

**THE HONORABLE MYRON F. MACKOFF
STANDING ORDER, CALENDAR 14; ROOM 2301
312-603-3733**

CCC.ChanceryCalendar14@cookcountylil.gov

Zoom Meeting ID No. 953 7174 9534, Zoom Meeting Password: 253498 Dial-In: (312) 626-6799

Table of Contents

I.	PROCEDURES.....	2
II.	PRO SE LITIGANTS' RESOURCES.....	3
III.	INTERPRETERS.....	3
IV.	ROUTINE MOTIONS.....	3
V.	CASE MANAGEMENT CONFERENCES.....	3
VI.	REGULAR MOTION CALL	4
VII.	EMERGENCY MOTIONS	5
VIII.	TEMPORARY RESTRAINING ORDERS ("TRO")	6
IX.	BRIEFS	6
X.	CONTESTED MOTIONS	6
XI.	HEARINGS	7
XII.	SETTLEMENT CONFERENCES	7
XIII.	COURT REPORTERS	8
XV.	VOLUNTARY DISMISSAL ORDERS AND AGREED ORDERS	8
XVI.	PRE-TRIAL CONFERENCE.....	8
XVII.	TRIAL.....	8

Court's Schedule:

Zoom Meeting ID No. 953 7174 9534, Zoom Meeting Password: 253498:

9:30 a.m. Case Management and Status Call

10:00 a.m. Regular Motions and Presentment

10:30 a.m. Contested Motions/Hearings and Trials

11:30 a.m. Contested Motions/Hearings and Trials

2 p.m. Contested Motions/Hearings and Trials

*The Court may set contested matters at various other times as scheduling permits

I. PROCEDURES

- a. **Court Call.** Courtroom 2301 has the capacity to hold **hybrid** hearings. Any attorney or party may appear in person if they so wish, unless otherwise instructed. There is a General Administrative Order that contains more information on in person protocol. For reference, please consult Chancery GAO 2023-05., If the most recent order calls for a remote hearing and an attorney or litigant wants to appear in person, they must notify the Court via email at least 12 hours in advance.
- b. Parties must be **muted** until instructed otherwise by the Judge.
- c. Parties must submit a proposed order to the Calendar 14 email address (CCC.ChanceryCalendar14@cookcountyl.gov) following each court appearance. Please send proposed orders in Word form by **4 p.m.** on the day of your Court appearance. The parties shall copy all parties of record on the correspondence.
- d. If the parties are late to their scheduled court date and time, then the Court retains the right to strike said date, dismiss the case for want of prosecution, or default the parties as the Court finds appropriate.
- e. **Recording Prohibited by Law.** *Any video recording, audio recording, photographing and/or reproducing of the livestream is strictly prohibited. The recording, publishing, broadcasting or other copying or transmission of courtroom proceedings by video, audio, still photography or any other means is strictly prohibited by Illinois Supreme Court Rule 44 and is subject to the penalties for contempt of court.* However, any party is free to bring a certified Court reporter should they want a transcript of any hearing.
- f. The Court is not responsible for providing the parties with a copy of an entered order. The parties should receive all orders from the Clerk's office via automated emails from the Odyssey system. Please contact the Clerk of the Circuit Court of Cook County, Chancery Division if you have any questions or fail to receive an order: ChanceryDivservices@cookcountycourt.com | 312-603-5133.

II. PRO SE LITIGANTS' RESOURCES

- a. The Court provides the contact information for the Illinois Court Help Line (ilcourthelp.gov, (833) 411-1121), and CARPLS Legal Aid Hotline (carpls.org, (312) 738-9200). The Illinois Access to Justice website is available at <https://atjl.org/>.
- b. The Illinois JusticeCorps Court Information Helpline can be reached at 872.529.1093.
- c. The Greater Chicago Legal Clinic Chancery Advice Desk can be reached at (312) 726-2938.
- d. For help with e-Filing, the Court provides contact information for the Clerk of the Circuit Court of Cook County, Chancery Division: ChanceryDivservices@cookcountycourt.com | 312-603-5133.

III. INTERPRETERS

If you do not speak English — or have limited English proficiency as your primary language and have limited ability to read, speak, write or understand English — and you would like an interpreter at the next hearing date, you must inform the Court within a minimum of 48 working hours notice.

IV. ROUTINE MOTIONS

Routine motions may be filed without spindling the motion with the Clerk's office. The following motions are considered "routine":

- a. Motions to Vacate Technical Defaults;
- b. Motions for extension of time;
- c. Motions to exceed page-limit on brief(s) (discouraged)
- d. Motions relating to appearance as counsel, appearance as additional counsel, admission of out-of-state attorney pro hac vice, and agreed substitutions of counsel;
- e. Motions to issue an alias summons;

V. CASE MANAGEMENT CONFERENCES

- a. Case Management Conferences are at **9:30 a.m. daily**. At the first appearance, the parties should be prepared to submit courtesy copies of their pleadings (e.g., Complaint, Answer, Affirmative Defenses, Counterclaims,). Please email pleadings in PDF form to CCC.ChanceryCalendar14@CookCountyIL.gov.
- b. Counsel with authority to commit to all scheduling orders must appear at the Case Management Conference and be prepared to inform the Court re: the 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.

- c. Failure to appear for a Case Management Conference may result in dismissal for want of prosecution, default, or other appropriate court action.
- d. The Court does accept motions “piggybacked” for presentment onto pre-set dates, provided compliance with the Illinois Rules of Civil Procedure.

VI. REGULAR MOTION CALL

- a. All motions must be filed and noticed for presentment, except as described below:
- b. **Scheduling-** The Court’s Regular Motion Call is at **10:00 a.m. daily**. A regular motion must be spindled electronically through the Circuit Court Clerk’s Office ((312) 603-5030). The Court Clerk’s Office will provide all dates via the Odyssey eFile system. Judge Mackoff’s judicial staff in Courtroom 2301 cannot assist a party in scheduling a regular motion or e-filing.
- c. **Email Courtesy Copies-** File-stamped courtesy copies of all motions or briefs must be received within one **(1) business day of the date of filing**, or as soon as file-stamped.

E-mail is strongly preferred.

Please clearly label the file names of all electronic copies and number the file names (e.g. “01-Def Smith MTD,” “02-Plt Response MTD,” “03-Reply MTD”).

- d. **Electronic Courtesy Copies-** Please email courtesy copies of all motions set for hearing one week before the scheduled hearing date on the motion.
- e. **Piggybacking-** The Court accepts motions “piggybacked” for presentment onto pre-set court dates. File and notice them, but do not spindle. Note the Illinois Rules of Civil Procedure still apply. Please email courtesy copies of the piggybacked motion at least two court days before the presentment date.
- f. **Motion for Default/Motion for Prove-Up-** A party can file a Motion for Default and present the motion. 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. Motions for Default and Motions for Prove-Up are generally a two-stage process:
 - i. First, a motion for entry of default order is to be granted before setting or scheduling a date to present a motion for prove-up. Each of these motions should proceed by way of affidavits. The following documents are to be submitted for the court to consider a motion for entry of a default order:
 - A. Movant must provide notice to all parties who have been served, even if they have not filed an appearance. (Circuit Court Rule 2.1).
 - B. Notice of Motion, Certificate of Service and Motion for Entry of Default Order;
 - C. Affidavit of Return of Service whether by special process server or Deputy Cook County Sheriff;

- D. Order appointing a special process server or order allowing service under 735 ILCS 5/2-203.1, if applicable;
- E. If service under 735 ILCS 5/2-203.1 was granted, counsel shall also submit proofs of the type of service required under the order and SCR 102(f);
- F. Attorney Certificate that counsel examined the online court docket prior to the hearing date and averring that no appearance or answer was on file;
- G. Affidavit of Military Service (if an individual is in default); and
- H. Proposed Order of Default.

- ii. To warrant relief on a Motion for Prove-Up, materials submitted must establish a *prima facie* case entitling the party to affirmative relief. See 735 ILCS 5/2-1301(d). The following documents are to be submitted for the court to consider a motion for prove-up:
 - A. Movant must provide new notice to all parties who have been served, even if they have not filed an appearance. (Circuit Court Rule 2.1).
 - B. Notice of Motion, Certificate of Service and Motion for Prove-Up;
 - C. Copy of entered order of default;
 - D. Copy of the filed Complaint and affidavit verifying the judgment amount;
 - E. Affidavit detailing costs requested;
 - F. Affidavit detailing attorneys' fees requested, if authorized by statute or contract (if applicable);
 - G. Proposed Judgment Order, specifying the precise relief awarded.

- g. **Motions to Compel and Other Discovery Motions-** Before bringing a motion related to discovery, the parties shall strictly adhere to **Illinois Supreme Court Rule 201(k)**, which provides:

The parties shall facilitate discovery under these rules and shall make reasonable attempts to resolve differences over discovery. Every motion with respect to discovery shall incorporate a statement that counsel responsible for trial of the case **after personal consultation** and reasonable attempts to resolve differences have been unable to reach an accord or that opposing counsel made himself or herself unavailable for personal consultation or was unreasonable in attempts to resolve differences.

VII. EMERGENCY MOTIONS

- a. All Emergency Motions must be scheduled by one of Judge Mackoff's Law Clerks in courtroom 2301. Dates and times will **not** be given over the telephone. **Matters that have become urgent by reason of a party's failure to seek timely relief do not constitute emergencies.**
- b. To request a presentment date for an emergency motion, you must email your request to ccc.chancerycalendar14@cookcountyIL.gov, explaining that you have filed an emergency motion and request. You must also attach a file-stamped courtesy copy of the motion marked "EMERGENCY MOTION" and all supporting documents, to the courtroom email prior to 3:00 p.m. or it may not be reviewed until the next following day when Court is in session.

- c. If the Court determines that the matter is not a true emergency, courtroom staff may instruct the movant to spindle the matter on the 10:00 a.m. regular motion call and file a notice of motion.

VIII. TEMPORARY RESTRAINING ORDERS (“TRO”)

Motions for Temporary Restraining Orders shall, if possible, be presented according to the emergency motion procedure.

- a. The Court requires the movant to notify all parties of the date and time of the TRO hearing, unless the TRO is brought *ex parte* (with leave of court) and 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.
- b. TRO Motions must have a verified complaint or affidavit in compliance with § 5/11-101.
- c. A courtesy copy of the Motion for TRO and complaint, including proof of notice, must be delivered to chambers via email.

IX. BRIEFS

- a. There is a 15-page limit on motions and briefs in support (collectively, the motion and brief in support must be 15 pages or less), a 15-page limit on response briefs, and a 10-page limit on reply briefs. The page limitation excludes attached pleadings and exhibits. All briefs should be double-spaced with 12-point font and 1-inch margins. All exhibits should be page-numbered and tabbed, if possible.
- b. A complete set of courtesy copies must be delivered to Chambers, both a hard copy and an electronic copy before the Clerk’s status.
- c. A Sur-Response or Sur-Reply is not allowed, although if a party makes such a request by written motion, the Court may allow one, in its discretion.
- d. Case authorities shall be cited to the official reporter. Please be advised that court personnel only have access to the LEXIS search engine. We do not need copies of cited cases if they are available via LEXIS.

X. CONTESTED MOTIONS

- a. When a contested motion is presented, the Court will set a briefing schedule and a Clerk’s Status. At the Clerk’s Status, the Court will set a hearing date and time on the fully-briefed motion.

- b. The movant is responsible for submitting the **file-stamped courtesy copies** of the fully-briefed motion **as soon as a file-stamped copy of the last brief (usually reply) is accepted by the Court Clerk's office**, within one day of filing. Email is preferred (CCC.ChanceryCalendar14@CookCountyIL.gov), PDFs only. A complete set of courtesy copies includes:

 - Most Recent Complaint/Pleadings
 - Motion, Supporting Brief, Response Brief, Reply Brief, and all Exhibits;
 - Complete Deposition Transcripts if any deposition testimony is cited (condensed preferred);
 - Any other Relevant Pleadings; and
 - A Bates Stamped Administrative Record,¹ if applicable.

- c. If the Movant fails to appear, the motion will be stricken.
- d. If the Respondent fails to file a written brief in response to the Motion, the Respondent will be deemed to have waived oral argument and any defense other than a general denial. Accordingly the Court will set a ruling date on the Motion.

XI. HEARINGS

All hearing dates and times will be set by the Court. Hearing dates are firm. Any request to continue a hearing date must be made by written motion in advance of the hearing following all notice and presentment rules per the Code of Civil Procedure, must show good cause, and must be supported by a detailed affidavit.

XII. SETTLEMENT CONFERENCES

- a. Parties may request a settlement conference. A settlement conference is set pursuant to the parties' agreement that anything done or said at the settlement conference shall not serve as the basis for any motion for substitution of judge pursuant to 735 ILCS 5/2-1001(a)(2) and/or (a)(3), and that they agree to participate in the settlement conference in good faith. Moreover, **As a precondition to a settlement conference, parties must agree to waive their substitution of judge as of right.**
- b. **At least fourteen (14) days before the settlement conference**, unless otherwise ordered by the Court, each party MUST submit to the Court, and exchange with opposing counsel, a brief memorandum advising of the most recent settlement demand and offer as well as the general nature of the claims and defenses. Pre-trial memoranda need not be filed. If the Parties wish to keep portions of the settlement discussions confidential, please inform the Judge at the settlement conference.

¹ Please include an index or table of contents with the Administrative Record.

- c. Counsel is expected to have full authority to settle the case at the time of the settlement conference. Client(s) **must be present** for the settlement conference unless excused by the Court.

XIII. COURT REPORTERS

Official court reporters are not assigned to the Chancery Division. Any party desiring a transcript of proceedings of any matter heard on Calendar 14 is responsible for providing a private court reporter.

XV. VOLUNTARY DISMISSAL ORDERS AND AGREED ORDERS

The parties may submit Agreed Orders to Voluntarily Dismiss a case (except class actions) either with or without prejudice by email without spindling a motion. Agreed Orders may be submitted “off call” (i.e., no scheduling with the Clerk of the Circuit Court is required) by email. All counsel of record must be copied on the email. The parties shall indicate whether they are seeking the Court to retain jurisdiction over the case. The Court will not retain jurisdiction over six (6) months unless otherwise given permission to by Judge.

XVI. PRE-TRIAL CONFERENCE

When a trial date is set, a pre-trial conference will also be scheduled. The pre-trial conference shall function as a settlement conference (see Section IX of the Standing Order). If the parties agree to a pre-trial conference, they shall also waive their substitution of judge as of right. At a pre-trial conference the Court will also discuss trial logistics, including the number of witnesses and exhibits, and any other matters pertaining to trial (see below).

XVII. TRIAL

1. Trial dates are firm. The Court will not consider agreed motions to continue trials, unless presented in a written motion that shows good cause, which is supported by affidavit. The motion must be presented no less than two (2) weeks prior to commencement of the trial.
2. The following materials, as applicable, must be submitted to the Court by joint submissions no less than ten (10) court days before the scheduled start of trial (separate submissions are permitted only if the parties cannot in good faith agree on joint submissions). Failure to submit materials in a timely manner may result in the Court barring the submission of that evidence, which may be either oral or documentary. These materials include:
 - a. A complete set of bound, pre-marked and tabbed set of all trial exhibits as follows:
 - i. One binder for joint exhibits, one binder for plaintiff’s exhibits, and one binder for defendant’s that identifies each exhibit, and the party’s objection to a particular exhibit, (save for in the joint exhibits binder).
 - ii. The exhibits shall be identified numerically, not by letter designations and shall all be separately tabbed.
 - iii. Operative pleadings shall be included as exhibits.
 - iv. Parties shall not duplicate exhibits and shall stipulate to foundation and authenticity when appropriate.
 - v. Parties shall include a chart in their exhibits binder(s).

- b. Copies of all new or still-pending motions *in limine* and supporting and opposing memoranda;
- c. A written stipulation signed by all counsel of record or parties listing all pending matters. Any petitions or motions not listed are deemed either waived or withdrawn;
- d. Full transcripts of evidence depositions, to be used at trial, marked by each party to identify portions to be offered;
- e. A complete list of all potential witnesses, specifying who will or may be called by each party;