



State of Illinois
Circuit Court of Cook County
JUDGE THOMAS MORE DONNELLY
STANDING ORDER
Law Division Commercial Calendar W
Courtroom 1912
Effective May 1, 2025

Court email address: law.calwcc@cookcountyil.gov

Case Coordinator 312-603-5940

Judicial Law Clerk 312-603-4001

(Preferred method of contact is via email at law.calwcc@cookcountyil.gov)

IMPORTANT: This standing order is inclusive of and expressly incorporates the Uniform Standing Order for All Commercial Calendars. All attorneys are **required** to read the Commercial Section Uniform Standing Order in conjunction with the Calendar W Standing Order.

COURT SCHEDULE

Court is in session from 9:00 AM until 4:30 PM on regular business days. **Please see general reminders for detailed information.**

Court holidays are available at: <https://www.cookcountycourt.org/about/legal-court-holidays>

Emergency Motions:	Daily at 9 AM. A copy of the motion must be delivered no later than 3:00 PM the day before.
Initial Intake:	Wednesdays only at 9:00 AM.
Clerk Status:	Tuesdays generally at 8:45 AM. No appearance necessary.
Case Management:	Daily between 9:00 AM and 10:00 AM as scheduled.
Motion Call:	Thursdays only at 9:00 AM.
Prove-Ups	Mondays only at 9:00 AM.
Contested Motions:	Mondays through Fridays at 10:00 AM or as scheduled.
Settlement/Trial Conferences:	As scheduled by the court.
Trials:	As scheduled commencing at 10:30 AM.

MATTERS

Emergency Motions

Heard daily at 9:00 AM. Pre-approval to appear must be obtained from chambers by submitting a copy of the emergency motion via email for review no later than 3:00 PM the day prior.

Routine Motions

Heard daily with a proposed order to accompany the filed motion and request for entry via email. Please review the Uniform Standing Order for All Commercial Calendars to see what constitutes a Routine Motion before contacting chambers.

Case Management/Status

Heard as scheduled by the court, Mondays through Thursdays at 9:00 AM. Motions may be noticed on this date, by tendering a file stamped copy of the motion and a Notice of Motion with the previously scheduled court date via email and hard copy. ***Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.***

Contested Motions

As scheduled by the court, Mondays through Fridays at 10:00 AM in-person in Courtroom 1912. Courtesy copies due upon filing via email and hard copy, unless otherwise ordered. ***Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.***

Clerk Status

Generally, set for Tuesdays at 8:45 AM. No appearance is necessary. At the clerk status, the **movant** is obligated to deliver copies of all the briefs, pleadings, relevant documents and the most recent complaint, with an accompanying cover letter containing the case name, the case number and the date and time of the clerk status. Submissions should be made via email by 8:45 AM and hard copy by 3:00 PM. ***Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.***

Initial Intake

As scheduled through the Clerk's electronic filing system, generally heard on Wednesdays at 9:00 AM. In preparation for the initial date, parties must tender courtesy copies of the complaint, any proof of service, and any filed appearances via email. Motions for default judgment or contested motions may be presented at this time. Courtesy copies tendered via email and hard copy. ***Failure to provide the***

court with a complete set of courtesy copies may result in the motion being stricken.

OR

For established matters that have been transferred to Calendar W by 2005, parties must tender courtesy copies of (1) the last five orders entered in the case; (2) copies of all pleadings, such as complaint, answer, counterclaim, and defenses; and (3) copies of all motions presently pending. Courtesy copies should be tendered via email in **text-searchable PDF format with bookmarks** at the time of assignment. Courtesy copies of any pending motions shall be tendered via email and hard copies. *Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.*

Motions

As scheduled through the Clerk's electronic filing system (you may not pick your own date), heard on Thursdays at 9:00 AM with courtesy copies to the court via email in **text-searchable PDF format with bookmarks** and hard copies. *Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.*

OR

Noticed on the next court date with courtesy copies to the court via email in **text-searchable PDF format with bookmarks** and hard copies. *Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.*

Default Judgment/Prove-Ups

Heard as scheduled by the court, generally Mondays at 9:00 AM. Tender courtesy copies of the motion and prove-up documents to the court via email in **text-searchable PDF format** and hard copies. In addition to the requirements for default pursuant to the Uniform Standing Order for All Commercial Calendars you must tender the prove-up documents: (a) affidavit with proof of service on Defendants; (b) affidavit of damages which includes a business ledger demonstrating amount due; and (c) affidavit of attorney's fees with contemporaneous billing records and costs. *Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.* Please refer to the instructions below for more information.

Settlement Conferences

As scheduled by the court, Mondays through Thursdays, generally at 2:00 PM. Courtesy copies of pre-trial memoranda shall be sent to the court as least three days before via email in **text-searchable PDF format with bookmarks** and hard copies delivered to the bin outside Courtroom 1912. Confidential memoranda shall be sent to the court via email without inclusion of opposing counsel and hard copies. Parties shall notify opposing counsel of delivery of confidential memoranda to the court. A demand and offer must be made prior to the settlement conference. The memoranda should include a short statement of the issues, the damages, the status of settlement negotiations, and any additional information which will help the court hold a meaningful settlement conference. All parties with authority are required to be present in person unless excused by the court.

Trial Conferences

As scheduled by the court, Mondays through Thursdays, generally at 2:00 PM. See Trials/Trial Materials section below for the required materials.

Trials/Trial Materials

As scheduled by the court, commencing at 10:30 AM. Parties should correspond with the court's personnel via email to schedule set-up of any trial equipment (e.g., projectors, screens, computer monitors, etc.). Parties must supply their own equipment; the court does not provide any. Please tender a draft order granting permission to bring equipment into the building for the court's consideration.

Courtesy copies of trial materials shall be sent to the court via email in **text-searchable PDF format with bookmarks** and hard copies. Please review the Uniform Standing Order for All Commercial Calendars for deadlines on submission of trial materials. Materials are due 14 days before the trial conference. If no trial conference is scheduled, materials are due 14 days before the trial.

The following information and documents shall be delivered:

- (A) Estimated number of trial days
- (B) Statement of the case
- (C) Witness list
- (D) Stipulations
- (E) Motions *in Limine*
- (F) Evidence depositions
- (G) Exhibit lists and/or Exhibits
- (H) Ill. S. Ct. R. 213 disclosures

- (I) Identification of objects and demonstrative evidence to be used at trial (photographs, slides, pictures, videotapes, exhibition of injuries, and courtroom demonstrations)
- (J) When appropriate, short trial brief with attention to primary contested issues of fact, unusual issues of law and authority;
- (K) Proposed jury instructions if applicable

Jury Instructions

Two sets of jury instructions are required at the commencement of the case: (1) one set marked and numbered; and (2) a clean set.

- (1) The marked and number set must designate the party offering the instruction, must be sequentially-numbered, and must contain the appropriate IPI Citation. Each instruction must contain the following lines:

- a. ____ Given
- b. ____ No objection
- c. ____ Given, over objection
- d. ____ Given, as modified
- e. ____ Refused
- f. ____ Withdrawn

- (2) The clean set must be in sequential order with no markings (e.g., no page numbers)—other than the instruction itself.

Although a formal jury instruction conference will be held prior to closing argument, the parties shall meet throughout the trial and identify instructions in dispute. Brief conferences will be held as time permits.

The marked set of instructions must be properly numbered with the IPI designator for the court file with the appropriate lines for rulings on the face of the instruction.

GENERAL REMINDERS

Communications with the Court

All emails written communications with court staff must list the case name and docket number. All parties and attorneys of record must be copied on all written communications with court staff. Email communications are preferred.

Courtesy Copies

The court requires both electronic and physical copies delivered. **Electronic copies can be provided via email, USB drive, or online link. Hard copies can be send via USPS, FedEx, UPS or using a courier service or dropped off in the bin outside Courtroom 1912. *Failure to provide the court with a complete set of courtesy copies may result in the motion being stricken.***

Courtesy copies shall be accompanied by a cover letter or cover email containing the case number, caption, and a statement that the delivery is pursuant to this order. The movant shall copy all parties of record to this correspondence. Courtesy copies of all documents shall be delivered to the court electronically (e.g., email attachment, cloud-based storage, or USB thumb drive) in an organized and searchable format with exhibits properly attached and marked. Any electronic files submitted to the court shall state in the filename (1) the date the document was filed in the form YYYY-MM-DD; and (2) identification of what the document is. By way of example, the filenames may appear in the following form:

- 2020-12-31 Def Motion to Dismiss.pdf
- 2020-12-31 Def Motion to Dismiss – Exhibit 1- Promissory Note.pdf
- 2021-01-14 Pl Response to Motion.pdf
- 2021-01-28 Def Reply.pdf

If there are multiple motions, they shall be contained within a separate folder for each respective motion along with that motion's response and reply. Each folder and its contents shall be saved within a .zip file.

Court Reporters

Parties are responsible for hiring a court reporter when desired. The court does not provide one.

Interpreters

Parties may request an interpreter two weeks before their scheduled hearing. Please be advised that, due to staffing, a court-appointed interpreter may not be available. The parties may need to arrange for an interpreter separately. If you have submitted a request, but later arrange for your own, please alert the court.

Agreed dismissal orders

If the parties have settled and agree on the material terms, please tender an agreed dismissal order with the court to retain jurisdiction to enforce the settlement. Please also strike any upcoming dates (specify the court date(s) in the order).

Rescheduling hearings

If parties need to reschedule, please contact the court to obtain a new date.

Orders

Orders tendered for the court's consideration shall be tendered in both PDF and Word formats within the hour of court appearance when appearing via Zoom.

If appearing in person, all orders must be tendered to the Clerk immediately after the court's rulings. ***Failure to tender the order in a timely manner may result in the court entering its own.***

Motions to Compel

All motions to compel must articulate the attorney's actual efforts at personal consultation and reasonable attempts to resolve differences with opposing counsel. See Ill. S. Ct. R. 201(k) (eff. July 30, 2014). Failure to articulate the attorney's efforts will result in the motion being stricken. See *Williams v. A.E. Staley Mfg. Co.*, 83 Ill. 2d 559, 566 (1981) ("In the absence of compliance with Rule 201(k) the trial court should have simply dismissed the motion.")

Trial continuances

Trial continuances are not favored. Motions not in compliance with Supreme Court Rule 231 may not be granted. Affidavits of Engagement must include the case name, number, and the trial judge. If a material witness is unavailable, a copy of the served subpoena must be included. Motions based on the unavailability of expert witnesses shall be brought with due diligence. Eleventh-hour motions may be denied.

Courtroom decorum

- Keep cell phone usage outside the courtroom, except for court-related matters, such as checking one's calendar;
- Keep conversations at a low speaking-volume in the hallway. When entering or exiting the courtroom while court is in session, remain silent until the courtroom door is closed;
- Be courteous in communications with the court staff;
- Only address the court when before the court, unless directed otherwise; attorneys and parties shall not direct statements or questions to opposing counsel or opposing parties; and
- Wear proper business attire.

VIDEOCONFERENCING PROTOCOL

- **Before the Videoconference:**
 - **Test any audio-visual equipment at least 24 hours before.** Adjust the camera so participants' head and shoulders are shown. Avoid low light or too much backlight (e.g., windows in the background); poor lighting may obscure the participant's appearance.
- **Joining the Videoconference:**
 - In the username, attorneys should include first and last name, party designation, and case number:
 - John Doe (P)- 20L3456
 - Jane Smith (D) 20L3456
- **During the Videoconference**
 - The videoconference is a physical extension of the court. Dress and behave appropriately. Avoid unnecessary background noise. (Cellphones should be turned off, doors to rooms closed, and disruptions minimized.)
 - Participants must be stationary in an appropriate environment, and not in a vehicle unless permitted by the court.
 - Participants should “mute” when not speaking.
 - The court will turn off your video at the start of the call.
 - When your case is called, please unmute yourself and let the court know you are here and we will allow you to start your video.
 - Communicating with Court Staff: For substantive questions, email law.calwcc@cookcountyil.gov. For limited communication to confirm appearance when needed, “chat” may be used.
 - Ex Parte Communications: All participants are prohibited from sending private, direct messages to the Court.
 - Orders tendered for the court's consideration shall be tendered in both PDF and Word formats within the hour of court appearance when appearing via Zoom or the court may enter its own.

CALENDAR W AFFIDAVITS FOR PROVE UP OF DAMAGES – DEFAULT JUDGMENT

In addition to the requirements set forth in the Uniform Standing Order for All Commercial Calendars, motions for default judgement must include at the top of the packet: Return of Service, Prove-Up Affidavit(s) that lay a foundation for the attached business ledger or records, and, if applicable, an Attorney Fee Affidavit(s) with contemporaneous business records attached. Motions for default judgment and the supporting materials must be clearly labeled in a text-searchable PDF with bookmarks and sent via email and hard copy, placed in the bin outside Courtroom 1912. **Failure to comply may result in dismissal for want of prosecution.** Electronic copies may be provided via email, USB drive, or online link.

To obtain a default judgment, the plaintiff shall prove damages.¹ Because a verified complaint may not suffice,² affidavits or live testimony may be offered to prove up damages. In collection cases, the plaintiff shall submit a ledger accompanied by an affidavit establishing that it is a business record. All electronic courtesy copies shall be in **text-searchable PDF format with bookmarks**. Plaintiff shall also comply with the following:

- 1. Basis.** An affidavit shall state whether it is grounded upon personal knowledge, attached documents, or both. The affidavit shall explain how the affiant knows the facts.
- 2. Foundation.** An affidavit shall set forth the foundation for any document attached. If the affiant offers a document for its truth, the affiant shall establish it is a business record.³
- 3. Calculation.** An affidavit shall explain how the damages, including interest and late charges, were calculated. It shall cite pertinent provisions of the contract regarding interest, late fees, attorney fees, etc.
- 4. Attorney's Fees.** Attorney's fees may be recovered pursuant to statute or contract. An affidavit shall establish the reasonableness of the amount sought. It must include: (1) the skill and standing of the attorneys, (2) the nature of the case and the novelty and/or difficulty of the issues and work involved, (3) the value and importance of the matter, (4) the degree of responsibility required, (5) the usual and customary charges

¹Section 2-610(b) of the Code of Civil Procedure provides that failure to deny an allegation of the Complaint constitutes an admission of the allegation “except allegations of damages.” 735 ILCS 5/2-610(b).

²Section 2-605(a) of the Code of Civil Procedure provides “Verified allegations [of pleadings] do not constitute evidence except by way of admission.” 735 ILCS 5/2-605(a).

³A record of regularly conducted shall be accompanied by a certification that it (1) was made at or near the time of the occurrence of the matters set forth by a person with knowledge of these matters, (2) the document was kept in the regular course of business, and (3) was made regularly. Ill. Rs. Evid. 803(6), 902(11) (eff. Sept. 28, 2018).

for comparable services, (6) the benefit to the client, and (7) whether there is a reasonable connection between the fees and the amount involved in the litigation.⁴ Contemporaneous billing records shall be attached. The records must provide detailed billing entry descriptions specifying the services performed, who performed it, how long it took, and the hourly rate charged using facts based on contemporaneous time records.

5. Costs. The court shall award "costs" without a stating a dollar amount because more costs may accrue post judgment; *e.g.*, "The court enters a default judgement in favor of Acme, Inc., and against Jones, Inc., in the amount of \$222,222.00 plus costs."⁵

⁴*Kaiser v. MEPC American Properties, Inc.*, 164 Ill. App. 3d 978, 984 (1st Dist. 1987).

⁵The clerk of the court shall "tax and subscribe all bills of costs." 735 ILCS 5/5-121.