

STANDING ORDER ON COURTROOM PROCEDURES

Honorable Stephen L. Krentz – CR 113

In order to promote the more efficient management of the court's docket, the following procedural guidelines are enacted for all civil cases scheduled to be heard in courtroom 113:

A. Remote Appearances ARE allowed for status calls and uncontested matters. Consistent with Local Rule 2023-01, counsel and litigants are allowed to appear remotely via Zoom® without prior court approval on status calls and uncontested matters. Instructions for attending court remotely along with the court's expectations for conduct and etiquette while appearing remotely may be found on the Kendall County government website located at www.kendallcountyil.gov under the Offices → Judiciary → Remote Court Appearances pull down menus.

B. Remote Appearance are NOT allowed for contested matters. Unless a remote appearance is approved in advance, all parties and witnesses are required to be present in open court to participate in all contested matters. To appear remotely, a written order must be entered consistent with Supreme Court Rule 241. The court will not consider documents presented at a remote hearing unless they are already included within the official record or unless courtesy copies were previously delivered to all opposing parties and the court in advance.

C. Procedures for presenting orders after appearing remotely. All orders following remote appearances *must be submitted only* via Odyssey EfileIL. The court will not accept orders via email. Further, orders must be e-filed the same day the matter is heard in court, preferably by 1:00 p.m., but in no event later than 3:00 p.m. Failure to do so prevents the order from being file-stamped the same day it is heard in court. This creates unnecessary work for clerical staff and results in time-date discrepancies in the court record. Non-compliance may result in dismissal of the matter for want of prosecution, and repeated non-compliance may result in suspension of the right to appear remotely. Failure to comply with the court's verbal direction regarding submission of a remote order will result in dismissal of the case *with* prejudice.

D. Rules specific to Law Medium (LM) and Small Claims (SC) cases. LM and SC cases are heard only at 10:00 a.m. Counsel and litigants may appear remotely on these case types without leave of court, except for trials and dispositive motions which must be scheduled by the court. The court will entertain oral motions to appear remotely at bench trials, however, good cause must be shown. Out of state witnesses are typically allowed to appear remotely, however, advanced court approval is still required.

Due to the high volume of cases, all counsel appearing remotely on the court's 10:00 a.m. docket must submit proposed orders in advance. All such orders must be *emailed* (not e-filed) to the circuit clerk's office at circuitclerkorders@kendallcountyil.gov. Orders must be received no later than 4:00 p.m. one business day *prior* to the scheduled hearing. Multiple orders must be submitted in alphanumeric order in *one combined document*, preferably a .pdf file. The court is prepared to check boxes, add dates, or make other minor changes to proposed orders as the cases are called from the courtroom. The presentation of alternative proposed orders is permitted. All proposed orders must be pre-dated with the date the case is scheduled to be heard in court. Repeated disregard of this requirement will result in termination of the right to appear remotely

Counsel must appear at the initial Case Management Conference date scheduled upon the filing of the case regardless of whether a summons has been issued for a subsequent return date. Failure to appear at the initial CMC date will result in dismissal of the case for want of prosecution.

E. Off-Call agreed orders - E-filing required. The court will consider the entry of dismissal orders or routine *agreed* orders off-call, at any time. All such orders may be presented electronically, but *only* via Odyssey EfileIL. Orders represented by counsel to be agreed need not be individually signed by all counsel of record, however, signatures of unrepresented litigants must appear on any proposed off-call agreed orders. Prior to submitting a proposed order setting a future court date, counsel must first confirm the availability of the requested date from the circuit clerk's office or the court administrator. The order must also strike any future scheduled dates for which a court appearance will no longer be required.

F. Courtesy copies required. Courtesy copies of briefs or motions are not required unless the matter is for hearing. Whenever a hearing is scheduled on a contested motion, the *moving party* is required to deliver to the court written courtesy copies of the motion at issue, the pleading being challenged, if applicable, and copies of all briefs in support of or in opposition thereto. Unless otherwise ordered, courtesy copies must be received by the court administrator at least five (5) days prior to the scheduled hearing. Failure to submit courtesy copies in advance may result in cancellation of the hearing.

G. Pre-trial settlement conferences. Counsel must appear in person for pre-trial settlement conferences. Litigants and persons with settlement authority are (typically) not allowed to participate in person, but must be available by phone. Pre-trial memoranda are expected approximately three (3) days in advance. Memoranda totaling five (5) pages or less may be emailed to skrentz@kendallcountyil.gov, more lengthy documents and attachments should be reduced to writing and delivered to the court administrator. All pretrial submissions are retained as judges notes and will not be filed in the official court record. No submission will be deemed confidential unless so marked, and doing so is conditioned upon counsel first obtaining advance permission from all other parties of record.

H. File stamped copies of signed orders. It is the responsibility of counsel and/or litigants to obtain file stamped copies of orders. The court will not direct the Circuit Clerk to mail or email copies of signed orders solely for the convenience of litigants or counsel. Electronic copies of orders may be requested directly from I2File, or through a paid JANO subscription service. When the court does direct the clerk to forward copies of file stamped orders, the clerk will be obligated to do so only by email, and only to the most recent email address listed for the law firm or litigant of record.

I. Time Standards for Case Closure. Counsel are expected to strictly comply with the "Time Standards for Case Closure in Illinois Courts" promulgated by the Supreme Court under M.R. 31228. With very few exceptions, all cases will be scheduled to ensure that final judgment is entered prior to the expiration of these statewide standards. Counsel are expected to proceed with discovery concurrent with dispositive motion practice and are encouraged to request narrowly tailored discovery process orders to facilitate that process. Absent extraordinary circumstances, incomplete discovery, unresolved dispositive motion practice and/or scheduling conflicts with expert witnesses are unlikely to be considered sufficient cause to continue a previously scheduled trial date. The court is only able to designate one week per month for jury trials. In order to comply with M.R. 31228, it may be necessary for the court to schedule more than one case for jury trial in any given jury week. Cases that are compliant with Supreme Court time standards will enjoy scheduling priority over cases that are non-compliant. Expected benchmarks for case progression are attached hereto as Exhibit A.

J. Artificial Intelligence Disclosure. The use of generative AI technology is permitted provided it complies with the Illinois Supreme Court's Policy on Artificial Intelligence. Any document submitted to the Court that cites to non-existent, unsubstantiated, or deliberately misleading case law or statutory authority will be stricken and the asserted argument will be deemed to have been waived. Serious infractions may result in contempt of court.

Case Progress benchmarks for law division cases:

- 3 mo: (initial CMC) Set hearing schedule for dispositive motions.
- 6 mo: written discovery should be complete, party depositions scheduled.
- 12 mo: all party and F(1) depositions should be concluded; F(2) witnesses disclosed.
- 18 mo: F(2) oral discovery should be completed or firm dates scheduled.
- 24 mo: Final deadline for Plaintiff to disclose F(3) opinions, no extensions will be granted absent a showing of good cause. Set pre-trial and jury trial dates.
- 30 mo: Final deadline for disclosure of Defendant F(3) opinions.
- 36 mo: Trial deadline.