

**STANDING ORDER NO. 6**

**PROTOCOL FOR ALL CIVIL CASES**

Effective immediately, the following protocol shall apply to civil cases pending in Boone County, Illinois:

**1. Status Hearings, Case Management Conferences, Motion Presentment Hearings**

(A) **Case Scheduling Generally.** In recognition of COVID-19 concerns, and until further notice, cases scheduled for status, case management or motion presentation will be heard in 10 to 15 minute intervals, with the number of cases heard during each interval capped to insure social distancing. As cases scheduled for status, case management or motion presentation do not require evidence or testimony, parties represented by counsel should not attend. Cases scheduled for status, case management or motion presentation will be heard at the scheduled time. Cases not heard during the scheduled time slot will be given a new date and time. Cases requiring argument or hearing will be specially set on a date and at a time convenient to the court, counsel and parties. The mode of hearing (in person or virtual) will be determined, in the court's discretion, at the time of scheduling.

(B) **Mode of Appearance.** Pursuant to Illinois Supreme Court Rule 45 (Eff. 5/22/20), attorneys and parties may appear for any civil case status hearing, case management conference or motion presentment hearing either in person, by Court Call (888-882-6878) or by video (virtually), or in any combination thereof.

**Note:** Supreme Court Rule 45 covers nontestimonial court appearances only. The Mode of Hearing for any specially set evidentiary hearing will be determined, in the court's discretion, at the time of scheduling.

(C) **No Courtesy Copies of Motions.** Do not submit courtesy copies of motions to the presiding judge in advance of the motion presentment hearing. The necessity of courtesy copies of motions and memoranda will be determined, in the discretion of court, at the time of the motion presentment hearing.

(D) **Virtual Appearance Meeting Information and User Name.** Until further notice, all virtual hearings will be conducted using the Zoom platform. The meeting identification number necessary to join the court's standing monthly Zoom meeting is available through the Boone County Circuit Clerk's Office (815-544-0371). Attorneys and parties joining a virtual hearing shall use his/her proper name (first and last) so the court can admit necessary parties and attorneys from the Zoom waiting room as each case is called.

## **2. Agreed Orders**

Attorneys of record and self-represented parties, if any, shall confer prior to the next scheduled status hearing, case management conference and/or motion presentment hearing to determine whether the matter can be handled via an agreed order, and all matters that can be so handled shall be disposed of via agreed order. Do not email proposed agreed orders to the presiding judge, the Trial Court Administrator or the Circuit Clerk. All proposed agreed orders shall be clearly identified as "Agreed" and shall be e-filed through the Boone County e-filing system (eFileIL).

**(A) Divorce and Family Cases.** When filing agreed orders in connection with divorce and family cases, attorneys and parties shall submit a proposed Interim Case Management Order (form attached) which outlines the case status, establishes goals for the next CMC and suggests a future CMC date at least 60 day out. Contact the Boone County Circuit Clerk's Office (815-544-0371) for available case management dates and times.

**Note:** In recognition of Illinois Supreme Court Rule 922, agreed orders are prohibited on any case involving parental allocation issues that remain unresolved more than 12 months from the date the petition for dissolution or petition to modify was filed.

**(B) Law, Chancery, Foreclosure, Probate and Miscellaneous Remedy Cases.** When filing agreed orders in non-divorce, non-family cases the attorneys and parties shall submit a proposed Agreed Rule 218 Case Management Order (form attached) which outlines the case status, establishes goals for the next CMC and suggests a future CMC date at least 60 day out. Contact the Boone County Circuit Clerk's Office (815-544-0371) for available case management dates and times.

**Note:** Cases pending longer than 2 years from the date the initial complaint was filed are not eligible for continuance by agreement.

**(C) Arbitration, Small Claim and Forcible Entry and Detainer Actions.** Arbitration, Small Claim and Forcible Entry and Detainer actions scheduled for arbitration hearing, bench trial or other evidentiary hearing may not be continued by agreement of the parties. In the event a continuance is desired, one or both parties shall file and present a motion to continue which complies with Illinois Code of Civil Procedure and applicable Supreme Court Rules.

**(D) Agreed Brief Scheduling Orders.** After filing a motion with notice to opposing party(ies), the moving party shall communicate with the opposing party(ies) regarding a briefing schedule and dates for a proposed argument. Thereafter, the moving party shall initiate an email to Assistant Trial Court Administrator

(Kristine Gibbons: [Kgibbons@17thcircuit.illinoiscourts.gov](mailto:Kgibbons@17thcircuit.illinoiscourts.gov)) to secure a special set argument date and time. A final argument date and time will be generated via an email chain with Ms. Gibbons. Once finalized, the moving party shall prepare an appropriate briefing order (form attached) and e-file the final brief scheduling order through the Boone County e-filing system. Arguments will be conducted virtually, unless exigent circumstances require an in person appearance and argument.

**(E) Agreed HIPAA Orders.** Agreed HIPAA Orders may be e-filed using the Boone County e-filing system provided the proposed Agreed HIPAA Order bears the signature of counsel for the party whose medical records are at issue.

### 3. Virtual Hearings

**(A) Divorce and Family Cases.** All evidentiary hearings in divorce and family cases will be conducted pursuant to Chief Judge Doherty General Order 4.08 (attached).

**(B) All Other Civil Cases.** At least three (3) business days before a scheduled virtual hearing, parties shall exchange and submit a copy of all proposed exhibits to the Court in one of two ways: (i) a hard copy delivered in care of the Assistant Trial Court Administrator Kristine Gibbons; or (ii) by e-filing using the Boone County e-filing system (eFileIL). Absent prior authorization, do not email exhibits to the presiding judge. When any document intended as an exhibit is e-filed, the document **must** be named "Virtual Hearing Exhibit \_\_\_\_." In Boone County, each virtual exhibit must be separately labeled and e-filed.

**SO ORDERED.**

Entered

7/13/2020



**JUDGE OF THE CIRCUIT COURT**

**STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
COUNTY OF BOONE**

\_\_\_\_\_  
Petitioner

vs.

Case No. \_\_\_\_\_

\_\_\_\_\_  
Respondent

**INITIAL (INTERIM) CASE MANAGEMENT ORDER**

Petitioner appears     self-represented     with Attorney \_\_\_\_\_.

Respondent appears     self-represented     with Attorney \_\_\_\_\_.

**Parent and Children Together Class (PACT):**    Applicable     Yes     No    If applicable:

Completed by Petitioner     Yes     No

Completed by Respondent     Yes     No

**Parenting Plan:**    Applicable     Yes     No    If not agreed:

Agreed Parenting Plan on file     Yes     No

Petitioner's Proposed Parenting Plan is on file     Yes     No

Respondent's Proposed Parenting Plan is on file     Yes     No

**Status of Discovery:**

Petitioner's Financial Affidavit is on file     Yes     No

Respondent's Financial Affidavit is on file     Yes     No

Written Discovery is complete     Yes     No

Oral Discovery is complete     Yes     No

Rule 213 Opinion Witnesses are anticipated     Yes     No

**IT IS HEREBY ORDERED:**

A. PACT shall be completed by \_\_\_\_\_

B. Both parties shall file a proposed Parenting Plan by \_\_\_\_\_

C. Written discovery shall issue by \_\_\_\_\_

D. Discovery depositions shall be completed by \_\_\_\_\_

E. GAL report (Initial/Interim/Final) due \_\_\_\_\_

F. Other: \_\_\_\_\_

G. This matter is set for a Case Management Conference on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

DATE: \_\_\_\_\_

JUDGE: \_\_\_\_\_

**STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
COUNTY OF BOONE**

) ) ) ) ) ) ) ) ) )  
Plaintiff, ) ) ) ) ) ) ) ) ) )  
vs. ) No. ) ) ) ) ) ) ) ) ) )  
Defendant. ) ) ) ) ) ) ) ) ) )



**AGREED RULE 218 CASE MANAGEMENT (PROPOSED) ORDER**

*[If agreed to by all parties of record, this Order may be submitted at least 2 days prior to a scheduled Court date and, if approved, may allow the court to re-set the matter to a later hearing date.]*

The parties of record hereby agree as follows:

1. The status of this case is as follows (check all that apply):
  - Written discovery in process
  - Written discovery completed
  - Party depositions completed
  - Rule 213(f)(1) depositions completed
  - Rule 213(f)(2) depositions completed
  - Rule 213(f)(3) depositions in process
  
2. The Court's existing scheduling order provides the following discovery deadline:  
\_\_\_\_\_
  
3. The next scheduled court date is \_\_\_\_\_.
  
4. The parties agree that the matter should be continued to *(specify a month/day falling on a Wednesday or Thursday less than 120 days from now)*: \_\_\_\_\_  
@ 9:00 a.m., and that the foregoing date should be the deadline for completion of *(select at least one)*:
  - Written discovery
  - Party depositions
  - Rule 213(f)(1) depositions
  - Rule 213(f)(2) depositions
  - Rule 213(f)(3) depositions per this schedule *(or provide attachment)*

- Plaintiff's expert(s) to be disclosed by \_\_\_\_\_
- Plaintiff's expert(s) to be deposed by \_\_\_\_\_
- Defendant's expert(s) to be disclosed by \_\_\_\_\_
- Defendant's experts to be deposed by \_\_\_\_\_

Respectfully submitted (*attorneys sign below & include email address*):

	email: _____
	email: _____
	email: _____
	email: _____
	email: _____

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**ORDER**

This matter coming before the Court on parties' proposed agreed CMO, it is hereby ORDERED:

- Proposed CMO is APPROVED. The next scheduled court date is stricken. The discovery deadline requested above, and the next 9:00 a.m. CMC date is set for:
  - The parties' requested date of \_\_\_\_\_.
  - Other date: \_\_\_\_\_
- Proposed CMO is not approved; case remains set as scheduled.

Date	Judge
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## **GENERAL ORDER 4.08 Procedure for Virtual Hearings – Family Division**

### **A. Procedure for Scheduling a Case (applicable to all cases):**

To the extent possible, the Family Division intends to use remote hearing procedures similar to those followed for in-person hearings. The Division sets the following procedure for virtual hearings. This procedure applies to attorneys and Self-Represented Litigants (SRL).

1. Counsel or Self-Represented Litigant (SRL) files a Motion and obtains a Court date with the Clerk of the Court, following the procedure set forth at <https://tinyurl.com/IL17thVC>. More information on Motions and Motion forms can be found at <http://www.illinoiscourts.gov/Forms/approved/procedures/motion.asp>
2. The moving party provides notice of the virtual hearing date and time, with the Meeting ID, to the other party(ies).
3. If an opposing party files a response to the Motion with the Clerk, they shall provide a copy of the response and provide notice to the other party(ies).
4. Any counsel or SRL may forward the virtual invitation and/or Meeting ID to attorneys of record, parties of record and necessary witnesses only.
5. Any Court documents, proposed orders or exhibits required for the hearing shall be exchanged between the parties, with copies to the Court, no later than three business days before the virtual hearing. Parties may submit a copy to the Court in one of two ways: 1) a hard copy delivered care of Trial Court Administration, or 2) e-filed with the Clerk. When any proposed order, Court document or exhibit is e-filed, the proposed order, Court document or exhibit must be named “Virtual Hearing Exhibit.”
6. Counsel, SRL, parties and witnesses attending a virtual hearing will be admitted to a virtual waiting room until the case is called. During this time the Court may be hearing other cases also set for virtual hearings. Witnesses will remain in the waiting room until they are called to testify. The Court is limiting the number of cases set for virtual hearings in order to reduce waiting time.

### **B. Required Proposed Orders and Court Documents for Agreed Judgment for Dissolution of Marriage**

All proposed orders and court documents must be exchanged and submitted 3 days in advance of the Virtual Court Proceeding. In Winnebago County, it should be submitted as one packet, and in the order specified below. When e-filing the documents in Boone County, the documents should be submitted individually. In both Counties include the words “Virtual Exhibit” in the document name to ensure proper routing.

1. Proposed Judgment for Dissolution of Marriage\* Required for all cases.
2. Certificate of Dissolution of Marriage\* (4 Copies, each labeled to designate the appropriate entity that will be receiving the document). Required for all cases.

3. Marital Settlement Agreement. Optional document. Not required.
4. Proposed Parenting Plan\* Required for all cases with children under 18.
5. Order of Support.\* Required in all cases where maintenance or child support is ordered.
6. Child Support worksheet. Required in all cases where there are children under 18 or still in high school. Parties who have children under 18, or 18 years old and still in high school, must run child support calculations following Illinois child support guidelines. This child support is based on the income of both parents. Parties can calculate Illinois guideline child support at the following website: <https://cscwebext.hfs.illinois.gov/CscWebEx/app/estimator?execution=els1>. After entering the required information, at the bottom of the screen, click the “calculate” tab. This will give the estimated child support guideline amount. After clicking “calculate” there will be a tab marked “worksheet.” Click this tab to get a chart containing the child support calculation. Print the worksheet and submit it as a Virtual Exhibit. This must be done even if the parties do not want the Judge to enter a child support order, or if they want the Judge to set child support lower than what the guidelines require. The Judge must know what Illinois guideline child support requires before the Judge can decide to enter an order for a lower (or higher) amount than required. Parties also can calculate child support by referring to 750 ILCS 5/505(a)(1) or by using other child support calculation software programs.
7. Maintenance worksheet. Required in all cases where maintenance is ordered. When maintenance will be ordered, the parties must provide a worksheet calculating the amount of maintenance and duration of maintenance required under Illinois statutory guidelines. This must be done even if the parties want the Judge to order maintenance higher or lower than what the guidelines require. Parties can calculate maintenance by referring to 750 ILCS 5/504(b-1)(1) or by using maintenance calculation software programs.
8. PACT Certificates. Required in all cases where there are children under 18. Parents with children under 18 must complete the PACT Program. Parents can attend PACT online during the coronavirus crisis. Contact PACT at (815)877-7228 or [www.familymatters-pact.com](http://www.familymatters-pact.com). Proof of completion must be filed before the hearing. The PACT Program usually files proof of attendance with the Clerk. However, parties must check to make sure the certificate was filed. If proof of PACT attendance was not filed, the parties must submit the Certificate of Completion as a Virtual Exhibit.



9. Qualified Domestic Relations Order(s). Optional document. Not required.

\*Forms are available at the Circuit Clerk's Office:

<http://www.cc.co.winnebago.il.us/court-forms-winnebago-county/> Or

<https://boonecircuitclerk.us/page/66/forms>

BOTH PARTIES MUST BE APPEAR in the Virtual Courtroom at the date and time provided by the Circuit Clerk's Office, either individually or by an attorney. At the present time, the Court will not enter a Dissolution Judgment in a virtual hearing when a party fails to appear or is in default. ALL PROPOSED ORDERS, COURT DOCUMENTS AND EXHIBITS MUST BE PREPARED AND SUBMITTED AT LEAST THREE BUSINESS DAYS IN ADVANCE IN THE MANNER STATED IN THIS ORDER.

5/27/20