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

AMENDED AND RESTATED STANDING ORDER

EFFECTIVE: March 23, 2026

JUDGE DEBRA A. SEATON
CALENDAR 60
COURTROOM 2803

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THE COURT'S WEBPAGE:
https://www.cookcountycourtil.gov/judge/seaton-debra-ann

IT IS HEREBY ORDERED AS FOLLOWS:

THIS STANDING ORDER, effective March 23, 2026, amends and restates all prior standing orders for Calendar 60. This Standing Order supplements the Illinois Code of Civil Procedure, Illinois Supreme Court Rules, Circuit Court of Cook County Rules, Circuit Court of Cook County General Orders, Mortgage Foreclosure/Mechanics Lien Section ("MF/ML") Courtroom Procedures, all Chancery Division Rules, and all applicable General Administrative Orders.

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*****DO NOT COME TO COURT IN PERSON*****

NO IN PERSON HEARINGS WILL BE CONDUCTED UNLESS BY ORDER OF COURT.

ALL COURT HEARINGS WILL BE CONDUCTED VIA ZOOM UNLESS BY ORDER OF COURT REQUIRING PARTIES TO APPEAR IN PERSON.

I. GENERALLY

(a) 735 ILCS 5/1-104(b) vests this Court with the power to make rules regulating its docket, calendar, and business. The rules contained in this Standing Order have the force of a statute and are thus binding on the parties. *Jones v. State Farm Mutual Automobile Insurance Co.*, 2018 IL App (1st) 170710, ¶21. Such, "rules are meant to be followed, as written, and are not suggestions or guidelines from which deviations may be made by the litigants." *VC&M, Ltd. v. Andrews*, 2013 IL 114445, ¶26. Finally, this Court has, "inherent authority to control matters before it as necessary to prevent undue delay or disruption in the proceedings." *In re L.S.*, 2022 IL App (1st) 210824, ¶111.

(b) Failure to strictly comply with the requirements set forth in this Standing Order may result in denial of a motion, dismissal of a case for want of prosecution, or any other appropriate sanction at the Court's discretion.

(c) All pleadings shall contain the entire case caption, calendar number, and property address. All service notices shall include each attorney or *pro se* litigant's address, telephone number, and email address. Pursuant to Illinois Supreme Court Rule 11(b), a self-represented litigant who has an email address shall designate a single email address to which service may be directed and include that email address on all court documents and correspondences.

(d) Pursuant to Illinois Supreme Court Rule 13(c) and Circuit Court Rule 1.4(a), no party may appear without having previously filed an appearance, except for a petition to intervene. A party not represented by an attorney – a *pro se* litigant – will receive no preferential treatment and shall comply with all applicable statutes and rules.

(e) The word "may" as used in this Standing order means permissive and not mandatory.

(f) The word "shall" as used in this standing order means mandatory and not permissive.

II. Additional Resource for Self-Represented Litigants

(a) Cook County Foreclosure Mediation Program – Call (855) 452-2637 to participate in a free program which offers a chance to talk with your lender and try to work out an agreement with the help of a knowledgeable, neutral person.

III. Court Calls

(a) **The Court's regular court calls take place on the following days and times:**

Default Call:	**Monday, Wednesday, Thursday, Friday**	**10:30 AM**
Contested Call:	**Monday, Tuesday, Wednesday, Thursday**	**2:30 PM**
Emergency Motions:	**Monday, Wednesday, Thursday, Friday**	**10:30 AM**

IV. Court Proceedings

(a) In accordance with Illinois Supreme Court Rule 45, Illinois Supreme Court Rule 113(j), and General Administrative Order No. 2023-03, the vast majority of Court proceedings will be held remotely via Zoom unless otherwise ordered by the Court.

(b) The Court has the ultimate discretion to decide whether a hearing will be conducted remotely via Zoom or in person. If the Court determines a matter before it is complex due to the nature of the dispute, the nature of the parties, or severity of the matter, the Court has the ultimate discretion to require the parties to appear in person.

(1) Absent a highly compelling justification, all trials, evidentiary hearings, and settlement conferences shall be held in person and all witnesses, attorneys, court reporters, parties who wish to observe, parties with settlement authority, *etc.* shall appear in person before the Court.

(c) Although "hybrid" hearings may occur and the courtroom is technologically equipped for such hearings, the Court strongly prefers to have hearings conducted either entirely via Zoom or entirely in person.

(d) In the event a hearing is scheduled via Zoom and a litigant or attorney is unable to connect to Judge Seaton's Zoom hearing call, please IMMEDIATELY call (312) 603-3894 and/or email

ccc.mfmlcalendar60@cookcountyil.gov to let the Court know of your difficulty connecting to the Zoom call.

(e) Zoom download instructions may be found on the Court's webpage.

V. REQUESTS FOR ZOOM HEARING "TEST RUN"

(a) The Court will work with *pro se* litigants to assist with the process of accessing the Court's Zoom hearing call. Each *pro se* litigant may contact (312) 603-7554 to conduct a one-time "test run" to prepare to access the Court's Zoom hearing call. Appointments shall be made at least three business days prior to the *pro se* litigant's scheduled court date. If a *pro se* party makes an appointment for a Zoom meeting "test run," they shall keep that appointment or call (312) 603-7554 to notify the Court of the party's intent to cancel or reschedule the "test run."

VI. MANDATORY ZOOM HEARING RULES

(a) **Zoom proceedings are still court proceedings. All persons appearing before the Court via Zoom shall conduct themselves accordingly. Conduct exhibited which does not comport with the decorum expected in a courtroom may result in the person being removed from the Zoom call and may potentially subject the person to appropriate sanctions at the Court's discretion.**

(b) No person shall use a virtual background when appearing before the Court via Zoom to limit distractions. Blurring the background is acceptable for privacy concerns.

(c) 625 ILCS 5/12-610.2(b) prohibits a person from operating "a motor vehicle on a roadway while using an electronic communication device, including using an electronic communication device to (***) participate in any video conferencing application, including, but not limited to, Zoom." Accordingly, no person shall be engaged in the act of operating a motor vehicle while appearing before the Court via Zoom. If a person appearing before the Court is in the driver's seat of a motor vehicle, the vehicle shall be safely pulled over to the side of the road or parked. *See* 625 ILCS 5/12-610.2(d)(5). If the Court finds a person is engaged in the act of driving a motor vehicle while appearing before the Court via Zoom, the person will be ordered to safely pull over or park the motor vehicle and the case(s) for which the person is appearing will be passed to the end of the call to allow for compliance. Out of an abundance of caution, failure of the person to comply with the Court's order to safely pull over or park the motor vehicle will immediately result in the person being removed from the virtual courtroom.

(d) All persons appearing before the Court via Zoom shall remain on mute until the case for which the person is appearing is called.

(e) All persons appearing before the Court via Zoom shall unmute their microphones and activate their video function once the case for which the person is appearing is called.

(f) All persons appearing before the Court via Zoom shall edit their "name" on Zoom to reflect the person's full legal name. Names such as "John Doe's iPhone," "Samsung 1234," "John," or any other inappropriate name not clearly indicating the individual's name are not permissible.

(g) Each attorney appearing before the Court via Zoom shall edit his or her name to reflect the attorney's name as provided to the Attorney Registration and Disciplinary Commission and shall also include the name of the law firm for which the attorney is appearing (*e.g.*, John Doe - ABC Law Firm).

(h) Illinois Supreme Court Rule 44 specifically prohibits "the photographic recording, digital capturing, or other recording of a [Zoom] proceeding except [...] by the court or at the court's direction". This prohibition "includes the audio or video transmissions or recordings made by telephones, personal data assistants, laptop computers, and other wired or wireless data transmission and recording devices."

(1) Failure of any party to adhere to the prohibitions set forth in Illinois Supreme Court Rule 44 will subject the violator to appropriate sanctions by the Court and/or penalties for contempt of court.

VII. ORDERS

(a) Memorandum Opinions and Orders entered by the Court in cases deemed to be particularly legally or factually complex due to the nature of the dispute, the nature of the parties, or severity of the matter may be, at the Court's discretion, publicly posted on the Court's webpage for attorneys, other litigants, and the public to be able to review. Parties may specifically request, subject to the Court's discretion, for the Court to publicly post or not post such an entered Memorandum Opinion and Order on the Court's webpage.

(b) Court-supplied, fill-in-the-blank orders should be used whenever possible. All proposed orders for each motion should be provided to the Court in one PDF with the courtesy copy submission and **should not be attached to any other document**.

(c) 1-2 page case management orders shall be used. A form version of this order is available on the Court's webpage and shall be submitted with the proposed orders for each case management conference held.

(1) DO NOT "pre-check" any boxes in proposed orders as the Court's ruling may differ from the "pre-checked" box.
(2) All proposed case management orders shall have an "other" line so that the Court may fill in additional items ordered into the form order following the hearing.

(d) The form pre-trial timeline order to be entered concurrently with the entry of an order striking a case from case management (4331) for cases instituted on or after July 1, 2022, is available on the Court's webpage and shall be submitted with the proposed orders for each case management conference held along with the standard 1-2 page proposed case management order. Failure to tender a copy of a proposed pre-trial timeline order with case management conference courtesy copies shall subject the case management conference to be stricken off the call, requiring the plaintiff to re-notice the case management conference.

(e) In the event Plaintiff chooses not to proceed on a motion noticed before the Court and Plaintiff or Plaintiff's counsel submits to the Court in lieu of courtesy copies an order withdrawing the motion, entering and continuing the motion generally, or striking the motion from the call, such a proposed order and the email submitting said proposed order to the Court for entry either on or off call shall contain **both the date and time** for which the motion was originally scheduled.

(f) Dates certain, *e.g.*, "March 23, 2026" are required for redemption dates where applicable.

(g) Orders should not include a pre-filled date by the signature block as the Court may not enter the order on the date listed depending on the time or date of its receipt. The Court will date all orders on its own upon execution.

(h) Proposed orders to be submitted by the litigants to the Court following a hearing are due to the Court no later than 24 hours after the hearing. If proposed orders are not received by the Court 72 hours after the hearing, the Court may enter its own order without input from the parties, strike the motion, and/or may subject the case to dismissal for want of prosecution.

(i) All proposed orders shall include the Court's contact and Zoom information.

(j) Due to the increasing volume and complexity of cases on the docket, the law clerk will not provide copies of signed and entered orders to litigants. Please either contact the Clerk of the Circuit Court of Cook County or the Court's administrative assistant to obtain a copy of any previously signed and entered order. **Please DO NOT email or carbon copy the general calendar email address with such requests.**

VIII. COURTESY COPIES

(a) Due to the high volume of cases and in an effort to maintain an orderly and organized docket, courtesy copies which are not both timely and properly submitted pursuant to the requirements set forth in this Standing Order will NOT be considered by the Court.

(b) Unless otherwise agreed to by the parties, the **moving party** is to supply the Court with all courtesy copies 10 court business days prior to each court date, as well as the briefing schedule order and any other relevant order(s) necessary for the Court to have a full understanding of a case's procedural history. Failure of the moving party to tender courtesy copies pursuant to the requirements set forth in this Standing Order is grounds for denial of the motion.

(c) All documents a movant wishes the Court to consider in adjudicating any matter before it **shall bear a stamp** demonstrating that the original document was filed with the Clerk of the Circuit Court and all pleadings, motions, and other documents shall be signed pursuant to Illinois Supreme Court Rule 137.

(d) All courtesy copy submissions presented to the court that were filed with the Clerk of the Circuit Court "shall be legibly written, typewritten, printed, or otherwise prepared." Ill. Sup. Ct. R. 10(b); Ill. Sup. Ct. R. 131(a). Failure to submit legible courtesy copies may result in the Court striking the courtesy copies, not taking action on the scheduled matter, denial of the motion(s), or continuation of the matter to a new date subject to the Court's availability. This includes handwritten motions presented by *pro se* litigants.

(e) All courtesy copy submissions shall be fewer than 30 megabytes inclusive of all attachments to ensure delivery to the Court's email address.

(f) Courtesy copies shall be submitted to the Court in a SINGLE email for the case, in a neatly and intuitively organized fashion, containing ONLY TWO attachments:

(1) A SINGLE, tabbed PDF document containing the notice of motion, Zoom instructions, all motion(s) being presented, exhibit(s) thereto, prior relevant orders, *etc.*; and
(2) A SEPARATE SINGLE PDF document containing ALL proposed orders.

(g) Noncompliant courtesy copy submissions will NOT be considered by the Court. The Court will NOT take action on the scheduled matter, may deny the motion(s), or may continue the matter to a new date subject to the Court's availability.

(h) The Court will not accept courtesy copies tendered more than 3 weeks in advance of any scheduled matter in order to prevent the potential loss of submitted courtesy copies.

(i) All parties are ordered to follow the timeline for submitting courtesy copies as set forth in this Standing Order, in order to guarantee receipt and to allow the Court sufficient time to review the courtesy copies.

(j) The Court will not retain courtesy copies for continued motions. The movant shall submit a fresh set of courtesy copies to the Court's email prior to each new court date.

(k) **All courtesy copies, regardless of the type of motion being heard are due by <u>4:30 PM 10 COURT BUSINESS DAYS</u> in advance of the scheduled court date.**

(1) Scheduled court holidays do NOT count as court business days.
(2) The annual legal holiday schedule listing specific dates may be found on the Circuit Court of Cook County's website, generally including:
  (i) New Year's Day;
  (ii) Martin Luther King, Jr.'s Birthday;
  (iii) Lincoln's Birthday;
  (iv) Washington's Birthday (observed as Presidents' Day);
  (v) Casimir Pulaski Day;
  (vi) Memorial Day;
  (vii) Juneteenth;
  (viii) Independence Day;
  (ix) Labor Day;
  (x) Columbus Day;
  (xi) Election Day (on election years);
  (xii) Veterans Day;
  (xiii) Thanksgiving;
  (xiv) The Friday after Thanksgiving; and
  (xv) Christmas Day

Example Calendar for May 2025 without an Intervening Holiday:

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8 CCs Due Day 10	9 Day 9	10
11	12 Day 8	13 Day 7	14 Day 6	15 Day 5	16 Day 4	17
18	19 Day 3	20 Day 2	21 Day 1	22 Hearing Date	23	24
25	26 Holiday	27	28	29	30	31

Example Calendar for May 2025 with an Intervening Holiday:

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14 CCs Due Day 10	15 Day 9	16 Day 8	17
18	19 Day 7	20 Day 6	21 Day 5	22 Day 4	23 Day 3	24
25	26 Skip Holiday	27 Day 2	28 Day 1	29 Hearing Date	30	31

(l) **All electronic courtesy copies, regardless of volume, shall be emailed to ccc.mfmlcalendar60@cookcountyil.gov ONLY.**

(1) Do NOT email courtesy copy submission directly to the Court's law clerk or administrative assistant unless explicitly requested to do so.

(m) **No paper or physical courtesy copies will be accepted unless ordered by the Court or an in person hearing is set.**

(n) **In the event an in person hearing is set by order of Court, the movant shall tender BOTH physical courtesy copies to Courtroom 2803 and electronic courtesy copies to the email listed above.**

(1) When tendering physical courtesy copies, the courier should call either the Court's law clerk or administrative assistant upon arrival to courtroom 2803 so that chambers staff may accept delivery and confirm receipt of the physical courtesy copies.
(2) Physical courtesy copies SHALL be neatly organized and bound with labeled tabs.
(3) Physical courtesy copies will not be accepted on Fridays.

(o) **When emailing courtesy copies, parties shall <u>strictly adhere</u> to the following guidelines:**

(1) The subject line of the email shall include only the case number, the case name, and the court date (*e.g.*, 26-CH-00000 PNC v. Martin 3/23/2026). For routine motions, please indicate "off call" instead of the court date.
(2) Please format case numbers <u>exactly</u> as 26-CH-00000, so that emails can easily be searched and located in the Court's inbox. Case numbers should include a "0" placeholder for a digit without a numerical value, the "20" in the year should be omitted, and the "CH" should be set apart by hyphens.
(3) The body of the email shall include the case number, court date, and a brief description of the motion being presented (*e.g.*, Attached are courtesy copies for the March 23, 2026, hearing in 26-CH-00000 (PNC v. Martin) up on Case Management/Judgment Motions/Order Approving Sale/Status on _____/Plaintiff's or Defendant's Motion to _____/*etc.*).
(4) Please do NOT include any "internal" file numbers of the law firm submitting the courtesy copies or property addresses in the subject line or body of the email.
(5) Attachments to the email should be in **<u>PDF form ONLY</u>** and should each have clear and conspicuous titles explaining what is contained within that PDF. DO NOT send courtesy copies as "Word" documents or in any other format other than PDF.

(6) All motions shall be in **ONE tabbed PDF file with all supporting documents**. Each tab shall be **clearly titled** (*e.g.*, Notice of Motion, Complaint, Service Affidavits, Motion for Default, *etc.*) and **neatly and intuitively organized**.

(i) The Notice of Motion or continuance order should ALWAYS be the first page of this PDF packet and should never be separately attached.

(7) Proposed orders shall be attached as a **separate PDF** attachment in the **same courtesy copy email clearly titled** "Proposed Order(s)." Multiple proposed orders should **all** be submitted **together in ONE PDF** attachment.

(8) Proposed orders shall contain the Court's email address, phone number, and Zoom information.

(9) Case Management Orders shall be a maximum of 2 pages in length and shall only contain the caption of the case and the plaintiff's law firm information. Pre-checked proposed orders will not be accepted or signed.

(10) All parties who have filed an appearance shall be carbon copied on courtesy copy emails to the Court. Failure to carbon copy any party who has filed an appearance in the case and provided an email address may result in the striking of the motion.

(11) If attachments are too large to be attached in one email, movants shall not send the courtesy copies in a Dropbox link, a Google Drive link, or other similar format. Movants shall instead send multiple emails. Such multiple emails will be accepted **only** if **conspicuously** labeled in the subject line and body of the email (*e.g.*, Part 1 of 3, Part 2 of 3, *etc.*). Zipped files are strictly prohibited.

IX. REQUIRED ATTACHMENTS

(a) Pursuant to General Administrative Order No. 2022-03:

(1) All summonses shall include the Mortgage Foreclosure Mediation Program informational sheet in English and Spanish; and

(2) All notices of motion and notices of initial case management shall include a copy of all four pages of the required Zoom instructions in English and Spanish.

(b) Failure to strictly comply with General Administrative Order No. 2022-03 shall result in the matter being continued to a new date subject to the Court's availability.

X. CASE MANAGEMENT AND DISCOVERY

(a) All Case management conferences held pursuant to Illinois Supreme Court Rule 218 are scheduled on the Court's default motion call (Monday, Wednesday, Thursday, or Friday at 10:30 AM).

(b) Illinois Supreme Court Rule 218(a) clearly states that "the court shall hold a case management conference." Therefore, such conferences are mandatory and not permissive.

(c) In matters involving commercial properties, if all parties are served, the plaintiff may present a motion to advance and hold a case management conference *instanter*. If the plaintiff files such a motion to advance and hold a case management conference, the plaintiff shall not also piggy-back judgment motions to the same hearing and shall first have the case management stricken by the Court (4331) prior to filing and presenting such motions.

(d) No judgment motion shall be filed or noticed nor shall any judgment be entered prior to case management being stricken by the Court (4331). This shall apply to residential and commercial properties. Noticing judgment motions prior to a continued case management conference is strictly prohibited.

(e) Under no circumstance shall any contested motion or any judgment motion be presented at a case management conference, and **no routine motion may be piggy-backed onto a case management conference without first contacting the law clerk via email or phone for permission.**

(f) In *In Re: Time Standards for Case Closure in Illinois Trial Courts, M.R. 31228*, the Illinois Supreme Court established standards for the disposition of a variety of case types within specific timeframes. For mortgage foreclosure cases, 98% of cases should have the final order entered within 36 months from the date of institution of the case; therefore, effective for cases instituted on or after July 1, 2022, the following timeline shall be followed for discovery and filing of dispositive motions:

(1) Upon entry of an order striking the case from case management (4331), the Court will concurrently enter a pre-trial timeline order in which the parties shall thereafter have:
   (i) 8 months to complete written discovery;
   (ii) 14 months to complete oral discovery;
   (iii) 15 months to complete disclosure of expert witnesses; and
   (iv) 17 months to complete expert witness discovery.

(2) The parties may file dispositive motions at any point after the entry of the order striking the case from case management (4331); however, ALL dispositive motions from ALL parties shall be filed no later than 20 months after the entry of the order striking the case from case management (4331).
(3) As the need arises, the case shall be set for trial no later than 24 months upon entry of the order striking the case from case management (4331).
(4) The order striking the case from case management (4331) shall be included as an exhibit to all dispositive motions and a statement shall be made in the filed motion that the motion complies with this timeline.
(5) The parties may use the time for discovery to conduct loss mitigation and settlement discussions if the case is "on loss mitigation hold," but the timeline will continue to run and will not be tolled or stayed unless done so by order of the Court.
(6) The Court retains the authority to modify this timeline for good cause on its own motion or by a motion of a party where appropriate.
(7) Failure to follow this timeline may be a basis for Illinois Supreme Court Rule 219(c) sanctions or may result in the case being dismissed *sua sponte* for want of prosecution.
(8) Any deliberate and obvious attempt by a party to delay the prosecution of a case by filing frivolous motions shall subject the motion to being facially stricken and potentially subject the movant to appropriate sanctions, at the Court's discretion.

(g) Plaintiff or Plaintiff's counsel shall submit courtesy copy packets for case management conferences. Such a submission shall include the following:

(1) Notice of initial case management pursuant to Illinois Supreme Court Rule 218;
(2) 4 pages of Zoom instructions in both English and Spanish;
(3) Certificate of service of the notice of initial case management;
(4) FILED case management conference form, a form version of which is available on the Clerk of the Circuit Court's webpage;
(5) Proposed 1-2 page case management order, a form version of which is available on the Court's webpage under the "Court Forms" section; and
  (i) This order should be first in the proposed orders PDF.
(6) Proposed pre-trial timeline order, a form version of which is available on the Court's webpage under the "Court Forms" section.
  (i) This order should be second in the proposed orders PDF.

XI. ROUTINE MOTIONS

(a) Routine motions may be submitted for entry outside the Court's regular calls. The following motions are considered routine and may be submitted with a proposed order for entry off call:

(1) Motion to appoint a special process server;
(2) Motion to voluntarily dismiss a case in its entirety;
(3) Receiver's bond; and
(4) Agreed orders may be presented in court or off call if accompanied by a stipulation and signed by all parties' or their attorneys.

(b) Motions to voluntarily dismiss a case in its entirety shall include the basis for the dismissal in both the motion and the proposed order. Additionally, the proposed dismissal order shall state whether the dismissal is with or without prejudice.

(c) Motions to voluntarily dismiss a case in its entirety due to a full pay off shall be accompanied with an order dismissing the case WITH prejudice.

XII. MOTIONS

(a) **A motion to appoint a special process server is no longer required to be brought pursuant to 735 ILCS 5/2-202 effective as of January 1, 2025.**

(1) Orders entered by the Supervising Judge pursuant to General Administrative Order No. 2007-03 and prior to the enactment of Public Act 103-0671 amending Section 2-202 appointing a designated special process server for a particular law firm during the three month period of time that service of process was effectuated on any defendant shall be filed into the record of each case where service by such means was accomplished.

(i) If service of process on multiple defendants was effectuated pursuant to separate orders entered by the Supervising Judge across multiple three month periods for which the same or different special process servers for the law firm were appointed, each such order signed by the Supervising Judge shall be filed in the record of the case so the Court may determine if the special process server had authority to serve each specific defendant with process on the date service was sworn to have been accomplished.

(b) A motion to issue an alias summons shall state when the summons will issue and identify the person on whom it is being issued.

(c) A motion for leave to amend or to file a third-party claim shall specify what is being amended and attach a proposed filing.

(d) A motion to reinstate a case following a dismissal due to a defendant filing for bankruptcy shall attach proof (such as a copy of an order from the bankruptcy court) that the moving party has leave from the bankruptcy automatic stay, the bankruptcy has been dismissed, the bankruptcy has been discharged, or other similar evidence of the same.

(e) Pursuant to Illinois Supreme Court Rule 201(k): "The parties shall facilitate discovery under these rules and shall make reasonable attempts to resolve differences over discovery. Every motion with respect to discovery shall incorporate a statement that counsel responsible for trial of the case after personal consultation and reasonable attempts to resolve differences have been unable to reach an accord or that opposing counsel made himself or herself unavailable for personal consultation or was unreasonable in attempts to resolve differences."

(1) Accordingly, motions seeking to compel discovery shall "include a statement that after *personal consultation* the parties were unable to resolve their differences." *In re Marriage of Lai*, 253 Ill. App. 3d 111, 115 (1st Dist. 1993) (emphasis added). "The more drastic the relief requested, the more necessary compliance with Rule 201(k)." *Id.*

(2) "The purpose behind Rule 201(k) is to urge counsel to adopt a spirit of cooperation with regard to discovery. Counsel are not to use discovery rules to engage in harassment, delay, and pettifoggery. Where a party immediately moves for sanctions, the requirements of Rule 201(k) are not met as it demonstrates that party's failure to make a reasonable attempt to resolve the discovery problem before seeking judicial intervention. The imposition of sanctions for noncompliance with discovery rules and court orders rests largely within the circuit court's discretion." *In re Marriage of Lai*, 253 Ill. App. 3d 111, 115-16 (1st Dist. 1993) (internal citations and quotations omitted).

(3) All motions to compel discovery shall demonstrate that the case is not on hold, including, but not limited to, loss mitigation, bankruptcy, or other plaintiff internal or regulatory hold.

(f) A party may present a motion on a date and at a time previously scheduled for presentment of another motion or at a hearing ("piggy-backing") **only** after obtaining leave from the law clerk, providing courtesy copies, and giving proper notice of the motion to all parties entitled to notice.

(1) **In the interest of fairness, piggy-backing of any motion to an already existing hearing date will generally not be permitted if the scheduled hearing date is less than 14 days from the date the law clerk is contacted.**

(g) Unless otherwise specified, **motions and briefs are limited to 15 pages**, double-spaced, with 1 inch margins on all sides, and paginated in the bottom margin, exclusive of exhibits.

(1) Headings, footnotes, and block quotations in excess of 50 words may be single-spaced.

(h) All motions and briefs shall be typeset in a Century family (*e.g.*, Century Expanded, New Century Schoolbook, or Century Schoolbook), Times New Roman, Equity, or other similar font with serifs in 12-point type. Quotations in excess of 50 words shall be indented an additional 1/2 inch on the left and right margins. The typeface of footnotes shall be 10-point type.

(i) Citations shall be to official reporters only and shall comply with the most recent edition of "The Bluebook: A Uniform System of Citation."

(1) "Citation of Illinois cases filed prior to July 1, 2011, and published in the Illinois Official Reports shall be to the Official Reports, but the citation to the North Eastern Reporter and/or the Illinois Decisions may be added. For Illinois cases filed on or after July 1, 2011, and for any case not published in the Illinois Official Reports prior to that date and for which a public-domain citation has been assigned, the public-domain citation shall be given and, where appropriate, pinpoint citations to paragraph numbers shall be given; a citation to the North Eastern Reporter and/or the Illinois Decisions may be added but is not required. Citation of cases from other jurisdictions that do not utilize a public-domain citation shall include the date and may be to either the official state reports or the National Reporter System, or both. If only the National Reporter System citation is used, the court rendering the decision shall also be identified. For other jurisdictions that have adopted a public-domain system of citation, that citation shall be given along with, where appropriate, pinpoint citations to paragraph numbers; a parallel citation to an additional case reporter may be given but is not required. Textbook citations shall include the date of publication and the edition. Illinois statutes shall generally be cited to the Illinois Compiled Statutes (ILCS) but citations to the session laws of Illinois or to the Illinois Revised Statutes shall be made when appropriate." Ill. Sup. Ct. R. 6.

(2) Citations to sources within the body a motion or brief shall be in the body of the text and shall not be as an endnote.

(3) Citations shall only be to Lexis Nexis. The Court does not have access to Westlaw or many secondary sources such as treatises. If a party wishes to cite authority that is not found on Lexis, that party shall attach a copy of that authority to their motion or brief.

(j) The Court embraces the use and development of emerging technologies such as artificial intelligence ("AI") in the practice of law that enhances service to all court users and promotes equitable access to justice; however, while the use of AI before this Court is authorized and need not be disclosed in filings presented for the Court's review, such use of AI is only permitted provided that its use complies with all applicable legal and ethical standards. This Court will be vigilant against AI technologies that jeopardize due process, equal protection, or access to justice. Unsubstantiated or deliberately misleading AI-generated content that perpetuates bias, prejudices litigants, or obscures truth-finding and decision-making will not be tolerated. This Court remains ultimately responsible for its decisions, irrespective of technological advancements. *See* Ill. Sup. Ct. R. 2.7, 1.2. Attorneys and litigants shall be subject to appropriate sanctions, at the Court's discretion, for submitting legally or factually unfounded documents for the Court's review. *See* Ill. Sup. Ct. R. 137.

(k) All notices of motion for any motion noticed up on the Court's call shall contain the date and time of the scheduled hearing in the body of the notice of motion itself. Blank lines in the body of the notice of motion, "see above" or other language referencing the Clerk of the Circuit Court's stamp in the upper left-hand corner of the page, or any deviation from the format required herein is strictly prohibited. Failure to comply with this requirement will result in the Court treating the motion as not properly noticed. The Court will strike the motion off the call requiring the motion to be re-noticed.

(l) Pursuant to local rule 2.1(c)(1), all notices of motion shall be served upon all parties of record no fewer than 5 business days prior to the scheduled hearing. Notices of motions served fewer than 5 business days prior to the scheduled hearing will result in the Court treating the motion as not properly noticed. The Court will strike the motion off the call requiring the motion to be re-noticed.

(m) Dispositive motions brought pursuant to Illinois Code of Civil Procedure sections 2-1005, 2-619, and 2-301(b) or section 15-1506 of the Illinois Mortgage Foreclosure Law will be screened for strict compliance with Illinois Supreme Court Rules 113, 191, 236, and/or 803(6), as required. The Court "can—and should—*sua sponte* strike affidavits that are insufficient under

Rule 191(a)." *Essig v. Advocate BroMenn Medical Center*, 2015 IL App (4th) 140546, ¶56.

(n) A party seeking discovery prior to responding to a dispositive motion brought pursuant to Illinois Code of Civil Procedure sections 2-1005, 2-619, or 2-301(b) **shall** provide **on the presentment date** of the dispositive motion a filed affidavit in strict compliance with Illinois Supreme Court Rule 191(b). Failure to comply with this requirement may waive all discovery by that party prior to being given an opportunity to file a response brief to the dispositive motion.

(o) Petitions for Turnover of Surplus Funds and Motions for Consolidation are heard by the Presiding Judge of the Chancery Division.

XIII. BRIEFING SCHEDULE

(a) The Court does not enter briefing schedule orders except at the Court's discretion. *See TIG Insurance Co. v. Canel*, 389 Ill. App. 3d 366, 375 (1st Dist. 2009) ([I]t [is] well within the circuit court's discretion to grant or withhold permission regarding a briefing schedule. No authority exists to nullify that discretion.").

(b) The Court does not hear oral argument except at the Court's discretion. *See Parkway Bank & Trust Co. v. Meseljevic*, 406 Ill. App. 3d 435, 441 (1st Dist. 2010) ("Oral argument in a civil proceeding tried (***) by the court without a jury is a privilege, not a right, and is accorded to the parties by the court in its discretion").

(c) All briefing schedule orders entered will provide a response time, reply time, a date by which courtesy copies are due, and the hearing date provided by the Court. All hearing dates will be set by the Court subject to the Court's availability.

(d) In the event a fully briefed motion's oral argument is entered and continued generally, continued from another calendar following a prior substitution of judge, or for any other reason not heard and continued from the originally scheduled hearing date without setting a new hearing date, the movant shall not simply re-notice the previously fully briefed motion for hearing without first filing a motion to set a new hearing date or contacting the Court's law clerk to achieve the same. Rescheduled hearings will only be held if a court order sets the hearing date. Such orders may be entered by agreement off call. All hearing dates will be set by the Court subject to the Court's availability.

(e) If the Court enters a briefing schedule on a plaintiff's motion for summary judgment, defendants *shall not* file or notice up a *separate* motion to strike a prove up affidavit or any other affidavit brought in support of the motion for summary judgment during the briefing schedule on the motion for summary judgment. All arguments toward the weight of the affidavit, its admissibility, its compliance with the relevant Illinois Supreme Court Rules, *etc. shall* be incorporated into the defendant's response brief to the motion for summary judgment and *shall* be filed during the response period granted to the defendant in the Court's briefing schedule order. Defendants may move or request that an affidavit be stricken within their response brief. If a defendant files a separate motion to strike an affidavit instead of incorporating the arguments in a response brief to the motion for summary judgment in violation of this prohibition, the Court will facially strike the motion to strike, not reset the briefing schedule on the motion for summary judgment, and, if the defendant has not filed a response to the motion for summary judgment, will treat the motion for summary judgment as being unopposed as no response in opposition to the motion for summary judgment was filed during the time that the Court permitted such a response be filed.

XIV. COMPLIANCE WITH GENERAL ADMINISTRATIVE ORDER NO. 2021-09

(a) Pursuant to General Administrative Order No. 2021-09:

(1) Any plaintiff that is seeking a default judgment of foreclosure or an order approving sale, where service was had on the mortgagor(s) over two years ago, and the mortgagor(s) has/have not filed an appearance shall represent in the body of the motion itself, in an affidavit attached to the motion as an exhibit, or in a statement as an officer of the court in open court that the address whereupon service was effectuated is still the mortgagor(s) current address and the mortgagor(s) is not deceased.

(b) If the address whereupon service was effectuated has changed, the plaintiff shall serve the notice of motion at the mortgagor(s) current address before entry of an order on the subject motion.

(c) If the mortgagor(s) is/are deceased, then the plaintiff shall have a special representative appointed in accordance with 735 ILCS 5/15-1501, Illinois Supreme Court Rule 113(i), and General Administrative Order No. 2015-02.

XV. JUDGMENT OF FORECLOSURE PACKET CONTENTS

(a) Courtesy copy packets including a Motion for Entry of Judgment of Foreclosure and Sale shall include the following:

(1) Notice of Motion with Zoom Instructions attached;
(2) The complaint, with all exhibits including Mortgage(s) and Note(s);
(3) Assignments and merger/successor documents, if any;
(4) Indorsements and allonges, if any;
(5) Certificate of Service of Process, with proof of service on all defendants;
    (i) If a defendant is served by publication: a certificate of publication, skip trace, and affidavit of publication for that defendant pursuant to 735 ILCS 5/2-206 and 735 ILCS 5/15-1502(c).
    (ii) If a defendant is served by a special process server: a copy of the order permitting service by such means whether entered by this Court in a particular matter or whether entered by the Supervising Judge for a law firm generally for a three month period pursuant to General Administrative Order No. 2007-03.
(6) Order striking the case from case management;
(7) Military Affidavit(s) (as required by the Service-Member's Civil Relief Act) dated no earlier than 6 months prior to the presentment date for each living human defendant;
(8) All Judgment Motions (default, dismiss unknown parties, entry of judgment of foreclosure and sale, appoint selling officer, shorten redemption, reform deed or mortgage, *etc.*);
(9) Affidavits pursuant Illinois Supreme Court Rule 113 and/or 191 attaching all appropriate documents required by law dated no earlier than 6 months prior to the presentment date;
    (i) This affidavit shall not include proof of attorneys' fees and cost as a separate Affidavit of Attorney Fees and Costs, if sought, shall be submitted pursuant to § VX(a)(12) *infra*;
(10) A plaintiff seeking property preservation fees shall provide a breakdown of the fees, invoices relating thereto, and proof of payment thereof. Failure to provide a breakdown of the property preservation fees will result in striking of the motion or continuing the motion to allow time for the plaintiff to comply;
(11) Loss Mitigation Affidavit pursuant to Illinois Supreme Court Rule 114 (if applicable) dated no earlier than 6 months prior to the presentment date;
    (i) All pertinent facts and supporting evidence shall be incorporated within this affidavit itself and shall not be attached as an exhibit to the affidavit.
(12) Affidavit of Attorney Fees and Costs, if sought, including a detailed billing of attorneys' fees in excess of $4,100; and
    (i) Movants shall submit a separate affidavit to prove up attorneys' fees and costs and this amount shall not be integrated into the Movant's Illinois Supreme Court Rule 113 affidavit;
(13) Any motion seeking to reform the legal description of a property in a Deed, Mortgage, or any Assignment thereof shall comply with the General Administrative Order No. 2016-03 and clearly identify:

(i) The original legal description;
(ii) The correct legal description, specifically identifying the change(s) made;
(iii) The reason the legal description is different or was incorrect, as appropriate; and
(iv) Evidentiary support for the change.

(b) Motions for Entry of Judgment of Foreclosure and Sale in which no appearance or answer was filed or in which the only appearance or answer filed was by the United States of America, a special representative, or any other defendant(s) not contesting the entry of judgment shall be noticed for the Court's 10:30 AM default call.

(c) Prove up affidavits brought pursuant to Illinois Supreme Court Rules 113 and 191 and loss mitigation affidavits brought pursuant to Illinois Supreme Court Rule 114 shall have the affiant's signature and notary or verification pursuant to 735 ILCS 5/1-109 on the same page.

(d) All affidavits "prepared in support of entry of a judgment of foreclosure, by default or otherwise, shall not have a stand-alone signature page if formatting allows the signature to begin on the last page of the affiant's statements." Ill. Sup. Ct. R. 113(c)(4).

(e) **Proposed Judgment of Foreclosure and Sale orders shall not** include **any** language authorizing immediate possession. Immediate possession is authorized by statute only after meeting statutory requirements and upon presentment of an appropriate motion; one example of prohibited language is:

> "That the parties hereto who shall be in possession of said premises, or any part thereof, including leaseholders, or any person who may have come into possession under them or any of them, since the inception of the mortgage or commencement of this suit, shall upon presentment of said Judicial/Sheriff's Deed of Conveyance, surrender possession of said premises to said grantee, his representative or assigns, and in default of so doing, an Order of Possession shall issue."

(f) All requests for a sealed-bid auction shall be presented by separate motion.

(g) Plaintiff shall notice up **ALL** judgment motions (*inter alia*, motions to dismiss unknown parties or other defendants, default, summary judgment, judgment of foreclosure, appoint selling officer, reformation of mortgage or deed) **simultaneously**.

(h) Moving for judgment in a **piecemeal fashion** against separate litigants is strictly **PROHIBITED**.

(i) The Court will **NOT** enter multiple judgments of foreclosure in one case without the Court's prior consent to proceed in such a piecemeal fashion.

(1) All parties seeking a determination of damages shall prove up all damages sought together in one motion and shall NOT be brought in a piecemeal fashion without the Court's prior consent to deviate from this requirement.

(2) Motions to amend a previously entered judgment to reflect an updated damages amount may be brought.

(j) A plaintiff seeking a judgment of foreclosure pursuant to 735 ILCS 5/15-1506 **SHALL** file a **separate** motion for entry of judgment of foreclosure with all supporting documents required by law attached thereto. Movants for entry of judgment of foreclosure shall **NOT** integrate a motion for entry of judgment of foreclosure into a motion for summary judgment, default, or any other judgment motion.

XVI. JUDGMENT OF FORECLOSURE ORDER AMOUNT DUE BREAKDOWN

(a) Judgment of foreclosure orders **SHALL** clearly list and break down attorneys fees, costs, principal, interest, per diem, *etc.* as individual line items corresponding to exhibits such as the Prove Up Affidavit and the Affidavit of Attorney Fees and Costs. The total amount due shall still be listed; however, that amount shall be broken down into its component parts.

(b) Attorney's fees and costs should be listed in the judgment of foreclosure as two separate numbers, and each line item shall match the Affidavit of Attorney Fees and Costs. Affidavits of Attorney Fees and Costs should also have two separate amounts listed somewhere within them, one for the total attorneys fees (and a time and task if in excess of $4,100) and another for the total costs. These numbers can then be totaled together for the Total Fees and Costs in the Affidavit.

(c) Single sum total dollar amounts or incomplete breakdowns as described herein in judgment of foreclosure orders without a clear and thorough breakdown of where and how these figures were derived are **NOT** acceptable. Noncompliant orders will not be entered. The Court will not take action on the scheduled matter and will continue the matter to a new date subject to the Court's availability.

(d) An example of an appropriate breakdown in a Judgment of Foreclosure Order:

Principal $123,456.78
Accrued Interest Through (DATE).....$12,345.67
Attorney Fees.....$12,345.67
Costs.....$1,234.56
Additional Line Item 1.....$X,XXX.XX
Additional Line Item 2.....$X,XXX.XX
Additional Line Item 3.....$X,XXX.XX
TotalAmount(s) Due.....$XXX,XXX.XX

XVII. MOTIONS TO APPROVE JUDICIAL SALE

(a) Motions seeking court approval of a judicial sale shall meet all Mortgage Foreclosure Section rules and procedures. The Court requires that courtesy copy packets include the following:

(1) Notice of Motion with Zoom Instructions attached;
(2) Report of Sale and Distribution;
(3) A Motion for Order Approving Sale;
(4) Motion for Immediate Possession, if sought;
(5) Certificates of Publication;
(6) Receipt of Sale;
(7) Certificate(s) of Sale;
(8) Notice of Sale, including proof of mailing the Notice of Sale, and proof of emailing the notice of sale for all parties of record with an email address pursuant to Illinois Supreme Court Rule 113 and Rule 11(c); and
(9) Proposed Order approving report of sale and granting possession.

(b) Motions for an entry of an order approving sale in which no appearance or answer was filed or in which the only appearance or answer filed is by the United States of America, a special representative, or any other defendant(s) not contesting the entry of the order shall be noticed for the Court's 10:30 AM default call.

(c) If multiple properties are sold via judicial sale in a single case and pursuant to an entered judgment of foreclosure permitting the sale of multiple properties, movants seeking to confirm such sales shall bring all motions to confirm the sales of these properties in either a single motion or multiple motions (one per property) simultaneously. If the Court approves the sales, the Court will enter all orders approving sale in one case concurrently. Parties seeking approval of multiple judicial sales shall NOT bring such motions in a piecemeal fashion without the Court's prior consent.

(d) If a party seeks an *in personam* deficiency, the movant SHALL **also** provide a copy of:

(1) The complaint, with all exhibits including Mortgage(s) and Note(s);
(2) A copy of the entered judgment of foreclosure;
(3) The proof of service on the defendant(s) against whom the deficiency is sought, or if said defendant(s) filed an appearance, a copy of their appearance;
(4) A memorandum of judgment, if sought; and
(5) A filed and signed broker's price opinion ("BPO") from a licensed Illinois real estate broker or a filed and signed appraisal from a licensed Illinois appraiser of the value of the property prepared and executed by a disinterested third-party not greater than 60 days prior to the date of the judicial sale, unless otherwise ordered by the Court. The BPO shall not be a "comparative market analysis."

(e) If a party seeks immediate possession, the movant SHALL **also** provide a copy of:

(1) A vacancy affidavit or affidavit of abandonment dated no more than 6 months prior to the hearing date even if the Court specifically found in the Judgment of Foreclosure that the property was vacant/abandoned at the time of judgment; and
    (i) The Court granting a plaintiff a shortened redemption period at the judgment stage of the case will NOT automatically entitle that plaintiff to immediate possession of the subject property following entry of the order approving sale. The plaintiff will need to once again establish at the order approving sale stage via a vacancy affidavit or affidavit of abandonment dated no more than 6 months prior to the hearing that the property continues to be vacant/abandoned.
(2) Photographs of the property attached to the vacancy affidavit or affidavit of abandonment demonstrating that the property is in fact vacant and/or abandoned.

(f) Copies of all documents listed above, including the BPO or appraisal, shall be filed with the Clerk of the Court and provided to **all** parties prior to presentation of the motion to approve the judicial sale. The Court will not grant an *in personam* deficiency if a BPO or appraisal in compliance with this order is not provided to all parties prior to hearing and included in the courtesy copies.

(g) If the movant for an order approving the judicial sale is also seeking immediate possession and/or a personal deficiency judgment, the notice of motion for the hearing shall specifically indicate as such.

(h) The Court prefers that if a personal deficiency judgment is sought, a memorandum of judgment be presented at the time the sale is confirmed. A memorandum of judgment may be submitted to be signed off call within 14 days after the confirmation of sale, provided the plaintiff submits a stamped copy of the order approving sale. Memoranda of judgment submitted beyond 14 days will not be signed off call and will need to be noticed up for a hearing.

(i) **Motions seeking approval of a judicial sale filed by third-party bidders, their assignees, or current holders of the certificate of sale shall comply with the same requirements as motions filed by plaintiffs and include all required documents. Failure to provide any of the required documents is grounds for denial of the motion.**

(j) In the case a surplus of funds results from the judicial sale of the subject property, proposed orders **shall** include the following language:

(1) "When mailing a copy of this order approving sale, counsel for plaintiff shall notify the mortgagor, in a cover letter, of the existence of surplus funds. The cover letter shall specify that the funds may be obtained upon presentation to the Presiding Judge (Daley Center Room 2403) of a Petition for Turnover of Surplus Funds. A copy of the current petition form shall be included in the mailing."

AND

(2) "The Selling Officer shall immediately turn over the surplus funds to the Clerk of the Court."

XVIII. MOTIONS FOR ENTRY OF A CONSENT JUDGMENT OF FORECLOSURE

(a) Orders of consent judgment of foreclosure will not be entered unless 30 days' notice of the hearing date has been provided to ALL parties, including all unknown parties, in order to give time to object to the order's entry. Such motions noticed for a hearing date prior to 30 days from the date of service of the motion for entry of a consent judgment of foreclosure upon all parties will be continued to provide for such notice.

(b) Orders of consent judgment of foreclosure shall include a recitation that 30 days' notice has been given to all parties to object prior to the order's entry and that no objections to the order's entry were filed.

(c) Orders of consent judgment of foreclosure shall include a recitation pursuant to 735 ILCS 5/15-1402(c) that the mortgagee waives their right to a personal judgment for deficiency and shall bar the mortgagee from obtaining such a deficiency judgment against the mortgagor or any other person liable for the indebtedness or other obligations secured by the mortgage.

(d) All orders of consent judgment of foreclosure shall state that the order is a final order.

XIX. EMERGENCY MOTIONS

(a) An emergency motion may be brought only if there exists a sudden and unexpected circumstance that could result in irreparable harm, damage, or injury which requires an urgent response before the same motion could be heard on the regular call. Emergency motions shall be brought in conformance with Circuit Court Rule 2.2 and General Administrative Order No. 2018-05. Emergency motions brought with less than 24-hour notice to opposing counsel will be denied outright absent a highly compelling justification.

(b) Emergency motions will be heard only if the movant:

(1) Submits **before 3:30 PM** to ccc.mfmlcalendar60@cookcountyil.gov copies of their **filed** emergency motion with supporting documents;
(2) Indicates "Emergency Motion" in the subject line of the email;
(3) Carbon copies all parties of record on the email; and
(4) Calls the law clerk after sending the emergency motion to the calendar's courtesy copy email address to ensure prompt handling of the motion.

(c) After reviewing the basis of the motion, the Court will sign an order either denying the motion or scheduling the motion for hearing at the Court's convenience. The law clerk will send a copy of the entered order to the movant. Upon receipt of an order scheduling the motion for hearing on an emergency basis, the movant shall:

(1) File a notice of motion with the date and time of hearing set by the Court's scheduling order;
(2) Serve a copy of the entered scheduling order and provide notice to all parties of record as required by law before 5:00 PM on the day the motion is filed via fax, email, or hand-delivery; and
(3) Submit courtesy copies to the Court's email address of the filed notice of emergency motion, certificate of service, and emergency motion with

exhibits by 5:00 PM on the date that the motion is submitted to the Court for preliminary review.

(d) Without exception, emergency motions received by the Court after the 3:30 PM cut off will be handled the next business day.

(e) Without exception, emergency motions received by the Court on a Court holiday or weekend will be handled on the next business day.

(f) Without exception, the Court WILL NOT hear emergency motions on Tuesdays. As such, requests for an emergency motion hearing to stay a judicial sale which is set for a Tuesday SHALL be submitted no later than 3:30 PM the preceding Friday in order to potentially set the hearing on the intervening Monday. If the request is not properly submitted prior to 3:30 PM on the preceding Friday, the motion WILL NOT be heard on an emergency basis.

(g) Without exception, requests for an emergency motion hearing of any sort submitted to the Court for review on the business date immediately preceding a Court holiday are due to the Court before noon. Emergency motions received by the Court after the noon cut off on the business day immediately preceding a Court holiday will be handled the next business day (*i.e.*, the business day after the Court holiday). If a Court holiday is on a Monday, the business day immediately preceding the Court holiday is the previous Friday.

(h) Emergency motions to stay a judicial sale **shall** include the sale date and time and **shall** indicate whether the party previously sought a stay.

(i) Emergency motions to stay possession **shall** include the final judgment date, the possession expiration date, and whether the party previously sought a stay.

(j) Emergency motions to appoint a receiver or mortgagee in possession shall be brought **only if** the verified petition contains factual allegations indicating an immediate health or safety threat.

(k) A party seeking to stay a judicial sale based on a purchase contract or a short sale contract shall provide the Court with a copy of the contract, pre-approval letter from the potential buyer's lender or proof of funds for the buyer if the sale contract does not contain a mortgage contingency provision, and proof that a short sale application has been submitted or approved by the plaintiff or its servicer. *See* General Administrative Order No. 2018-05.

(1) Pre-qualification letters for buyers are NOT sufficient.
(2) Pre-approval letters shall ONLY have contingencies as to appraisal and title.
    (i) Pre-Approval letters with any other contingencies will not be considered by the Court and shall not be used to substantiate an emergency motion to stay a judicial sale based upon a purchase contract or short sale contract.

(l) A party seeking to stay judicial sale based on a pending refinancing of the loan shall provide the Court with a pre-approval letter from the refinancing lender.

(1) Pre-qualification letters are NOT sufficient.
(2) Pre-approval letters shall ONLY have contingencies as to appraisal and title.
    (i) Pre-Approval letters with any other contingencies will not be considered by the Court and shall not be used to substantiate an emergency motion to stay a judicial sale based upon a pending refinancing of the loan.

(m) A party seeking to stay judicial sale based on a complete loss mitigation application being submitted to the plaintiff or its servicer shall provide the Court with proof that an application was submitted to the lender and/or that the lender has acknowledged receipt of a complete loss mitigation application. *See* General Administrative Order No. 2018-05.

(n) Due to the nature of the emergency motion, the date and time on the notice of motion **shall not be pre-selected by the moving party**. In the event a hearing is set, the law clerk will provide the date and time the emergency motion will be heard in a scheduling order entered by the Court, based upon the availability of the Court.

XX. APPOINTED AND REFERRED ATTORNEYS

(a) Special Representatives:

(1) Motions to appoint a special representative pursuant to 735 ILCS 5/13-209(b)(2) shall be noticed for the Court's default call.
(2) All special representative petitions for fees may be piggy-backed to the court date noticed for presentment of a plaintiff's judgment motions without seeking prior permission of the Court pursuant to General Administrative Order No. 2017-03.

(3) If the special representative fee petition is independently noticed up, the Court prefers the hearing to be scheduled on the Court's 10:30 AM default motion call.

(b) Servicemembers' Civil Relief Act ("SCRA"):

(1) Plaintiffs seeking appointment of an attorney to represent a defendant pursuant to 50 U.S.C. § 3931(b)(2) shall be noticed for the Court's default call.

(2) The Court will not enter judgment of foreclosure until after the Court appoints an attorney under the SCRA to represent a defendant in military service.

(3) Upon entry of an order appointing an attorney for a defendant under the SCRA, the Court shall set a status date approximately 90 days thereafter. The Court shall also stay the proceedings for 90 days to allow the appointed attorney to locate the defendant. Such a stay may be lifted prior to the status date upon motion of the appointed attorney supported by affidavit or other sworn evidence that the appointed attorney and the defendant are prepared to proceed with the foreclosure action. Nothing in this section shall prohibit a stay of proceedings pursuant to 50 U.S.C. §§ 3931(d), 3953(b).

(4) If the appointed attorney cannot locate the defendant, actions by the attorney in the case shall not waive any defense of the defendant or otherwise bind the defendant. Additionally, if after due diligence, the appointed attorney has been unable to contact the defendant or otherwise determine if a meritorious defense exists, the Court may, on its own motion or upon motion of the appointed attorney, stay the proceedings for a minimum period of 90 days.

(5) Pursuant to 50 U.S.C. § 3953(b), in an action filed during, or within one year after a defendant's period of military service, the Court may on its own motion and shall upon motion of the defendant (when the defendant's ability to comply with the obligation as defined by 50 U.S.C. § 3953(a) is materially affected by military service):

(i) Stay the proceedings for a period of time as justice and equity require or

(ii) Adjust the obligation to preserve the interests of all parties.

(6) The requirements of 735 ILCS 5/15-1501.6 shall also be enforced as applicable.

(c) Guardian *Ad Litem* ("GAL"):

(1) Pursuant to § 2-502 of the Illinois Code of Civil Procedure, § 11-13 of the Probate Act, § 15-1106(e) of the Illinois Mortgage Foreclosure Law, as well as under its equitable powers, the Court has the "inherent" ability,

"independent" of any statute to appoint a GAL, to defend a minor defendant in litigation. *Flynn v. Flynn*, 283 Ill, 206, 220 (1918); *In re M.M.*, 156 Ill. 2d 53, 63 (1993).

(2) Movants seeking appointment of a GAL for a minor defendant shall contact CVLS prior to presentment of the motion to discern if CVLS is willing and able to take the appointment and to permit CVLS to complete a "conflicts check." In the event CVLS is unable or unwilling to accept representation of a minor as a GAL, movant shall contact a proposed GAL who shall be present at the presentment of the motion.

(3) If the Court appoints a GAL, the GAL shall:

(i) Meet with the minor and/or members of the minor's family and other parties to this case (such meeting(s) may be done virtually);

(ii) Examine the case and determine the minor's rights and defenses in the case and to make such defense as the exercise of care and prudence dictates; and

(iii) Provide a written report to the Court which shall include all relevant information (but shall not include any "personal identification information" as defined in Illinois Supreme Court Rule 138) including, but not limited to, the age of the minor, whether the minor lives at the mortgaged premises, whether the minor has an interest in the mortgaged premises, and whether referral of the minor to the Office of the Public Guardian would be appropriate.

(4) The GAL shall be entitled to recover reasonable fees, costs, and expenses for its services and such fees, costs, and expenses shall be paid by movant and may be added to the amount due under the loan. Fees, costs, and expenses in excess of $500 shall be presented to the Court in a petition prior to approval.

(d) Chicago Volunteer Legal Services ("CVLS"):

(1) If deemed appropriate, the Court may refer a defendant to CVLS.

(2) In such a situation:

(i) The referred defendant shall call CVLS at (312) 332-7574 immediately after the court call to inform CVLS of the referral and to set up a consultation.

(ii) The Court shall prepare and send a copy of the CVLS referral order to CVLS immediately after the court call and shall set a 60 day status date for CVLS to advise the Court on the status of representation. If CVLS declines representation, CVLS shall notify the Court and the parties of its decision prior to the above date and said notice shall be in lieu of appearing in court.

(iii) Plaintiff's counsel shall email all relevant pleadings and orders to CVLS within 7 business days.

(e) Office of the Public Guardian ("OPG"):

(1) If deemed appropriate, the Court may refer a defendant to OPG.
(2) In such a situation:
(i) The Court shall prepare a OPG referral order; shall set a 60 day status date for OPG to advise the Court on the status of the intake assessment; shall call OPG intake at (312) 603-0800 to inform OPG of the referral; and shall provide a copy of the referral order to OPG;
(ii) Plaintiff's counsel shall provide OPG a copy of the complaint, mortgage, note, and any other documents OPG may need or request that have been filed with the Court; and
(iii) The action will be stayed pending OPG's initial intake assessment.

XXI. RECEIVERS AND MORTGAGEES IN POSSESSION

(a) Pursuant to Chancery Division General Administrative Order No. 2014-01, motions to appoint a receiver or to place the mortgagee in possession will be heard at 2:30 PM on Tuesdays. These motions shall be scheduled by emailing ccc.mfmlcalendar60@cookcountyil.gov and requesting a presentment date. After obtaining a date from the law clerk, the motion and notice of motion shall be filed with the clerk's office. The movant **shall** submit courtesy copies ten (10) court business days in advance of the hearing date.

(b) Motions to appoint a receiver will be heard only if the movant provides:

(1) A copy of the complaint, with all exhibits including Mortgage(s) and Note(s);
(2) A copy of the motion including color photographs of the property;
(3) A copy of an affidavit or other sworn pleading in support of the motion pursuant to 735 ILCS 5/15-1706(a);
(4) Three proposed receivers;
(5) Proposed receivers' *curricula vitae* and fee schedules;
(6) Proof of service of process of the complaint meeting all statutory requirements (if the mortgagor has been served with the complaint);
(7) Proof of reasonable notice pursuant to 735 ILCS 5/15-1706(c), (d):
(i) Certificate of Service of Notice of Motion;
(ii) Affidavit of Service of Process of the Motion (if required when the mortgagor has not been served with the complaint); or
(iii) Other affidavits or sworn evidence required to establish a party is in default or good cause to grant the motion exists; and
(8) A proposed order.
(i) All receiver fees, property management fees, startup fees, the receiver's hourly rate, *etc.* shall be expressly listed in the proposed

appointment order and in all subsequent orders approving receiver's reports.

(c) Motions to place the mortgagee in possession will be heard only if the movant provides:

(1) A copy of the complaint, with all exhibits including Mortgage(s) and Note(s);
(2) A copy of the motion including color photographs of the property;
(3) A copy of an affidavit or other sworn pleading in support of the motion pursuant to 735 ILCS 5/15-1706(a);
(4) Proof of service of process of the complaint meeting all statutory requirements (if the mortgagor has been served with the complaint);
(5) Proof of reasonable notice pursuant to 735 ILCS 5/15-1706(c), (d):
  (i) Certificate of Service of Notice of Motion,
  (ii) Affidavit of Service of Process of the Motion (if required when the mortgagor has not been served with the complaint); or
  (iii) Other affidavits or sworn evidence required to establish a party is in default or good cause to grant the motion exists; and
(6) A proposed order.
  (i) Any and all fees that the mortgagee is authorized to charge while in possession of the property shall be expressly listed in the proposed order and in all subsequent orders approving such fees.

(d) All affidavits submitted in support of a motion to appoint a receiver or to place the mortgagee in possession pursuant to 735 ILCS 5/15-1706(a), (b) shall state whether the property is residential real estate and, if so, whether the property has been abandoned or is vacant and shall attach color photographs indicating as such.

(e) Motions to appoint a receiver shall be made pursuant to the Illinois Mortgage Foreclosure Law (735 ILCS 5/15-1706). Requests to appoint a receiver pursuant to the Illinois Receivership Act (765 ILCS 1090/1; *et seq*.) are not permitted unless all parties agree and stipulate to a receiver being appointed pursuant to the Illinois Receivership Act. In such situations, the order shall be marked as "agreed" and shall be signed by the parties prior to presentment to the Court for execution.

(f) The presence of all proposed receivers is not required on the presentment day. Once appointed, the receiver **SHALL** be personally present via Zoom (or in person if by order of Court) at all hearings on receiver's reports, without exception, unless expressly excused by the Court. Only the receiver and/or their legal representatives are allowed to appear in court on behalf of the receiver.

(g) In a motion to appoint a receiver, movant shall provide the Court with some background information regarding the subject property to assist the Court in setting a bond and maximum repair amount that may be incurred without prior approval of the Court. Movant shall also provide their own suggested bond and maximum repair amount that may be incurred without prior approval of the Court.

(1) The purpose of a receivership is to maintain the status quo of the property, not to alter it. *Nartzik v. Ehman*, 191 Ill. App. 71, 80 (1st Dist. 1914). The receivership powers granted by the Court shall be strictly confined to necessary repairs only unless otherwise specifically permitted by a court order.

(2) A receiver shall not make any improvement to the property without bringing before the Court a motion seeking express approval for such an improvement. All orders appointing a receiver shall indicate a maximum repairs amount. Any language regarding "improvements" is prohibited.

(h) A receiver bond **shall** be issued by a court-approved surety and executed in compliance with all applicable court rules. A copy of Cook County Authorized Civil Sureties Handbook is available generally on the Circuit Court of Cook County's website. The bond **shall** have a raised seal, the receiver's signature, and a signature block for Judge Seaton to sign. The proposed bond should be delivered to the Court's email address within 3 court business days of the hearing. The bond will be signed by Judge Seaton and should not be filed in Room 802. After the bond is entered, the Clerk of the Circuit Court will file and enter the bond and place a copy in the court file.

(i) It is important to remember that a receiver is an officer of the Court, not an agent of the mortgagee or the owner, and his or her duty is to preserve and operate the property, within the confines of the order of appointment and any subsequent authorization granted to him or her by the Court. *U.S. Bank National Association v. Randhurst Crossing LLC*, 2018 IL App (1st) 170348, ¶68.

(j) Once a receiver is appointed for a case, the receiver **shall not**:

(1) Serve as a selling officer for the subject property;
(2) Provide a Broker's Price Opinion; or
(3) Act as a listing or selling broker for the subject property nor shall anyone within the same brokerage or property management firm act as a listing or selling broker for the subject property.

(k) If the receiver seeks to engage counsel for any purpose, such a motion shall be brought before the Court by the receiver (or the proposed attorney if the attorney has filed an appearance) and not by Plaintiff's counsel as the receiver is an agent of the Court and not of the Plaintiff. Such motions shall detail the rate at which the proposed attorney bills, the proposed attorney's experience in dealing with similar matters, and any other relevant qualifications of the proposed attorney.

(1) All orders granting a receiver the ability to engage counsel, for any purpose, shall expressly enumerate the hourly rate at which the attorney is authorized to charge.

(l) Receivers shall not have the power to engage a real estate broker to market and sell the subject property, unless specifically authorized to do so by the Court. If a receiver seeks to sell the subject property, the receiver shall present the Court with a motion to authorize the receiver to engage a licensed Illinois real estate broker to list and market the subject property and any future contract for the sale of the property will be subject to Court's approval prior to entry into the contract. Accordingly, in the event the receiver wishes to approve a sales contract prior to the receiver entering into a contract for the sale of the subject property, the receiver shall present the same for approval to the Court via motion and all parties shall have an opportunity to object to the proposed contract. **Upon approval of such a contract by the Court, the receiver shall be authorized to execute a "soft closing" on the property, after which, the receiver shall then bring a final motion to approve all disbursements from escrow. No funds from the closing shall be disbursed without the Court's approval.**

(m) All receiver's reports and proposed orders approving receiver reports shall contain a breakdown *in the receiver's report and in the order itself* of all fees, costs, expenses, attorney fees, *etc.* for which the receiver seeks approval in a neatly organized chart. The actual dollar amounts shall be expressly listed in the receiver's report itself and not only in an exhibit to the receiver's report. Receiver's reports shall not contain language such as "a detailed billing statement for the Receiver's fees as set forth in the Order Appointing Receiver is attached as Exhibit F" or other similar language without *also* listing the exact dollar amount directly in the report itself.

XXII. MOTIONS FOR SERVICE BY SPECIAL ORDER OF COURT

(a) All motions for service by special order of court pursuant to 735 ILCS 5/2-203.1 shall be accompanied with an affidavit stating the nature and extent of the investigation made to determine the whereabouts of the defendant and the reasons why service is impractical under items (1) and (2)

of subsections (a) of Section 2-203, including a SPECIFIC statement showing that a diligent inquiry as to the location of the individual defendant was made and reasonable efforts to make service have been unsuccessful.

(b) Orders granting motion for service by special order of court shall include the person(s) or entity(ies) upon whom service of process by the alternative means is permitted, the methods by which such service of process shall be effectuated, and the address(es) where such service of process shall be made.

(c) "In addition to the affidavit requirements of section 2-203.1 of the Illinois Code of Civil Procedure, a movant requesting service by text message, e-mail, or social media shall include in the supporting affidavit the reasons the movant believes the defendant/respondent has recently sent and received transmissions from a specific e-mail address or telephone number or the defendant/respondent maintains an active social media account on the specific platform utilized for service." Ill. Sup. Ct. R. 102(f)(2).

XXIII. CALENDAR CALL

(a) The Court will enter a Supplemental Standing Order approximately 45-60 days prior to the Court's annual calendar call.

(b) In order to facilitate proper and timely submission of courtesy copies to the Court by plaintiffs' counsels, plaintiffs with cases noticed by the Clerk of the Circuit Court of Cook County to be heard on the Court's annual calendar call will be served via email with a copy of the annual Supplemental Standing Order. Additionally, a copy of the annual Supplemental Standing Order will be generally available to all parties on the Court's webpage.

(c) All parties shall strictly follow the procedures ordered in the Supplemental Standing Order. Failure to strictly comply with this Standing Order or the Supplemental Standing Order, where required, or failure to appear at the Court's annual calendar call, as required, shall subject the case to dismissal for want of prosecution.

(d) Requirements may change from one year to the next. It is imperative that all parties review and adhere to the specific rules outlined for that year's calendar call.

XXIV. CITATION TO DISCOVER ASSETS/POST-JUDGMENT MATTERS

(a) Citations to discover assets are heard in the Law Division (Tax Section). To properly transfer matters to the Law Division, Judge Seaton may sign a transfer order upon presentation of proper motion. A hearing date may be

obtained from the Clerk of the Circuit Court. Proper notice shall be sent to all parties of record and courtesy copies shall be provided to the Court by the movant. Transfer requests will not be approved or entered off call.

XXV. COURT REPORTERS

(a) The Court does not record or save a copy of any proceeding including those occurring via Zoom.

(b) The Court does NOT provide a court reporter. Any party seeking a transcript of any proceeding before the Court shall be responsible for ordering a court reporter at that party's own expense.

(c) For all matters scheduled for a Zoom hearing in which any party orders a court reporter, that court reporter **shall** also appear via Zoom.

(d) For all matters scheduled for an in person hearing in which any party orders a court reporter, that court reporter **shall** also appear in person.

XXVI. REQUESTS FOR A FOREIGN LANGUAGE INTERPRETER

(a) If you require a foreign language interpreter, please either call or email the law clerk before your court date, message the law clerk using the chat function in Zoom when in court, or inform Judge Seaton when your case is called.

(b) Spanish and Polish interpreters are generally immediately available upon request.

(c) For other languages, please notify the law clerk at least 72 hours prior to your court date so the Court may arrange for an interpreter to be present for the requested language.

XXVII. *EX PARTE* COMMUNICATIONS

(a) Pursuant to Illinois Supreme Court Rule 2.9(A), the Court shall not initiate, permit, or consider *ex parte* communications, or consider other communications made to it outside the presence of the parties or their lawyers, concerning a pending or impending matter before the Court.

(b) Any attempt at an *ex parte* communication will be screened, entirely disregarded, and will be given no consideration in the Court's adjudication of any matter before it.

(c) *Ex parte* communications via phone, email, or any other method are strictly prohibited.

XXVIII. COURTESY CALLS TO CHAMBERS

(a) For administrative concerns, please contact the Court's administrative assistant.

(b) For legal or procedural concerns, please contact the Court's judicial law clerk.

(c) As a courtesy to the Court, please contact the Court's judicial law clerk if any fully briefed matter has been resolved and the parties will not argue their briefs on the hearing date.

IT IS SO ORDERED.

Date: March 23, 2026 ENTERED:

Honorable Debra A. Seaton
Cook County Circuit Judge