

**MUNICIPAL DEPARTMENT – SECOND MUNICIPAL DISTRICT
COUNTY DEPARTMENT – LAW DIVISION**

JUDGE JEFFREY L. WARNICK, Skokie, Room 202
Circuit Court of Cook County, Second District
5600 Old Orchard Rd, Ste. 219
Skokie, IL. 60077

STANDING ORDER

Deputy Court Clerk: Raymond Arroyo (847) 470-7763

Chambers Telephone: (847) 470-7200

Court 202 E-mail: ccc.skokiecivil202@cookcountyil.gov

Zoom Meeting ID: 925-0801-8507

I. GENERAL MATTERS

A. Court Reporters, Interpreters and Making a Record

Parties must provide their own court reporter if they wish to have one. Parties shall make advance arrangements with the court if they need an interpreter or special accommodations. All Zoom hearings online may not be recorded. If you need to “make a record”, retain a court reporter. Violations of this recording order may be subject to contempt of court.

B. Communications

All communications with the court should be by filing of pleadings, motions, briefs or suggested orders, *etc.* Communications with the staff of the presiding judges office, or the deputy clerks assigned are allowed only for administrative, procedural or scheduling matters. All proposed court orders, courtesy copies of motions or briefs may be e-mailed to the address listed above. **The Court prefers “hard copies” of all motions, briefs, and exhibits for contested hearings at least 7 days in advance delivered or mailed to the office of the Presiding Judge (PJ), room 219, listed above.**

All proposed orders from a daily call should be e-mailed to the Court before noon each day unless the hearing was held in the afternoon. Orders not received in a timely manner may be stricken and not posted.

C. Civility and Decorum

A party or lawyer shall treat the court, opposing counsel, parties or witnesses in a civil and courteous manner, not only in court but also in all written and oral communications. Zealous advocacy is an attorney's professional obligation, but incivility of any kind will not be tolerated by this court. Court hearings via Zoom are for the convenience of the litigants and attorneys. Zoom hearings are not a constitutional right. It's a privilege. Everyone that attends court via Zoom is expected to act, dress, and participate no differently than in the courtroom. This admonishment also applies to self-represented litigants, (SRL). Violations of this Order could result in sanctions or contempt orders.

To all SRL's, **do not call or email the Judge with your questions or 1 sided conversations, or arguments, etc.** This is what we call an *ex parte* communication and it is wrong and is ethically barred for the litigant and the Judge.

D. Default Motions

On all motions for default judgment, the moving party must e-file proof of service (either by deputy sheriff or special process server,), an affidavit of military service, a verified complaint or a supporting affidavit to be filed proving elements and damages, and proof of notice as provided in Circuit Court Rule 2.1. If any of these materials are not included in the electronic court file, then the matter will be entered and continued. Please note that a photocopy of the Cook County Sheriff's or Clerk's websites which confirms service is insufficient to establish service in court. The webpage itself cautions that the accuracy of the data asserted is not reliable. All proposed orders must include a line that the plaintiff will mail or notify any defaulted defendant of the judgment. It is preferable that each consumer debt plaintiff provide a courtesy copy of the proposed default order to the Court, on the day before the scheduled court hearing for efficiency. If you learn that your emails are being "quarantined" by our system, try sending them 2 days before the hearing.

E. Electronic Case or Motion Filing

When a party chooses to e-file any pleading or papers through the Clerk's electronic filing procedure, the court does not receive any notice nor any copy of that which has been filed. However, normally the Court does not want nor need to see copies of any filings until a contested hearing. When a party desires the Court to actually read any filing before Court, it is incumbent on the filing party to actually provide an electronic copy of any filed pleadings, exhibits or suggested orders to the e-mail address listed above. In accord with section B (Communications), all courtesy copies may be delivered or mailed to Judge Jeffrey L. Warnick, Circuit Court of Cook County, 5600 Old Orchard Rd, Ste. 219, Skokie, Illinois, 60077 and should be received 7 days before a contested hearing.

F. Agreed Dismissal Order

Any case that has been settled or otherwise resolved between the parties does not require a court appearance to dismiss with or without prejudice. Any party may submit via e-mail an agreed stipulation to dismiss with or without prejudice and suggested dismissal order, to be entered and filed. If the case is dismissed, please include language in the order to strike the specific future date set. These are routine matters and need no specific court date if it is an agreed order by all parties, or the plaintiff dismisses before service or appearance,

G. Zoom Hearings

Judge Warnick maintains a daily court call, via Zoom, each day at www.zoom.us with the Meeting ID of 925-0801-8507, or by telephone, (312) 626-6799, and then using the Meeting ID listed above. Judge Warnick handles Law Div. and Municipal Div. calls via Zoom for the convenience of the attorneys and the parties and handles a vast majority of motions, hearings, via Zoom as well. For more details of the latest procedures and protocols, please review the Civil Protocol posted online adjacent to this Standing Order. Naturally, jury trials and bench trials are conducted “in person” and live in the court as well as most settlement conferences, as determined by the Court. However, everyday this Court opens the doors for in person appearances, like before Covid. The Court welcomes live appearances and if a litigant has difficulty with zoom or computers, appear in person.

II. CASE MANAGEMENT CONFERENCES AND STATUS CALLS (CMC)

At present, case management calls and status hearings are generally held on Tuesday, Wednesday, or Thursday at 9 a.m. for Law Division and at 9:30 a.m. for Municipal Division cases. Counsel with knowledge of the status of the case and authority to commit to all scheduling orders must appear and be prepared to inform the court as to the status of service, discovery, pleadings and trial readiness. If counsel is unable to attend due to a conflict, please be sure to contact opposing counsel to cover. Failure for plaintiff or any counsel to appear for a CMC or status may result in a DWP without further notice. All law division cases will always be given future dates after the initial case management hearing for status or CMC to keep the matters progressing. However, in Second Dist. Municipal cases, the Court does not give out court dates where there has not been service yet on a defendant or if the citation or wage deduction summons remains unserved. Each time a plaintiff files an alias summons or citation, Odyssey will automatically provide a new return date. To avoid confusion and DWPs, the court will strike the matter off the call.

III. MOTIONS

A. Regular Motions

Typically, regular motions are filed and noticed on the court’s CMC or status calls to set a briefing schedule. On some occasions, in the court’s discretion, if the motion is simple such as motions to compel discovery after a 201 (k) conference, the court may rule after a brief argument to save time and expense of further briefing. All motions attacking the

complaint or pleading should have a copy of said pleading attached to the courtesy copy of the motion. **The movant must provide a “hard copy” courtesy copy of the motion, response and reply along with all exhibits at least 7 days in advance to the court.** These courtesy copies may be mailed or delivered to room 219, the presiding judge’s office for delivery to Judge Warnick’s mailbox. Hearings on fully briefed motions are set by the court and usually are scheduled at 10:30 a.m. or 1:30 p.m. on Tuesday, Wednesday or Thursday. Judge Warnick generally opposes motions or CMCs on Monday or Friday for many conflict involving jury trials, or other court calls to cover. Please schedule all motions for Tuesday, Wednesday or Thursday. If the parties reach an agreement on any motion prior to the hearing date, please e-mail the Court as soon as possible to avoid a waste of the court’s time reading the briefs. The vast majority of motion hearings and arguments are conducted on Zoom unless ordered otherwise.

B. Briefs

Required format for all briefs, excluding exhibits, is double spaced, 12 point font (Times New Roman) with standard 1 inch margins. **Any combined motion and brief in excess of 15 pages without written leave of court may be stricken.** Reply briefs should be no longer than 8 pages without leave of court.

C. Emergency Motions

Emergency motions may be scheduled daily at 9:15 a.m. on Tuesday through Thursday. However a courtesy copy of the motion marked, “EMERGENCY MOTION” and all supporting documents or exhibits must be e-mailed to Judge Warnick before 3:00 p.m. on the preceding day. THE MOTION MUST BE A TRUE EMERGENCY OR IT WILL BE STRICKEN. Generally, an emergency is some circumstance that could lead to irreparable damage if relief is not procured prior to the time a party could be heard on the regular motion call. Motions to extend or compel discovery or other judicially set deadlines are not normally emergencies.

IV. PRE-TRIAL CONFERENCES

A. Settlement Conferences

Following agreement of all the parties to participate in good faith settlement discussions, a settlement conference with the court will be set by court order. The parties should submit and exchange pre-trial memos setting forth a brief nature of the case, the stipulated and contested issues, the damages, the status of settlement negotiations and any other information any party believes would educate the judge or facilitate a compromise. This memo should be e-mailed or delivered to the court at least 3 days before the settlement conference. Finally, attorneys for the parties must come to the settlement conference in open court with their clients and with authority to settle or compromise. Claims adjustors with authority to settle for the defense may be excused from attending “in person” so long as they are available via Zoom or by phone. If no demand and offer have been made, the Court may decline to participate until that occurs to avoid a waste of time.

B. Final Jury Pre-Trial Conference

When a jury trial date is selected, the court will also set a date for a final pre-trial conference, usually on the week preceding the jury trial. Prior to this conference, the parties should meet, exchange and discuss all “trial materials” listed below and provide a set of said documents to the court 1 week before the final pre-trial conference. At the final pre-trial, the court will explore settlement discussions, review trial materials, rule on motions *in limine*, evidence depositions and exhibits, as well as a preliminary discussion regarding jury instructions. Caution: If counsel have video or evidence depositions that require rulings earlier to prepare the video or “script” for the reader, counsel should seek a date several weeks before the trial to allow proper editing of the video or “script”. Trial counsel must appear and participate in the final pre-trial conference in person. Failure to appear or present trial materials by the due date may result in a DWP, default order or some other appropriate sanction.

C. Trial Materials

The form order setting the case for trial and pre-trial requires each party to prepare, exchange and discuss among themselves all trial materials at least 14 days prior to trial and the pre-trial conference. This preparation by each party encourages consideration, objection and stipulation of each party’s exhibits, motions *in limine*, and jury instructions. Please note certain matters should be jointly prepared and discussed while separate trial materials should be submitted on matters which the parties are unable to agree upon.

As for a jury trial, the trial materials shall include the following:

- 1 A jointly prepared statement of facts of the case for *voir dire*.
- 2 A jointly prepared list of potential witnesses to be called at trial.
3. A complete and jointly prepared list of all exhibits each party intends to use at and whether the opposing side has any objections.(*e.g.* foundation, relevance, motion *in limine*, *etc.*) The nature of any such objection should be noted.
- 4 Copies of all motions in limine.
- 5 Any stipulations and admissions of fact per SCR 216.
- 6 Unless the parties stipulate as to the full scope of evidence depositions to be admitted, full transcripts regarding each evidence deposition where objections are raised so the court can rule on said objections.
- 7 A copy of all Rule 213 disclosures.
- 8 Two copies of proposed jury instructions. (1 marked, numbered and sorted in order of the IPI system and 1 unmarked).
- 9 Potential questions each party wants the court to ask the venire. The court will allow each attorney to ask relevant and reasonable *voir dire* as to the juror’s qualifications, but not educating the venire as to trial facts and issues.
- 10 Any trial briefs, memoranda or other information a party wishes to submit.

V. TRIALS

Naturally, trial dates are firm and will not be typically re-scheduled absent compelling circumstances. Any request for a continuance for trial must be in writing and supported by a detailed, compelling affidavit and heard as soon as possible or at least 5 business days preceding trial unless emergency exigent circumstances arise. Jury trials typically start at 9:30 a.m. on Mondays while bench trials are often set for either 10:30 a.m. or 1:30 p.m. on Tuesdays, Wednesdays and Thursdays. Each party is responsible for a court reporter or interpreter should they desire one.

/s/ Jeffrey L. Warnick

Judge Jeffrey L. Warnick No. 2024

Circuit Court of Cook County, Illinois