

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

GENERAL ADMINISTRATIVE ORDER NO. 2010-03

**SUBJECT: CASE MANAGEMENT DATE CORRECTIONS, MORTGAGE
FORECLOSURE MEDIATION PROGRAM**

On June 30, 2009, the Presiding Judge of the Chancery Division entered General Administrative Order 2009-04 requiring the Clerk of the Court to assign every mortgage foreclosure case filed in the Chancery Division an Initial Case Management Conference date approximately 60 days after filing. In accordance with General Administrative Order 2009-05, entered August 26, 2009, when those 60-day Initial Case Management Conference dates began on September 1, 2009, plaintiffs' counsel were required to notify defendants of the conferences through a Notice of Initial Case Management Conference.

On April 8, 2010, through General Administrative Order 2010-01, the Mortgage Foreclosure Mediation Program was established in accordance with Local Rule 21, Chancery Division Court-Annexed Mediation. Pursuant to that Order, an adjustment was made to the assignment of the Initial Case Management Conference dates by the Clerk of the Court for all cases filed on or after April 12, 2010. Under Administrative Order 2010-01, the Clerk of the Court was directed to assign 60-day Initial Case Management Conference dates at the time of filing of each Complaint for Mortgage Foreclosure for all residential mortgage foreclosure cases, those coded as: (1) owner occupied single family home or condominium (0031); (2) non-owner occupied single family home or condominium (0032); (3) owner occupied six units or less (0033); and (4) multi-unit residential (0034). The remaining cases, those coded as commercial, mixed commercial/residential, or industrial (0035), or vacant land (0036), were to be assigned 180-day (six months) Initial Case Management Conference dates at the time of filing. In addition to the changes in the assignment of the Initial Case Management Conference dates by the Clerk, Administrative Order 2010-01 required plaintiffs' counsel to send a revised Notice of Initial Case Management Conference referencing the Mortgage Foreclosure Mediation Program.

Since the start of the Mortgage Foreclosure Mediation Program, it has come to the attention of the Office of the Presiding Judge that because of a programming error and because of the increased volume of case filings, the Clerk of the Court has not consistently assigned 60-day dates for all residential mortgage foreclosure cases filed on or after April 12, 2010. The Clerk's Office has worked diligently to identify and correct the programming error and has informed the Presiding Judge of the Chancery Division that the majority of cases affected are on Calendar 55. The Clerk's Office has also informed the Presiding Judge that the Clerk will be able to assign 60-day case

management dates on a going forward basis if the 60-day dates are computed based on 60 working days. The Clerk's Office has worked with the Presiding Judge to identify certain cases in which case management dates have been given on or after September 28, 2010, and has identified a method to reassign those case management dates.

IT IS, HEREBY, ORDERED AS FOLLOWS:

1. General Administrative Order 2010-01 is amended to provide that when the Clerk of the Court assigns a 60-day (2 month) date for the Initial Case Management Conference, as set forth in Paragraph 1 of that Order, the Clerk of the Court shall compute the 60 days as no less than 60 calendar days and no more than 60 business days.

2. For all residential mortgage foreclosure cases filed on Calendar 55, which are cases coded as owner occupied single family home or condominium (0031), non-owner occupied single family home or condominium (0032), owner occupied six units or less (0033), or multi-unit residential (0034), filed on or after May 20, 2010, and in which an Initial Case Management date was given on or after September 28, 2010, the Clerk of the Court is authorized to amend the electronic docket by assigning new case management dates.

3. The Clerk of the Court shall notify by postcard all plaintiffs' counsel and all defendants who have filed appearances in those cases of the new case management dates.

4. In all cases that are assigned new case management dates and in which any defendants have been served but have not filed appearances, plaintiffs' counsel will be required to prepare for those defendants the Notice of Change in Initial Case Management Date that is attached to this Order as Attachment 1, as well as all envelopes for mailing by United States regular mail and by certified mail – return receipt requested. The Clerk of the Court shall give to each plaintiffs' law firm enough Clerk of the Court envelopes for the mailings in each case, as well as pre-stamped green return receipt cards, if requested by the plaintiffs' firm. The green certified return receipt cards shall contain a return address to the Clerk of the Court (identified below), the defendant's address, and the case number on both sides of the card in the lower left corner as follows:

Sender information side (the address to which the card is returned after delivery):

Sender: Please print your name, address, and ZIP=4 in this box

Dorothy Brown
Clerk of the Circuit Court
Chancery Division
Richard J. Daley Center
Room 802
Chicago, Illinois 60602

[insert case number here in lower left corner]

Defendant delivery information side (the address to which the envelope is delivered):

1. Article Addressed to:

[Insert Defendant's address]

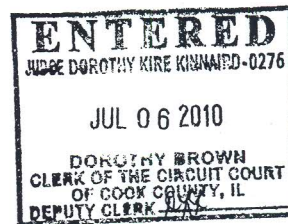
[insert case number here]

5. Plaintiffs' counsel shall deliver to the Clerk of the Court all prepared envelopes containing a Notice of Change in Initial Case Management Date for mailing. The Clerk of the Court shall mail all envelopes delivered by the plaintiffs' firms and pay for all postage of the notices in the cases assigned new case management dates.

ENTER:

Date: July 6, 2010

Dorothy Kirie Kinnaird
Presiding Judge
Chancery Division



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION
MORTGAGE FORECLOSURE/MECHANICS LIEN SECTION

[NAMES],)	
)	
Plaintiff(s),)	
)	
v.)	Case No. _____
)	Calendar _____
[NAMES],)	
)	
Defendant(s).)	

*** IMPORTANT ***

NOTICE OF CHANGE IN INITIAL CASE MANAGEMENT DATE

Please take notice that an initial case management conference will be held in this case on _____, _____, at _____ A.M./P.M. before Judge _____, or another judge sitting in his/her stead, in Courtroom _____, of the Richard J. Daley Center, 50 W. Washington Street, Chicago, Illinois.

Please disregard any notice of any other case management date previously sent or served on you. The date listed above is the correct case management date.

Defendants should appear so that they may receive information regarding resources available to assist homeowners in mortgage foreclosure cases.

Your case may be eligible for the free Mortgage Foreclosure Mediation Program. You received information about the Program when you were served with Summons in this mortgage foreclosure action. **If you are interested in participating in the free Mortgage Foreclosure Mediation Program, you must come to court on _____, 2010 and you should call 1-877-895-2444 to start receiving help immediately.**

[Signature block to be completed
by Plaintiff's counsel]

CERTIFICATE OF SERVICE

I, _____, under oath, certify that the foregoing Notice of Change in Case Management Date was delivered on this day, [insert month, day, year], to the Clerk of the Circuit Court of Cook County, 50 W. Washington Street, Room 802, Chicago, IL 60602 for service on the following parties:

[Defendant Name #1]

[Insert Address]

Certified Mail, Return Receipt # _____

[Defendant Name #2]

[Insert Address]

Certified Mail, Return Receipt # _____

by United States regular mail and by certified mail, return receipt requested, from 50 W. Washington Street, Room 802, Chicago, IL 60602.

[Signature]

Attorney No.
Attorney Name
Address
Phone