

PART 1. ORGANIZATION

Rule 1.1 **Definitions.** The following terms in these Rules are defined as follows:

- (a) “Circuit” means and refers to the Circuit Court of the Fifteenth Judicial Circuit, Illinois.
- (b) “Court” means and refers to the circuit court and, if applicable, the judge presiding over a case.
- (c) “Clerk” means and refers to the Clerk of any Court in the Circuit.
- (d) “Rules” means and refers to these Local Rules of the Circuit.
- (e) “Supreme Court Rules” and “S. Ct. R.” mean and refer to the Rules of the Illinois Supreme Court.
- (f) “SRL” means and refers to a self-represented litigant, who is a person who does not retain an attorney and appears in court proceedings on his or her own behalf.

Rule 1.2 **Rules of Court**

(a) **Power of Court to Adopt Rules.** These Rules are promulgated pursuant to 735 ILCS 5/1-104(b), which provides that circuit courts may make rules regulating their dockets, calendars, and business, and S. Ct. R. 21(a), which provides that a majority of the circuit judges in each circuit may adopt rules governing civil and criminal cases consistent with the Supreme Court Rules and Illinois statutes.

(b) **Effective Date; Existing Rules Repealed.** These Rules shall become effective March 12, 2021. All prior rules of the Circuit are hereby repealed.

(c) **Amendment of Rules.** Any amendment of these Rules shall be passed by a majority vote of all circuit judges of the Circuit, with each voting judge being mailed a copy of the proposed amendment at least 10 days before the vote.

Rule 1.3 **Chief Judge**

(a) **Selection.** A majority of the circuit judges of the Circuit shall select, by secret ballot, one of their number to serve as Chief Judge for a four-year term, having commenced January 1, 2020, and shall select a Chief Judge in the same manner every four years thereafter. No Chief Judge may succeed himself or herself in office.

(b) Acting Chief Judge. The Chief Judge shall designate one of the circuit judges to act as Acting Chief Judge in his or her absence or when the Chief Judge is unable to serve. The designation shall be in writing and promulgated to all circuit judges. The Acting Chief Judge shall have the same powers and duties as the Chief Judge when the Chief Judge is absent or unable to serve.

(c) Vacancy. Whenever a vacancy occurs in the office of the Chief Judge, a majority of the circuit judges shall select a circuit judge to fill the unexpired term. Any two circuit judges may call a meeting of the circuit judges for the purpose of electing a Chief Judge to fill the unexpired term of office. A judge elected under this section may succeed himself or herself in office for one full four-year term. The election shall be held within three weeks of the vacancy, and at least seven days' notice shall be given to all circuit judges.

(d) Chief Judge's Powers and Duties. The Chief Judge is responsible for the administration of all courts in the Circuit and shall direct the Circuit's operations. A Chief Judge has general administrative authority over the Circuit, including authority to provide for general or specialized divisions, to provide for functional units, and to designate appropriate times and places of holding court. The Chief Judge is subject to, and responsible for, the implementation and enforcement of the rules, orders, policies, and directives of the Illinois Supreme Court, the Chief Justice of the Illinois Supreme Court, and the Director of the Administrative Office of the Illinois Courts. All orders entered by the Chief Judge shall be kept on file in the office of the Court Administrator and the office of each Clerk. The Court Administrator shall maintain the orders as permanent court records, which will be available for inspection as public documents. Copies will be available for a nominal fee.

(e) Removal of the Chief Judge. A majority of the circuit judges may at any time by written notice call a meeting of the circuit judges at a time and place stated for the purpose of considering the removal of the Chief Judge from the office of Chief Judge. A copy of the notice shall be delivered, e-mailed with receipt verification, or mailed postage prepaid to each circuit judge at least five days before the time fixed for the meeting. At the meeting, the judges shall vote by secret ballot on the question "Shall the present Chief Judge be removed from office?" If a majority of the judges vote for removal, the Chief Judge is thereby removed from office, and the judges at once shall elect a new Chief Judge to take office.

Rule 1.4 Presiding Judge

(a) Designation. The Chief Judge shall by administrative order designate a judge in each county of the Circuit as the Presiding Judge in that county. The Presiding Judge shall sit at the pleasure of the Chief Judge. The Chief Judge may serve as the Presiding Judge of the county in which he or she presides.

(b) Powers and Duties of the Presiding Judge. The Presiding Judge or his or her designee shall call and impanel grand and petit juries, submit budgets, administer the judicial department of the county in which he or she presides, and perform such other duties as may be required for the proper administration of justice. He or she may promulgate administrative orders within his or her county not inconsistent with these Rules or the administrative orders of the Chief

Judge. All administrative orders issued by the Presiding Judge shall be tendered to the Chief Judge 14 days before their effective date. An administrative order shall take effect on its effective date unless the Chief Judge disapproves the proposed administrative order.

Rule 1.5 Judicial Assignments

(a) Assignments by the Chief Judge. The Chief Judge shall assign circuit judges and associate judges to the various counties within the Circuit and may further assign all judges on a case-by-case basis.

(b) Assignments by the Presiding Judge. The Presiding Judge may assign judicial duties to the circuit and associate judges regularly assigned to that county by the Chief Judge.

Rule 1.6 Committees

(a) Formation of Committees. The Chief Judge may create and dissolve standing or *ad hoc* committees and may appoint judges and/or administrative staff to any committee. Any standing committee shall be established by administrative order.

(b) Judicial Liaison Committee. Until such time as it is dissolved by the Chief Judge, the Circuit shall maintain a Judicial Liaison Committee. A circuit judge and an associate judge appointed by the Chief Judge and representatives of county bar associations in the Circuit will comprise the Committee. The Committee's goals are to enhance communication between the bench and the bar in the Circuit, propose and review changes to these Rules, and otherwise foster an effective and collegial relationship between the bench and the bar.

Rule 1.7 Court Personnel

(a) Court Complement. A full court complement consists of the judge, courtroom clerk, and bailiff when court is in session. A full complement shall be maintained whenever directed by the Presiding Judge.

(b) Courtroom Clerk. The courtroom clerk shall be the Clerk or a deputy clerk authorized to swear witnesses. The clerk shall attend court when court is in session unless excused on a case-by-case basis by the Court. The clerk shall obtain all necessary files and docket sheets for cases to be heard, swear witnesses, and perform other duties as the Court directs.

(c) Bailiff. The bailiff shall open and close court, preserve order in the courtroom, attend to the jury when placed in his or her custody, and perform other duties as the Court directs.

Rule 1.8 Selection of Associate Judges

(a) Application Process. Election to the office of associate judge will be in accordance with S. Ct. R. 39 and the following additional local procedures:

(1) After applications are closed pursuant to S. Ct. R. 39, the Chief Judge shall make the applicants' names public for a period of at least 28 days to allow for public comment. All public comment shall be in writing and addressed to the Chief Judge's office. The Chief Judge's office shall make all public comments available to each circuit judge before interviews.

(2) During the time for public comment, the Chief Judge's office shall investigate the background of each candidate, including but not limited to reviewing ARDC, LEADS, credit history, and other pertinent records.

(3) The circuit judges shall conduct an *en banc* interview with each candidate. If a candidate has been interviewed within the previous 24 months, the circuit judges by majority vote may agree to forgo an additional interview.

(b) **Contact with Candidates.** It shall be within the discretion of each circuit judge whether he or she will allow contact with a candidate during the application process to address the candidate's application.

Rule 1.9 Judicial Meetings

(a) **Circuit Judges.** The Chief Judge shall convene a meeting of the circuit judges at least three times each year.

(b) **Associate Judges.** The Chief Judge shall convene a meeting of the associate judges at least three times each year.

(c) **All Judges.** The Chief Judge shall convene a joint meeting of the circuit and associate judges at least once each year.

Rule 1.10 Jurors, Terms of Service, Summons, and Excuse

(a) **Grand Jurors.** Grand jurors shall be called by the Presiding Judge or jury commission for a specified period not to exceed 18 months. After being impaneled, instructed, and sworn, the grand jury shall sit from time to time until permanently discharged by the Court. The Presiding Judge shall direct the grand jury, or a committee thereof, to inspect the jail and any juvenile detention facility at least annually and submit its report to the Presiding Judge.

(b) **Petit Jurors.** Petit jurors shall be called by the Presiding Judge or the jury commission for a period of time to be designated by the Presiding Judge. The Presiding Judge or the jury commission shall certify to the Clerk the number of petit jurors required, together with the date, time, and place of reporting and period of service. Jury commissions are authorized to employ computers or similar devices to assemble and draw general, active, and period jury lists from voter registration and driver's license lists and as otherwise provided by law.

(c) **Jury Summonses.** The Clerk shall issue and cause to be served a jury summons on all grand jurors and petit jurors at least 15 days before the first day of service. Jury summonses

may be served by regular mail to the addresses as listed in the voter registration or driver's license files.

(d) Jury Excuses. The Presiding Judge, his or her designee, or the jury commissioner is authorized to excuse summoned jurors, continue their service, and regulate their assignments to the various courtrooms within the county.

(e) Applicable Rules. The grand jury and petit jury are subject to the jury commissioner's rules.

Rule 1.11 Court Accessibility

(a) Physical Facilities. Judges and court personnel shall endeavor to make the physical facilities and services of the courthouse available to persons with disabilities or those who request accommodation under the Americans with Disabilities Act.

(b) Reasonable Accommodations. When appropriate and necessary, the Court may enter orders to provide for, among other things, emergency designation of additional courtrooms, the rendering of physical assistance to individuals, recessing of court to a more appropriate location, designation of interpreters, and the temporary or permanent provision of essential equipment.

(c) Reasonable Efforts. Court personnel shall make every reasonable effort to effectively communicate to senior citizens and persons with disabilities that special services and equipment will be made available to them to ensure their access to the due administration of justice.

(d) Interpreters. Whenever reasonably possible, language interpreters or a language interpretation service will be made available to litigants and witnesses who are unable to communicate effectively in English. Each county shall maintain a policy for whether and when the cost of the language interpreter or a language interpretation service shall be charged to a party.

Rule 1.12 Assistance for Self-Represented Litigants

(a) Expectations. An SRL, under the law, is held to the same standards and duties as an attorney. An SRL is expected to know what the law requires and how to proceed in accordance with applicable statutes and these Rules.

(b) No Legal Advice. In the performance of their official duties, court personnel and staff of the Clerk may not give legal advice to an SRL.

(c) Permitted Information. Court personnel and staff of the Clerk may assist an SRL regarding procedural matters by referring the individual to these Rules and/or providing the SRL an electronic or printed version of all or part of these Rules. Court personnel and staff of the Clerk also may refer an SRL to the law library in the courthouse, pre-printed forms maintained by the Clerk, local and state bar associations, and/or any organization providing legal advice or services to SRLs.

Rule 1.13 Soliciting and Loitering Prohibited

(a) **Prohibited Solicitation.** Attorneys may not solicit business in the courthouses.

(b) **Prohibited Loitering.** Loitering in or about the rooms or corridors of the courthouses is prohibited. Unapproved groups congregating or causing a disturbance or nuisance in the courthouses are prohibited. Picketing or parading outside of the building housing the Court within the immediate proximity of the Court is prohibited only when the picketing or parading obstructs or impedes the orderly administration of justice.

(c) **Enforcement.** The sheriff of each county in the Circuit, his or her deputies, and court bailiffs shall enforce this Rule, either by ejecting violators from the courthouse or causing them to appear before one of the judges for a hearing and imposition of punishment as the Court deems proper.

Rule 1.14 Decisions Within 60 Days

(a) **Prompt Decisions Encouraged.** All judges are encouraged to render their decisions promptly when matters are ready for decision, and, except as hereinafter provided, no judge shall keep a matter under advisement or fail to render a decision in a matter submitted to that judge for longer than 60 days after the matter is ready for decision. For the purposes of this Rule, a matter is ready for decision when the Court has received all written submissions and heard all arguments ordered by the Court. A judge taking a case under advisement shall set the case for a date certain within that time for entering the decision or conducting a status conference.

(b) **Reporting by Judge.** Any case taken under advisement that has not been decided by the judge within 60 days shall be reported by the judge to the Presiding Judge or Chief Judge with an explanation of the reason the decision has not been rendered.

(c) **Reporting by Others.** Any person may report a violation of this Rule to the Presiding Judge or the Chief Judge.

Rule 1.15 Courtroom Decorum

(a) **Judicial Responsibility.** It shall be the Court's responsibility to enforce proper courtroom decorum of all court staff, attorneys, and persons within the courtroom in which he or she is presiding. Each judge should be attired in a judicial robe whenever he or she presides. Any provision in this Rule 1.15 may be waived by the Court or by appropriate administrative order entered by the Presiding Judge.

(b) **Opening of Court.** All persons who are able should stand when court is opened, recessed, reconvened, or adjourned.

(c) **Courtroom Attire.** Persons present in court shall dress as follows:

(1) Male attorneys shall wear coat and tie, and female attorneys shall wear appropriate business attire for courtroom proceedings.

(2) Court clerks and probation officers shall wear uniforms or appropriate business attire.

(3) Court reporters shall wear appropriate business attire.

(4) Bailiffs shall wear attire to identify themselves as court security personnel.

(5) Except for religious or medical purposes, no caps or hats may be worn while court is in session.

(6) SRLs, litigants, witnesses, and jurors shall wear appropriate attire, which does not include short shorts, tank-tops, or clothing that exposes bare midriffs.

(7) No vulgar language shall be visible on attire.

(8) No outerwear, such as overcoats, shall be worn in the courtroom while court is in session.

(d) **Food, Drink, and Tobacco Products.** No food, candy, beverages, or tobacco products may be consumed in the courtroom during the business day except when food or drink is allowed with leave of the Court. Leave will be given for the consumption of medical necessities.

(e) **No Entry if Under the Influence of Alcohol or Drugs.** No person shall enter or remain in a court facility while under the influence of alcohol or drugs. This prohibition shall not apply in cases in which a drug is being used as prescribed for a patient by a licensed physician.

(f) **No Animals.** Dogs and other animals, except licensed and certified service animals, shall not be brought into any court facility without leave of Court.

(g) **No Solicitation.** Distribution, posting, or affixing materials such as pamphlets, handbills, or flyers, on bulletin boards or elsewhere within or on any court facility is prohibited, except as authorized.

(h) **No Nuisances.** The following conduct is prohibited in all courthouses in the Circuit:

(1) Any conduct that creates loud or unusual noise or a nuisance;

(2) Any conduct that unreasonably obstructs the usual entrances, foyers, lobbies, corridors, offices, elevators, work areas, stairways, or courtrooms;

(3) Any conduct that otherwise impedes or disrupts the performance of official duties by employees in the courthouse; and

(4) Any conduct that prevents the general public from obtaining the services provided in the courthouse in a safe and timely manner.

(i) Conduct During Proceedings. Persons present in court shall conduct themselves as follows:

(1) Counsel and SRLs should stand when addressing the Court unless medically unable to do so.

(2) Counsel and SRLs may not engage opposing counsel or an opposing SRL in a colloquy. All comments or arguments should be addressed to the Court.

(3) Counsel and SRLs may not approach the bench, the court reporter, the clerk, or a witness without leave of the Court.

(4) Counsel and SRLs may not request the court reporter to go off the record or to read back a portion of the proceedings. These requests should be made to the Court.

(5) No one may possess or use a cellphone or pager in the audible mode, nor may any person receive or make cellphone calls in the courtroom while court is in session.

(6) No one may read newspapers or magazines in the courtroom while court is in session.

(7) Counsel and SRLs are to maintain a reasonable distance from the jury box during jury trials. Counsel and SRLs are to avoid physical contact with the jury box and jurors.

(8) Attorneys, court personnel, and SRLs should avoid conversation among themselves or with others while waiting to be called when court is in session.

(j) Exhibits

(1) Marking Exhibits. Counsel and SRLs should mark exhibits in advance of trial with exhibit stickers when available. Exhibits should be marked as “Plaintiff’s,” “Petitioner’s,” “Defendant’s,” or “Respondent’s” as appropriate.

(2) Copying Exhibits. When practicable, copies of exhibits should be furnished to the Court, opposing counsel, and any opposing SRL no later than when the exhibit is offered in evidence. When practicable, a list of exhibits should be furnished to the Court, opposing counsel, and any opposing SRL no later than the beginning of the hearing. Unless use of an exhibit was not reasonably anticipated, counsel and SRLs should make their own copies of exhibits. Except in limited circumstances, photocopiers provided in courtrooms are not intended to be used for photocopying of exhibits.

(3) **Displaying Exhibits to Jury.** Exhibits may not be displayed to the jury without leave of Court and until received in evidence.

(4) **Possession of Exhibits.** Possession and responsibility for exhibits remains with the proponent until the exhibits are received in evidence, at which time the Clerk shall become responsible for the possession of the exhibits, unless otherwise ordered by the Court.

Rule 1.16 E-Mail Communication with Judges. Unless specifically requested to do so by a judge or court personnel, attorneys and SRLs should not send *ex parte* e-mails to judges regarding pending matters. Unless otherwise requested by the judge or court personnel, e-mails regarding scheduling or other procedural matters should be sent to the judge's court reporter, specialist, or assistant. A copy of any permitted e-mail sent to a judge or other e-mail sent to a judge's court reporter, specialist, or assistant should at the same time be sent to all opposing counsel and SRLs who have appeared in the case.

Rule 1.17 Use of Portable Electronic Devices (amended January 2022)

(a) **Definitions.** As used in this Rule 1.17:

(1) "Portable Electronic Devices" means mobile devices capable of electronically storing, accessing, or transmitting information and includes personal computers, tablet computers, mobile telephones (including cellphones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or future generations of similarly developed devices; and

(2) "Court Visitor" means any individual present at a courthouse in the Circuit.

(b) **Use in Common Areas.** All Court Visitors may use Portable Electronic Devices in the common areas of a courthouse, such as lobbies and hallways; provided, however, that no speakerphone or similar function of a Portable Electronic Device is allowed. The Presiding Judge may impose further restrictions, including restricting mobile telephone conversations to designated areas, as needed to maintain safety, security, proper behavior, order, and the administration of justice. All Portable Electronic Devices must be placed in silent mode at all times within a courthouse.

(c) **Use in Courtrooms.** Case participants, including lawyers, SRLs, parties, and witnesses may use Portable Electronic Devices inside a courtroom to check calendars or present case-related information. All other uses of Portable Electronic Devices inside a courtroom may be prohibited by the Court. All Portable Electronic Devices must remain in silent mode at all times within a courtroom, and no speakerphone or similar function of a Portable Electronic Device is allowed.

(d) **Prohibited Uses in Common Areas and Courtrooms.** No Court Visitor may take photographs, make audio and/or video recordings, or livestream any occurrence or event without prior approval of the Court or as governed by S. Ct. R. 44. No Court Visitor may use a Portable

Electronic Device to communicate or attempt to communicate with any potential juror or juror. No Court Visitor may use a Portable Electronic Device to harass, intimidate, or communicate about given testimony with any witness.

(e) **Other Electronic Devices.** Cameras, video cameras, video recording equipment, and recording devices not classified as Portable Electronic Devices are not allowed in any courthouse in the Circuit.

(f) **Confiscation of Equipment and Ejection.** A Court Visitor using a Portable Electronic Device or possessing other electronic devices in violation of this Rule is subject to removal from the courthouse, contempt of court, and penalties as provided by law. Any Portable Electronic Device used in violation of this Rule may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated Portable Electronic Device.

(g) **Restrictions on Portable Electronic Devices.** If the Chief Judge determines that Portable Electronic Devices interfere with the administration of justice or cause a threat to safety or security, he or she may prohibit Portable Electronic Devices from being carried into specific courtrooms (for example, courtrooms hearing certain criminal cases) or an entire courthouse if the courthouse provides storage for the devices at no cost to the Court Visitor at the security entrance. Storage of Portable Electronic Devices may be limited to persons who represent to security personnel that they have no other means of storage available to them, such as a parked vehicle on or near the courthouse.

(h) **Exceptions.** The provisions of this Rule shall apply during the regular business hours of the Court, except:

(1) Court reporters may make recordings of courtroom proceedings in the performance of their regular duties;

(2) Incidental to ceremonial events such as marriages, investitures, and graduations in problem-solving courts, any judge, with the permission of the Presiding Judge or the Chief Judge, may permit the taking of photographs, audio or video recording, and broadcasting by radio and television within the area of the judge's courtroom, chambers, or court offices;

(3) As outlined in the Policy for Extended Media Coverage in the Circuit Courts of Illinois and S. Ct. R. 44; and

(4) In special circumstances as authorized by the Chief Judge.

Rule 1.18 Chief Judge Personnel. No Chief Judge personnel may be changed except by majority vote of the circuit judges.

Rule 1.19 Electronic Court Reporting

(a) Approval for Use. Pursuant to S. Ct. R. 46 and the regulations in regard to Standards of Security of the Official Record of Court Proceedings effective December 13, 2005, electronic reporting systems are approved for use in the Circuit. Pursuant to these regulations, personnel shall be trained and certified to operate the electronic recording system.

(b) Preserving Electronic Recordings. The production of the physical medium storing the electronic recording of court proceedings shall be monitored by certified operators of the electronic reporting system, who shall tag with their initials each electronic recording at the time of recording. The electronic recording medium shall be securely preserved in an unaltered and unalterable condition.

(c) Use of Recordings. Digital computer recordings of testimony are created only for the purpose of preserving the words spoken in formal courtroom proceedings, hearings, and trials, so that a transcript, which is the official record, may be subsequently produced. The digital computer recordings are owned by the Circuit and may be used only pursuant to Rule or administrative order.

(d) Unintended Recordings. Any spoken words in the courtroom that are not a part of the proceeding, hearing, or trial are not intended recordings. Other than by certified operators of the electronic recording system to orient themselves on recording content, they may not be listened to or used in any way.

(e) Authorized Playbacks. Playback of any portion of the computer recording of a proceeding, hearing, or trial is authorized only:

- (1) During the proceeding, hearing, or trial at the direction of the Court;
- (2) By certified court reporting personnel to create a transcript as the official record; or
- (3) At the direction of the Court for use by the Court.

(f) Transcripts. A request for a transcript from either the electronic recording system or a court reporter may be obtained by completing a Transcript Request Form, available in the court reporter's office. Transcripts generated from the electronic recording systems shall be prepared in accordance with applicable statutory authority, rule, and regulation and shall be certified.