

**CIRCUIT COURT OF COOK COUNTY, CHANCERY DIVISION  
RICHARD J. DALEY CENTER, COURTROOM 2601  
CHICAGO, IL 60602  
CALENDAR 2 - JUDGE JOEL CHUPACK  
AMENDED STANDING ORDER  
Effective– February 20, 2026**

**Court’s Phone Number: 312.603.5415 or 312.603.7208**

**Court’s Email address: [ccc.chancerycalendar2@cookcountyil.gov](mailto:ccc.chancerycalendar2@cookcountyil.gov)**

**For remote access to the courtroom:**

**Zoom Meeting ID: 940 2104 4687 Password: 296476**

**Call-in Phone No.: +1 312.626.6799**

Calendar 2 procedures set out in this order must be followed unless a signed order provides otherwise. Suggestions to improve these procedures are welcome. New or amended items in this Standing Order are underlined.

**MOTIONS WHICH DO NOT REQUIRE A COURT APPEARANCE**

**1. ROUTINE MOTIONS**

Routine motions are to be scheduled with the Clerk of the Circuit Court for 10:15 a.m. on Mondays through Thursdays, but **do not** require an appearance in open court. Motions captioned “Routine” must be accompanied by draft orders in Word format. Courtesy copies must be submitted two (2) court days in advance of the hearing date.

A party objecting to a motion filed as “Routine” must give notice to the movant, either orally or in writing, before the date of presentment. Upon timely notice of an objection, the movant of the motion labeled routine must spindle the motion. If a routine motion is granted in the face of a timely objection, the opposing party must spindle an appropriate motion, which may include a request for sanctions.

The following motions are considered “routine” for the purposes of this Standing Order:

- to vacate a technical default and for leave to file an appearance and responsive pleading.
- for leave to file instanter or within 28 days an answer or other pleading after the time provided by law unless a court-ordered deadline already exists.
- to amend a complaint to add a new defendant with summons to issue before an appearance has been filed.
- for leave to file an appearance.

- to substitute one attorney for another by agreement. A motion to withdraw without substituting another attorney is not a routine motion.
- to voluntary non-suit by a plaintiff (may also be presented off call), provided that no counterclaim has been filed.
- petitions for the issuance of subpoena in out-of-state cases.
- agreed briefing schedules for motions to strike or dismiss, motions for judgment on the pleadings, motions for summary judgment, or cases on administrative review.
- to file a record on administrative review under seal.

Entered orders will be emailed to counsel of record by the Clerk of the Circuit Court.

## **2. SPECIAL PROCESS SERVERS**

Effective January 1, 2025, Section 2-202 of the Illinois Code of Civil Procedure has been amended, eliminating the need for the appointment of a special process server by the court for any person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 or by a registered employee of a private detective agency certified under that Act. 735 ILCS 5/2-202(a)

## **3. OFF CALL -- MOTIONS TO VOLUNTARILY DISMISS AND AGREED ORDERS**

Motions to Voluntarily Dismiss an action, **Stipulations to Dismiss all or any part of a case, except class actions** and Agreed Orders may be submitted “off call” (i.e., no scheduling with the Chancery Clerk is required) by email. The subject line of the email must include the case number and name, and the title of the order to be entered. All counsel of record must be copied on the email. The email must include as an attachment (i) the filed motion and (ii) the proposed order. If it is an agreed order, then the order must be signed by counsel of record or by the party, if that party is self-represented.

### **MOTIONS OR MATTERS WHICH DO REQUIRE A COURT APPEARANCE**

## **4. EMERGENCY MOTIONS/REQUESTS FOR TEMPORARY RESTRAINING ORDERS – Date and Time To Be Set by Court**

Emergency Motions and requests for Temporary Restraining Orders must be emailed to the court on the day of its filing to obtain a prompt hearing date. The court’s law clerk will set a hearing date and time to permit adequate notice to the opposing party, unless movant can demonstrate immediate harm and injury will result before notice can be given. Motions claiming to be an “emergency” will be scrutinized. An emergency is usually something not reasonably foreseeable or avertable from which irreparable harm will result if relief is not provided. An impending due date or court date is rarely an emergency. See SCR 183, which permits the court to extend time, upon good cause, for “the doing of any act, which is required by the rules to be done within a limited period, either before or after the expiration of the time.”

## **5. REGULAR MOTIONS - 10:15 a.m. (Monday through Thursday)**

Regular Motions must be spindled electronically through the Chancery Clerk's office e-filing system. This court does not set times for regular motions. Notices of motion must be provided as mandated by SCR 11(c) and Cook County Circuit Court Rule 2.1(c)(i). **Please note that filing through Odyssey eFileIL does not satisfy service under SCR 11(c). The movant must serve the filings by either email transmission or other approved method under SCR 11(c) on all parties of record.**

Courtesy copies **must** be either emailed or delivered to the court at least two (2) court days in advance of the presentment date. Failure to do so may result in the motion hearing date being stricken.

#### **6. MOTIONS TO DISMISS – 10:15 a.m. (Monday through Thursday)**

When filing a motion to dismiss under 2-615 or 2-619, the party must include the relevant pleading in the courtesy copy.

#### **7. MOTIONS FOR CONTINUANCE – 10:15 a.m. (Monday through Thursday)**

All motions for continuance on the set call before any Judge in the Chancery Division must be presented to the Judge no later than two days prior to the date on which the matter is set for hearing pursuant to Cook County Circuit Court Rule 7.2.

#### **8. MOTIONS FOR DEFAULT AND MOTIONS FOR PROVE-UP - 10:15 a.m. (Monday through Thursday)**

Motions for Default and Motions for Prove-Up are not routine motions. Counsel should follow the procedures for a Regular Motion, as supplemented below. Typically, this is a two-stage process. 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. Face of Summons;
- d. Affidavit of Return of Service whether by special process server or Deputy Cook County Sheriff;
- e. Order allowing service under 735 ILCS 5/2-203.1, if applicable;
- f. 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 (Supreme Court Rule 102(f))
- g. Attorney Certificate that counsel examined the online court docket within 10 days prior to the hearing date and averring that no appearance or answer was on file;
- h. Affidavit of Military Service (if an individual is in default); and
- i. Proposed Order of Default.

To warrant relief, 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; and
- g. Proposed Judgment Order, specifying the precise relief awarded.

#### **9. CASE MANAGEMENT CALL – 10:00 a.m. (Monday through Thursday)**

Pursuant to SCR 218, the court holds case management conferences. The initial case management conference is approximately two months after the filing of the complaint. Whether set by court order or by “postcard” sent by the Clerk of the Circuit Court, counsel or the self-represented litigant must appear at each CMC. Cases remain subject to SCR 218 until a trial date is set. Failure of counsel or the self-represented litigant to appear may result in the dismissal of the case for want of prosecution, the default of the absent party, and/or other sanction.

### **CONTESTED MOTIONS**

***Courtesy Copies.*** Movant is responsible for emailing to the court a *complete set of courtesy copies* including the motion and all related briefing, transcripts, and pleadings including all exhibits to the pleading. Unless excused by the court, courtesy copies must be emailed to the court **at least four (4) court days before the Clerk’s Status date.** Should the court desire a hard copy, the parties will be so notified.

***Length of Briefs and Motions.*** No motion, movant’s brief or response brief shall exceed *fifteen (15) double-spaced pages with no less than 12 pt. font and 1-inch margins* (exclusive of exhibits). No reply brief shall exceed *seven (7) pages*. Oversized briefs are disfavored and require leave of court. No sur-replies will be permitted unless ordered by the court. **Placing the caption or the signature block on a standalone page is not permitted and will be counted as a page.**

***Proper Citations and Format.*** **All motions, whether routine or contested, must include proper citation format. All litigants must cite to the official reporter. Briefs that contain improper citations will not be considered.**

**Tabbing.** Motions and memorandums shall be tabbed and bookmarked so that the court can easily navigate through the sections of the document. If exhibits are being submitted as a separate document, they too must be tabbed and bookmarked. For security purposes, the parties should avoid submitting courtesy copies via a link to a document site (such as Dropbox).

**Binding and Voluminous Exhibits.** If a hard copy is requested, the papers must be securely fastened by a staple or binding on the left side. Binder clips are not acceptable. Exhibits exceeding 80 pages in length should be bound separately from the brief or motion. The court will accept a thumb drive for oversized submissions.

**Ruling Date.** After a briefing schedule has concluded, the case will be set for Clerk's Status. Clerk statuses will be held on Thursdays at 9:30 a.m. If after reviewing the briefing, the judge determines that a hearing would be helpful, the court will set a hearing date for oral argument in consultation with counsel. Scheduling will typically be done by email. Many, if not most, motions are able to be disposed of by written order without a hearing, in which case the court will email counsel a copy of the order by the Ruling Date. On occasion, the court may extend the Ruling Date based on its workload or other factors. On occasion, the court may rule on the motion on the Clerk's Status date.

#### The Use of Artificial Intelligence or AI

With the increased incorporation of artificial intelligence into the legal profession, the Court reminds all practitioners of the following:

1. Attorneys bear the responsibility for ensuring the legal and factual accuracy of any submissions filed in their name, even if the submission was prepared by another person or AI.
2. All representations made in discovery responses must be accurate.
3. All private information must be safeguarded.
4. All answers used in discovery must be accurate, complete and do not solely rely on AI if AI is used to review or summarize factual information.
5. If any party is using AI during depositions and court proceedings, the party must have the consent of all other participants, and the party must ensure that the AI program does not store information and meets all privacy restrictions.
6. All AI-generated evidence must be identified and disclosed to the opposing party no less than 30 days before the start of trial or evidentiary hearing.
7. If an expert is using or is relying upon AI to formulate an opinion, it must be disclosed to the opposing party and the court.

An attorney may be subject to sanctions if a submission does not abide by the above standards.

**Modification to Briefing Schedule.** The court will grant a reasonable request to extend a briefing schedule provided that the proposed modification does not affect a scheduled trial date. To the extent possible, the parties should confer and agree on a proposed modified schedule. If the modified schedule is agreed, the parties must advise the court's law clerk by phone and

submit a proposed order as an email attachment. This order will need to leave a blank for the insertion of a new Clerk's Status date.

The subject line of the email must include the case number and name, and the title of the order that is proposed. All orders must be submitted in Word format. All counsel of record and self-represented litigants must be copied on the email.

In those rare instances when the parties are unable to agree on a modified schedule, the party requiring the extension will need to spindle a motion.

## DISCOVERY MATTERS

**Discovery Disputes.** Generally, motions regarding discovery disputes must be presented at the Regular Motion call. Counsel should keep in mind that discovery rules “contemplate that discovery will generally proceed without judicial intervention,” with most discovery disputes “resolved by counsel themselves.” *Williams v. A.E. Staley Mfg. Co.*, 83 Ill.2d 559, 563 (1981). SCR 201(k) requires that “[E]very motion with respect to discovery shall incorporate a statement that counsel responsible for the 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.” Accordingly, trial counsel is required to present or oppose any contested discovery motion. If a party's position regarding a discovery dispute is found to be unreasonable, the court will ordinarily order the offending party to pay the costs of the motion. *See* SCR 219(c). Privilege claims in opposing discovery must be supported by a privilege log. *See* SCR 201(n). “The burden of establishing the applicability of a discovery privilege rests with the party seeking to invoke the privilege.” *Chicago Trust Co. v. Cook County Hospital*, 298 Ill. App. 3d 396, 401 (1998). Claims of privilege not in compliance with SCR 201(n) may trigger a sanction. *See* SCR 219(c).

**Motions to Compel.** Motions to Compel shall include the relevant discovery requests as an exhibit to the motion.

**Rule 216 Requests for Admission of Facts.** “[R]equests to admit must be limited to questions of fact.” *P.R.S. Int'l v. Shred-Pax Corp.*, 184 Ill.2d 224, 237 (1998). “[T]he purpose of admissions is \*\*\* to establish some of the material facts in a case without the necessity of formal proof at trial. Requests to admit are a device by which to separate the wheat from the chaff and are intended to circumscribe contested factual issues in the case so that issues [that] are disputed might be clearly and succinctly presented to the trier of facts.” *Id.* (internal quotation marks omitted). As has been observed, a Rule 216 request to admit is not an efficient first-wave discovery tool. Stipulations are favored over proof of facts admitted under Rule 216.

## DISPOSITIVE MOTIONS

**Affidavits in Support of Dispositive Motions.** An affidavit must be grounded on the personal knowledge of the affiant, supported by material facts, particularly set out in the affidavit, and admissible in evidence by the affiant's testimony. Documents submitted in support of a

dispositive motion must be sworn to or certified. “If all of the facts to be shown are not within the personal knowledge of one person, two or more affidavits shall be used.” SCR 191.

**Timing.** Unless otherwise specified by order, dispositive motions shall be *presented* no later than 90 days before the trial date.

### TRIALS & EVIDENTIARY HEARINGS

**Trial Dates.** Trial dates are firm. Requests for continuances are disfavored. *See* SCR 231. Continuances will rarely be granted and only for good cause -- usually involving the serious illness (or death) of counsel, a party, or necessary witness. A motion for continuance should be brought as early as possible and should be supported by an affidavit.

**Settlements.** If your case should settle after a trial date has been set, please advise the court by email at your earliest convenience.

**Trial Materials.** The parties must exchange proposed trial materials at least 14 days before the trial date. Each party must submit trial materials to the court not less than 7 days before the trial date.

Trial materials must include:

- (1) an exhibit list, which identifies each exhibit and whether there is a stipulation as to its foundation;
- (2) a submission of stipulated facts or SCR 216 admitted facts;
- (3) a list of contested factual questions and legal issues;
- (4) any motions *in limine* (such motions will be taken up on the first day of trial unless an earlier ruling on a crucial motion might assist the parties in settling the case);
- (5) full transcripts of any evidence depositions, with each marked to identify portions that will be offered at trial;
- (6) a witness list; and
- (7) discovery responses of any opinion witness, which satisfy the proponent’s burden that the proposed testimony complies with SCR 213.

### SETTLEMENT CONFERENCES

Requests for a pretrial/settlement conference may be made by the parties upon motion or orally at a status date. Before a pretrial conference is held, each party must exchange written demands and offers and submit a short memorandum setting forth the nature of the claims or defenses. The court has its own form settlement conference order. At the pretrial conference, the court may also entertain matters in preparation for trial, including setting a firm trial date. Failure to appear at a pretrial conference may result in dismissal for want of prosecution, an order of default, and/or any other appropriate sanction. Counsel appearing at a settlement conference are expected to have authority to settle the case and have the client present in court or be available by telephone. Unless the court approves otherwise, all settlements must be reduced to writing at the time of the conference.

### **MOTIONS TO RECONSIDER**

Motions to reconsider are not favored. “The intended purpose of a petition to reconsider is to bring to the court's attention (1) newly discovered evidence which was not available at the time of the first hearing, (2) changes in the law, or (3) errors in the court's previous application of existing law.” *Gardner v. Navistar Int’l Transportation Corp.*, 213 Ill.App.3d 242, 248-49 (1991). A motion to reconsider is not a second bite at the evidentiary apple and usually does not provide a separate and distinct issue, from the original ruling, for review by the appellate court. *See Farley Metals v. Barber Coleman Co.*, 269 Ill.App.3d 104, 116 (1994).

### **ZOOM PROTOCOL**

Unless otherwise specified by the court, proceedings will be conducted over Zoom. The access numbers are listed on the first page of this order. All participants shall sign into the Zoom with their name and case number. Participants may not access Zoom from a vehicle, whether they are driving or not and whether the vehicle is moving or not. The reasons for this rule are (i) it is not safe for the participant or others on the road, (ii) all participants in the Zoom room would be subject to being a potential witness if there was a car crash or other vehicle related issue, (iii) connectivity and interference is often an issue, and (iv) it is unprofessional.

### **COURT REPORTERS**

Please note that the court does not provide a court reporter. Therefore, the party wanting a court reporter is responsible for ordering one.

### **INTERPRETERS/TRANSLATORS**

Except as provided below, any party who requires an interpreter must provide one at their own expense. Any indigent party who cannot afford an interpreter shall, at least five (5) days prior to the hearing, contact the court about scheduling an interpreter. In a remote proceeding conducted over Zoom, the court has the ability to enable language interpretation to designate a participant as the interpreter in the proceeding.

ENTERED:

*/s/ Joel Chupack*

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Judge Joel Chupack