

THE HONORABLE ALLEN P. WALKER
Circuit Court of Cook County, Chancery Division General Chancery Calendar 3
Courtroom 2402, Richard J. Daley Center

STANDING ORDER

This Standing Order supplements the Illinois Code of Civil Procedure, Illinois Supreme Court Rules, and Circuit Court of Cook County General Orders.

General Information

Law Clerk: Jerry Altemar, Esq.
Reyno Tapia

Court Clerk: Contact the Clerk of the Circuit Court's Office at 312-603-6920

Chambers Telephone: 312-603-5432

Chambers Email: ccc.chancerycalendar3@cookcountyil.gov
THIS COURTROOM IS PAPERLESS. Send all Orders, Courtesy Copies, and other communications to the above email.

Chambers Address: 50 West Washington Street
Room 2402 – Daley Center
Chicago, IL 60602

Hours of Operation: 8:00 AM – 4:00 PM, Monday through Friday, Excluding Court Holidays

Court Schedule: 9:30 AM.....Case Management/Motion Presentment Call
10:00 AM.....Status Call
11:00 AM – 3:00 PM.....Matters Set by the Court

Zoom Information: MEETING ID: 955-0046-1687
PASSWORD: 640378
CALL IN NUMBER: 312-626-6799
<https://circuitcourtofcookcounty.zoom.us/j/95500461687?pwd=WnlhT3c2UG1WcFlvTlA0OTQ2czlEUT09>

FAILURE TO COMPLY WITH THIS COURT'S STANDING ORDER MAY RESULT IN DISMISSAL, DEFAULT, DATE(S) STRUCK FROM THE COURT CALL, OR OTHER APPROPRIATE SANCTION(S).

I. ORDERS

THIS COURTROOM IS PAPERLESS.
DO NOT SEND HANDWRITTEN OR PAPER PROPOSED ORDERS TO THE COURT.

- a. Parties are to submit all orders via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov **by 4:00 PM on the same date** as their scheduled Case Management, Motion Presentment, or Status hearing. Parties should send Orders in Word Format (.doc or .docx).
- b. Parties are to submit all orders via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov **by 9:30 AM the following business day** of their hearing set by the Court. Parties should send Orders in Word Format (.doc or .docx).

- c. If *Pro Se* litigants need assistance in drafting orders, please inform Judge Walker or his staff during your hearing.
- d. Orders are distributed via email to the messages that sent the original proposed order. With limited exception, Court does not mail Orders to lawyers or litigants.

II. CASE MANAGEMENT CALL

- a. Case Management Conferences are at 9:30 a.m. daily, excluding weekends and Court holidays during the Court's Case Management Call. At the first conference, the parties should be prepared to submit courtesy copies of their pleadings, (e.g., Complaint, Answer, Affirmative Defenses, Counterclaims, and Cross-claims). Please refer to Section VII for the Court's policies on Courtesy Copies.
- b. Counsel with authority to commit to all scheduling orders must appear at the Case Management Conference and be prepared to inform the Court regarding the following (but not limited to):
 - Service of process upon each defendant,
 - Nature of the litigation,
 - 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 sanction.

III. ROUTINE MOTIONS / AGREED ORDERS

- a. Routine motions and orders, along with proposed agreed orders will be reviewed by the Court's law clerks during the Court's normal hours of operation. Parties shall send all proposed orders and motions, along with all relevant courtesy copies via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov. Please refer to Section VII for the Court's policies on Courtesy Copies.
- b. The Court will only consider the following matters as "routine," or "**OFF CALL**,"
 - Motions for Alias Summons
 - Orders for Voluntary Dismissal of a case in its entirety
 - Agreed Orders (varies)
- c. For a Motion for Alias Summons, the person making the motion, or "Movant," shall send the file stamped copy from the Clerk of the Circuit Court's office, along with a proposed order via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov.
- d. Orders for Voluntary Dismissal MUST contain the signature of all parties and/or their counsel. The Proposed Order must also state that all future dates regarding the matter are stricken, if the order dismisses the case in its entirety. The parties shall send the draft order via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov.

- e. The Court may consider Agreed Orders or other motions “off call” on a case-by-case basis. However, even if the parties submit such orders or motions, the Court may require the parties to “spindle,” or schedule presentment of the motion. Agreed Orders that purport to strike and/or reset a previously scheduled court appearance generally will not be taken off call (unless it is a voluntary dismissal striking all future dates). Contact the law clerk before sending an Agreed Order.

IV. REGULAR MOTION CALL

- a. **The Court’s Regular Motion Call is at 9:30 AM daily**, excluding weekends and Court holidays. Regular motions **MUST** be electronically filed on the Chancery Division’s electronic docket (Odyssey). The law clerks **WILL NOT** provide motion presentment dates over the phone, unless it is to piggyback a motion on a previously set hearing date. Please refer to Section IV (g) for the Court’s policies on piggybacking motions.
- Refer to the following link on how to electronically file motions with the Clerk of the Circuit Court’s office: <https://www.cookcountycourt.org/FOR-PEOPLE-WITHOUT-LAWYERS/Electronic-Filing-E-Filing>
 - For issues with E-Filing, or other matters with the Clerk of the Circuit Court’s Office, please call 312-603-6920.
- b. File stamped Courtesy Copies of all motions, along with their relevant exhibits (for example, including the operative Complaint in a Section 2-615 Motion to Dismiss) **must be sent via email** to the chambers email of ccc.chancerycalendar3@cookcountyil.gov. Parties shall send Courtesy Copies of their motions **immediately** after receiving the file-stamped copy of the motion from Clerk of the Circuit Court’s office. Please refer to Section VII for the Court’s policies on Courtesy Copies.
- c. **Complaint:** Each count in the complaint must be supported by specific factual allegations that are directly relevant to the elements of that particular claim. General references to earlier paragraphs or the blanket incorporation of “all preceding paragraphs” do not satisfy this requirement. The use of boilerplate incorporation language—such as “Plaintiff incorporates all prior allegations as if fully set forth herein”—without identifying the specific factual allegations that support each count is insufficient. Each count must stand on its own and clearly articulate the factual basis for the legal claim asserted.
- d. **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 the following:
- File-Stamped Copy of the Notice and Motion from the Clerk of the Circuit Court’s Office,
 - 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 both the court file and docket have been checked for any appearance or answer filed by the defendant, AND
 - A military affidavit if defaulting and individual.

Failure to provide this information may lead to the motion being struck from the call and the Movant will need to re-spindle the motion to be presented on another day, denied, or other sanction.

- e. **Motions to File Under Seal and Motions for Protective Order:** Parties must seek leave of Court to file documents or other materials under seal. Please note the following when filing a motion to file under seal or a motion seeking a protective order:

- The motion(s) cannot apply to all documents and/or pleadings.

- The motion(s) must state in the text of the order that the order does not, by itself, authorize the filing of any document under seal, and that any party wishing to file a document designated as ‘Confidential,’ or ‘Attorney’s Eyes Only Information’ in connection to a motion, brief, or other submission to the Court must comply with court rules pertaining to filings under seal.
- The motion(s) must state in the text of the order that the protective order will not apply to Court orders.
- The motion(s) must recite the privacy interest involved, and why a protective order is necessary. This should be supported by affidavit.

Failure to comply may lead to the motion being struck from the call and the Movant will need to re-spindle the motion to be presented on another day, denied, or other sanction.

- f. **Motions to Dismiss:** The Court will not hear motions to dismiss under 735 ILCS 5/2-619.1, **without prior leave of court**. Such motions for leave to file can be made orally. Failure to seek leave to file may lead to the motion being struck from the call, and the Movant will need to re-spindle the motion to be presented on another day, or other sanction.
- g. **Motions to Reconsider:** Note that the Court generally does not hear oral argument on motions to reconsider. Counsel or *Pro Se* litigants contemplating such a motion should have in mind the pertinent standard.
- h. **Additional Motions on Previously Set Dates (“Piggy Back”):** Any additional motion that a party wishes to add onto a previously scheduled court date, or “piggy back,” must be authorized by Judge Walker’s Law Clerks.
 - Before filing, the Movant should contact Judge Walker’s law clerk(s) via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov or by phone at 312-603-5432 to determine if the Court’s schedule will allow them to piggy back the motion.
 - If authorized by Judge Walker’s law clerk(s), the Movant will update the Notice of motion to the set date they requested to piggy back and electronically file the motion and notice with the Clerk of the Circuit Court’s office. Note that when filing, the Movant will not need to select a date to present the motion, as that was provided by Judge Walker’s law clerk(s).
 - The Movant shall submit Courtesy Copies of the motion, notice, and all relevant exhibits **immediately** after receiving the file stamped copies from the Clerk of the Circuit Court’s office via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov. Please refer to Section VII for the Court’s policies on Courtesy Copies.

V. EMERGENCY MOTIONS / TEMPORARY RESTRAINING ORDERS (“TRO”)

- a. Emergency motions, including emergency motions for TRO, shall be heard as an add-on to the Court’s previously set matters (between 11:00 AM and 3:00 PM during the Court’s hours of operation). In order to receive a hearing date from Judge Walker’s law clerk(s), **all emergency motions**, must be sent via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov.

THE COURT DOES NOT GIVE DATES AND TIMES FOR EMERGENCY MOTIONS VIA PHONE.
THIS COURTROOM IS PAPERLESS. THIS COURT DOES NOT ACCEPT PAPER MOTIONS.
NO EXCEPTIONS.

- b. Emergency motions, including emergency motions for TRO, **MUST** contain a **separate paragraph on the first page of the motion detailing the emergency nature of the motion**.
 - An emergency or exigent circumstance is a situation that demands unusual or immediate action and that may allow people to circumvent usual procedures. Black's Law Dictionary (11th ed. 2019). An “emergency” is “a sudden and serious event or an unforeseen change in circumstances that calls for immediate action to avert, control, or remedy harm.” Black’s Law Dictionary (11th ed. 2019).

- 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, Judge Walker's law clerk(s) will not schedule the motion.
- c. After review of the motion, Judge Walker's law clerk(s) will inform the Movant that they see the emergency nature of the motion or that the Movant will need to file the motion as a Regular Motion (Please refer to Section III (a),(b) for the Court's policies on filing regular motions). If Judge Walker's law clerk(s) determine that there is an emergency basis for the motion, they will provide a date for the motion to be presented.
- Once that is done, the Movant shall update the notice of motion with the date provided and electronically file the motion and notice with the Clerk of the Circuit Court's office. Note that when filing, the Movant will not need to select a date to present the motion, as that was provided by Judge Walker's law clerk(s).
- d. The Movant shall submit Courtesy Copies of the motion, notice, and all relevant exhibits via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov immediately after receiving the file stamped copies from the Clerk of the Circuit Court's office. Please refer to Section VII for the Court's policies on Courtesy Copies.
- e. Motions for TRO MUST be accompanied by a verified complaint or affidavit in compliance with Section 11-101 of the Illinois Code of Civil Procedure.
- f. 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 and it clearly appears from 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 (West 2014).

VI. BRIEFS

- a. The Court's form order should be used for a briefing schedule on any contested motion.
- b. There is a **FIFTEEN (15) PAGE LIMIT** on motions and briefs in support of the motion (collectively, the motion and brief must fit within the 15 page-limit), along with response briefs. In addition, there is a **TEN (10) PAGE LIMIT** on reply briefs. These page limitations exclude attached pleadings and exhibits. All briefs should be double-spaced with Twelve (12) point Times New Roman font and provide One (1) inch margins. All exhibits must be page-numbered and tabbed. **All parties seeking to file a brief exceeding the page limit must first obtain leave of the Court, prior to submitting said brief.**
- c. Sur-Responses and Sur-Replies, along with supplemental authority, will only be allowed if the Court deems it necessary. Parties must make such requests by written motion. Please refer to Section II and III for the Court's policies on routine and regular motions.
- d. Parties are not required to submit copies of any cases cited in their briefs. However, to the extent parties wish to submit electronic copies of cases cited in their briefs, such electronic copies should be limited to cases which the parties deem dispositive.
- e. Case authorities shall be cited to the official reporter. Counsels are advised that court personnel only have access to the LEXIS search engine. Accordingly, to the extent possible, parties shall include a LEXIS citation.

- f. Dispositive motions that include more than three (3) exhibits must contain hyperlinks directing to each individual exhibit.

VII. COURTESY COPIES / CLERK'S STATUS

THIS COURTROOM IS PAPERLESS. DO NOT SEND PAPER COPIES TO THE DALEY CENTER. FAILURE TO SEND ELECTRONIC COURTESY COPIES MAY RESULT IN THE COURT STRIKING YOUR MATTER FROM THE CALL, TO WHICH THE PARTIES WOULD NEED TO RESCHEDULE THE HEARING OR RE-SPINDLE THEIR MOTION.

- a. CASE MANAGEMENT HEARING: Parties are responsible for ensuring the Court has current copies of their pleadings and appearances. They should be submitted to the Court immediately following receipt of the stamped copies from the Clerk of the Circuit Court's Office.
- b. MOTION PRESENTMENT: File-stamped courtesy copies of all Motions must be sent via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov immediately after receiving them from the Clerk of the Circuit Court's office.
- **The Movant is to provide ALL courtesy copies.** Briefs and relevant exhibits are to be provided as attachments to the email, and each exhibit must be clearly labeled (e.g., "Motion to Dismiss, Exhibit 1"). Parties may also Hyperlink briefs and exhibits.
- c. HEARINGS / CLERK'S STATUS: The Movant is responsible for providing courtesy copies prior to hearing on their motion or at the Clerk's Status according to the policies set forth in Section VII(b).
- All briefs and exhibits should be provided with the Courtesy Copies. This includes the following documents:
 - Motion, Supporting Brief, Response Brief, Reply Brief, and all exhibits;
 - Sur-Response(s) and Sur-Reply(ies), and all exhibits (if applicable);
 - Most Recent (or operative) Complaint;
 - All other relevant pleadings;
 - Significant cases relied on for dispositive issues (other than for general propositions);
 - Complete deposition transcripts, unless the Court deems otherwise;
 - Administrative Record (if necessary).
 - Courtesy Copies are due by the end of business (4:00 PM) via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov **THE FOLLOWING BUSINESS DAY** after the last brief was due as set in any briefing schedule order.
 - Courtesy Copies should be submitted in the Portable Document Format (PDF), and be CLEARLY LABELED. Examples of this include:
 - Plaintiff 2-615 Motion to Dismiss
 - Defendant Brief In Support of Motion for Summary Judgment Exhibit 1
 - In addition, it is helpful for administrative purposes to include the hearing date when sending courtesy copies.
 - In case the parties' email client has a limit on attachment sizes, the parties may send the files in a ZIP folder or may send the Court a link to their file sharing account. Parties should ensure that the link allows the files to be downloaded by Judge Walker's law clerk(s).

- If a Clerk's Status was scheduled, the Court will set a hearing or ruling date and time on the fully briefed motion.
- Failure to provide Courtesy Copies according to the procedures listed above may lead to the Court rescheduling the Clerk's Status or Hearing itself. If the Movant fails to appear, the motion may be stricken.
- If the non-moving party (or Respondent to the motion) fails to file a written brief in response to the motion, the Respondent will be deemed to have waived any opposition to the motion and the Court will set a ruling date on the Motion.
- **The Court reserves the right to rule on a motion at the Clerk's Status date.**

VIII. HEARINGS AND ORAL ARGUMENTS

- The Court shall set all hearing and oral argument dates and times. While the hearings are held via Zoom, the parties may choose to appear in person.
- Hearing and oral argument dates are firm.** Parties shall request to continue a hearing or oral argument date by written motion in advance of the hearing, must show good cause, and should be supported by affidavit.
- The Court reserves the right to reschedule hearings and arguments. Judge Walker's law clerk(s) will contact the parties in the event this happens, and set the rescheduled date.
- The Court reserves the right to rule on a motion at the hearing or oral argument date.**

IX. TRIALS AND EVIDENTIARY HEARINGS

Unless otherwise noted by the Court, the provisions of this section also apply to evidentiary hearings, including preliminary injunction hearings.

- Per Circuit Court General Administrative Order 2023-03, all trials and evidentiary hearings shall be conducted in person at the courthouse unless a lawyer or litigant requests to appear remotely in a hybrid proceeding. Requests to appear remotely shall be made either orally while appearing for court or by filing a written motion in at least two (2) days in advance of the next court date with proper notice of motion sent to the opposing parties. If the parties and Judge Walker agree to conduct the hearing remotely via Zoom, the parties shall list the Zoom Information above in their proposed order.
- At the time the Court sets a trial date, the Court will also schedule a pre-trial conference approximately thirty (30) days prior to the trial, or as the Court's schedule allows. At the pre-trial conference, the Court will review:
 - Review the parties' trial materials;
 - Objections to Exhibits or Witnesses;
 - Any *Motions in Limine* (and rule accordingly);
 - Discuss trial scheduling;
 - Number of witnesses and exhibits; and
 - Any other matters pertaining to the trial.
- Generally, trials begin at approximately 11:00 AM (following completion of the Case Management and Status calls), and end at approximately 4:45 PM, with a break of a 45-60 minute lunch. These times may be adjusted by the Court.

d. **Trial Materials:** The policies regarding trial materials are similar to that of the Court's Courtesy Copy policies listed in Section VII. Parties should familiarize themselves with Section VII, along with the following procedures specific to trials to ensure that neither the pre-trial conference date nor the actual trial date(s) are stricken.

- The parties' Trial Materials must be delivered via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov and the opposing counsel (or opposing *Pro Se* litigant) **NO LESS THAN FOURTEEN (14) DAYS BEFORE THE PRE-TRIAL CONFERENCE.**
- Seven (7) days after the submission of the Trial Materials, each party must deliver via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov and serve on opposing counsel, any objections to the Trial Materials.
- Failure to submit Trial Materials, and any objections in advance of the pre-trial conference may result in the striking of the pre-trial date and/or trial date(s).
- The parties are strongly encouraged to submit joint or agreed Trial Materials to the extent possible. To the extent 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, brief statement of the nature of the case;
 - Proposed findings of fact and conclusions of law;
 - A list of all potential witnesses, indicating who will and who may be called by which party or parties;
 - A complete list of all exhibits each party intends to use at trial;
 - **Any exhibit not listed will be excluded from evidence absent a showing of good cause.**
 - **ALL EXHIBITS SHALL BE PAGE NUMBERED, TABBED, AND CLEARLY LABELED BY EXHIBIT NUMBER.**
 - 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.
 - Exhibits for each party shall be sent in separate folders (Plaintiff's Exhibits, Defendant's Exhibits, etc.)
 - **Any written objections to exhibits, other than foundation, if not made at the time of the pre-trial conference, are deemed forfeited absent a showing of good cause**, and the exhibit(s) will be received in evidence without any further authentication or hearing as to relevance or any other issue. However, no exhibit will be admitted into evidence to which a witness did not testify to or about.
 - 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, if there are objections requiring rulings; and
 - Copies of the most recent pleadings.

- e. **Post-Trial Submissions:** Parties are to submit any post-trial materials via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov.
- f. **Motions to Continue Trial: Trial date(s) are firm.** The Court will not consider agreed motions to continue trial. The parties shall request to continue a trial date in written advance of the pre-trial conference, must show good cause, and must be supported by affidavit.
- g. The Court reserves the right to reschedule trial dates. Judge Walker's law clerk(s) will contact the parties in the event this happens, and set the rescheduled dates.
- h. **Interpreters:** Parties are 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 seven (7) business days before the first scheduled trial date) to request an interpreter.

X. SETTLEMENT CONFERENCES

- a. Parties may, by motion, request a settlement conference or the Court may entertain the matter at a status date. 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.
- b. Per Circuit Court General Administrative Order 2023-03, all trials and evidentiary hearings shall be conducted in person at the courthouse unless a lawyer or litigant requests to appear remotely in a hybrid proceeding. Requests to appear remotely shall be made either orally while appearing for court or by filing a written motion in at least two (2) days in advance of the next court date with proper notice of motion sent to the opposing parties. If the parties and Judge Walker agree to conduct the hearing remotely via Zoom, the parties shall list the Zoom Information above in their proposed order.
- c. **At least fourteen (14) days prior** to the settlement conference, each party **MUST** submit to the Court via email to the chambers email of ccc.chancerycalendar3@cookcountyil.gov and exchange with opposing counsel(s) a brief memorandum advising the Court of the nature of the claims and defenses, as well as the most recent settlement demand and offer. Failure to submit the memorandum in advance of the settlement conference may result in the striking of the settlement conference date.
- d. **Counsel is expected to have authority to settle the case.** Client(s) must be present for the settlement conference unless excused by the Court. Counsel is expected to have attempted to reach a settlement or agreement on outstanding issues prior to the conference with the Court. **Failure to appear at a settlement conference may result in a dismissal for want of prosecution, default, or the entry of any other appropriate sanction.** Failure to participate in good faith at the settlement conference may result in an award of sanctions against the offending party and/or counsel.

XI. COURT REPORTERS

- a. The Circuit Court does not provide court reporters for matters in this Court. If the parties feels it necessary to have a court reporter for a specific case, they should arrange their own court reporter at their expense. The Court recommends having a court reporter for dispositive motions.

This Standing Order is subject to change and revisions without notice.
It is the responsibility of the parties to familiarize themselves with any changes.