

## State of Illinois Circuit Court of Cook County Chancery Division Mortgage Foreclosure / Mechanics Lien Section

Lewis Michael Nixon Supervising Judge 2802 Richard J. Daley Center Chicago, Illinois 60602 (312) 603-3900

## PROCEDURES ON THE HANDLING OF CONTESTED MOTIONS ON MECHANICS LIEN CALENDAR 53

I am instituting the temporary procedures for the handling of contested motions on Cal. 53. First, please refer to the latest General Order (2022-02) issued by the Presiding Judge of the Chancery Division for general guidance, as well as my memo on the specifics of handling matters on my call. This particular memo addresses the specifics of setting briefing schedules and the handling of contested matters.

- 1. Upon the filing a contested motion with the Clerk of the Circuit Court, the motion will also be sent to me at <a href="mailto:ccc.mfmlcalendar53@cookcountyil.gov">ccc.mfmlcalendar53@cookcountyil.gov</a> with copies sent to all counsel of record.
- 2. I will then ask that counsel set a briefing schedule and forward to me an order for signature and entry.
- 3. <u>I suggest that the response to the motion be least 30 days out as well as the reply. Motions & Responses should not exceed 15 pages. Replies, 8 pages!</u>
- 4. The last sentence of the order should state..." THE PARTIES WILL NOTIFY THE COURT WHEN THE BRIEFS ARE READY TO BE DELIVERED TO THE COURT".
- 5. I will instruct the movant on the process necessary to get hard copies of the motion to me as well as an emailed copy.
- 6. I am instituting this process because I had been without a law clerk for several months. I just hired a law clerk March 15, 2021. I am in the process of reviewing, researching and working on the backlog.
- Our section is down two (2) judges and at times I fill in for absent judges if necessary. The Chief Judge recently reported that the Court system in Cook County is down by 28 judges. Therefore, time becomes somewhat limited.

- 8. Hopefully things will improve in the future and we will be able to resume some aspect of normalcy. Until then I ask for all counsel who have matters on my calendar to bear with us as we try to address the issues that arise and move the cases along as diligently as possible.
- 9. I have often described this process as "flow control". The FAA utilizes a system to limit and manage the number of airplanes that can land at a particular airport when available gates are limited. Pilots are simply asked to extend their flight time.

Thank you for your understanding and cooperation. Of course, emergencies are an exception!