



SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721
(217) 782-2035

Robert Hill
Reg. No. R08740
Menard Correctional Center
P.O. Box 1000
Menard IL 62259

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
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March 27, 2024

In re: People State of Illinois, respondent, v. Robert Hill, petitioner.
Leave to appeal, Appellate Court, First District.
130388

The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on 05/01/2024.

Very truly yours,

Cynthia A. Grant

Clerk of the Supreme Court

NOTICE
The text of this order may
be changed or corrected
prior to the time for filing of
a Petition for Rehearing or
the disposition of the same.

2023 IL App (1st) 211554-U

No. 1-21-1554

Order filed September 15, 2023

Sixth Division

NOTICE: This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
)	
v.	)	No. 15 CR 7532
)	
ROBERT HILL,	)	Honorable
	)	William B. Raines,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE TAILOR delivered the judgment of the court.
Presiding Justice Oden Johnson and Justice Hyman concurred in the judgment.

ORDER

- ¶ 1 *Held:* Defendant's conviction is affirmed over his contention that he was denied his right to a speedy trial. Orders entered by the Illinois Supreme Court and the chief judge of the Circuit Court of Cook County during the height of the COVID-19 pandemic were constitutional.
- ¶ 2 Following a jury trial, defendant Robert Hill was found guilty of first degree murder and sentenced to 45 years in prison. On appeal, he argues his right to a speedy trial was violated where,

relying on improperly issued pandemic-related orders from the Illinois Supreme Court, the trial court detained him more than the 120-days before trial. We affirm.

¶ 3 As the pretrial proceedings are relevant here, we set them forth in detail. Hill was arrested on April 8, 2015. On May 8, 2015, he was charged by indictment with two counts of first degree murder (720 ILCS 5/9-1(a)(1), (2) (West 2014)), premised on his killing Sandra Fellows on April 7, 2015. On May 20, 2015, Hill was arraigned. The parties agreed to continue the case during several court dates from May 20, 2015, to August 10, 2016.

¶ 4 On August 10, 2016, Hill filed a “motion to quash arrest and suppress evidence,” which the court denied on October 19, 2016. Also on August 10, 2016, Hill filed a motion to suppress statements, which he amended on November 9, 2016. The court denied the motion on June 14, 2018. The parties agreed to a series of continuances while they conducted discovery.

¶ 5 On January 28, 2020, the parties agreed to a jury trial date of March 23, 2020. On March 23, 2020, the circuit court entered an order continuing the case to April 27, 2020, pursuant to the chief judge’s General Administrative Order 2020-01 (Cir. Ct. Cook Cty. G.A.O. 2020-01 (eff. Mar. 17, 2020)), issued on March 13, 2020, in response to the rapidly spreading COVID-19 pandemic.

¶ 6 On March 20, 2020, the supreme court issued an emergency order directing that the chief judges of the circuits could continue trials for the following 60 days and until further order of the court and suspending the time provisions of the Speedy Trial Act (Act) (725 ILCS 5/103-5(b) (West 2020)) regarding those continuances. Ill. S. Ct. M.R. 30370 (eff. Mar. 20, 2020). It issued two subsequent orders to similar effect. Ill. S. Ct. M.R. 30370 (eff. Apr. 3, 2020; Apr. 7, 2020). The chief judge of the circuit court of Cook County issued multiple general administrative orders

setting forth directions for conducting court proceedings during the pandemic and observing that jury trials in criminal cases remained continued. See, e.g., Cir. Ct. Cook Cty. G.A.O. 2020-02 (eff. July 6, 2020, eff. July 29, 2020, eff. Aug. 21, 2020, eff. Sept. 21, 2020); Cir. Ct. Cook Cty. G.A.O. 2020-07 (eff. Nov. 23, 2020). The chief judge's order entered on March 23, 2021, stated that jury trials would be "safely resume[d]" with a "target date***" of March 22, 2021, for criminal jury trials. Cir. Ct. Cook Cty. G.A.O. 2020-07 (eff. Mar. 23, 2021). However, the supreme court did not lift the toll on the statutory speedy trial time restrictions until October 1, 2021. Ill. S. Ct., M.R. 30370 (eff. June 30, 2021).

¶ 7 The parties appeared via Zoom on August 18, 2020, and agreed to continue the case to September 15, 2020, and then to October 5, 2020.

¶ 8 On October 5, 2020, the State and defense counsel appeared before the court. Defense counsel told the court that Hill still wanted a jury trial. The court replied, "My understanding is there won't be juries until probably after the 1st of the year." Defense counsel stated she understood but had a motion detailing her position that the suspension of the Speedy Trial Act (Act) (725 ILCS 5/103-5(b) (West 2020)) was unconstitutional. The court asked counsel to put the claim in writing and informed counsel that the supreme court had suspended jury trials based on the COVID-19 pandemic.

¶ 9 That same date, Hill filed a written demand for trial pursuant to the Act. The demand stated that it "remains in effect and continues even though defense counsel and [defendant] are mindful of the supposed suspension of the *** Act by the Illinois Supreme Court."

¶ 10 On November 18, 2020, and January 5, 2021, defense counsel reiterated that the demand for a speedy trial remained. The court stated Hill's demand for trial was "noted."

¶ 11 On February 8, 2021, Hill filed a motion to dismiss the case pursuant to the Act, asserting that he demanded a trial on October 5, 2020, and, as of February 7, 2021, had been in custody for 2130 days waiting for trial. He requested that the trial court immediately dismiss the case, as 125 days had passed since his speedy trial demand.

¶ 12 On April 9, 2021, the State filed a response, asserting that Hill's motion should be denied because the supreme court tolled the running of the statutory speedy trial term due to the ongoing COVID-19 pandemic, and the trial court was bound by that determination.

¶ 13 On May 11, 2021, the parties agreed to a jury trial date of June 22, 2021. The court stated the motion to dismiss could also be addressed on that date. On June 22, 2021, defense counsel requested that the motion be heard on July 6 because the parties could possibly settle the case prior to trial. The court continued the case.

¶ 14 The case was subsequently continued during the next two court dates. On July 15, 2021, Hill confirmed with the court that he was rejecting the State's plea offer.

¶ 15 The court then heard arguments on Hill's motion to dismiss and denied the motion. The court stated that the supreme court had suspended the Act, and the trial court was not in a position to overrule the supreme court.

¶ 16 The court set a jury trial date of August 16, 2021. On August 13, 2021, by agreement of the parties, the court set a jury trial date of September 28, 2021. On September 28, 2021, defense counsel told the trial court that Hill had "been informed that because of certain circumstances," they could not start the trial that day. The court then set a trial date of September 30, 2021, "by agreement."

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¶ 17 The jury trial commenced on September 30, 2021. On that date, Hill told the court he had a “problem” with counsel agreeing to continuances of the case without his consent after the State “lost jurisdiction” by violating the Act. The court told Hill it was “sensitive” to the time defendant had spent in jail and was trying to resolve the case “as quickly as possible.” The court explained that the supreme court had placed the Act on hold during the pandemic, which was not defense counsel’s fault.

¶ 18 Because the sole issue on appeal only concerns Hill’s pretrial proceedings, we will merely briefly summarize the facts adduced at trial.

¶ 19 Lakisha Whitehead testified that on the evening of April 7, 2015, she called her aunt Sandra Fellows, who had been dating Hill for two months. Whitehead had known Hill for seven or eight years. While Whitehead was on the phone with Fellows, she heard Hill and Fellows argue. The phone conversation then abruptly stopped. The next day, Whitehead received a call informing her that Fellows was dead.

¶ 20 Chicago police sergeant Michael Krueger testified that, on April 8, 2015, he and his partner Officer Matthew Graf found Fellows’s vehicle, which had been reported stolen. They went to Fellows’s apartment in the 6600 block of West Belden Avenue. At Fellows’s apartment, Hill was in the doorway. The officers asked Hill if Fellows was at the apartment, and Hill told them she died yesterday. Graf stated they needed to return her vehicle’s keys to someone. Hill offered to take them and said he was Fellows’s boyfriend. Krueger asked Hill if there was any documentation of Fellows’s death, and Hill stated he was there to “dispose of the body.” Krueger asked Hill where Fellows was, and Hill pointed behind the front door. Krueger looked around the door and saw a deceased woman on the floor with blood coming from her mouth and nose.

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¶ 21 Krueger handcuffed and Mirandized Hill and called paramedics. In a video-recorded interview, after Miranda warnings, Hill told detectives that, as Fellows struggled and kicked, he held her nose and mouth closed so she could not breathe, and she died. A medical examiner testified that Fellows's death was a homicide, and that she died from asphyxiation due to smothering and manual strangulation.

¶ 22 The jury found Hill guilty of first degree murder.

¶ 23 Hill filed a motion for new trial and a supplemental motion for new trial, which alleged in relevant part that the trial court erred in denying his pretrial motion to dismiss the case based on a violation of the Act. The court denied the motions.

¶ 24 The trial court sentenced Hill to 45 years in prison for first degree murder.

¶ 25 On appeal, Hill argues that his constitutional right to a speedy trial was violated where the trial court detained him for more than 120 days in reliance on improperly issued pandemic-related orders by the Illinois Supreme Court suspending the right to a speedy trial.

¶ 26 A criminal defendant has the constitutional right to a speedy trial. U.S. Const., amends. VI, XIV; Ill. Const., 1970, Art. 1, § 8. "Although Illinois's speedy trial statutes implement the constitutional right, the statutory and constitutional rights are not coextensive." *People v. Hartfield*, 2022 IL 126729, ¶ 32. Under the Act, every person in custody in Illinois shall be tried within 120 days from the date he or she was taken into custody "unless delay is occasioned by the defendant." 725 ILCS 5/103-5(a) (West 2020). If not tried in accordance with the Act, the person shall be discharged from custody. 725 ILCS 5/103-5(d) (West 2020).

¶ 27 The speedy trial term begins automatically once the defendant is taken into custody (*People v. Phipps*, 238 Ill. 2d 54, 66 (2010)), and the Act is satisfied by beginning the process of jury

selection for the trial of the case (*People v. Williams*, 59 Ill. 2d 402, 405 (1974)). “Delay shall be considered to be agreed to by the defendant unless he or she objects to the delay by making a written demand for trial or an oral demand for trial on the record.” 725 ILCS 5/103-5(a) (West 2020). “When the parties agree, on the record, to a continuance, the delay is attributable to the defendant.” *People v. Littleton*, 2014 IL App (1st) 121950, ¶ 77.

¶ 28 In determining whether a defendant has been denied his right to a speedy trial, we must examine the record in its totality and consider four factors: “the length of the delay; the reasons for the delay; the prejudice, if any, to the defendant; and defendant’s assertion of his right.” *People v. Crane*, 195 Ill. 2d 42, 48 (2001) (citing *Barker*, 407 U.S. at 530). We review *de novo* the ultimate determination of whether a defendant’s right to a speedy trial was violated. *People v. Echols*, 2018 IL App (1st) 153156, ¶ 11.

¶ 29 Here, if the orders from the Illinois Supreme Court and the circuit court of Cook County were valid, then the speedy trial term in this case only ran from the date of Hill’s arrest on April 8, 2015, to his arraignment 42 days later on May 20, 2015. *Phipps*, 238 Ill. 2d at 66 (speedy trial time period begins automatically with the defendant’s arrest). After that date, Hill agreed to every continuance until the supreme court first suspended speedy trial terms under the Act on March 20, 2020.¹ See *Littleton*, 2014 IL App (1st) 121950, ¶ 77 (delay is attributed to the defendant where

¹ The supreme court’s March 20, 2020, order stated that “the Chief Judges of each circuit may continue trials for the next 60 days and until further order of this Court. In the case of criminal proceedings, any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)).” Ill. S. Ct. M.R. 30370 (eff. Mar. 20, 2020). The supreme court’s order entered April 3, 2020, contained similar language. Ill. S. Ct. M.R. 30370 (eff. Apr. 3, 2020). The order entered April 7, 2020, provided that “[s]tatutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 *** shall be tolled until further order of this Court.” Ill. S. Ct. M.R. 30370 (eff. Apr. 7, 2020).

he agrees to a continuance). By the date Hill demanded trial on October 5, 2020, the Illinois Supreme Court had already authorized the suspension of statutory time requirements under the Act. Ill. S. Ct. M.R. 30370 (eff. Apr. 3, 2020; Apr. 7, 2020). Hill received his trial on September 30, 2021, just before the October 1, 2021, date the supreme court ordered that speedy trial provisions were to recommence. See Ill. S. Ct., M.R. 30370 (eff. June 30, 2021). Therefore, no speedy trial violation occurred unless the supreme court's suspension of the Act was invalid as Hill contends.

¶ 30 We can readily dispose of Hill's speedy-trial argument based on recent precedent from the Illinois Supreme Court resolving this precise issue. On March 23, 2023, our supreme court issued its opinion in *People v. Mayfield*, 2023 IL 128092, holding that its emergency orders tolling the Act's time restrictions did not (1) exceed its administrative and supervisory authority to regulate court procedures or (2) violate the separation of powers. *Id.* ¶¶ 3, 27-28. The court further held that the circuit court was not bound by the speedy-trial statute because the supreme court had expressly permitted tolling under its "[g]eneral administrative and supervisory authority over all courts." *Id.* ¶ 36 (quoting Ill. Const. 1970, art. VI, § 16). Thus, no speedy-trial violation occurred here as the pretrial delays by the circuit court resulted from the supreme court's tolling of the Act's time restrictions. See *People v. Johnson*, 2023 IL App (2d) 210110, ¶¶ 24-27; *People v. Ontario House*, 2023 IL App (1st) 220496-U, ¶ 47; *People v. Roundtree*, 2023 IL App (3d) 220254-U, ¶ 13.²

¶ 31 For the foregoing reasons, we affirm the judgment of the circuit court.

The supreme court has since explained that the April 7 order "amended the March 20 and April 3 orders to clarify [the supreme court's] intent to toll the time restrictions of the speedy-trial statute." *People v. Mayfield*, 2023 IL 128092, ¶ 9.

² Rule 23(e)(1) states that "a nonprecedential order entered under subpart (b) of this rule on or after January 1, 2021, may be cited for persuasive purposes." Ill. S. Ct. R. 23(e)(1) (eff. Feb. 1, 2023).

No. 1-21-1554

¶ 32 Affirmed.

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

PEOPLE OF THE STATE OF ILLINOIS

v.

ROBERT HILL

Defendant

Case Number 15CR0753201
 Date of Birth 10/11/1981
 Date of Arrest 04/08/2015
 IR Number 1246443 SID Number 041701070

**ORDER OF COMMITMENT AND SENTENCE TO
ILLINOIS DEPARTMENT OF CORRECTIONS**

The above named defendant having been adjudged guilty of the offense(s) enumerated below is hereby sentenced to the Illinois Department of Corrections as follows:

<u>Count</u>	<u>Statutory Citation</u>	<u>Offense</u>	<u>Years</u>	<u>Months</u>	<u>Class</u>	<u>Consecutive</u>	<u>Concurrent</u>
001	720-5/9-1(A)(1)	MURDER/INTENT TO KILL/INJURE	45		M		

On Count _____ defendant having been convicted of a class _____ offense is sentenced as a class _____ offender pursuant to 730 ILCS 5/5-4.5-95(b).

On Count _____ defendant is sentenced to an extended term pursuant to 730 ILCS 5/5-8-2.

The Court finds that the defendant is entitled to receive credit for time actually served in custody for a total credit of _____ years and 2,413 days, as of the date of this order. Defendant is ordered to serve 3 years Mandatory Supervised Release.

IT IS FURTHER ORDERED that the above sentence(s) be concurrent with the sentence imposed in case numbers(s) _____

AND: consecutive to the sentence imposed under case number(s) _____

IT IS FURTHER ORDERED THAT DEFENDANT SENTENCED AT 100% SENTENCE: COUNT 2 TO MERGE INTO COUNT 1

IT IS FURTHER ORDERED that the Clerk provide the Sheriff of Cook County with a copy of this Order and that the Sheriff take the defendant into custody and deliver him/her to the Illinois Department of Corrections and that the Department take him/her into custody and confine him/her in a manner provided by law until the above sentence is fulfilled.

Dated November 17, 2021

Certified by: _____

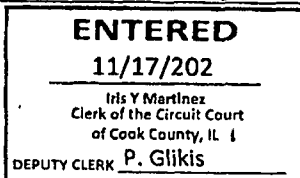
Deputy Clerk P. Glikis

William B. Raines
 Judge Raines, William B

2120

Judge's No.

Verified by: _____



IRIS Y MARTINEZ, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Page 1 of 1

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Chief Judge ENANS

22

ILLINOIS SUPREME COURT ORDER TO
SUSPEND SPEEDY TRIAL ACT

EXHIBIT -

NOTICE OF FILING

DOUGLAS R. HOFF

Deputy Defender
Office of the State Appellate Defender
203 North LaSalle, 24th Floor
Chicago, Illinois 60601
1stdistrict.eserve@osad.state.il.us

Attention: Carolyn R. Klarquist
Assistant Appellate Defender

PLEASE TAKE NOTICE that on December 27, 2022, the foregoing Notice and Brief and Argument for Plaintiff-Appellee was filed with the Clerk of this Appellate Court of Illinois, First District, using the court's electronic filing system, Odyssey eFileIL.

KIMBERLY M. FOXX,
State's Attorney of Cook County
Richard J. Daley Center – 3rd Floor
Chicago, Illinois 60602
eserve.CriminalAppeals@cookcountyil.gov

By: /s/ Calla M. Mears
CALLA M. MEARS,
Assistant State's Attorney

CERTIFICATE OF SERVICE

Under penalties as provided bylaw pursuant to Section 1-109 of the code of Civil Procedure, the undersigned certifies that the statement set forth in this instrument are true and correct. I further certify that on December 27, 2022, I caused the foregoing Notice and Brief and Argument for Plaintiff-Appellee to be served on the above-mentioned person at the above-listed email address using the court's electronic filing system, Odyssey eFileIL.

By: /s/ Calla M. Mears
CALLA M. MEARS,
Assistant State's Attorney



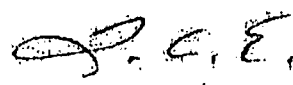
State of Illinois
Circuit Court of Cook County

Timothy C. Evans
Chief Judge

50 West Washington Street
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Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-6000
Fax (312) 603-5366
TTY (312) 603-6673

MEMORANDUM

To: Honorable Dorothy Brown, Cook County Clerk of the Circuit Court
Honorable Thomas Dart, Cook County Sheriff
Honorable Kim Fox, Cook County State's Attorney
Amy Campanelli, Cook County Public Defender

From: Honorable Timothy C. Evans 
Chief Judge
Circuit Court of Cook County

Date: March 13, 2020

Re: General Administrative Order No. 2020-01 and press release

Please see General Administrative Order No. 2020-01 and the press release issued by my office this evening.

Court will be open on Monday, March 16, 2020. General Administrative Order No. 2020-01 take effect on Tuesday, March 17, 2020.

Thank you.

TCE:pak
Attachment

A-1

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER: 2020 - 01

SUBJECT: COVID-10 EMERGENCY MEASURES

In light of global coronavirus pandemic, and in order to protect the health and safety of the general public, the court's judges and employees, and elected officials, after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Illinois Supreme Court Rule 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that except as provided below, all matters in all Districts and Divisions of the Circuit Court of Cook County, Illinois, are rescheduled and continued for a period of 30 days from the originally scheduled court date, unless the 30th day falls on a weekend, in which case it will be continued until the following business day;

IT IS FURTHER ORDERED that except as necessary for the purposes enumerated below, all judges and employees of Circuit Court of Cook County shall be encouraged to work remotely and conduct business telephonically or via videoconference for a period of 30 days from the effective date of this order;

IT IS FURTHER ORDERED that the Sheriff of Cook County shall cease execution of eviction orders relating to residential real estate effective March 14, 2020. The Sheriff shall resume execution of said orders in 30 days;

IT IS FURTHER ORDERED AS FOLLOWS:

1. **ALL DIVISIONS:** Judges will be available in person in each division and department to hear emergency matters
2. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, will be conducted daily at all locations;
3. **CRIMINAL DIVISION:**
 - a) Preliminary hearings and arraignments that have commenced as of the effective date of this order will proceed as scheduled.
 - b) Court will be in session for plea agreements.
 - c) Jury trials in progress as of the effective date of this order will proceed as scheduled and juror deliberations in progress as of the effective date of this order will continue until concluded.
4. **JUVENILE JUSTICE DIVISION:** Juvenile detention hearings and demands for trial will be conducted daily at 1100 S. Hamilton Ave., Chicago.

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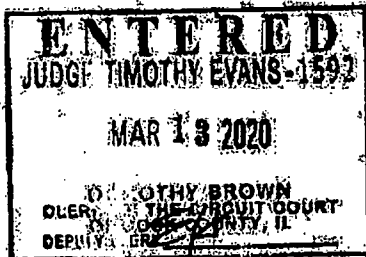
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5. **CHILD PROTECTION DIVISION:** All temporary custody hearings and emergency motions will be heard as scheduled.
6. **CHANCERY DIVISION:** There shall be a moratorium on final judgments and executions of judgments in mortgage foreclosure proceedings.
7. **MUNICIPAL DIVISION, ALL DISTRICTS**
All traffic and misdemeanor cases are continued to the next key date at least 30 days following the originally scheduled court date. The Clerk of the Circuit Court shall provide postcard notice to the defendant.
8. **ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:** In-person meetings between probation officers and social service caseworkers and the persons under their supervision will be reserved for high-risk clients. For low and moderate-risk clients, probation officers and social service caseworkers will contact clients to schedule essential meetings to be held via either video or telephone conference.
9. **CIVIL MATTERS IN ALL DIVISIONS:** Matters agreed by all parties to be emergencies will be heard and may be conducted either in-person or via video or telephone conference. Discovery in civil matters will continue as scheduled.
10. **EMERGENCY CIVIL ORDERS OF PROTECTION** will be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6, and when sought in connection with a Domestic Relations matter, at the Richard J. Daley Center.
11. **MENTAL HEALTH HEARINGS** will continue as scheduled.
12. **GRAND JURY:** No new grand jury shall be empaneled before May 1, 2020. Grand juries whose terms expire on or before March 31, 2020, shall be extended until April 30, 2020.
13. **FILINGS OF INITIAL PLEADINGS OR RESPONSIVE MOTIONS:** Initial pleadings or responsive motions may be filed in person or via electronic filing through the Clerk of the Circuit Court.
14. **MANDATORY ARBITRATION:** All hearings shall be rescheduled and continued for a period of 30 days from the date originally scheduled.
15. **FORENSIC EXAMINATIONS:** All forensic examinations of criminal defendants, both adult and juvenile, shall be rescheduled for a period of 30 days from the originally scheduled date or the date of the order requiring such examination, whichever is later.
16. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and programs including Traffic Safety School and SWAP are entered and continued until rescheduled.

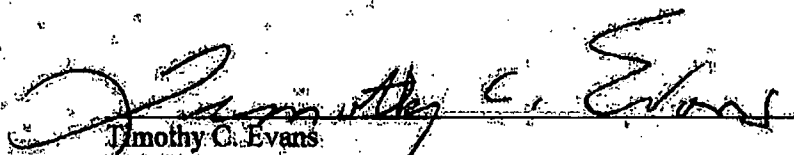
No marriages will be performed in Marriage Court during the 30-day period following the effective date of this order.

The Court may issue further Orders regarding this matter as necessary to address the circumstances arising from this pandemic. Further information will be published on the court's website.

Dated this 13th day of March, 2020, and effective March 17, 2020. This Order shall be spread upon the records of this Court and published.



ENTERED:


Timothy C. Evans
Chief Judge
Circuit Court of Cook County

A-4



State of Illinois
Circuit Court of Cook County

Chambers of
Timothy C. Evans
Chief Judge

50 West Washington Street
Suite 2600
Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-6000

MARCH 13, 2020
PRESS RELEASE
FOR IMMEDIATE RELEASE

CONTACT:

Pat Milhizer, Director of Communications
Office of the Chief Judge
Circuit Court of Cook County
(312) 603-5160
pat.milhizer@cookcountyll.gov

Chief Judge Evans postpones most cases for 30 days due to coronavirus

CHICAGO (March 13, 2020) — Many criminal and civil cases in the Circuit Court of Cook County will be postponed for a 30-day period starting Tuesday (March 17) due to the spread of the coronavirus, Chief Judge Timothy C. Evans announced today.

Court operations will proceed as scheduled on Monday (March 16). The 30-day period runs from March 17 through April 15.

Chief Judge Evans took this action after consulting with the court's 17 presiding judges, the county board president, state's attorney, public defender, sheriff, clerk of the circuit court and representatives of local bar associations.

"We are modifying court operations to protect the public, court staff and the judiciary," Chief Judge Evans said. "We will continue to identify the appropriate balance between allowing access to justice and minimizing the threat to public health. I am also asking everybody in the justice system to exercise patience and flexibility as we move forward in these unpredictable times. This is an unprecedented situation, and we may need to make more changes in the days ahead."

No jury trials in criminal or civil matters will begin in the 30 days. Individuals who have been summoned to jury duty from March 17 through April 15 should not report for jury duty. They will receive a new date for service.

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Grand jury proceedings will continue during the 30 days, and the proceedings may be held in courtrooms to provide more space and distance between people. Individuals who are currently serving in grand jury proceedings must report to court.

For all adult criminal cases, all trials and many hearings scheduled for the 30 days are postponed to a future date. Hearings that will proceed in the 30 days include bail hearings, arraignments and preliminary hearings. In addition, defendants may continue to enter into plea agreements to conclude their case. Any pretrial defendant may also request a bail review during this time.

In addition, for the 30 days, low-risk and medium-risk adults on probation do not need to meet with their probation officer in person. Probation officers have contacted clients to inform them that they will schedule meetings to be held either via video conferencing or phone conversation. Clients deemed high-risk will still be required to report to their probation officers in person.

All traffic and misdemeanor matters scheduled in the 30 days are postponed to a future date.

For delinquency and criminal proceedings involving juveniles, the only matters that will occur during the 30 days are demands for trial and detention hearings that determine if a juvenile is held in custody while the case is pending.

Judges will hear cases of child abuse or neglect in which the state seeks protective custody of a child, and judges will hear emergency motions in which children are allegedly abused in foster care.

For domestic violence matters, petitioners may seek orders of protection during the 30 days. Litigants may also seek an order of protection related to an existing civil domestic relations case (such as dissolution of marriage). Emergency petitions may also be filed in child support matters.

For the 30-day period, all civil matters not deemed an emergency by party agreement are postponed to a future date. Emergency requests in civil matters will be permitted.

No orders for an eviction or foreclosure will be entered during the 30-day period.

Civil lawsuits may still be filed in person or via electronic filing.

For the 30 days, all courthouse Children's Rooms will be closed. Individuals who have court business should not bring children to court.

After marriage ceremonies conclude Monday, March 16, judges will not perform marriage ceremonies during the 30-day period.

Though there will be fewer cases, all courthouses will remain open for the 30 days. Court employees who do not need to be in a courtroom or office will be encouraged to work remotely during this time.

In addition, the Circuit Court of Cook County is following the guidance of the Illinois Supreme Court, and signs will be posted at all courthouses to indicate that the following individuals should not enter any courthouse if they:

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- Have been in any of the following countries with the last 21 days: China, South Korea, Italy, Japan, Iran; or
- Reside or have close contact with anyone who has been in one of those countries listed above within the last 21 days; or
- Have been directed to quarantine, isolate or self-monitor at home for the coronavirus by any medical provider; or
- Have been diagnosed with, or have had close contact with anyone diagnosed with, COVID-19; or
- Have flu-like symptoms including fever, cough or shortness of breath.

Chief Judge Evans understands that one of these conditions may apply to a person who plans to attend a court hearing that is permitted during the 30-day period. He is following the guidance of the Illinois Supreme Court and asking the judiciary to make reasonable accommodations and reschedule matters for individuals who cannot enter a courthouse due to one of the aforementioned reasons.

###

Follow the court on Twitter @CookCntyCourt

IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts Response to
COVID-19 Emergency

M.R. 30370

Order

On March 9, 2020, Governor Pritzker declared a State of Emergency in response to the novel coronavirus (COVID-19). On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency. Pursuant to the general administrative and supervisory authority vested in the Supreme Court under Article VI, Section 16 of the Illinois Constitution, Illinois appellate and circuit court procedures and orders entered in response to this ongoing threat of COVID-19 shall be consistent with the following guidelines in order to protect the health and safety of court patrons, staff, judges and the general public:

- A. All Illinois courts shall continue to establish and periodically update, as necessary, temporary procedures to minimize the impact of COVID-19 on the court system, while continuing to provide access to justice. These procedures shall be consistent with each appellate and circuit court Emergency Preparedness Continuity of Operations Plan (EP-COOP) and its operational plan for essential court functions. Each court shall immediately provide its orders and other communications on temporary procedures to the Supreme Court through its Administrative Office of the Illinois Courts. The Supreme Court Communications Office will post information on the Court's website.
- B. Essential court matters and proceedings shall continue to be heard by the Illinois courts. If feasible and subject to constitutional limitations, essential matters and proceedings shall be heard remotely via telephone or video or other electronic means.
- C. All non-essential court matters and proceedings should be continued or, where possible, conducted remotely via telephone or video or other electronic means.
- D. Subject to constitutional limitations, all courts, in any civil or criminal case, may:
 1. Modify or suspend any deadlines and procedures, whether prescribed by local rule or order, for a stated period ending no later than 30 days after the Governor's state of emergency declaration has been lifted.

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2. Consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, by teleconference, videoconference, or other means.
3. Require every participant in a proceeding to alert the court if the participant has or knows of another participant who has been diagnosed with COVID-19.
4. Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19.

E. Until further order, the Supreme Court temporarily suspends the operation of any Supreme Court Rules to the extent they are contrary to any provisions of this order.

F. Individuals, including judges, court staff, parties, attorneys, jurors and witnesses, should not enter any courthouse if they:

1. Have traveled, within the last 21 days, to any country designated by the United States Centers for Disease Control (CDC) as high-risk locations for transmission of COVID-19;
2. Reside or have close contact with anyone who has traveled to any country designated by the CDC as high-risk locations for transmission of COVID-19;
3. Have been directed to quarantine, isolate or self-monitor at home by any medical provider;
4. Have been diagnosed with, or have had close contact with anyone diagnosed with, COVID-19; or
5. Have flu-like symptoms including fever, cough or shortness of breath.

G. All courts should implement temporary reductions in courthouse staffing while maintaining core functions and essential court operations. Temporary suspension or relaxation of leave policies may be necessary. To the extent feasible, court staff able to conduct work remotely should do so.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 17th day of March, 2020.

Carolyn T. Gosbell Clerk,
Supreme Court of the State of Illinois

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago and other local municipalities, *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities* (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. Mar. 17, 2020, as amended) is hereby amended as follows. Except as otherwise provided in these amendments, the effective dates, expiration dates, and other time periods are as ordered herein on March 17, 2020.

GENERAL ADMINISTRATIVE ORDER: 2020-01 (amended March 30, 2020)

SUBJECT: COVID-19 EMERGENCY MEASURES

In light of the global coronavirus pandemic (COVID-19), and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below, all matters in all Districts and Divisions of the court are rescheduled and continued for a period of 30 days from the originally scheduled court date or a date not more than 30 days after May 18, 2020, whichever is later, unless the 30th day falls on a weekend or court holiday, in which case it shall be continued until the following business day.

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference.

IT IS FURTHER ORDERED that, effective March 14, 2020, the Sheriff of Cook County shall cease enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders on May 18, 2020; the time period in which such orders expiring before May 18, 2020, must be enforced pursuant to 735 ILCS 5/9-117 is extended 60 days from the current expiration date, but not later than June 15, 2020.

IT IS FURTHER ORDERED:

1. ALL DIVISIONS AND DISTRICTS:

- a. Judges will be available in person in each division and district to hear emergency matters, as determined by the Presiding Judge of the respective division or district.
- b. No later than April 16, 2020, except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing, so that the only persons physically in the courtroom are those

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persons essential to activities that require that person to be in the courtroom; at the discretion of the judge presiding, if it is not reasonably possible to conduct a hearing or by videoconference, it may be conducted by teleconference;

c. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:

- i. At no time, shall there be more than 10 (ten) persons in the courtroom at the same time;
- ii. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;

2. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, will be conducted daily at the Leighton Criminal Court Building;

3. **CRIMINAL DIVISION:**

- a) Preliminary hearings and arraignments that have commenced as of the effective date of this order will proceed as scheduled;
- b) Court will be in session for plea agreements; priority will be given to defendants who are in custody;
- c) Jury trials in progress as of the effective date of this order will proceed as scheduled and juror deliberations in progress as of the effective date of this order will continue until concluded;
- d) Any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial), 109-3.1 (preliminary examination or hearing), and 113-6 (arraignment) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5; 725 ILCS 5/109-3.1; and 725 ILCS 5/113-6).

4. **JUVENILE JUSTICE DIVISION:** Juvenile detention hearings and other emergency matters will be conducted daily at 1100 S. Hamilton Ave., Chicago;

5. **CHILD PROTECTION DIVISION:** All temporary custody hearings and emergency motions will be heard as scheduled; except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing, so that the only persons physically in the courtroom are those persons essential to activities that require that person to be in the courtroom;

6. **CHANCERY DIVISION:** There shall be a moratorium on final judgments and executions of judgments in mortgage foreclosure proceedings;

7. **LAW DIVISION:**

All matters currently scheduled to be heard between the entry of this amended order and April 30, 2020, shall be rescheduled and continued for 56 days; all matters currently

scheduled to be heard after April 30, 2020, shall be rescheduled and continued for 35 days.

8. MUNICIPAL DEPARTMENT, CRIMINAL CASES

- a. All traffic and misdemeanor cases are continued to the next key date after May 18, 2020; the circuit clerk shall provide postcard notice to the defendant.
- b. In Districts 2-6, the arresting agency shall provide appropriate equipment to enable defendants to participate in their bail hearings by videoconference; if, due to extenuating circumstances, the arresting agency is unable to facilitate videoconferencing for a bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff at the appropriate courthouse, and the sheriff shall provide the equipment and location for a bail hearing by videoconference.
 - i. When a defendant is released by the court without the posting of monetary bail, the arresting agency shall release the defendant from its custody at the place of detention.
 - ii. When a defendant is required to post monetary bail and the defendant or a third party is able to post said bail at the conclusion of the bail hearing, the arresting agency shall take the bail in accordance with the provisions of Section 110-7 or 110-8 of the Code of Criminal Procedure (725 ILCS 5/110-7 or 725 ILCS 5/110-8) and release the defendant to appear in accordance with the conditions of the bail bond.
 - iii. When a defendant or a third party is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff of Cook County at the Cook County Department of Corrections, 2700 S. California Ave., Chicago, Ill., or such other location as is designated by the sheriff.
- c. The branch courts in the city of Chicago at 3150 West Flournoy Street, 5555 W. Grand Ave., and 727 E. 111th St. shall cease all court operations at the close of business on April 3, 2020; and proceedings normally heard at those locations shall be heard at the Lefebvre Criminal Court Building until further order of the court.

9. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT: In-person meetings between probation officers or social service caseworkers and the persons under their supervision shall be reserved for high-risk clients; for low- and moderate-risk clients, probation officers and social service caseworkers shall contact clients to schedule essential meetings to be held via either video or telephone conference.

10. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- a. Matters deemed by the judge presiding to be emergencies shall be heard and may be conducted either in-person or via video or telephone conference.
- b. Except for oral depositions, discovery shall continue as scheduled.

- c. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's inability to comply with an oral deposition.
- d. In no event shall participants in litigation be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency.

11. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION,

STALKING NO CONTACT ORDERS: Petitions for emergency orders will be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6, and when sought in connection with a Domestic Relations or Probate case, at the Richard J. Daley Center, as designated by the chief judge, petitioners may participate in hearings by videoconference from shelters for victims of domestic violence.

12. DOMESTIC VIOLENCE DIVISION: Defendants awaiting initial bail hearings in criminal cases at 555 W. Harrison St., Chicago, Ill., shall be transported by the arresting agency to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill., and shall participate in their bail hearings by videoconference from that location.

13. COUNTY DIVISION: Mental health hearings will be held as scheduled.

14. GRAND JURY: No new grand jury shall be empaneled before May 18, 2020. Grand juries whose terms expire on or before March 31, 2020, shall be extended until May 15, 2020.

15. FILING INITIAL AND RESPONSIVE PLEADINGS, RESPONSIVE MOTIONS:

Initial and responsive pleadings and responsive motions may be filed in person or by electronic filing with the circuit clerk.

16. MANDATORY ARBITRATION: All hearings shall be rescheduled and continued for a period of 60 days from the currently scheduled date, but not later than June 15, 2020; if the 60th day falls on a weekend or court holiday, it shall be continued until the following business day.

17. FORENSIC EXAMINATIONS: In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be rescheduled and continued for a period of 60 days from the currently scheduled date or the date of the order requiring such examination, whichever is later, but not later than June 15, 2020; if the 60th day falls on a weekend or court holiday, it shall be continued until the following business day.

18. BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:

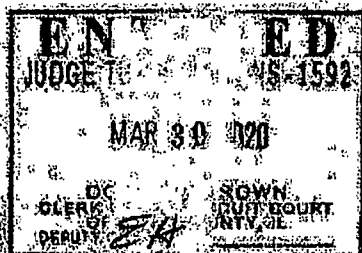
- a. Pursuant to Cook County Code § 18-49,

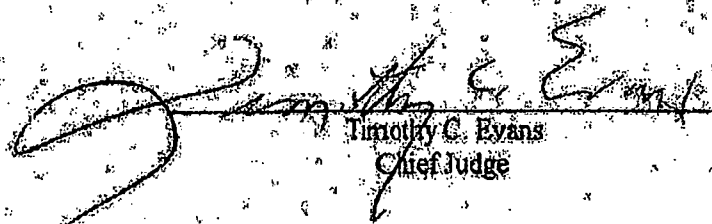
- i. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety without the surety's voluntary, written consent;
 - ii. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;
 - iii. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund or other Third-Party Surety to the surety;
- b. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute.

19. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs including Traffic Safety School and SWAP are entered and continued until rescheduled; no marriages will be performed in Marriage Court until May 18, 2020, until further order of the court as needed, further information will be published on the court's website: <http://www.cookcountycourt.org>.

Dated this 30th day of March, 2020, and effective immediately.

ENTER:




Timothy C. Evans
Chief Judge

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IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts Response to
COVID-19 Emergency/
Impact on Trials

M.R. 30370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sect. 16), and in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the coronavirus, IT IS HEREBY ORDERED that the Court's order of March 20, 2020 is amended to read:

The Chief Judges of each circuit may continue trials until further order of this Court. In the case of criminal proceedings, any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)). In the case of juvenile delinquency proceedings, any delay resulting from this emergency continuance order shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)).

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed the seal
of said Court, this 3rd day of April, 2020.

Carolyn T. Gosbell Clerk,
Supreme Court of the State of Illinois

IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts Response to
COVID-19 Emergency/
Impact on Trials

M.R.30370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the novel coronavirus; and in the interests of the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances, and to clarify this Court's orders of March 20, 2020 and April 3, 2020, IT IS HEREBY ORDERED that the Court's orders of March 20, 2020 and April 3, 2020 are amended as follows:

The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed the seal
of said Court, this 7th day of April, 2020.

Carolyn T. Giesbol

Clerk,
Supreme Court of the State of Illinois

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020)* of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (amended April 3, 2020, as amended) is hereby amended as follows:

GENERAL ADMINISTRATIVE ORDER: 2020-01 (amended May 1, 2020)

SUBJECT: COVID-19 EMERGENCY MEASURES

In light of the global coronavirus pandemic (COVID-19), and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below, all matters in all Districts and Divisions of the court are rescheduled and continued for a period of 30 days from the currently scheduled court date or a date not more than 30 days after May 31, 2020, whichever is later, unless the 30th day falls on a weekend or court holiday, in which case it shall be continued until the following business day;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference;

IT IS FURTHER ORDERED that, effective March 14, 2020, the sheriff of Cook County shall cease enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders on June 1, 2020; the time period in which such orders expiring before June 1, 2020, must be enforced pursuant to 735 ILCS 5/9-117 is extended 60 days from the current expiration date, but not later than July 17, 2020;

IT IS FURTHER ORDERED:

1. ALL DIVISIONS AND DISTRICTS:

- a. Judges will be available in person in each division and district to hear emergency matters, as determined by the Presiding Judge of the respective division or district;
- b. No later than April 16, 2020, except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing, so that the only persons physically in the courtroom are those persons essential to activities that require that person to be in the courtroom, at the

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discretion of the judge presiding, if it is not reasonably possible to conduct a hearing by videoconference, it may be conducted by teleconference.

- a. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:

- i. At no time shall there be more than 10 (ten) persons in the courtroom at the same time;
- ii. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom.

2. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, will be conducted daily at the Leighton Criminal Court Building.

3. **CRIMINAL DIVISION:**

- a. Preliminary hearings and arraignments that have commenced as of the effective date of this order will proceed as scheduled.
- b. Court will be in session for plea agreements; priority will be given to defendants who are in custody.
- c. Jury trials in progress as of the effective date of this order will proceed as scheduled and juror deliberations in progress as of the effective date of this order will continue until concluded.
- d. Any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial), 109-3.1 (preliminary examination or hearing), and 113-6 (arraignment) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5, 725 ILCS 5/109-3.1, and 725 ILCS 5/113-6).

4. **JUVENILE JUSTICE DIVISION:**

- a. Juvenile detention hearings, including all motions to review detention, and other emergency matters will be conducted daily at 1100 S. Hamilton Ave., Chicago.
- b. Any delay resulting from this emergency continuance order shall not be attributable to either the State or the juvenile for purposes section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601).

5. **CHILD PROTECTION DIVISION:** All temporary custody hearings and emergency motions will be heard as scheduled; except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing so that the only persons physically in the courtroom are those persons essential to activities that require that person to be in the courtroom.

6. **CHANCERY DIVISION:** There shall be a moratorium on final judgments and executions of judgments in mortgage foreclosure proceedings;

7. LAW DIVISION:

All matters currently scheduled to be heard between the entry of this amended order and April 30, 2020, shall be rescheduled and continued for 56 days; all matters currently scheduled to be heard after April 30, 2020, shall be rescheduled and continued for 35 days.

8. MUNICIPAL DEPARTMENT, CRIMINAL CASES

- a. All traffic and misdemeanor cases are continued to the next key date after June 1, 2020; the circuit clerk shall provide postcard notice to the defendant; emergency proceedings in misdemeanor cases will be heard as provided in § 8(c) herein.
- b. In Districts 2-6, the arresting agency shall provide appropriate equipment to enable defendants to participate in their bail hearings by videoconference; if, due to extenuating circumstances, the arresting agency is unable to facilitate videoconferencing for a bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff at the appropriate courthouse, and the sheriff shall provide the equipment and location for a bail hearing by videoconference.
 - i. When a defendant is released by the court without the posting of monetary bail, the arresting agency shall release the defendant from its custody at the place of detention.
 - ii. When a defendant is required to post monetary bail and the defendant or a third party is able to post said bail at the conclusion of the bail hearing, the arresting agency shall take the bail in accordance with the provisions of Section 110-7 or 110-8 of the Code of Criminal Procedure (725 ILCS 5/110-7 or 725 ILCS 5/110-8) and release the defendant to appear in accordance with the conditions of the bail bond.
 - iii. When a defendant or a third party is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff of Cook County at the Cook County Department of Corrections, 2700 S. California Ave., Chicago, Ill., or such other location as is designated by the sheriff.
- c. The branch courts in the city of Chicago at 3150 West Flournoy Street, 5535 W. Grand Ave., and 727 E. 11th St. shall cease all court operations at the close of business on April 3, 2020, and all proceedings normally heard at those locations, including those heard at Branches 23, 29, 35, 38, 43, and 44, shall be heard at the Leighton Criminal Court Building until further order of the court.
- d. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District.

- 9. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:** Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by either videoconference or teleconference.

10. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- a. Matters deemed by the judge presiding to be emergencies shall be heard and may be conducted either in person or via videoconference or teleconference;
- b. Except for oral depositions, discovery shall continue as scheduled;
- c. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's inability to comply with an oral deposition;
- d. In no event shall participants in litigation be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency.

11. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- a. Petitions for emergency orders shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- b. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center:
 - i. emergency civil no contact orders;
 - ii. emergency civil orders of protection;
 - iii. emergency stalking no contact orders;
- c. Petitioners for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference.

12. DOMESTIC VIOLENCE DIVISION: When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill., or such other location as is designated by the sheriff.

13. COUNTY DIVISION: Mental health hearings will be held as scheduled.

14. GRAND JURY: No new grand jury shall be empaneled before June 1, 2020. Grand juries whose terms expire on or before May 18, 2020, shall be extended until May 29, 2020.

15. FILING INITIAL AND RESPONSIVE PLEADINGS, RESPONSIVE MOTIONS: Initial and responsive pleadings and responsive motions may be filed in person or by electronic filing with the circuit clerk.

16. MANDATORY ARBITRATION: All hearings shall be rescheduled and continued for a period of 60 days from the currently scheduled date, but not later than June 15, 2020; if the 60th day falls on a weekend or court holiday, it shall be continued until the following business day.

17. FORENSIC EXAMINATIONS: In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be rescheduled and continued for a period of 60 days from the currently scheduled date or the date of the order requiring such examination, whichever is later, but not later than June 15, 2020; if the 60th day falls on a weekend or court holiday, it shall be continued until the following business day.

18. BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:

a. Pursuant to Cook County Code § 18-49,

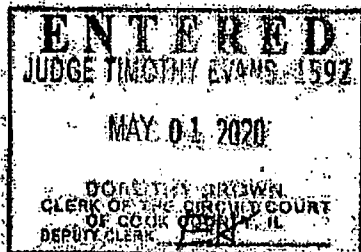
- i. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety without the surety's voluntary, written consent.
- ii. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent.
- iii. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund or other Third-Party Surety to the surety.

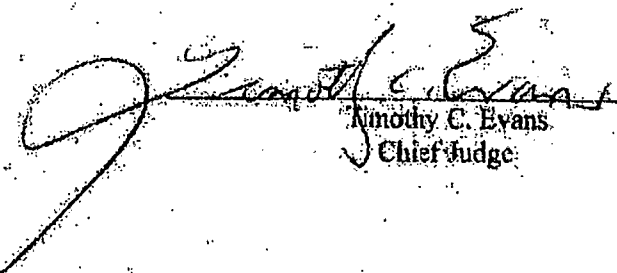
b. Pursuant to 705 ILCS 105/27-3B, where a charitable bond fund or other third party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute.

19. OTHER: Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; no marriages will be performed in Marriage Court until June 1, 2020, or at courthouses until further order of the court; as needed, further information will be published on the court's website:
<http://www.cookcountycourt.org>.

Dated this 1st day of May, 2020, and effective immediately.

ENTER:




Timothy C. Evans
Chief Judge

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IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts Response to
COVID-19 Emergency

M.R. 30370

Order

Article VI of the Illinois Constitution of 1970 vests the judicial power of our State in the Supreme Court, an Appellate Court, and the Circuit Courts. That constitutional grant of power creates a corresponding duty of service to the People of Illinois. To fulfill that duty, the judiciary's mission is to protect the rights and liberties of all by providing equal access to justice, resolving disputes, and upholding the rule of law. Those principles have always remained fundamental, even in times of crisis.

Article VI also gives general administrative and supervisory authority over the judicial branch to the Supreme Court. In the exercise of that authority, this Court has issued a series of orders governing court functions during the COVID-19 pandemic. The March 17, 2020 order directed Illinois courts to hear "essential court matters and proceedings." The order further authorized courts to conduct both essential and nonessential matters and proceedings remotely, subject to constitutional and practical limitations.

Our concerns about the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances are ongoing, and our duty to the People of Illinois is ever present. That duty requires courts to resume operations as quickly and fully as possible. Various approaches for doing so based on local public health data have emerged at the national and state levels. We have considered those approaches in charting a path forward.

Pursuant to the exercise of its general administrative and supervisory authority over all Illinois courts as conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16), IT IS HEREBY ORDERED:

Effective June 1, 2020, the Court's order of March 17, 2020, is modified so that each circuit may return to hearing court matters, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit. The circuit courts shall continue, to the extent possible, to allow for appropriate social distancing and attempt to reduce the number of persons appearing personally for court appearances.

The factors which may be considered by the chief judge in determining whether matters may be safely heard include, but are not limited to, the following: deadlines which apply to a case or class of cases; the length of time any applicable deadline has been suspended by order of the Supreme Court or the Circuit Court; applicable information from public health authorities; limitations in court facilities or staffing; and anticipated prejudice to any class of cases as a result of continued delay. Chief judges should also take into consideration the *Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During the COVID*

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19 pandemic. Chief circuit judges should understand that local conditions may change, and their plans should contain contingencies in that event.

Local plans should continue to promote the use of remote hearings where appropriate. To the extent that the Court's order of March 17, 2020 prohibits in-person proceedings on non-essential matters, this provision is relaxed according to the plan adopted by the chief circuit judge in each circuit.

Additionally, the April 7, 2020, order regarding Illinois Courts Response to COVID-19 Emergency/Impact on Trials is modified to read as follows:

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the novel coronavirus; and in the interests of the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances, and to clarify this Court's orders of March 20, 2020 and April 3, 2020, IT IS HEREBY ORDERED that the Court's orders of March 20, 2020 and April 3, 2020 are amended as follows:

The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, this 20th day of May, 2020.

Carolyn Toff Gosbell

Clerk,

Supreme Court of the State of Illinois

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities* (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (amended April 3, 2020, as amended) is hereby amended as follows:

GENERAL ADMINISTRATIVE ORDER: 2020-01 (amended May 28, 2020)

SUBJECT: COVID-19 EMERGENCY MEASURES

In light of the global coronavirus pandemic (COVID-19), and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or until further order of court, all matters in all Districts and Divisions of the court are rescheduled and continued for a period of 30 days from the currently scheduled court date, or the date as noticed by the clerk in accordance with this order, or a date not more than 30 days after July 6, 2020, whichever is later, unless the 30th day falls on a weekend or court holiday, in which case it shall be continued until the following business day.

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference.

IT IS FURTHER ORDERED that, effective March 14, 2020, the sheriff of Cook County shall cease enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders upon further order of court; the time period in which such orders expiring before July 6, 2020, must be enforced pursuant to 735 ILCS 5/9-117 is extended 60 days from the current expiration date, but not later than August 17, 2020 (Supreme Court Order M.R. 30370 is applicable).

IT IS FURTHER ORDERED:

1. ALL DIVISIONS AND DISTRICTS:

- a. Judges will be available in person or remotely in each division and district to hear emergency matters, as determined by the Presiding Judge of the respective division or district.
- b. Except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing, so that the only persons physically in the courtroom are those persons essential to activities that

require that person to be in the courtroom; at the discretion of the judge presiding, if it is not reasonably possible to conduct a hearing by videoconference, it may be conducted by teleconference.

c. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:

i. At no time shall there be more than 10 (ten) persons in the courtroom at the same time.

ii. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom.

d. Judges shall review pending cases to determine a new date that cases can be scheduled (triage of cases on a case-by-case basis).

2. PRETRIAL DIVISION: Bail hearings, including motions to review bail, will be conducted daily at the Leighton Criminal Court Building.

3. CRIMINAL DIVISION:

a. Preliminary hearings and arraignments that have commenced as of the effective date of this order will proceed as scheduled.

b. Court will be in session for plea agreements; priority will be given to defendants who are in custody.

c. Any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial), 109-3.1 (preliminary examination or hearing), and 113-6 (arraignment) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5, 725 ILCS 5/109-3.1, and 725 ILCS 5/113-6).

4. JUVENILE JUSTICE DIVISION:

a. Juvenile detention hearings, including all motions to review detention, and other emergency matters will be conducted daily at 1400 S. Hamilton Ave., Chicago.

b. Any delay resulting from this emergency continuance order shall not be attributable to either the State or the juvenile for purposes section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601).

5. CHILD PROTECTION DIVISION: All temporary custody hearings and emergency motions will be heard as scheduled; except as otherwise ordered by the assigned judge, to the extent it is reasonably possible, all hearings shall be conducted by videoconferencing, so that the only persons physically in the courtroom are those persons essential to activities that require that person to be in the courtroom.

6. CHANCERY DIVISION: There shall be a moratorium on final judgments and executions of judgments in mortgage foreclosure proceedings; all mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales are stayed until July 19, 2020. This includes any court order in furtherance of a foreclosure such as an Order for Default and Summary Judgment Orders and Orders Approving Sales. Other

contested motions may continue to be litigated and ruled upon by the Court, including but not limited to discovery motions, special representative motions, and receiver motions.

7. **LAW DIVISION:** All matters currently scheduled to be heard between the entry of this amended order and July 3, 2020, shall be rescheduled and continued for 56 days; all matters currently scheduled to be heard after July 3, 2020, shall be rescheduled and continued for 35 days.

8. MUNICIPAL DEPARTMENT, CRIMINAL CASES/TRAFFIC CASES

- a. All in-person traffic and misdemeanor matters are hereby continued until further order of court; notice of new court date shall be provided by the circuit clerk; the circuit clerk shall provide postcard notice to the defendant; emergency proceedings in misdemeanor cases will be heard as provided in § 8(c) herein;
- b. In Districts 2-6, the arresting agency shall provide appropriate equipment to enable defendants to participate in their bail hearings by videoconference; if, due to extenuating circumstances, the arresting agency is unable to facilitate videoconferencing for a bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff at the appropriate courthouse, and the sheriff shall provide the equipment and location for a bail hearing by videoconference.
 - i. When a defendant is released by the court without the posting of monetary bail, the arresting agency shall release the defendant from its custody at the place of detention;
 - ii. When a defendant is required to post monetary bail and the defendant or a third party is able to post said bail at the conclusion of the bail hearing, the arresting agency shall take the bail in accordance with the provisions of Section 110-7 or 110-8 of the Code of Criminal Procedure (725 ILCS 5/110-7 or 725 ILCS 5/110-8) and release the defendant to appear in accordance with the conditions of the bail bond;
 - iii. When a defendant or a third party is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall deliver custody of the defendant to the sheriff of Cook County at the Cook County Department of Corrections, 2700 S. California Ave., Chicago, Ill., or such other location as is designated by the sheriff;
- c. The branch courts in the city of Chicago at 3150 West Flournoy Street, 5555 W. Grand Ave., and 727 E. 111th St. shall cease all court operations at the close of business on April 3, 2020, and all proceedings normally heard at those locations, including those heard at Branches 23, 29, 35, 38, 43, and 44, shall be heard at the Leighton Criminal Court Building until further order of the court;
- d. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- e. The Traffic Safety School requirement for the disposition of supervision shall be suspended until further order of court.

9. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT: Probation

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THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. May 28, 2020), as amended) is hereby superseded.

GENERAL ADMINISTRATIVE ORDER: 2020-02

SUBJECT: COVID-19 EMERGENCY MEASURES, RESUMPTION OF OPERATIONS

In light of the global coronavirus pandemic (COVID-19) and Ill. Executive Order Nos. 30 and 39, and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, the circuit court will begin hearing all matters in all Districts and Divisions of the court with the exception of jury trials;

IT IS FURTHER ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, all matters in all Districts and Divisions of the court shall be conducted by videoconference to the extent reasonably possible, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections, proceedings may be conducted by teleconference, videoconference, in-person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants shall be permitted to participate by videoconference from a location of their choosing; self-represented litigants in the sheriff's custody shall be provided access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that all persons must wear masks or other face coverings in the courthouse including while in the courtrooms; notwithstanding the foregoing provision,

participants shall not be required to wear masks or other face coverings while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; recording of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. R. 46 (eff. May 22, 2020);

IT IS FURTHER ORDERED that no residential real estate eviction action shall commence until after July 31, 2020, unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation; the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders after July 31, 2020, or as otherwise ordered by the court; the time period in which such orders expiring before July 6, 2020, must be enforced pursuant to 735 ILCS 5/9-1.7 is extended 60 days from said expiration date, but not later than September 4, 2020;

IT IS FURTHER ORDERED:

1. Effective July 6, 2020

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges will be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. Judges shall contact the attorneys and self-represented litigants in all cases on their docket currently scheduled for a hearing of any kind and determine the following:
 1. whether a hearing is necessary;
 2. whether a necessary hearing can be conducted by videoconference, teleconference, or must be conducted with some or all participants in the courtroom;
 3. the date of the next court proceeding, including any continuance;
- iii. Notwithstanding the provisions of section 1(a)(ii) of this order, the Presiding Judge of a District or Division shall, alternatively, establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with the remainder of this order;
- iv. In cases in which all parties are self-represented, the judge presiding shall direct the circuit clerk to send the parties a postcard scheduling the matter on the court's calendar or provide notice through the sheriff if a party is in custody, and court personnel shall contact the parties to the extent it is reasonably possible and notify them of the new court date in their case; on the new court date, the court shall request an email address or phone number at which the court may contact the self-represented parties to schedule future matters;

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- v. In-person court dates shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
- vi. When defendants in criminal cases are permitted to return to court, by administrative order or order of the judge presiding, the failure of a defendant not in custody to appear on the first return court date shall not result in the issuance of a warrant, and a continuance for 30 days shall be ordered; the judge presiding over the matter shall have discretion to enter further continuances and to issue bond forfeiture warrants, taking into consideration the COVID-19 pandemic emergency and public safety considerations; the clerk shall send notice of each court date to the defendant at the address on the defendant's bond;
- vii. When jury trials resume, the judge presiding shall schedule jury trials not less than 60 days after the date on which the parties are notified of the trial date;
- viii. Until further order of the court, at the discretion of the judge presiding and upon execution by all parties of waivers of physical presence, bench trials may be held by videoconference;
- ix. Initial and responsive pleadings and responsive motions may be filed, as provided in Ill. S. Ct. R. 9 (eff. Jan. 1, 2020), in person or by electronic filing with the circuit clerk;
- x. Mandatory arbitration hearings currently scheduled on or before July 6, 2020, shall be rescheduled;
- xi. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
- xii. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily at the Leighton Criminal Court Building;
- c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**
 - 1. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:
 - 1. arraignment;

2. preliminary hearing or preliminary examination;
3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of bail bond;
10. hearing on fitness;

ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:

1. initial bail hearing;
2. waiver of a preliminary hearing;
3. arraignment on an information or indictment to which a plea of not guilty will be entered;
4. presentation of a jury waiver;
5. any status hearing;
6. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
7. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically:
 - a. waiver of physical presence for those persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, is not automatically waived and must be ordered by the judge presiding;
 - b. for any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
8. Unless ordered to be physically present by the judge presiding, the defendant may waive his or her physical presence and appear by videoconference;

iii. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of pretrial release;
 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 1. initial detention hearing;
 2. arraignment on a petition to which a plea of not guilty will be entered;
 3. presentation of a jury waiver;
 4. any status hearing;
 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 7. Unless ordered by the judge presiding, the respondent's appearance is not required;
- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

e. CHANCERY DIVISION:

- i. All mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales are stayed until after July 31, 2020, including any court order in furtherance of a foreclosure, such as an order for default, summary judgment, and orders approving sales; other contested motions may continue to be litigated and ruled upon by the court, including, but not limited to, discovery motions, special representative motions, and receiver motions;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago, shall resume hearings at the above locations via teleconference or videoconference whenever it is reasonably possible; otherwise, at the discretion of the judge presiding, considering the input of the parties, in person hearings shall be allowed;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- iv. All in-person misdemeanor and traffic matters are hereby continued until further order of the court; the circuit clerk shall provide notice of the new court date to the parties;
- v. The Traffic Safety School requirement for the disposition of supervision shall be suspended until further order of the court;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT: Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19 2019);
- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with an oral deposition;

- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

I. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Petitions for emergency orders in cases where the parties are not involved in a pending Domestic Relations matter shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- ii. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the respective Division:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

J. DOMESTIC RELATIONS DIVISION:

- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means whenever reasonably possible until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

K. DOMESTIC VIOLENCE DIVISION: When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall

fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;

- ii. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund or other Third-Party Surety to the surety;
- iii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;

i. **MARRIAGES:** Beginning July 6, 2020, marriages shall be performed in Marriage Court or at courthouses only by appointment.

i. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled, as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.

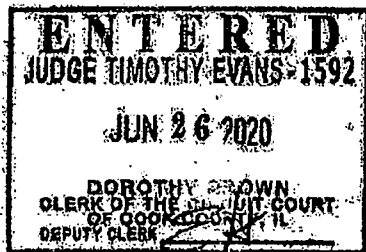
IT IS FURTHER ORDERED that further resumption of operations shall be pursuant to order of the Chief Judge;

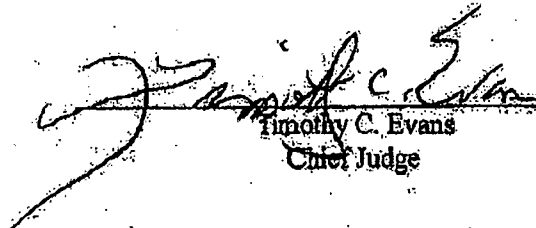
IT IS FURTHER ORDERED that this order supersedes Cook County Cir. Cl. G.A.O. 2020-01 (eff. May 28, 2020); and

IT IS FURTHER ORDERED that, except as otherwise provided herein, this order is effective July 6, 2020.

Dated this 26th day of June 2020.

ENTER:




Timothy C. Evans
Chief Judge

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IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts' Response to
COVID-19 Emergency/
Impact on Trials

M/R 00370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16 of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sect. 16), and in view of the state of emergency that has been declared by the Governor of the State of Illinois in order to prevent the spread of the coronavirus;

IT IS HEREBY ORDERED that the Chief Judges of each circuit may continue trials for the next 60 days and until further order of this Court. In the case of criminal proceedings, any delay resulting from this emergency continuance order shall not be attributable to either the State or the defendant for purposes of section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)).

Order entered by the Court.



IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed the
seal of said Court, this 20th day of
March, 2020.

Carolyn Toff Gusbell

Clerk,
Supreme Court of the State of Illinois

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

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**UPDATED CRIMINAL DIVISION OPERATING PROCEDURE
(Effective 06-08-20)**

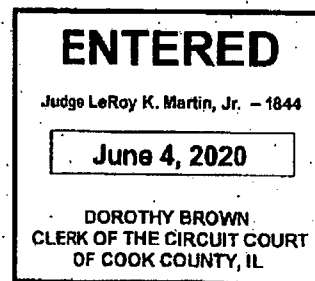
Pursuant to the Chief Judge's General Order 2020-01 (Amended May 28, 2020), the following procedures will govern Criminal Division operations at the Leighton Building, until further order of Court.

Grand Jury - The Grand Jury shall meet a maximum of three (3) days per week. Further, the Grand Jury will carry out the responsibilities of both the Special and regular Grand Juries.

Court Operations - Consistent with current operations, all matters will be heard via Zoom. There will be no in-court proceedings. Only the judge, court clerk and deputy will be allowed in the courtroom. The courtroom 101 assignment call shall continue to be heard each day at 9:00 a.m. Courtrooms 504/506 will continue to hear emergency motions each day at 9:30 a.m. However, non-emergency bond motions are to be motioned for hearing before the assigned judge for a date that the judge will be sitting.

As the schedule reflects, there will be six (6) judges sitting each day, with the exception of Mondays and Wednesdays in which case there shall be seven (7). Lawyers and other staff necessary must be certain to have the appropriate Zoom Meeting ID and in some cases a Password. Also, continue to monitor the Circuit Court's website (www.cookcountycourt.org) for any schedule changes. During this period, judges will not conduct evidentiary hearings or trials. Pursuant to these procedures, judges will focus on the status of each case and determine which cases will benefit from longer court dates and those which will need to be addressed shortly after July 6th. Judges will handle non-emergency motions, conduct 402 conferences, hear pleas, enter

briefing schedules on motions, hear oral argument on non-evidentiary motions, rule on post-conviction cases and other matters. Judges will also hear and address probation violations as well as the termination of some probation matters. If lawyers wish to have a case heard on the date the assigned judge is sitting, please motion the case for hearing using the procedures currently in place. As a reminder, when logging into Zoom, all attorneys should type in their full proper name. Individual assistant state's attorneys and assistant public defenders not appearing with a group should place "ASA" or "APD" respectively before their full name. The State's Attorney's office may use the designation "CCSAO" and the Public Defender's Office may use "CCPDO" (or other similar nomenclature) when several attorneys in the same office are using the same Zoom site login. Private attorneys should use the abbreviation "ATTY" before their full name. These designations should be placed in front of your name and not behind your name. Counsel should also take care to advise the defendant, any victims or witnesses appearing via Zoom that the proceedings will be live streamed for public viewing.



Hon. LeRoy K. Martin, Jr.
Presiding Judge
Criminal Division

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-02 (eff. July 6, 2020) is hereby amended as follows:

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. May 28, 2020), as amended) is hereby superseded.

GENERAL ADMINISTRATIVE ORDER: 2020-02

SUBJECT: COVID-19 EMERGENCY MEASURES, RESUMPTION OF OPERATIONS

In light of the global coronavirus pandemic (COVID-19) and Ill. Executive Order Nos. 30 and 48, and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, the circuit court will begin hearing all matters in all Districts and Divisions of the court with the exception of jury trials;

IT IS FURTHER ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, all matters in all Districts and Divisions of the court shall be conducted by videoconference to the extent reasonably possible, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; self-represented litigants in the sheriff's custody shall be provided access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that all persons must wear masks or other face coverings in the courthouse, including while in the courtrooms; notwithstanding the foregoing provision, participants shall not be required to wear masks or other face coverings while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. R. 46 (eff. May 22, 2020);

IT IS FURTHER ORDERED that no residential real estate eviction action shall commence until after August 22, 2020, unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation; the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders after August 22, 2020, or as otherwise ordered by the court; the time period in which such orders expiring before August 22, 2020, must be enforced pursuant to 735 ILCS §/9-117 is extended 60 days from said expiration date, but not later than October 20, 2020;

IT IS FURTHER ORDERED:

1. Effective July 6, 2020

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges will be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. Judges shall contact the attorneys and self-represented litigants in all cases on their docket currently scheduled for a hearing of any kind and determine the following:
 1. whether a hearing is necessary;
 2. whether a necessary hearing can be conducted by videoconference, teleconference, or must be conducted with some or all participants in the courtroom;
 3. the date of the next court proceeding, including any continuance;
- iii. Notwithstanding the provisions of section 1(a)(ii) of this order, the Presiding Judge of a District or Division shall, alternatively, establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with the remainder of this order;
- iv. In cases in which all parties are self-represented, the judge presiding shall direct the circuit clerk to send the parties a postcard scheduling the matter on the court's calendar or provide notice through the sheriff if a party is in custody, and court personnel shall contact the parties to the extent it is reasonably possible and notify them of the new court date in their case; on

the new court date, the court shall request an email address or phone number at which the court may contact the self-represented parties to schedule future matters;

- v. In-person court dates shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
 - vi. When defendants in criminal cases are permitted to return to court, by administrative order or order of the judge presiding, the failure of a defendant not in custody to appear on the first return court date shall not result in the issuance of a warrant, and a continuance for 30 days shall be ordered; the judge presiding over the matter shall have discretion to enter further continuances and to issue bond forfeiture warrants, taking into consideration the COVID-19 pandemic emergency and public safety considerations; the clerk shall send notice of each court date to the defendant at the address on the defendant's bond;
 - vii. When jury trials resume, the judge presiding shall schedule jury trials not less than 60 days after the date on which the parties are notified of the trial date;
 - viii. Until further order of the court, at the discretion of the judge presiding and upon execution by all parties of waivers of physical presence, bench trials may be held by videoconference;
 - ix. Initial and responsive pleadings and responsive motions may be filed, as provided in Ill. S. Ct. R. 9 (eff. Jan. 1, 2020), in person or by electronic filing with the circuit clerk;
 - x. Mandatory arbitration hearings currently scheduled on or before July 6, 2020, shall be rescheduled;
 - xi. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
 - xii. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily at the Leighton Criminal Court Building;
- c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**

i. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:

1. arraignment;
2. preliminary hearing or preliminary examination;
3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of bail bond;
10. hearing on fitness;

ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:

1. initial bail hearing;
2. waiver of a preliminary hearing;
3. arraignment on an information or indictment to which a plea of not guilty will be entered;
4. presentation of a jury waiver;
5. any status hearing;
6. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
7. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 - a. waiver of physical presence for those persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, is not automatically waived and must be ordered by the judge presiding;
 - b. for any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
8. Unless ordered to be physically present by the judge presiding, the defendant may waive his or her physical presence and appear by videoconference;

iii. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be

attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of pretrial release;
 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 1. initial detention hearing;
 2. arraignment on a petition to which a plea of not guilty will be entered;
 3. presentation of a jury waiver;
 4. any status hearing;
 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 7. Unless ordered by the judge presiding, the respondent's appearance is not required;
- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

c. CHANCERY DIVISION:

- i. All mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales are stayed until after August 22, 2020, including any court order in furtherance of a foreclosure, such as an order for default, summary judgment, and orders approving sales; other contested motions may continue to be litigated and ruled upon by the court, including, but not limited to, discovery motions, special representative motions, and receiver motions;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago, shall resume hearings at the above locations via teleconference or videoconference whenever it is reasonably possible; otherwise, at the discretion of the judge presiding, considering the input of the parties, in person hearings shall be allowed;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- iv. Unless otherwise ordered by the judge presiding, all in-person misdemeanor and traffic matters are hereby continued until further order of the court; the circuit clerk shall provide notice of the new court date to the parties;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT: Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19 2019);
- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to

limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with an oral deposition;

- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Petitions for emergency orders in cases where the parties are not involved in a pending Domestic Relations matter shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- ii. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the respective Division:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

j. DOMESTIC RELATIONS DIVISION:

- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means whenever reasonably possible until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

k. DOMESTIC VIOLENCE DIVISION: When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required

monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;

l. CHILD PROTECTION DIVISION: The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

m. COUNTY DIVISION: The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

n. LAW DIVISION:

i. Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that were ready for trial but were not permitted to proceed due to the COVID-19 pandemic, as well as cases that cannot proceed after July 6, 2020, because of the COVID-19 pandemic;

iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings in cases as provided in provision n(ii) above;

iv. For cases scheduled for jury trial, with the agreement of the parties to a bench trial, the Presiding Judge shall establish procedures for cases to be heard by bench trial, via video conference when reasonably possible or in-person;

o. PROBATE DIVISION: Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

p. GRAND JURY: Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;

q. FORENSIC EXAMINATIONS: In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;

r. BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:

i. Pursuant to Cook County Code § 18-49,

1. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety without the surety's voluntary, written consent;

2. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund or other Third-Party Surety to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;
- ii. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund or other Third-Party Surety to the surety;
- iii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;
- s. **MARRIAGES:** Beginning July 6, 2020, marriages shall be performed in Marriage Court or at courthouses only by appointment;
- t. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.

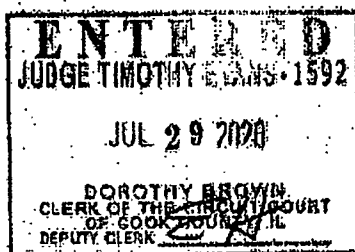
IT IS FURTHER ORDERED that further resumption of operations shall be pursuant to order of the chief judge;

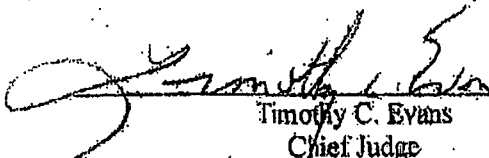
IT IS FURTHER ORDERED that this order supersedes Cook County Cir. Ct. G.A.O. 2020-01 (eff. May 26, 2020); and

IT IS FURTHER ORDERED that, except as otherwise provided herein, this order is effective July 31, 2020.

Dated this 29th day of July 2020.

ENTER:




Timothy C. Evans
Chief Judge

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-02 (eff. August 21, 2020) is hereby amended as follows:

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. May 28, 2020), as amended, is hereby superseded.

GENERAL ADMINISTRATIVE ORDER: 2020-02

SUBJECT: COVID-19 EMERGENCY MEASURES, RESUMPTION OF OPERATIONS

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, the circuit court will begin hearing all matters in all Districts and Divisions of the court with the exception of jury trials;

IT IS FURTHER ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, all matters in all Districts and Divisions of the court shall be conducted by videoconference to the extent reasonably possible, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are essential for essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; self-represented litigants in the sheriff's custody shall be provided access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that all persons must wear masks or other face coverings in the courthouse, including while in the courtrooms; notwithstanding the foregoing provision, participants shall not be required to wear masks or other face coverings while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. R. 46 (eff. May 22, 2020);

IT IS FURTHER ORDERED that, as provided by the executive orders of the State of Illinois, as they may be amended from time to time, no residential real estate eviction action shall commence unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation;

IT IS FURTHER ORDERED that the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders after September 21, 2020, or as otherwise ordered by the court; the time period in which such orders expiring on or before September 21, 2020, must be enforced pursuant to 735 ILCS 5/9-117 is extended 60 days from said expiration date, but not later than November 20, 2020;

IT IS FURTHER ORDERED:

1. Effective July 6, 2020

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges will be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. Judges shall contact the attorneys and self-represented litigants in all cases on their docket currently scheduled for a hearing of any kind and determine the following:
 1. whether a hearing is necessary;
 2. whether a necessary hearing can be conducted by videoconference, teleconference, or must be conducted with some or all participants in the courtroom;
 3. the date of the next court proceeding, including any continuance;
- iii. Notwithstanding the provisions of section 1(a)(ii) of this order, the Presiding Judge of a District or Division shall, alternatively, establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with the remainder of this order;

- iv. In cases in which all parties are self-represented, the judge presiding shall direct the circuit clerk to send the parties a postcard scheduling the matter on the court's calendar or provide notice through the sheriff if a party is in custody, and court personnel shall contact the parties to the extent it is reasonably possible and notify them of the new court date in their case; on the new court date, the court shall request an email address or phone number at which the court may contact the self-represented parties to schedule future matters;
 - v. In-person court dates shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
 - vi. When defendants in criminal cases are permitted to return to court, by administrative order or order of the judge presiding, the failure of a defendant not in custody to appear on the first return court date shall not result in the issuance of a warrant, and a continuance for 30 days shall be ordered; the judge presiding over the matter shall have discretion to enter further continuances and to issue bond forfeiture warrants, taking into consideration the COVID-19 pandemic emergency and public safety considerations; the clerk shall send notice of each court date to the defendant at the address on the defendant's bond;
 - vii. When jury trials resume, the judge presiding shall schedule jury trials not less than 60 days after the date on which the parties are notified of the trial date;
 - viii. Initial and responsive pleadings and responsive motions may be filed, as provided in Ill. S. Ct. R. 9 (eff. Jan. 1, 2020), in person or by electronic filing with the circuit clerk;
 - ix. Mandatory arbitration hearings currently scheduled on or before July 6, 2020, shall be rescheduled;
 - x. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
 - xi. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily at the Leighton Criminal Court Building;
- c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**

- i. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:
 1. arraignment;
 2. preliminary hearing or preliminary examination;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of bail bond;
 10. hearing on fitness;
- ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 1. initial bail hearing;
 2. waiver of a preliminary hearing;
 3. arraignment on an information or indictment to which a plea of not guilty will be entered;
 4. presentation of a jury waiver;
 5. any status hearing;
 6. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 7. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 - a. waiver of physical presence for those persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, is not automatically waived and must be ordered by the judge presiding;
 - b. for any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
 8. Unless ordered to be physically present by the judge presiding, the defendant may waive his or her physical presence and appear by videoconference;
- iii. Until further order of the court, at the discretion of the judge presiding and upon the defendant's execution of a waiver of physical presence, bench

trials may be held in person, by videoconference, by teleconference or a combination of those means;

- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 - 1. arraignment;
 - 2. probable cause hearing;
 - 3. motion to dismiss on speedy trial grounds;
 - 4. hearing on discovery status;
 - 5. evidentiary hearing on motion;
 - 6. conference pursuant to Ill. S. Ct. R. 402;
 - 7. entry of guilty plea;
 - 8. hearing on violation or termination of probation;
 - 9. hearing on violation of pretrial release;
 - 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 - 1. initial detention hearing;
 - 2. arraignment on a petition to which a plea of not guilty will be entered;
 - 3. presentation of a jury waiver;
 - 4. any status hearing;
 - 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 - 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;

7. Unless ordered by the judge presiding, the respondent's appearance is not required;

- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

e. CHANCERY DIVISION:

- i. All mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales are stayed until after September 21, 2020, including any court order in furtherance of a foreclosure, such as an order for default, summary judgment, and orders approving sales; other contested motions may continue to be litigated and ruled upon by the court, including, but not limited to, discovery motions, special representative motions, and receiver motions;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago, shall resume hearings at the above locations via teleconference or videoconference whenever it is reasonably possible; otherwise, at the discretion of the judge presiding, considering the input of the parties, in person hearings shall be allowed;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- iv. Unless otherwise ordered by the judge presiding, all in-person misdemeanor and traffic matters are hereby continued until further order of the court; the circuit clerk shall provide notice of the new court date to the parties;

- g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:** Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19 2019);
- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their

best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with an oral deposition;

- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Petitions for emergency orders in cases where the parties are not involved in a pending Domestic Relations matter shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- ii. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the respective Division:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

j. DOMESTIC RELATIONS DIVISION:

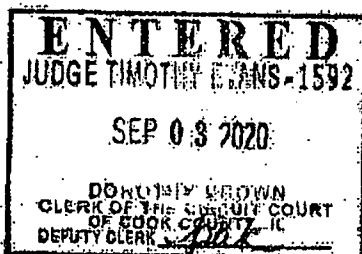
- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means whenever reasonably possible until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

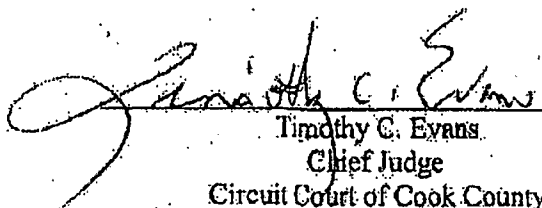
- k. **DOMESTIC VIOLENCE DIVISION:** When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;
- l. **CHILD PROTECTION DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- m. **COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- n. **LAW DIVISION:**
 - i. Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
 - ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that were ready for trial but were not permitted to proceed due to the COVID-19 pandemic, as well as cases that cannot proceed after July 6, 2020, because of the COVID-19 pandemic;
 - iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings in cases as provided in provision n(ii) above;
 - iv. For cases scheduled for jury trial, with the agreement of the parties to a bench trial, the Presiding Judge shall establish procedures for cases to be heard by bench trial, via video conference when reasonably possible or in-person;
- o. **PROBATE DIVISION:** Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- p. **GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;
- q. **FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;
- r. **BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**
 - i. Charitable Bond Funds
 - 1. Pursuant to Cook County Code § 18-49,

- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;
 - b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;
2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;
- ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;
- s. **MARRIAGES:** Beginning July 6, 2020, marriages shall be performed in Marriage Court or at courthouses only by appointment;
- t. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.
2. **IT IS FURTHER ORDERED** that further resumption of operations shall be pursuant to order of the chief judge;
 3. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. G.A.O. 2020-01 (eff. May 28, 2020); and
 4. **IT IS FURTHER ORDERED** that, except as otherwise provided herein, this order is effective August 21, 2020.

Dated this 3rd day of September 2020.

ENTER:




Timothy C. Evans
Chief Judge
Circuit Court of Cook County

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-02 (eff. August 21, 2020) is hereby amended as follows:

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. May 28, 2020), as amended, is hereby superseded.

GENERAL ADMINISTRATIVE ORDER: 2020-02

SUBJECT: COVID-19 EMERGENCY MEASURES, RESUMPTION OF OPERATIONS

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, the circuit court will begin hearing all matters in all Districts and Divisions of the court with the exception of jury trials;

IT IS FURTHER ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, all matters in all Districts and Divisions of the court shall be conducted by videoconference to the extent reasonably possible, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are performing essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; self-represented litigants in the sheriff's custody shall be provided access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that all persons must wear masks or other face coverings in the courthouse, including while in the courtrooms; notwithstanding the foregoing provision, participants shall not be required to wear masks or other face coverings while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. R. 46 (eff. May 22, 2020);

IT IS FURTHER ORDERED that, as provided by the executive orders of the State of Illinois, as they may be amended from time to time, no residential real estate eviction action shall commence unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation;

IT IS FURTHER ORDERED that the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate and shall resume enforcement of said orders after October 17, 2020, or as otherwise ordered by the court; the time period in which such orders expiring on or before October 17, 2020, must be enforced pursuant to 735 ILCS 5/9-117 is extended 60 days from said expiration date, but not later than December 16, 2020;

IT IS FURTHER ORDERED:

1. Effective July 6, 2020

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges will be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. Judges shall contact the attorneys and self-represented litigants in all cases on their docket currently scheduled for a hearing of any kind and determine the following:
 1. whether a hearing is necessary;
 2. whether a necessary hearing can be conducted by videoconference, teleconference, or must be conducted with some or all participants in the courtroom;
 3. the date of the next court proceeding, including any continuance;
- iii. Notwithstanding the provisions of section 1(a)(ii) of this order, the Presiding Judge of a District or Division shall, alternatively, establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with the remainder of this order;
- iv. In cases in which all parties are self-represented, the judge presiding shall direct the circuit clerk to send the parties a postcard scheduling the matter on the court's calendar or provide notice through the sheriff if a party is in

custody, and court personnel shall contact the parties to the extent it is reasonably possible and notify them of the new court date in their case; on the new court date, the court shall request an email address or phone number at which the court may contact the self-represented parties to schedule future matters;

- v. In-person court dates shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
 - vi. When defendants in criminal cases are permitted to return to court, by administrative order or order of the judge presiding, the failure of a defendant not in custody to appear on the first return court date shall not result in the issuance of a warrant, and a continuance for 30 days shall be ordered; the judge presiding over the matter shall have discretion to enter further continuances and to issue bond forfeiture warrants, taking into consideration the COVID-19 pandemic emergency and public safety considerations; the clerk shall send notice of each court date to the defendant at the address on the defendant's bond;
 - vii. When jury trials resume, the judge presiding shall schedule jury trials not less than 60 days after the date on which the parties are notified of the trial date;
 - viii. Initial and responsive pleadings and responsive motions may be filed, as provided in Ill. S. Ct. R. 9 (eff. Jan. 1, 2020), in person or by electronic filing with the circuit clerk;
 - ix. Mandatory arbitration hearings currently scheduled on or before July 6, 2020, shall be rescheduled;
 - x. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
 - xi. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily at the Leighton Criminal Court Building;
- c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**
- i. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:

1. arraignment;
 2. preliminary hearing or preliminary examination;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of bail bond;
 10. hearing on fitness;
- ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
1. initial bail hearing;
 2. waiver of a preliminary hearing;
 3. arraignment on an information or indictment to which a plea of not guilty will be entered;
 4. presentation of a jury waiver;
 5. any status hearing;
 6. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 7. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 - a. waiver of physical presence for those persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, is not automatically waived and must be ordered by the judge presiding;
 - b. for any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
 8. Unless ordered to be physically present by the judge presiding, the defendant may waive his or her physical presence and appear by videoconference;
- iii. Until further order of the court, at the discretion of the judge presiding and upon the defendant's execution of a waiver of physical presence, bench trials may be held in person, by videoconference, by teleconference or a combination of those means;

- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the defendant for purposes of sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of pretrial release;
 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 1. initial detention hearing;
 2. arraignment on a petition to which a plea of not guilty will be entered;
 3. presentation of a jury waiver;
 4. any status hearing;
 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 7. Unless ordered by the judge presiding, the respondent's appearance is not required;
- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be

attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

e. CHANCERY DIVISION:

- i. All mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales are stayed until after October 17, 2020; including any court order in furtherance of a foreclosure, such as an order for default, summary judgment, and orders approving sales; other contested motions may continue to be litigated and ruled upon by the court, including, but not limited to, discovery motions, special representative motions, and receiver motions;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago, shall resume hearings at the above locations via teleconference or videoconference whenever it is reasonably possible; otherwise, at the discretion of the judge presiding, considering the input of the parties, in person hearings shall be allowed;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- iv. Unless otherwise ordered by the judge presiding, all in-person misdemeanor and traffic matters are hereby continued until further order of the court; the circuit clerk shall provide notice of the new court date to the parties;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:

Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference whenever reasonably possible; notwithstanding the foregoing, clients may be required to report in person to probation officers or social service caseworkers for the purpose of undergoing substance use testing or providing DNA samples;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19 2019);
- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and

issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with an oral deposition;

- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Petitions for emergency orders in cases where the parties are not involved in a pending Domestic Relations matter shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- ii. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the respective Division:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

j. DOMESTIC RELATIONS DIVISION:

- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means whenever reasonably possible until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

k. DOMESTIC VIOLENCE DIVISION: When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall

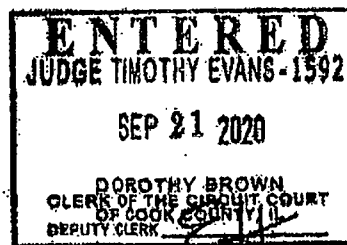
transport the defendant to the Cook County Department of Corrections,
2700 S. California Ave, Chicago, Ill.;

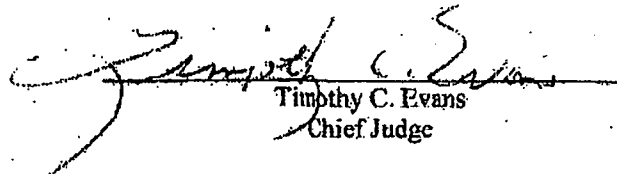
- l. CHILD PROTECTION DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- m. COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order; prove-ups and subsequent proceedings in actions in furtherance of obtaining a tax deed pursuant to the Property Tax Code, §§ 35-ILCS 200/22-5, et seq., are stayed until after October 17, 2020; including any order for possession or deed;
- n. LAW DIVISION:**
 - i.** Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
 - ii.** The Presiding Judge shall establish procedures for pretrial proceedings in cases that were ready for trial but were not permitted to proceed due to the COVID-19 pandemic, as well as cases that cannot proceed after July 6, 2020, because of the COVID-19 pandemic;
 - iii.** The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings in cases as provided in provision n(ii) above;
 - iv.** For cases scheduled for jury trial, with the agreement of the parties to a bench trial, the Presiding Judge shall establish procedures for cases to be heard by bench trial, via video conference when reasonably possible or in-person;
- o. PROBATE DIVISION:** Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- p. GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;
- q. FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;
- r. BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**
 - i. Charitable Bond Funds**
 - 1.** Pursuant to Cook County Code § 18-49,

- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;
- b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;
2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;
- ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;
- s. **MARRIAGES:** Beginning July 6, 2020, marriages shall be performed in Marriage Court or at courthouses only by appointment;
- t. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.
2. **IT IS FURTHER ORDERED** that further resumption of operations shall be pursuant to order of the chief judge;
3. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. G.A.O. 2020-01 (eff. May 28, 2020); and
4. **IT IS FURTHER ORDERED** that, except as otherwise provided herein, this order is effective September 21, 2020.

Dated this 21st day of September, 2020.

ENTER:




Timothy C. Evans
Chief Judge

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A-607

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-02 (eff. Sept. 21, 2020) is hereby amended as follows:

In response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, Cook Co. Cir. Ct. G.A.O. No. 2020-01 (eff. May 28, 2020), as amended, is hereby superseded.

GENERAL ADMINISTRATIVE ORDER: 2020-02

SUBJECT: COVID-19 EMERGENCY MEASURES, RESUMPTION OF OPERATIONS

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Public Defender, Sheriff, Circuit Clerk, County Board President, the Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority,

IT IS HEREBY ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, the circuit court will begin hearing all matters in all Districts and Divisions of the court with the exception of jury trials;

IT IS FURTHER ORDERED that, except as provided below or as otherwise ordered by the judge presiding, effective July 6, 2020, all matters in all Districts and Divisions of the court shall be conducted by videoconference to the extent reasonably possible, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are performing essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; self-represented litigants in the sheriff's custody shall be provided access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that all persons must wear masks or other face coverings in the courthouse, including while in the courtrooms; notwithstanding the foregoing provision,

participants shall not be required to wear masks or other face coverings while speaking on the record, and sign language interpreters shall not be required to wear masks while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. R. 45 (eff. May 22, 2020);

IT IS FURTHER ORDERED that, as provided by the executive orders of the State of Illinois, as they may be amended from time to time, no residential real estate eviction action shall commence unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation;

IT IS FURTHER ORDERED that the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate until further order of the court; the time period in which such orders must be enforced pursuant to 735 ILCS 5/9-117 is extended until further order of the court;

IT IS FURTHER ORDERED:

1. Effective July 6, 2020

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges will be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. Judges shall contact the attorneys and self-represented litigants in all cases on their docket currently scheduled for a hearing of any kind and determine the following:
 1. whether a hearing is necessary;
 2. whether a necessary hearing can be conducted by videoconference, teleconference, or must be conducted with some or all participants in the courtroom;
 3. the date of the next court proceeding, including any continuance;
- iii. Notwithstanding the provisions of section 1(a)(ii) of this order, the Presiding Judge of a District or Division shall, alternatively, establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with the remainder of this order;
- iv. In cases in which all parties are self-represented, the judge presiding shall direct the circuit clerk to send the parties a postcard scheduling the matter on the court's calendar or provide notice through the sheriff if a party is in custody, and court personnel shall contact the parties to the extent it is reasonably possible and notify them of the new court date in their case; on the new court date, the court shall request an email address or phone

number at which the court may contact the self-represented parties to schedule future matters;

- v. In-person court dates shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
 - vi. When defendants in criminal cases are permitted to return to court, by administrative order or order of the judge presiding, the failure of a defendant not in custody to appear on the first return court date shall not result in the issuance of a warrant, and a continuance for 30 days shall be ordered; the judge presiding over the matter shall have discretion to enter further continuances and to issue bond forfeiture warrants, taking into consideration the COVID-19 pandemic emergency and public safety considerations; the clerk shall send notice of each court date to the defendant at the address on the defendant's bond;
 - vii. When jury trials resume, the judge presiding shall schedule jury trials not less than 60 days after the date on which the parties are notified of the trial date;
 - viii. Initial and responsive pleadings and responsive motions may be filed, as provided in Ill. S. Ct. R. 9 (eff. Jan. 1, 2020), in person or by electronic filing with the circuit clerk;
 - ix. Mandatory arbitration hearings currently scheduled on or before July 6, 2020, shall be rescheduled;
 - x. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
 - xi. The judge presiding, together with the sheriff, shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily at the Leighton Criminal Court Building;
- c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**
- i. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:
 - 1. arraignment;
 - 2. preliminary hearing or preliminary examination;

3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of bail bond;
10. hearing on fitness;

ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:

1. initial bail hearing;
2. waiver of a preliminary hearing;
3. arraignment on an information or indictment to which a plea of not guilty will be entered;
4. presentation of a jury waiver;
5. any status hearing;
6. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
7. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 - a. waiver of physical presence for those persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, is not automatically waived and must be ordered by the judge presiding;
 - b. for any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
8. Unless ordered to be physically present by the judge presiding, the defendant may waive his or her physical presence and appear by videoconference;

iii. Until further order of the court, at the discretion of the judge presiding and upon the defendant's execution of a waiver of physical presence, bench trials may be held in person, by videoconference, by teleconference or a combination of those means;

iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the defendant for purposes of

sections 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of pretrial release;
 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference whenever it is reasonably possible to do so:
 1. initial detention hearing;
 2. arraignment on a petition to which a plea of not guilty will be entered;
 3. presentation of a jury waiver;
 4. any status hearing;
 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
 7. Unless ordered by the judge presiding, the respondent's appearance is not required;
- iv. Any delay resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

e. CHANCERY DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- ii. Except in actions in which the subject property is unimproved land, or contains an abandoned or vacant structure, all mortgage foreclosure judgments, evictions in furtherance of a foreclosure, and foreclosure sales pursuant to the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1101, et seq., are stayed until further order of the court, including any court order in furtherance of a foreclosure, such as an order for default, summary judgment, and orders approving sales; other contested motions may continue to be litigated and ruled upon by the court, including, but not limited to, discovery motions, special representative motions, and receiver motions;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago, shall resume hearings at the above locations via teleconference or videoconference whenever it is reasonably possible; otherwise, at the discretion of the judge presiding, considering the input of the parties, in person hearings shall be allowed;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard in the Second District;
- iv. Unless otherwise ordered by the judge presiding, all in-person misdemeanor and traffic matters are hereby continued until further order of the court; the circuit clerk shall provide notice of the new court date to the parties;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:

Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference whenever reasonably possible; notwithstanding the foregoing, clients may be required to report in person to probation officers or social service caseworkers for the purpose of undergoing substance use testing or providing DNA samples;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19-2019);

- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with an oral deposition;
- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;

I. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Petitions for emergency orders in cases where the parties are not involved in a pending Domestic Relations matter shall be heard at 555 W. Harrison St., Chicago, and in Municipal Districts 2, 3, 5, and 6;
- ii. Petitions for any of the following sought in connection with a Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms, hearing such matters, or at a location as determined by the Presiding Judge of the respective Division:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

J. DOMESTIC RELATIONS DIVISION:

- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counselling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means whenever reasonably possible until further order of the court;

- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;
- k. **DOMESTIC VIOLENCE DIVISION:** When a defendant in a criminal case at 553 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;
- l. **CHILD PROTECTION DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- m. **COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order; except in actions in which the subject property is unimproved, abandoned, or vacant, prove-ups and subsequent proceedings in actions in furtherance of obtaining a tax deed pursuant to the Property Tax Code, §§ 35 ILCS 200/22-5, *et seq.*, are stayed until further order of the court, including any order for possession or deed;
- n. **LAW DIVISION:**
- i. Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
 - ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that were ready for trial but were not permitted to proceed due to the COVID-19 pandemic, as well as cases that cannot proceed after July 6, 2020, because of the COVID-19 pandemic;
 - iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings in cases as provided in provision n(ii) above;
 - iv. For cases scheduled for jury trial, with the agreement of the parties to a bench trial, the Presiding Judge shall establish procedures for cases to be heard by bench trial, via video conference when reasonably possible or in-person;
- o. **PROBATE DIVISION:** Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with the remainder of this order;
- p. **GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;

- q. **FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;
- n. **BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**

1. **Charitable Bond Funds**

1. Pursuant to Cook County Code § 18-49,

- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;
- b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;

2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;

- ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;

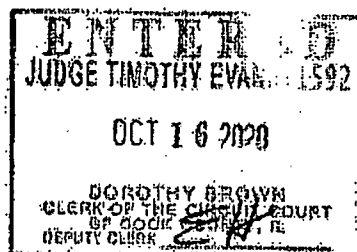
- n. **MARRIAGES:** Beginning July 6, 2020, marriages shall be performed in Marriage Court or at courthouses only by appointment;

- i. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.

2. **IT IS FURTHER ORDERED** that further resumption of operations shall be pursuant to order of the chief judge;
3. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. G.A.O. 2020-01 (eff. May 28, 2020); and
4. **IT IS FURTHER ORDERED** that, except as otherwise provided herein, this order is effective October 17, 2020.

Dated this 16th day of October, 2020.

ENTER:



Timothy C. Evans
Chief Judge

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER No. 2020-07

SUBJECT: COVID-19 EMERGENCY MEASURES, MODIFICATION OF OPERATIONS

As a response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, and Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Mar. 23, 2020) of the U.S. Centers for Disease Control and Prevention, it is evident that court operations require prompt modification, and, therefore,

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Cook County Public Defender, Cook County Sheriff, Cook County Circuit Clerk, Cook County Board President, the Cook County Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and pursuant to the court's inherent authority,

IT IS HEREBY ORDERED that, except in extraordinary or compelling circumstances, all matters in all Districts and Divisions of the court shall be conducted by videoconference, subject to the limitations imposed by the constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections and upon finding that an alternative is justified by extraordinary or compelling circumstances, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are performing essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; the sheriff shall provide self-represented litigants in the sheriff's custody with access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that self-represented litigants and other participants without access to the Internet or a telephone shall be encouraged by the court and the circuit clerk to make use of the spaces and equipment provided by the court in each courthouse to participate in court proceedings by videoconference;

IT IS FURTHER ORDERED that, pursuant to Ill. S. Ct., M.R. 30370 (eff. Aug. 27, 2020), all persons, including, but not limited to, judges, court staff, parties, attorneys, jurors, and witnesses wear masks or other face coverings in the courthouse at all times, including while in the courtrooms and when seated behind plexiglass shields, unless the person is otherwise instructed.

5. any status hearing;
 6. oral waiver of trial;
 7. entry of guilty plea;
 8. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 9. any hearing, upon waiver of any right the person may have to be physically present;
- iii. Waivers of physical presence by persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, must be approved by the judge presiding;
 - iv. For any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;
 - v. Except as provided in § c(iii) herein, the defendant may waive his or her physical presence and appear by videoconference, unless ordered to be physically present by the judge presiding;
 - vi. **Bail review.** All prosecution and defense counsel shall review their cases upon entry of this order, and at appropriate intervals thereafter, to determine whether a change in circumstances may support a change in bail conditions that would enable a defendant to secure his or her release from the jail; priority shall be given to motions to reduce bail in the following order:
 1. Agreed orders; factors to be considered, include, but are not limited to:
 - a. persons at elevated risk of contracting COVID-19, either because of age or underlying health conditions
 - b. pregnant women
 - c. persons confined only on misdemeanor charges
 - d. persons confined on felony charges
 - i. non-violent Class 3 and 4 felony charges
 - ii. eligible for probation
 - e. persons confined because they cannot afford the monetary bond set in their cases
 - f. persons released on electronic monitoring who have been compliant with the conditions of their bail
 - g. persons confined on a warrant or allegation of violation parole or probation and who are not charged with or suspected of a crime of violence
 - h. persons sentenced to imprisonment in the Cook County Jail

- i. persons eligible for release on electronic monitoring who have no place to stay
- j. agreed orders in other circumstances
2. Contested orders; factors to be considered, include those set forth in § 1(c)(vi)(1) of this order;

vii. [REDACTED]

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;
 7. entry of guilty plea;
 8. hearing on violation or termination of probation;
 9. hearing on violation of pretrial release;
 10. hearing on fitness;
- iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference:
 1. initial detention hearing;
 2. arraignment on a petition to which a plea of not guilty will be entered;
 3. presentation of a jury waiver;
 4. any status hearing;
 5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
 6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;

7. Unless ordered by the judge presiding, the respondent's appearance is not required;

iv. Any delays resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

e. CHANCERY DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. All mortgage foreclosure actions may proceed to judgment of foreclosure. Consistent with Ill. Exec. Order 2020-72 (Nov. 13, 2020), residential and commercial foreclosure actions shall be immediately stayed upon entry of a judgment of foreclosure until further order of the court; notwithstanding the foregoing provision, vacant or abandoned properties may proceed to sale based upon sufficient proof as determined by the court;

f. MUNICIPAL DEPARTMENT, CRIMINAL AND TRAFFIC CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago shall continue to be heard, by teleconference or videoconference, at those locations;
- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard by teleconference and videoconference in the Second District;
- iv. Unless otherwise ordered by the judge presiding, all misdemeanor and traffic matters shall be held by videoconference until further order of the court;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT: Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference whenever reasonably possible; notwithstanding the foregoing, clients may be required to report in person to probation officers or social service caseworkers for the purpose of undergoing substance use testing or providing DNA samples;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 19, 2019);

- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with a notice of an oral deposition;
- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Notwithstanding a related case pending elsewhere in the court, all petitions for emergency orders filed at 555 W. Harrison St., Chicago, or in Municipal Districts 2, 3, 5, 4, or 6 shall be heard where they are filed;
- ii. Proceedings subsequent to hearings on petitions for any of the following sought in connection with a related Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the Division in which the related case is pending:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- iii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders may participate in hearings by videoconference from places of their choosing;

j. DOMESTIC RELATIONS DIVISION:

- i. In child-support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means until further order of the court;

- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;
- k. **DOMESTIC VIOLENCE DIVISION:** When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;
- l. **CHILD PROTECTION DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- m. **COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order; except in actions in which the subject property is unimproved, abandoned, or vacant, prove-ups and subsequent proceedings in actions in furtherance of obtaining a tax deed pursuant to the Property Tax Code, §§ 35 ILCS 200/22-5, et seq., are stayed until further order of the court; including any order for possession or deed;
- n. **LAW DIVISION:**
- i. Except for jury trials, the Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
 - ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that are ready for trial but are not permitted to proceed due to the COVID-19 pandemic;
 - iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings;
 - iv. The Presiding Judge shall establish procedures for cases to be heard by bench trials to be conducted by video conference;
- o. **PROBATE DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- p. **GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;
- q. **FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;
- r. **BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**
- i. Charitable Bond Funds
 - 1. Pursuant to Cook County Code § 18-49,

- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;
- b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;

2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;

ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;

s. **MARRIAGES:** Marriages shall be performed only by appointment;

t. **HELP DESKS:** All help desks, including, but not limited to, the Guardianship Assistance Desk for Minors, 69 W. Washington St., Chicago, shall operate only by videoconference;

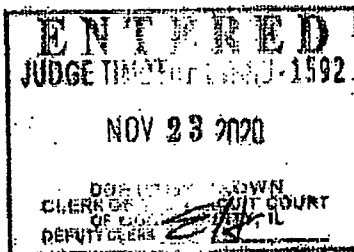
u. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookcountycourt.org>.

2. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. G.A.O. 2020-02 (eff. Oct. 17, 2020); and

3. **IT IS FURTHER ORDERED** that this order is effective immediately.

Dated this 23rd day of November, 2020.

ENTER:



Timothy C. Evans
 Timothy C. Evans
 Chief Judge

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

CRIMINAL DIVISION OPERATING PROCEDURE
(Effective 12-1-2020)

Consistent and in conjunction with the Chief Judge's General Administration Order No. 2020-07, the following operating procedures will govern operations at the Leighton Criminal Court Building. Except as modified herein, all other and prior operating procedures remain in effect:

Court Operations – Except in extraordinary or compelling circumstances, all matters in the Criminal Division shall be conducted utilizing the Zoom platform. All in-person proceedings are suspended until further order of court. This suspension of in person proceedings includes trials, motions, pleas, sentencings, status, arraignments and any other matter previously scheduled to be heard in-person. All previously scheduled in-person proceedings and any matter affected by the suspension of in-person proceedings may be rescheduled and heard virtually using Zoom. In no event, however, may trials be held virtually.

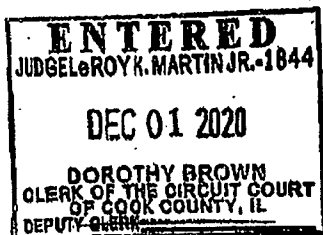
All courtrooms shall continue to operate using the current operating schedule, as more fully set forth in the Court's previously entered Criminal Division Operating Schedule.

Out of custody guilty pleas that will result in the defendant going into custody are to be arranged and scheduled with the judge presiding over that particular case. The Cook County Sheriff and the Illinois Department of Corrections have instituted a protocol for any defendant who is sentenced to IDOC. This protocol covers both turnaround time and those otherwise sentenced to IDOC. This procedure is subject to change and counsel is encouraged to consult with the sheriff and IDOC for details of their policies.

Any bail review shall be conducted in accordance with General Order 2020-07 and shall be heard by the judge before whom the case is pending.

The public is encouraged to observe court proceeding using the Court's livestream or, for defendants and lawyers, using the Zoom application. All in person appearances are strictly forbidden unless scheduled with the court.

The sheriff is directed to deny entry to any non-employee to the courtroom side of the Criminal Division complex, unless specifically scheduled. This order of prohibition of entry does not apply to any person associated with matters being heard in bond court or other matters heard by the Pre-Trial Division.



ENTER:

Leroy K. Martin Jr.
JUDGE LEROY K. MARTIN, JR.
PRESIDING JUDGE
CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

DATE: December 1, 2020

A-86

IN THE
SUPREME COURT OF ILLINOIS

In re:)	
Illinois Courts Response to)	
COVID-19 Emergency/	)	M.R. 30370
Remote Proceedings in)	
Criminal Matters)	
)	
)	

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to Article VI, Section 16, of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16) and in view of the outbreak of the novel coronavirus (COVID-19);

IT IS HEREBY ORDERED, effective immediately and until further order of the Court, the Court's order of March 17, 2020, as modified by order of May 20, 2020, is further modified to provide that any criminal case proceedings determined to be conducted remotely (i.e., where the judge, defendant, witness, or any attorney is not physically present or is otherwise participating remotely, including by telephone, video conference, or other electronic means) shall be conducted consistent with the findings and procedures set forth herein.

Criminal proceedings in Illinois may be broken into four categories regarding the ability to undertake the proceedings remotely. The categories are as follows:

I. Proceedings that may be held remotely absent a waiver by the defendant.

A. The following proceedings may be held remotely absent a waiver by the defendant, even over the objection of the defendant, when certain judicial findings have been made pursuant to section 106D-1 of the Code of Criminal Procedure of 1963 (725 ILCS 5/106D-1 (West 2018)):

- (1) Initial appearance at which bail will be set;
- (2) Waiver of a preliminary hearing;
- (3) Arraignment on an information or indictment at which a plea of not guilty will be entered;
- (4) Presentation of a jury waiver;
- (5) Any nonsubstantive status hearing; and
- (6) Any hearing conducted under the Sexually Violent Persons Commitment Act (725 ILCS 207/1 *et seq.*) at which no witness testimony will be taken.

II. Proceedings that may not be held remotely absent a waiver by the defendant.

A. The following proceedings may not be held remotely absent a waiver by the defendant that has

been accepted by the trial court:

- (1) Legal hearings with counsel argument only;
- (2) Negotiated pleas;
- (3) Evidentiary hearings where evidence in any form is presented to the court;
- (4) Sentencing hearings;
- (5) Probation revocation hearings; and
- (6) Arraignments or other proceedings at which a plea of guilty will be entered.
- (7) Any hearing conducted under the Sexually Dangerous Persons Act (725 ILCS 205/0.01 *et seq.*).

B. In proceedings where waiver is allowed, the decision whether to waive shall belong to the defendant and not to defense counsel.

C. Defendant's waiver shall be in writing and shall include the items listed below in paragraph D, subparagraphs 1 through 6. Defendant shall be provided with the written waiver prior to the hearing.

D. Before a waiver of in-person proceeding is accepted by the trial court, it shall be the trial court's responsibility to ensure that the defendant's waiver is knowing and voluntary and has been discussed with counsel prior to the hearing. The trial court shall ensure that the record is clear that the defendant understands:

- (1) That the defendant has a right to be physically present in the courtroom for every substantive proceeding;
- (2) That remote appearance means the defendant, the court, and other participants will participate via video or telephonic conferencing platforms;
- (3) That any remote appearance may be viewable by the public over the Internet or other method of streaming or broadcasting (if applicable);
- (4) That the defendant and defense counsel may not be physically present together during the proceeding;
- (5) That the legal effect of the remote appearance will be the same as an in-person appearance; and
- (6) That the defendant has discussed the waiver with counsel.

E. Defendant's waiver shall be signed by the defendant. The defendant shall be provided a copy of the signed waiver.

F. After the trial court finds the defendant's waiver to be knowing and voluntary, the prosecution shall be given an opportunity to object and to state the grounds for that objection for the record. The prosecution's objection shall not be considered controlling. The decision to accept a defendant's waiver of in-person proceeding is exclusively within the discretion of the trial court, and the court shall put the reasons for its ruling on the record.

III. Proceedings that may be conducted remotely if the defendant consents in writing and the judge finds that doing so will not jeopardize the integrity of the trial process.

A. The following proceedings may be conducted remotely if the defendant consents in writing (as provided in paragraphs C through E of section II above) and the judge specifically finds that doing so will not jeopardize the integrity of the trial process:

- (1) Bench Trial; or
- (2) Stipulated Bench Trial.

B. Upon a finding as specified in paragraph A of this section, the judge shall enter an order finding as follows: (1) the defendant understands his or her right to be physically present in the courtroom for every substantive proceeding; (2) the defendant understands that remote appearance means the defendant, the court, and other participants will participate via video or telephonic conferencing platforms; (3) the defendant understands that any remote appearance may be viewable by the public over the Internet or other method of streaming or broadcasting (if applicable); (4) the defendant understands that defendant and defense counsel may not be physically present together during the proceeding; (5) the defendant understands the legal effect of the remote appearance will be the same as an in-person appearance; (6) the defendant has discussed waiver with counsel; (7) the video or telephonic conferencing platform being utilized is technically sound and its operation is understood by all parties to the extent necessary to ensure the integrity of the trial process; and (8) proceeding remotely will not otherwise jeopardize the integrity of the trial process.

IV. Proceedings that may not be held remotely.

A. Even when the defendant has consented as provided above, the court shall not allow a jury trial to be conducted remotely.

V. Application of the Rules

A. The foregoing rules do not apply in cases where the defendant's liberty is not at stake. In such cases, the question of whether a proceeding may be held remotely is exclusively within the discretion of the trial court, and no waiver or consent is required from either the State or the defendant.

B. Nothing in this order supersedes or abrogates any existing rule or statute designed to allow for the remote testimony of a particular witness in an otherwise in-person trial so long as the statutory and constitutional requirements for that witness's remote testimony are satisfied. Nothing in this order modifies or alters crime victims' rights under Article 1, Section 8.1, of the Illinois Constitution (Ill. Const. 1970, art. I, § 8.1). The Illinois Constitution grants to victims the right to be present in the same manner as the defendant. At trial, this shall be the right to be present in person. At other proceedings if the defendant appears remotely, then the victim shall be afforded the same opportunity to appear in the same manner.

Order entered by the Court.



IN TESTIMONY WHEREOF, I have set my hand
and affixed the seal of said Supreme Court,
in Springfield, in said State, this 11th day of
February, 2021.

Carolyn Taft Gusbell Clerk,
Supreme Court of the State of Illinois



State of Illinois
Circuit Court of Cook County

Timothy C. Evans
Chief Judge

50 West Washington Street
Suite 2600
Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-6000

MEMORANDUM

To: All Judges
All Employees

From: Hon. Timothy C. Evans TCE
Chief Judge

Date: March 23, 2021

Re: General Administrative Order No. 2020-07 (amended)
COVID-19 Emergency Measures, Modification of Operations

Please see the attached copy of General Administrative Order No. 2020-07 (amended).

Thank you.

TCE: epr
Attachment

A-96

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-07 (eff. Nov. 23, 2020) is hereby amended as follows:

GENERAL ADMINISTRATIVE ORDER No. 2020-07

SUBJECT: COVID-19 EMERGENCY MEASURES, MODIFICATION OF OPERATIONS

As a response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, and Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Jan. 21, 2021) of the U.S. Centers for Disease Control and Prevention, it is evident that court operations require prompt modification, and, therefore,

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Cook County Public Defender, Cook County Sheriff, Cook County Circuit Clerk, Cook County Board President, the Cook County Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and pursuant to the court's inherent authority,

IT IS HEREBY ORDERED that, except as expressly provided below or in extraordinary or compelling circumstances, all matters in all Districts and Divisions of the court shall be conducted by videoconference, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois; at the discretion of the judge presiding, after considering party objections and upon making a finding on the record that an alternative is justified by extraordinary or compelling circumstances, proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means;

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges and employees of the court, except those who are performing essential court operations, shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse;

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 45 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; the sheriff shall provide self-represented litigants in the sheriff's custody with access to court proceedings by videoconference or in person, as ordered by the judge presiding;

IT IS FURTHER ORDERED that self-represented litigants and other participants without access to the internet or a telephone shall be encouraged by the court and the circuit clerk to make use of the spaces and equipment provided by the court in each courthouse to participate in court proceedings by videoconference;

IT IS FURTHER ORDERED that, pursuant to Ill. S. Ct. M.R. 30370 (eff. Aug. 27, 2020), all persons, including, but not limited to, judges, court staff, parties, attorneys, jurors, and witnesses wear masks or other face coverings in the courthouse at all times, including while in the

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courtrooms and when seated behind plexiglass shields, unless the person is otherwise instructed by the judge or court personnel; notwithstanding the foregoing provision, judges may remove their mask or other face covering when speaking on the record behind a plexiglass shield, and sign language interpreters may instead wear plastic face shields while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; digital reporters shall operate the electronic recording system for in-person proceedings in courtrooms using an electronic recording system; when an electronic recording system is not available, at the discretion of the judge presiding, official court reporters and interpreters shall be present in the courtroom for in-person proceedings not using an electronic recording system; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. Rs. 46 and 63;

IT IS FURTHER ORDERED that, except as permitted by the Governor's Exec. Order No. 2021-05 (March 5, 2021), and as it may be amended from time to time, and until further order of the court, no residential real estate eviction action shall commence or continue unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation;

IT IS FURTHER ORDERED that the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate until further order of the court; the time period in which such orders must be enforced pursuant to 735 ILCS 5/9-117 is extended until further order of the court;

IT IS FURTHER ORDERED:

1. Effective immediately

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges shall be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. The Presiding Judge of a District or Division may establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with this order;
- iii. Any in-person court dates found to be necessary shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
- iv. **Trials.** To safely resume the holding of jury trials while observing current public health guidelines, target dates of March 22, 2021, and May 3, 2021, have been set for criminal and civil cases, respectively; the number of jury trials and jury trial locations shall be determined by beginning with a jury trial at the Leighton Criminal Courthouse on or about March 22 and a jury trial at the Fifth Municipal District (Bridgeview) Courthouse on or about March 29 and, resources and public health guidelines permitting, be gradually expanded to other courthouses after May 3, 2021; resources and public health guidelines permitting, at the discretion of the judge presiding, bench and jury trials may be held, consistent with Ill. S. Ct., Illinois Courts Response to COVID-19 Emergency/Remote Proceedings in

Criminal Matters, M.R. 30370 (Feb. 11, 2021) and the provisions of this order, as follows:

1. Criminal Division, Traffic Division, and Municipal Department criminal cases.

- a. Bench trials shall be held, and may be conducted by videoconference, with all participants physically present, or a combination of those means;
- b. Jury trials shall be held only with all participants physically present;

2. Juvenile Justice Division.

- a. Bench trials shall be held, and may be held by videoconference, with all participants physically present, or a combination of those means;
- b. Jury trials shall be held only with all participants physically present;

3. Civil cases. Bench trials and jury trials may be held in all Departments and Divisions by videoconference, with all participants physically present, or a combination of those means;

- v. Initial and responsive pleadings and responsive motions may be filed, in person or by electronic filing with the circuit clerk, as provided in Ill. S. Ct. R. 9 (eff. Aug. 14, 2020);
- vi. Mandatory arbitration hearings, including those previously scheduled, shall be held only by videoconference;
- vii. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
- viii. The sheriff shall take necessary and appropriate measures to ensure the following:
 - 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 - 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;

b. PRETRIAL DIVISION: Bail hearings, including motions to review bail, shall be conducted daily;

c. CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:

- 1. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:
 - 1. arraignment;

2. preliminary hearing or preliminary examination;
3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of bail bond;
10. hearing on fitness;

ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference:

1. initial bail hearing;
2. waiver of a preliminary hearing;
3. arraignment on an information or indictment to which a plea of not guilty will be entered;
4. presentation of a jury waiver;
5. any status hearing;
6. oral waiver of trial;
7. entry of guilty plea;
8. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
9. any hearing, upon waiver of any right the person may have to be physically present;

iii. Waivers of physical presence by persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, must be approved by the judge presiding;

iv. For any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;

v. Except as provided in § c(ii) herein, the defendant may waive his or her physical presence and appear by videoconference, unless ordered to be physically present by the judge presiding;

vi. **Bail review.** All prosecution and defense counsel shall review their cases upon entry of this order, and at appropriate intervals thereafter, to determine whether a change in circumstances may support a change in bail conditions that would enable a defendant to secure his or her release from the jail; priority shall be given to motions to reduce bail in the following order:

1. Agreed orders; factors to be considered, include, but are not limited to:

- a. persons at elevated risk of contracting COVID-19, either because of age or underlying health conditions
- b. pregnant women
- c. persons confined only on misdemeanor charges
- d. persons confined on felony charges
 - i. non-violent Class 3 and 4 felony charges
 - ii. eligible for probation
- e. persons confined because they cannot afford the monetary bond set in their cases
- f. persons released on electronic monitoring who have been compliant with the conditions of their bail
- g. persons confined on a warrant or allegation of violation parole or probation and who are not charged with or suspected of a crime of violence
- h. persons sentenced to imprisonment in the Cook County Jail
- i. persons eligible for release on electronic monitoring who have no place to stay
- j. agreed orders in other circumstances

2. Contested orders; factors to be considered, include those set forth in § 1(c)(vi)(1) of this order;

vii. Any delays resulting from this order or from Cook County Cir. Ct. G.A.O.s 2020-01 and 2020-02 shall not be attributable to either the State or the defendant for purposes of section 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS §103-5).

a. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 1. arraignment;
 2. probable cause hearing;
 3. motion to dismiss on speedy trial grounds;
 4. hearing on discovery status;
 5. evidentiary hearing on motion;
 6. conference pursuant to Ill. S. Ct. R. 402;

7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of pretrial release;
10. hearing on fitness;

iii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference:

1. initial detention hearing;
2. arraignment on a petition to which a plea of not guilty will be entered;
3. presentation of a jury waiver;
4. any status hearing;
5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
7. Unless ordered by the judge presiding, the respondent's appearance is not required;

iv. Any delays resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601).

e. CHANCERY DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. All mortgage foreclosure actions may proceed to judgment of foreclosure. Consistent with Ill. Exec. Order 2021-01 (Jan. 8, 2021), residential and commercial foreclosure actions shall be immediately stayed upon entry of a judgment of foreclosure until further order of the court; notwithstanding the foregoing provision, vacant or abandoned properties may proceed to sale based upon sufficient proof as determined by the court;

f. MUNICIPAL DEPARTMENT, CRIMINAL CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;
- ii. Criminal proceedings normally heard at Branches 9, 23, 29, 35, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago shall continue to be heard, by teleconference or videoconference, at those locations;

- iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard by teleconference and videoconference in the Second District;

g. ADULT PROBATION DEPARTMENT, SOCIAL SERVICE

DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES

DEPARTMENT: Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference whenever reasonably possible; notwithstanding the foregoing, clients may be required to report in person to probation officers or social service caseworkers for the purpose of undergoing substance use testing or providing DNA samples;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

- i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 1, 2019);
- ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with a notice of an oral deposition;
- iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;
- iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

- i. Notwithstanding a related case pending elsewhere in the court, all petitions for emergency orders filed at 555 W. Harrison St., Chicago, or in Municipal Districts 2, 3, 4, 5, or 6 shall be heard where they are filed; completed petitions for emergency orders emailed to 555dv.courthouse@cookcountyil.gov (Chicago) by 3:00 p.m. shall be heard that day; a petition shall be considered complete only if it is accompanied by the following documents and information:

1. Domestic Violence Coversheet (Form CCDV 0601)

- a. Petitioner's and Respondent's names
- b. dates of birth of both parties, placed in caption by the name

- c. Attorney/Pro Se information section completed
- 2. **Summons/Alias Summons (Form CCDV 0100)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. Respondent's USPS address
- 3. **Protective Order Information Sheet (Form CCCR 0100)**
- 4. **Petition for Order of Protection (Form CCG 0800 or OP-P 403.1)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. additional affidavit attached, if necessary
 - d. Attorney/Pro Se information section completed
- 5. **Emergency Order of Protection (Form CCG 0801 or OP-E 404.2)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. Attorney/Pro Se information section completed
- 6. **Certification of Exemption from E-filing for Pro Se Litigants (Form EW-C 3401.3):** Petitioner information section completed
- ii. In the suburban Municipal Districts, the Presiding Judge of each District may establish procedures for the remote filing of petitions for emergency orders by email;
- iii. Advocate agencies assisting with the remote filing of petitions shall provide the court with the following additional information with the petition:
 - 1. advocate's first name
 - 2. advocate's Google phone number
 - 3. Petitioner's email address
 - 4. whether the petitioner needs an interpreter
 - 5. language to be interpreted for Petitioner, if any
- iv. Advocate agencies shall provide the petitioner with the (Zoom) videoconference and teleconference contact numbers and information and instructions on how to connect to the hearing.
- v. Notwithstanding the 3:00 p.m. deadline in section i(j) above, petitions prepared by advocates shall be promptly printed in the courthouse office of the advocate agency and filed with the circuit clerk.
- vi. At the discretion of the Presiding Judge, completed petitions for emergency orders filed in any district after 3:00 p.m. may be heard on the day they are filed;

vii. Proceedings subsequent to hearings on petitions for any of the following sought in connection with a related Domestic Relations or Probate case shall be heard at the Richard J. Daley Center or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the Division in which the related case is pending:

1. emergency civil no contact orders;
2. emergency civil orders of protection;
3. emergency stalking no contact orders;

viii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders shall be permitted to participate in hearings by videoconference from places of their choosing;

j. DOMESTIC RELATIONS DIVISION:

- i. In child support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

k. **DOMESTIC VIOLENCE DIVISION:** When a defendant in a criminal case at 355 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;

l. CHILD PROTECTION DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. Priority shall be given to the following matters:
 1. temporary custody hearings;
 2. motions to modify or vacate an order granting temporary custody;
 3. motions regarding visitation;
 4. motions for the minor to be returned home;
 5. motions to close the case;

m. **COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order, except as to unimproved, abandoned, or vacant property, neither an order directing the County Clerk to issue a tax deed nor an order for possession may be entered in any tax deed proceeding under the Property Tax Code, 35 ILCS 200/22-40, until further order of the court;

n. **LAW DIVISION:**

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that are ready for trial but are not permitted to proceed due to the COVID-19 pandemic;
- iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings;
- iv. The Presiding Judge shall establish procedures for cases to be heard by bench trial or jury trial, whether remotely or in person;

o. **PROBATE DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

p. **TRAFFIC DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

q. **GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;

r. **FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;

s. **BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**

i. **Charitable Bond Funds**

1. Pursuant to Cook County Code § 18-49,

- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;
- b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;

2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;

ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;

i. **MARRIAGES:** Marriages shall be performed only by appointment;

ii. **HELP DESKS:** All help desks, including, but not limited to, the Guardianship Assistance Desk for Minors, 69 W. Washington St., Chicago, shall operate only by videoconference;

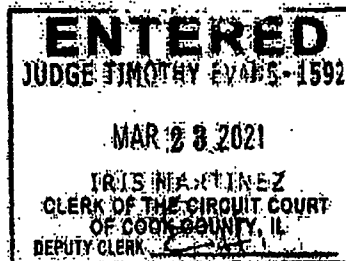
iii. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website:
<http://www.cookecountycourt.org>.

2. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. C.A.O. 2020-02 (eff. Oct. 17, 2020); and

3. **IT IS FURTHER ORDERED** that this order is effective immediately.

Dated this 23rd day of March 2021.

ENTER:



Timothy C. Evans
Timothy C. Evans
Chief Judge

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Cook County Cir. Ct. G.A.O. 2020-07 (eff. March 23, 2020) is hereby amended as follows:

GENERAL ADMINISTRATIVE ORDER No. 2020-07

SUBJECT: COVID-19 EMERGENCY MEASURES, MODIFICATION OF OPERATIONS

As a response to the measures necessitated by the evolving COVID-19 pandemic, including, but not limited to, executive orders of the State of Illinois, Cook County, the City of Chicago, and other local municipalities, and Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities (Jan. 21, 2021) of the U.S. Centers for Disease Control and Prevention, it is evident that court operations require prompt modification, and, therefore:

In light of the global coronavirus pandemic (COVID-19) and in order to protect the health and safety of the general public, the court's judges and employees, and the staffs of elected officials, and after conferring with the offices of the Cook County State's Attorney, Cook County Public Defender, Cook County Sheriff, Cook County Circuit Clerk, Cook County Board President, the Cook County Circuit Court Executive Committee, and representatives of the private bar, and pursuant to Ill. S. Ct. R. 21(b) and the court's inherent authority:

IT IS HEREBY ORDERED that, except as expressly provided below or in extraordinary or compelling circumstances, all matters in all Districts and Divisions of the court shall be conducted by videoconference, subject to the limitations imposed by the Constitutions of the United States and the State of Illinois, at the discretion of the judge presiding, after considering party objections and upon making a finding on the record that an alternative is justified by extraordinary or compelling circumstances. Proceedings may be conducted by teleconference, videoconference, in person, or a combination of those means.

IT IS FURTHER ORDERED that, except as necessary for the purposes enumerated below or as otherwise directed by the chief judge, all judges of the court shall work remotely and conduct business telephonically or by videoconference; nothing in this order shall be interpreted to infringe on a judge's discretion to conduct a teleconference or videoconference from the courthouse.

IT IS FURTHER ORDERED that, except as otherwise directed by the chief judge, all employees shall work remotely or in-person, as directed by their department heads or through their chain of command, in support of continuity of services provided by the court.

IT IS FURTHER ORDERED that, in accordance with Illinois Supreme Court Rule 43 (eff. May 22, 2020), unless otherwise ordered by the judge presiding for good cause, all attorneys and self-represented litigants participating by teleconference or videoconference shall be permitted to do so from a location of their choosing; the sheriff shall provide self-represented litigants in the sheriff's custody with access to court proceedings by videoconference or in person, as ordered by the judge presiding.

IT IS FURTHER ORDERED that self-represented litigants and other participants without access to the internet or a telephone shall be encouraged by the court and the circuit clerk to make use of the spaces and equipment provided by the court in each courthouse to participate in court proceedings by videoconference.

IT IS FURTHER ORDERED that, pursuant to Ill. S. Ct., M.R. 30370 (eff. Aug. 27, 2020), all persons, including, but not limited to, judges, court staff, parties, attorneys, jurors, and witnesses wear masks or other face coverings in the courthouse at all times, including while in the courtrooms and when seated behind plexiglass shields, unless the person is otherwise instructed by the judge or court personnel; notwithstanding the foregoing provision, judges may remove their mask or other face covering when speaking on the record behind a plexiglass shield, and language interpreters may instead wear plastic face shields while interpreting;

IT IS FURTHER ORDERED that official court reporters and interpreters shall be available for remote proceedings as they would be for in-person proceedings; digital reporters shall operate the electronic recording system for in-person proceedings in courtrooms using an electronic recording system; when an electronic recording system is not available, at the discretion of the judge presiding, official court reporters and interpreters shall be present in the courtroom for in-person proceedings not using an electronic recording system; broadcasting, transmitting or publishing audio or video recordings of teleconference and videoconference court proceedings are prohibited, except as authorized by Ill. S. Ct. Rs. 46 and 63;

IT IS FURTHER ORDERED that, except as permitted by the Governor's Exec. Order No. 2021-05 (March 5, 2021), and as it may be amended from time to time, and until further order of the court, no residential real estate eviction action shall commence or continue unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation;

IT IS FURTHER ORDERED that the sheriff of Cook County shall refrain from enforcement of eviction orders relating to residential real estate until further order of the court; the time period in which such orders must be enforced pursuant to 735 ILCS 5/9-117 is extended until further order of the court;

IT IS FURTHER ORDERED:

I. Effective immediately

a. ALL DIVISIONS AND DISTRICTS:

- i. Judges shall be available, either on-site or remotely, in each division and district to hear emergency matters;
- ii. The Presiding Judge of a District or Division may establish procedures for rescheduling cases by administrative order, as long as such procedures are consistent with this order;
- iii. Any in-person court dates found to be necessary shall be staggered, by date, time, and floor, to minimize the number of persons in the courtrooms and every other part of the courthouse until further order of the court;
- iv. **Trials.** To safely resume the holding of jury trials while observing current public health guidelines, target dates of March 22, 2021, and May 3, 2021, have been set for criminal and civil cases, respectively; the number of jury trials and jury trial locations shall be determined by beginning with a jury trial at the Leighton Criminal Courthouse on or about March 22 and a jury trial at the Fifth Municipal District (Bridgeview) Courthouse on or about March 29 and, resources and public health guidelines permitting, be gradually expanded to other courthouses after May 3, 2021; resources and public health guidelines permitting, at the discretion of the judge.

presiding, bench and jury trials may be held, consistent with Ill. S. Ct. Illinois Courts Response to COVID-19 Emergency/Remote Proceedings in Criminal Matters, M.R. 30370 (Feb. 11, 2021) and the provisions of this order, as follows:

1. Criminal Division, Traffic Division, and Municipal Department criminal cases.

- a. Bench trials shall be held, and may be conducted by videoconference, with all participants physically present, or a combination of those means;
- b. Jury trials shall be held only with all participants physically present;

2. Juvenile Justice Division.

- a. Bench trials shall be held, and may be conducted by videoconference, with all participants physically present, or a combination of those means;
- b. Jury trials shall be held only with all participants physically present;

3. Civil cases. Bench trials and jury trials may be held in all Departments and Divisions by videoconference, with all participants physically present, or a combination of those means;

- v. Initial and responsive pleadings and responsive motions may be filed, in person or by electronic filing with the circuit clerk, as provided in Ill. S. Ct. R. 9 (eff. Aug. 14, 2020);
 - vi. Mandatory arbitration hearings, including those previously scheduled, shall be held only by videoconference;
 - vii. Except as ordered herein, procedures for the administration of court operations shall be determined by the Presiding Judge for the Division or District under his or her supervision;
 - viii. The sheriff, shall take necessary and appropriate measures to ensure the following:
 1. At no time shall there be more persons in the courtroom than the number established under guidance by the appropriate public health authorities;
 2. At all times, all persons in the courtroom shall maintain a minimum distance of 6 (six) feet from all other persons in the courtroom;
- b. **PRETRIAL DIVISION:** Bail hearings, including motions to review bail, shall be conducted daily;

c. **CRIMINAL MATTERS, ALL DIVISIONS AND DISTRICTS:**

i. Priority shall be given to the following matters, with additional priority given cases in which the defendant is incarcerated:

1. arraignment;
2. preliminary hearing or preliminary examination;
3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of bail bond;
10. hearing on fitness;

ii. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference:

1. initial bail hearing;
2. waiver of a preliminary hearing;
3. arraignment on an information or indictment to which a plea of not guilty will be entered;
4. presentation of a jury waiver;
5. any status hearing;
6. oral waiver of trial;
7. entry of guilty plea;
8. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
9. any hearing, upon waiver of any right the person may have to be physically present;

iii. Waivers of physical presence by persons who have been placed on electronic monitoring and are charged with violent felonies, such as murder or Class X violent offenses, must be approved by the judge presiding;

iv. For any hearing where the physical presence of the defendant(s) has been waived, the physical presence of victims and witnesses is excused;

v. Except as provided in § c(iii) herein, the defendant may waive his or her physical presence and appear by videoconference, unless ordered to be physically present by the judge presiding;

vi. **Bail review.** All prosecution and defense counsel shall review their cases upon entry of this order, and at appropriate intervals thereafter, to determine whether a change in circumstances may support a change in bail conditions that would enable a defendant to secure his or her release from the jail; priority shall be given to motions to reduce bail in the following order:

1. Agreed orders; factors to be considered, include, but are not limited to:

- a. persons at elevated risk of contracting COVID-19, either because of age or underlying health conditions
- b. pregnant women
- c. persons confined only on misdemeanor charges
- d. persons confined on felony charges
 - i. non-violent Class 3 and 4 felony charges
 - ii. eligible for probation
- e. persons confined because they cannot afford the monetary bond set in their cases
- f. persons released on electronic monitoring who have been compliant with the conditions of their bail
- g. persons confined on a warrant or allegation of violation parole or probation and who are not charged with or suspected of a crime of violence
- h. persons sentenced to imprisonment in the Cook County Jail
- i. persons eligible for release on electronic monitoring who have no place to stay
- j. agreed orders in other circumstances

2. Contested orders; factors to be considered, include those set forth in § 1(c)(vi)(1) of this order;

vii. Any delays resulting from this order or from Cook County Cir. Ct. G.A.O.s 2020-01 and 2020-02 shall not be attributable to either the State or the defendant for purposes of section 103-5 (speedy trial) of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5);

d. JUVENILE JUSTICE DIVISION:

- i. Juvenile detention hearings, including all motions to review detention, and other emergency matters shall be conducted daily at 1100 S. Hamilton Ave., Chicago;
- ii. Priority shall be given to the following matters, with additional priority given cases in which the respondent is incarcerated:
 - 1. arraignment;
 - 2. probable cause hearing;

3. motion to dismiss on speedy trial grounds;
4. hearing on discovery status;
5. evidentiary hearing on motion;
6. conference pursuant to Ill. S. Ct. R. 402;
7. entry of guilty plea;
8. hearing on violation or termination of probation;
9. hearing on violation of pretrial release;
10. hearing on fitness;

III. Except as otherwise ordered by the judge presiding, the following matters shall be conducted by videoconference:

1. initial detention hearing;
2. arraignment on a petition to which a plea of not guilty will be entered;
3. presentation of a jury waiver;
4. any status hearing;
5. any hearing conducted under the Sexually Violent Persons Commitment Act at which no witness testimony will be taken; and
6. any hearing, upon waiver of any right the person in custody or confinement may have to be present physically;
7. Unless ordered by the judge presiding, the respondent's appearance is not required;

iv. Any delays resulting from this order or from Cook County Cir. Ct. G.A.O. 2020-01 (eff. Mar. 17, 2020, and as subsequently amended) shall not be attributable to either the State or the juvenile for purposes of section 5-601 of the Juvenile Court Act (705 ILCS 405/5-601);

c. CHANCERY DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. All mortgage foreclosure actions may proceed to judgment of foreclosure. Consistent with Ill. Exec. Order 2021-01 (Jan. 8, 2021), residential and commercial foreclosure actions shall be immediately stayed upon entry of a judgment of foreclosure until further order of the court; notwithstanding the foregoing provision, vacant or abandoned properties may proceed to sale based upon sufficient proof as determined by the court;

i. MUNICIPAL DEPARTMENT, CRIMINAL CASES:

- i. In Districts 2-6, the sheriff shall provide the equipment and location for defendants to participate in bail hearings by videoconference;

ii. Criminal proceedings normally heard at Branches 9, 23, 29, 33, 38, 43, and 44 located at 3150 W. Flournoy St., 5555 W. Grand Ave., and 727 E. 111th St. in the City of Chicago shall continue to be heard, by teleconference or videoconference, at those locations;

iii. All proceedings normally heard in Branches 42 and 50, including preliminary examinations or hearings, shall continue to be heard by teleconference and videoconference in the Second District;

g. **ADULT PROBATION DEPARTMENT, SOCIAL SERVICE DEPARTMENT, AND JUVENILE JUSTICE AND COURT SERVICES DEPARTMENT:** Probation officers and social service caseworkers shall contact clients to schedule essential meetings, which are to be held only by videoconference or teleconference whenever reasonably possible; notwithstanding the foregoing, clients may be required to report in person to probation officers or social service caseworkers for the purpose of undergoing substance use testing or providing DNA samples;

h. CIVIL MATTERS, ALL DIVISIONS AND DISTRICTS:

i. Except for oral depositions, discovery shall continue as scheduled; oral discovery may be taken by videoconference pursuant to Illinois Supreme Court Rule 206(h) (eff. Oct. 1, 2019);

ii. Where it is not reasonably possible to conduct an oral deposition for reasons related to the COVID-19 emergency, the parties shall use their best efforts to postpone the deposition by agreement and stipulation for a period not to exceed 60 days; absent such agreement, the proceedings shall be deferred until such later date as the court can review the matter and issue appropriate directives; nothing in this order shall be construed to limit the discretion of the judge presiding to determine the merits of an attorney's alleged inability to comply with a notice of an oral deposition;

iii. Except for good cause shown, participants in litigation shall not be penalized if discovery compliance is delayed for reasons relating to the COVID-19 emergency; this provision is to be liberally construed;

iv. The Presiding Judge of a District or Division shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

i. CIVIL NO CONTACT ORDERS, CIVIL ORDERS OF PROTECTION, FIREARMS RESTRAINING ORDERS, STALKING NO CONTACT ORDERS:

1. Notwithstanding a related case pending elsewhere in the court, all petitions for emergency orders filed at 555 W. Harrison St., Chicago, or in Municipal Districts 2, 3, 4, 5, or 6 shall be heard where they are filed; completed petitions for emergency orders emailed to 555dv.courthouse@cookecountyil.gov (Chicago) by 3:00 p.m. shall be

heard that day; a petition shall be considered complete only if it is accompanied by the following documents and information:

1. **Domestic Violence Coversheet (Form CCDV 0601)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. Attorney/Pro Se information section completed
 2. **Summons/Alias Summons (Form CCDV 0100)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. Respondent's USPS address
 3. **Protective Order Information Sheet (Form CCCR 0100)**
 4. **Petition for Order of Protection (Form CCG 0800 or OP-P 403.1)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. additional affidavit attached, if necessary
 - d. Attorney/Pro Se information section completed
 5. **Emergency Order of Protection (Form CCG 0801 or OP-E 404.2)**
 - a. Petitioner's and Respondent's names
 - b. dates of birth of both parties, placed in caption by the name
 - c. Attorney/Pro Se information section completed
 6. **Certification of Exemption from E-filing for Pro Se Litigants (Form EW-C 3401.3).** Petitioner information section completed
- ii. In the suburban Municipal Districts, the Presiding Judge of each District may establish procedures for the remote filing of petitions for emergency orders by email;
- iii. Advocate agencies assisting with the remote filing of petitions shall provide the court with the following additional information with the petition:
1. advocate's first name
 2. advocate's Google phone number
 3. Petitioner's email address
 4. whether the petitioner needs an interpreter
 5. language to be interpreted for Petitioner, if any
- iv. Advocate agencies shall provide the petitioner with the (Zoom) videoconference and teleconference contact numbers and information and instructions on how to connect to the hearing.

- v. Notwithstanding the 3:00 p.m. deadline in section i(1) above, petitions prepared by advocates shall be promptly printed in the courthouse office of the advocate agency and filed with the circuit clerk.
- vi. At the discretion of the Presiding Judge, completed petitions for emergency orders filed in any district after 3:00 p.m. may be heard on the day they are filed.
- vii. Proceedings subsequent to hearings on petitions for any of the following sought in connection with a related Domestic Relations or Probate case shall be heard at the Richard J. Daley Center, or the relevant suburban Domestic Relations or Probate courtrooms hearing such matters, or at a location as determined by the Presiding Judge of the Division in which the related case is pending:
 - 1. emergency civil no contact orders;
 - 2. emergency civil orders of protection;
 - 3. emergency stalking no contact orders;
- viii. Petitioners and respondents for civil no contact orders, civil orders of protection, and stalking no contact orders shall be permitted to participate in hearings by videoconference from places of their choosing.

j. DOMESTIC RELATIONS DIVISION:

- i. In child support cases in which the state's attorney has filed an appearance, the circuit clerk shall notify the parties of new court dates scheduled pursuant to this order;
- ii. Court ordered participation for litigants in programs such as mediation, evaluations, counseling, parenting classes, and classes for children shall continue, but are to be done by remote audio-visual means until further order of the court;
- iii. The administrative orders addressing access during COVID-19 entered by the Presiding Judge of the Domestic Relations Division shall remain in full force and effect until further order of the court;

k. DOMESTIC VIOLENCE DIVISION: When a defendant in a criminal case at 555 W. Harrison St., Chicago, Ill., is denied bail or is unable to post required monetary bail at the conclusion of the bail hearing, the arresting agency shall transport the defendant to the Cook County Department of Corrections, 2700 S. California Ave, Chicago, Ill.;

l. CHILD PROTECTION DIVISION:

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. Priority shall be given to the following matters:
 - 1. temporary custody hearings;
 - 2. motions to modify or vacate an order granting temporary custody;

3. motions regarding visitation;
4. motions for the minor to be returned home;
5. motions to close the case;

m. **COUNTY DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order; except as to unimproved, abandoned, or vacant property, neither an order directing the County Clerk to issue a tax deed nor an order for possession may be entered in any tax deed proceeding under the Property Tax Code, 35 ILCS 200/22-40, until further order of the court;

n. **LAW DIVISION:**

- i. The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;
- ii. The Presiding Judge shall establish procedures for pretrial proceedings in cases that are ready for trial but are not permitted to proceed due to the COVID-19 pandemic;
- iii. The Presiding Judge shall establish procedures for mediation of cases by agreement of the parties as an alternative to pretrial proceedings;
- iv. The Presiding Judge shall establish procedures for cases to be heard by bench trial or jury trial, whether remotely or in person;

o. **PROBATE DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

p. **TRAFFIC DIVISION:** The Presiding Judge shall establish procedures for hearing all matters, including, but not limited to, scheduling by administrative order, as long as such procedures are consistent with this order;

q. **GRAND JURY:** Grand juries shall continue to meet a maximum of three times per week, and be impaneled from time to time as ordered by the Chief Judge;

r. **FORENSIC EXAMINATIONS:** In criminal cases, all forensic examinations of defendants, both adult and juvenile, shall be conducted via videoconference;

s. **BAIL, FEES, COURT COSTS, AND PENALTIES, CRIMINAL CASES:**

1. **Charitable Bond Funds**

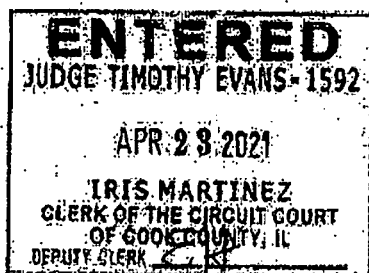
1. Pursuant to Cook County Code § 18-49,

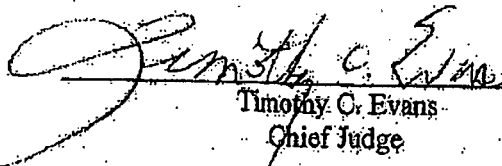
- a. The circuit clerk shall not deduct any fees, court costs, or penalties from bail bond funds posted by a Charitable Bond Fund without the surety's voluntary, written consent;

- b. The circuit clerk shall not use bail bond funds posted by a Charitable Bond Fund to pay attorney fees, including reimbursement for representation by the public defender, without the surety's voluntary, written consent;
2. At the conclusion of the case, the circuit clerk shall return all available funds posted by a Charitable Bond Fund to the surety;
- ii. Pursuant to 705 ILCS 105/27.3B, where a charitable bond fund or other third-party surety posts cash bail for a defendant, the clerk shall accept payment by credit card, debit card, or other electronic funds transfer and shall not collect the service fee authorized by said statute;
- i. **MARRIAGES:** Marriages shall be performed only by appointment;
- ii. **HELP DESKS:** All help desks, including, but not limited to, the Guardianship Assistance Desk for Minors, 69 W. Washington St., Chicago, shall operate only by videoconference;
- v. **OTHER:** Non-essential gatherings, meetings, and travel are canceled, and orders to attend programs, including, but not limited to, Traffic Safety School and SWAP, are entered and continued until rescheduled; as needed, further information shall be published on the court's website: <http://www.cookcountycourt.org>.
2. **IT IS FURTHER ORDERED** that this order supersedes Cook County Cir. Ct. G.A.O. 2020-02 (eff. Oct. 17, 2020); and
3. **IT IS FURTHER ORDERED** that this order is effective immediately.

Dated this 23rd day of April, 2021.

ENTER:




Timothy C. Evans
Chief Judge

IN THE
SUPREME COURT OF ILLINOIS

In re:

Illinois Courts Response to
COVID-19 Emergency/
Impact on Trials

M.R. 30370

Order

In the exercise of the general administrative and supervisory authority over the courts of Illinois conferred on this Court pursuant to article VI, section 16, of the Illinois Constitution of 1970 (Ill. Const. 1970, art. VI, sec. 16); in view of the outbreak of the novel coronavirus (COVID-19) and the efforts of this Court to prevent the spread of the novel coronavirus and ensure the health and safety of all court users, staff, and judicial officers during these extraordinary circumstances; in recognition of the elimination of capacity restrictions enacted per Executive Order of the Governor; in consideration of the essential nature of the work of the courts and administrative efforts involved in resuming court operations and trials; in consideration of the interests of the public in speedy criminal trials; in the interest of the constitutional right of criminal defendants to a speedy trial; and in the interest of justice,

IT IS HEREBY ORDERED effective immediately and until further order of the Court:

Beginning October 1, 2021, statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5) and section 5-601 of the Juvenile Court Act of 1987 (705 ILCS 405/5-601) shall no longer be tolled. All days on and following October 1, 2021, shall be included in speedy trial computations as contained in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act of 1987. Days prior to this Court's March 20, 2020, order in M.R. 30370 *In re: Illinois Courts Response to COVID-19 Emergency/ Impact on Trials* shall also be included in speedy trial computations as required by the statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963. Days prior to this Court's April 3, 2020, modification to M.R. 30370 *In re: Illinois Courts Response to COVID-19 Emergency/ Impact on Trials* shall also be included in speedy trial computations as required by the statutory time restrictions of section 5-601 of the Juvenile Court Act of 1987.

Order entered by the Court.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said Supreme Court, in Springfield, in said State, this 30th day of June, 2021.

Carolyn Toff Gustafson Clerk,
Supreme Court of the State of Illinois

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INTRODUCTION

The Supreme Court of Illinois is committed to protecting the health and safety of Judicial Branch personnel and to keeping the courts open and operational in the event of a disruption or emergency. All chief judges, trial court administrators, and judicial branch managers should make emergency preparedness a priority in their jurisdictions.

The *Emergency Preparedness Standards for the Illinois Circuit Courts (Standards)* is an official policy of the Administrative Office of the Illinois Courts. The *Standards* are designed to define the minimum requirements critical to ensure continued operation of the courts and the safety of court personnel and the public. Each circuit is required to develop an Emergency Preparedness Plan (Plan) which demonstrates its compliance with the *Standards*. Instructions and templates are provided to simplify the process and encourage uniformity while still allowing for the diverse nature of Illinois counties and circuits.

The Chief Judge of each circuit is responsible for the development and maintenance of the circuit's Plan and shall annually file a copy with the Director of the Administrative Office of the Illinois Courts. For multi-county circuits, the Plan may include county-specific provisions to account for variances in local circumstances. The *Standards* are not intended to duplicate or conflict with other emergency planning. In the event a circuit already has an established plan, or is part of a multi-agency plan, the Chief Judge may request approval from the Director to submit that plan to satisfy related requirements of the *Standards*.

The *Standards* also provide that a circuit may satisfy its obligation by adopting its Continuity of Operations Plan (COOP), together with a series of event-specific plans (see Standard 1.05 and Appendix C). These critical incident plans would address procedures for particular situations, such

as evacuations, bomb threats, suspicious mail handling, and weather disasters.

The *Standards* provide realistic, basic requirements that must be met by all circuits. The intent is not to limit circuits that choose to follow other models for structuring their emergency planning or that wish to include additional subject areas. If it can be demonstrated to the satisfaction of the Director that the requirements of the *Standards* have been met, regardless of format, then the circuit has satisfied this mandate.

2.08 Relief from Mandatory Judicial Requirements

In the event a court facility is closed due to an emergency, procedures shall be established to facilitate requests to suspend, toll, or otherwise grant relief from time deadlines imposed by statutes and rules. This may include, but is not limited to, those procedures affecting speedy trials in criminal and juvenile proceedings, civil process and proceedings, and appellate time limitations. Requests for relief from constitutional or other mandatory judicial requirements shall be made by the Chief Judge of the circuit to the Director of the Administrative Office of the Illinois Courts for consideration by the Illinois Supreme Court.

2.09 Alternate Court Facility

In the event the primary court facilities become unavailable, essential court functions may be relocated to pre-approved alternate facilities. Other court facilities within the circuit may serve this purpose. A written formalization, such as a memorandum of understanding (MOU) or letter of intent, shall document the arrangement for the use of the alternate facility.

The Plan shall include specific procedures for the relocation of court proceedings in the event an emergency makes the usual court facilities unavailable for longer than 24 hours. Selection of alternate facilities should take into consideration, to the extent practical, the standards identified in the *Minimum Courtroom Standards in the State of Illinois* as adopted by the Supreme Court of Illinois, January 1993 and the *Court Security Guidelines in the State of Illinois* as adopted by the Supreme Court of Illinois, March 1994.

2.10 Office Resource Replacement and Repair

The availability of office resources (e.g. office supplies, storage, telephones, copy equipment, etc.) necessary for the effective operation of the court should be identified in the event an emergency prohibits continued operation of the court in its usual location or condition.

2.11 Off-site Storage

Off-site storage is a physical location sufficiently distanced away from the primary court facility to ensure information is protected. Duplicated, redundant, and backup information and materials may be maintained at off-site storage. Copies of essential information and materials, as designated by the Chief Judge, shall be kept at off-site storage and procedures for maintenance and access shall be included in the Plan.

Examples of essential information and materials are as follows (additional issues regarding information technology are identified in Section 4.00):

1. Copy of the circuit's Emergency Preparedness Plan(s);
2. List of all employees, job descriptions and assignments, including contact information;
3. Personnel records (e.g. health, retirement, payroll, attendance, etc.);

No. 1-21-1554

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court of Cook County, Illinois
)	
Plaintiff-Appellee,)	
	)	No. 15 CR 07532
-vs-)	
)	
ROBERT HILL,	)	Honorable
	)	William Raines,
Defendant-Appellant.	)	Judge Presiding.

NOTICE AND PROOF OF SERVICE

TO: Ms. Kimberly M. Foxx, State's Attorney, Cook County State's Attorney Office, 300 Daley Center, Chicago, IL 60602, eserve.criminalappeals@cookcountyil.gov

Mr. Robert Hill, Register No. R08740, Menard Correctional Center, P.O. Box 1000, Menard, IL 62259

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct. On September 15, 2022, the Brief and Argument was filed with the Clerk of the Appellate Court using the court's electronic filing system in the above-entitled cause. Upon acceptance of the filing from this Court, persons named above with identified email addresses will be served using the court's electronic filing system and one copy is being mailed to the appellant in an envelope deposited in a U.S. mail box in Chicago, Illinois, with proper postage prepaid. Additionally, upon its acceptance by the court's electronic filing system, the undersigned will send 5 copies of the Brief and Argument to the Clerk of the above Court.

/s/ Alicia Corona
LEGAL SECRETARY
Office of the State Appellate Defender
First Judicial District
203 N. LaSalle St., 24th Floor
Chicago, IL 60601
(312) 814-5472
1stdistrict.eserve@osad.state.il.us

IN THE CIRCUIT COURT OF COOK COUNTY,
COUNTY DEPARTMENT, CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS,

Respondent,

vs.

ROBERT HILL,

Defendant.

Case No. 15 CR 07532-01.

The Honorable
William Raines,
Judge Presiding.

NOTICE OF APPEAL

An appeal is taken from the order or judgment described below:

APPELLANT'S NAME: Mr. Robert Hill
APPELLANT'S ADDRESS: Cook County Jail #20150410176, DIV10-2D-2422-1, Chicago, IL
APPELLANT'S ATTORNEY: APD Marijane Placek, Office of The Cook County Public Defender
ATTORNEY'S ADDRESS: The George Leighton Courthouse, 8th Fl., Chicago, IL
OFFENSE: Murder
JUDGMENT: Verdict of Guilty
DATES OF JUDGMENT: November 17, 2021 and October 5, 2021
SENTENCE: 45 years @ 100%

[Signature]
APPELLANT (OR ATTORNEY)

VERIFIED PETITION FOR REPORT OF PROCEEDINGS, COMMON LAW RECORD, AND FOR
APPOINTMENT OF COUNSEL ON APPEAL FOR INDIGENT PETITIONER-DEFENDANT

Under Supreme Court Rules 605-608, Appellant asks the Court to order the Official Court Reporter to transcribe an original and copy of the report of proceedings; to file the original with the Clerk and deliver a copy to the Appellant; to order the Clerk to prepare the certified record on appeal and to appoint counsel on appeal.

Appellant, being duly sworn (or Appellant's attorney, who certifies), says that at the time of his conviction he was and is unable to pay for the record or to retain counsel for appeal.

[Signature]
APPELLANT (OR ATTORNEY)

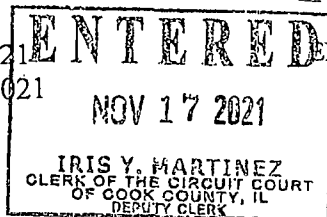
ORDER

IT IS ORDERED THAT the Office of the State Appellate Defender (OSAD) is appointed as counsel on appeal and that the common law record and report of proceedings be furnished to Appellant without cost within 45 days of receipt of this order. Date(s) to be transcribed (List pre-trial motion, jury waiver, trial, sentencing, and post-judgment dates):

Order date(s):

10/4/2021
10/29/2021

10/5/2021
11/17/2021



ENTER:

JUDGE