will be submitted on the date set by the Court. Pre-Trial Memorandum shall contain:
 - a. Brief statement of the case
 - b. Statement of Agreed Facts and/or Uncontested Material Facts
 - c. Statement of Contested Facts
 - d. Statement of the Applicable Law
 - e. List of all Witnesses who may be called and the area of the witness’s testimony.

2. **Exhibits.** Exhibits are to be pre-marked and exchanged **five (5) business days** prior to the Pre-Trial CMC. A List of all Exhibits must be provided to the Court indicating which shall be admitted into evidence without the need for foundation. Disputed Exhibits can be made the subject of a Motion *in Limine* to be ruled on prior to trial or at trial.
3. **Other Materials.**
 - a. Copies of any Illinois Supreme Court Rule 216 request to admit and response thereto which any party anticipates utilizing at trial.
 - b. Copies of all Motions *in Limine* with supporting and opposing memoranda. Motions *in Limine* must be discussed between counsel in advance of the Pre-Trial CMC to ensure that any outstanding Motions are those that the parties cannot in good faith resolve amongst themselves prior to trial.
 - c. An affidavit of compliance with all Illinois Supreme Court Rule 237 notices compelling appearances of witnesses at trial, and a statement of all outstanding disputes regarding such notices, if any.
 - d. Illinois Supreme Court Rule 213 interrogatories and depositions may be considered hearsay. The parties may object to tendering them to the Court. Any party expecting to offer opinion testimony must be prepared to provide responses to Supreme Court Rule 213 interrogatories, including any supplements, as well as any deposition testimony that will support the opinion testimony to be offered at trial. These materials need only be available for purposes of addressing compliance with Rule 213. If opinion testimony is challenged at trial as being non-compliant with Rule 213, the proponent will be expected to promptly produce such materials demonstrating compliance with Rule 213.

SETTLEMENT CONFERENCES [IN-PERSON]

Settlement Conferences

The Court encourages all parties to explore and negotiate settlements of their cases, and the Court stands ready to assist parties in their settlement negotiations at any stage.

1. **Procedure.** Requests for a Settlement Conference may be made by counsel. Settlement conferences are **in-person**, unless for good cause shown. Clients or other persons with authority are expected to attend, unless excused by the Court. All parties must agree that anything said or done at the Settlement Conference will not serve as the basis for a substitution of judge.
2. **Settlement Conference Memoranda.** Each party will serve on the other a Settlement Memorandum at least **five (5) business days** prior to the Settlement Conference. Courtesy copies must be delivered in **hard copy** to Chambers and **emailed** to Calendar 12's email on the same date as provided to the parties. A Joint Settlement Memorandum is acceptable if the parties agree to the content.
3. **Remote Participation Request.** At the time of the request for a settlement conference, for good cause, a party may request remote participation.

FURTHER PROCEDURES

Motions for Summary Judgment

1. Motions for Summary Judgment must be filed sufficiently in advance of the set trial date to accommodate a briefing schedule and ruling. Otherwise, the motion will be taken contemporaneously with trial. Exclusive of the recitation of facts, the format and length for Contested Motions (see above) must be followed.
2. For Cross-Motions for Summary Judgment on the same issue, briefing typically includes:
 - a. Motion;
 - b. Combined response to the original motion and cross-motion;
 - c. Combined response to the cross-motion and reply in support of the original motion; and
 - d. Reply in support of the cross-motion.

Agreed Orders

If the parties wish to submit a proposed Agreed Order, the parties must email the proposed Agreed Order in Word format to the Court with all parties copied on the email. **The Agreed Order must be signed by all parties to the order.** E-signatures, or /s/, are permitted. A Staff Attorney will contact the parties after the proposed Agreed Order has been reviewed.

Using an Interpreter

To request an interpreter for a **remote** hearing, please email the Court at least two (2) days prior to the hearing, indicating what language(s) are needed. The Court has the ability to enable Zoom language interpretation to designate four (4) participants as the interpreter(s) in the proceeding. The language interpreters must identify themselves for the record. For **in-person** proceedings, the parties are to provide their own interpreter and that interpreter must appear In-Person.

Court Reporters

For all in-person matters, the parties are to provide their own court reporter and that court reporter must appear in-person.

Attorney Conduct

Zealous advocacy is a lawyer's professional obligation. Incivility has no place in a respected and credible judicial system. The Court expects counsel to conduct themselves professionally and with civility at all times, which includes any written and oral communications among counsel, at depositions, and with the Court and its staff.

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