

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, COUNTY DIVISION**

**ADMINISTRATIVE ORDER 2010 - 6**

**SUBJECT: Actions to Obtain Refund of Erroneously Assessed or Overpaid Real Estate Taxes (35 ILCS 200/21-175)**

**Case Type:** The Clerk of Court shall create a new case type entitled "Actions to Obtain Refund of Erroneously Assessed or Overpaid Real Estate Taxes." The filings shall be consecutively numbered and include the designation "CoTR."

**Designation:** The case type shall be inserted on the County Division Civil Action Cover Sheet in the "Other" Box. The attorney or party filing the matter shall place the description of the cause of action in the space provided.

**Calendar Assignment:** Calendar 6

**Case Management Conference:** The Clerk of Court shall schedule a Case Management Conference on these matters for 10:30 a.m. in Court Room 1708 on the Third Wednesday of August, November, February and May of each year. The first such case management conference shall be held on August 25, 2010. Upon filing of the claim, the Clerk shall schedule the matter for the case management conference that falls not less than 90 days after filing. (By way of illustration, all cases filed prior to May 25, 2010 shall be scheduled for August 25, 2010. All cases filed on or after May 25, 2010 and prior to August 17, 2010 shall be scheduled for November 17, 2010).

**Responsive Pleading:** The Treasurer shall cause to be filed with the Clerk of the Court, not later than 30 days after service of a Petitioner's action for refund, an appearance and any Motion to Dismiss the Claim as untimely. (735 ILCS 5/2-619(a)(5)). No other responsive pleading is required absent a motion by a petitioner/plaintiff requesting a responsive pleading. Such request will not be entertained prior to the first case management conference. Nothing herein shall be construed as preventing the Treasurer for filing any other responsive pleading to a petitioner's claim.

**Case Management Conference:** At the initial Case Management Conference for each case, the parties shall report on the status of the matter. The Court will accept stipulated dismissals based upon a settlement agreement retaining jurisdiction to enforce same; voluntary dismissals; and schedule hearings on

all pending motions. At the conclusion of the initial Case Management Conference, if the matter remains pending, the Court will schedule one additional Case Management Conference on the next scheduled date or set the matter for trial.

**Subsequent Case Management Conference:** The Court anticipates no more than two Case Management Case Conferences in any single matter. Any matter remaining unresolved at the conclusion of the Second Case Management Conference will be set for trial within 45 days of the date of the second Case management Conference. No responsive pleading will be required prior to the trial of the matter. Nothing in this Order shall preclude the parties from making a written submission of stipulated evidence and written arguments, in lieu of presenting live testimony and in-person arguments. In such instances, the Court will issue a written ruling by mail.

Dated this      day of May and spread upon the records of this Court.

ENTER: \_\_\_\_\_

Patrick E. McGann  
Presiding Judge

