

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

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) No. 2020 P 08
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AMENDED GENERAL ADMINISTRATIVE ORDER
CONCERNING RESUMING REGULAR CALL VIA REMOTE ACCESS

This Order is entered in response to the COVID-19 pandemic and in conjunction with Cook County Circuit Court General Administrative Order No. 2020-02 (amended September 21, 2020).

IT IS HEREBY ORDERED THAT:

1. Remote Hearings

a. During the time the Probate Division Judges are working remotely, the following procedures will remain in effect. This General Administrative Order supersedes General Administrative Orders 2020 P 02, 2020 P 03, 2020 P 04, and 2020 P 05. General Administrative 2020 P 06 and 2020 P 07 remain in effect.

b. Beginning June 29, 2020 and until further Order of this Court, the Probate Division will hear regular court calls using audio and Zoom video conferences. All Probate matters will proceed as scheduled on the regular Calendar via remote access. Cases will **not** be heard in the Daley Center. **Do not email any documents to the Judge until you obtain a court date from the Clerk’s Office.**

c. Attorneys and self-represented litigants seeking to appear on scheduled matters shall appear using Zoom Video Conferencing (Zoom) or if a participant does not have access to the internet, he/shc shall be allowed to participate by telephone conference call. Instructions for accessing each individual Calendar are posted on the Court’s website at the Circuit Court of Cook County – Probate Division website under the Covid-19 emergency procedures tab. If you do not have adequate access to the internet, you may call the administrative assistant at (312) 603-7545 or (312) 603-7546 for instructions.

d. In the event of a system failure which renders continuing the call impractical, attorneys and self-represented litigants from the cases that were not yet heard that day will be contacted and given a new date.

2. Guardianship Procedures for Matters on the Scheduled Call

a. The petitioning party shall submit proposed orders and courtesy copies for each case appearing on the call **no later than 2 business days but not more than 5 business days prior to the assigned court date**. Submissions shall be emailed directly to the Judge assigned to the Calendar at the email addresses listed below.

i. See paragraph 4 of this Order for further direction regarding courtesy copies and Proposed or Agreed Orders.

b. **Agreed Orders**

i. In an effort to expedite the call, Guardianship Judges may approve Agreed Orders. If the Agreed Order is approved, the parties need not appear. A copy of the approved Agreed Order will be sent by the Clerk's Office to the submitting party, that party shall notify all parties scheduled to appear that the Agreed Order was approved and appearance on the scheduled date is excused. The Court will **not** consider Agreed Orders for appointment of an adult guardian/adjudication, restoration or any other matters for which appearance is deemed necessary. **Attorneys are encouraged to work together to reach an agreement and submit a proposed agreed order in anticipation of an upcoming court appearance.**

ii. All Agreed Orders shall bear the heading: "AGREED ORDER SUBMITTED BY ELECTRONIC MEANS." All Agreed Orders shall contain, when feasible, the electronic signature of all counsels of record and self-represented litigants in the cause. If not feasible, a statement that all parties and persons entitled to notice have received and affirmatively agreed to the Order shall be submitted.

iii. When submitting a proposed agreed order, your appearance is required unless you receive a stamped copy of your proposed order prior to the court date or you are otherwise instructed that your appearance is excused.

c. **Emergency Petitions**

i. Petitions for the Appointment of Temporary Guardian and other emergency motions must be E-Filed in accordance with Ill. S. Ct. R. 9 (eff. Jan. 1, 2020) and will be heard as add-ons at the end of the regular call. Upon presentment of a Petition for the Appointment of a Temporary Guardian, the Court may appoint a Guardian ad litem and continue the matter for a short date.

ii. A courtesy copy of the petition or motion shall include a factual basis stating the nature of the emergency and all supporting documents, including but not limited to, any required bond, and Proposed Order shall be submitted to the Judge's email no later than 10:00 AM on the business day preceding presentment.

iii. If, upon presentment in Court, it is determined that the matter presented is not a valid emergency, the movant will be directed to place the matter on the Court's regular motion call.

iv. The subject line of your email containing a courtesy copy for an emergency matter shall state "Request for Emergency Hearing".

d. **Reports of Physician**

i. Due to the circumstances of COVID-19, the Probate Division has found good cause to address the issue surrounding presentation of an original or a copy of a medical report (i.e. CCP-211). The Guardianship Courts will consider adjudication of disability and appointment of a guardian using a copy of the medical report (CCP-211) if the following conditions are met:

1. There is no objection to the adjudication;
2. The attorney on the record affirms possession of the original and where the Court is satisfied with the evidence; and
3. The attorney affirmatively acknowledges on the record that, upon the opening of the Courts, the original medical report will be submitted directly to the Court and placed under seal.

3. Decedent Procedures for Matters on the Scheduled Call

a. The petitioning party shall submit proposed orders and courtesy copies for each case appearing on the call **no later than 2 business days but not more than 5 business days prior to the assigned court date**. Submissions shall be emailed directly to the Judge assigned to the Calendar at the email addresses listed below.

i. See paragraph 4 of this Order for further direction regarding courtesy copies and Proposed or Agreed Orders.

b. **Agreed Orders**

i. In an effort to expedite the call, Decedents judges will consider Agreed Orders. If the Agreed Order is approved, the parties need not appear. A copy of the approved agreed order will be sent by a clerk to the submitting party, that party shall notify all parties scheduled to appear that the Agreed Order was approved and appearance on the scheduled date is excused. The Court will not accept as "agreed" orders any order that changes a hearing date on fully briefed motions or trial dates or any other matters for which appearance is deemed necessary. **Attorneys are encouraged to work together to reach an agreement and submit a proposed agreed order in anticipation of an upcoming court appearance.**

ii. The petitioning party shall submit proposed orders and courtesy copies on each case that appears on the call **no later than 2 business days but not more than 5 days prior to the Circuit Court Clerk's scheduled date**. Submissions shall be emailed directly to the judge assigned to the Calendar at the

email addresses listed below. Attorneys shall obtain a scheduled court date from the Clerk's Office prior to any submissions.

iii. All agreed orders shall bear the heading: "AGREED ORDER SUBMITTED BY ELECTRONIC MEANS". All Agreed Orders shall contain, when feasible, the electronic signature of all counsel of record and self-represented litigants in the cause. If not feasible, a statement that all parties and persons entitled to notice have received and affirmatively agreed to the order shall be submitted by the presenting attorney.

iv. When submitting a proposed agreed order, your appearance is required unless you receive a stamped copy of your proposed order prior to the court date or you are otherwise instructed that your appearance is excused.

c. **Emergency Petitions**

i. Matters determined to require emergency scheduling will be heard as add-ons in decedent courtrooms after 11:00 AM. Litigants are required to E-File all emergency motions in accordance with Ill. S. Ct. R. 9 (eff. Jan. 1, 2020).

ii. A courtesy copy of the petition or motion shall include a factual basis stating the nature of the emergency and all supporting documents, including but not limited to, any required bond, and proposed orders shall be submitted to the Judge's email address no later than 10:00 AM on the business day preceding presentment.

iii. If, upon presentment in Court, it is determined that the matter presented is not a valid emergency, the movant will be directed to place the matter on the Court's regular motion call.

iv. The subject line of your email containing a courtesy copy for an emergency matter shall state "Request for Emergency Hearing".

d. **Petitions to Open and Close**

i. Petitions for opening estates shall include the following documents:

1. Petition for Letters including an accurate Exhibit A;
2. Copy of Will if applicable;
3. Affidavit of Heirship;
4. Notice or Waivers of notice from all heirs equally entitled to nominate or with preference to nominate, with a known last address in the case of intestate estates.
5. Fully executed and notarized Oath of office and Bond (not E-filed). Estate counsel shall bring the embossed bond to the clerk of the court in the courtroom at the next scheduled date after court reopens.

6. Proposed order Declaring Heirship (not e-filed);
7. Proposed order Admitting Will and Appointing Representative of Decedents Estate (not E-filed); and
8. Designation of Resident Agent shall be indicated if the proposed representative resides out of state.

ii. Petitions to close estates shall include the following documents:

1. Copy of the Petition for Letters including exhibit A;
2. Copy of the previously admitted Last Will, if any, and the date of admission;
3. Copy of previously entered Order Declaring Heirship and any Amended Orders Declaring Heirship;
4. Copy of previously entered Order Appointing Representative or Successor Representative;
5. Copy of the fourteen-day certificate of notice to heirs and legatees (E-filed) or waivers of notice (E-filed);
6. Copies of receipts and approval on closing of decedent's estate in independent administration from all heirs/legatees or proof of 42-day notice (E-filed).
7. Copy of Proof of Publication, if applicable (E-filed);
8. Copy of Final Report of Independent Representative (E-Filed); and
9. Proposed Order of Discharge.

4. Courtesy Copies and Proposed Orders

a. All courtesy copies and Proposed Orders shall be emailed to the individual Calendar Judges in one email per case **no more than 5 and no less than 2 days in advance of the assigned court date**. Multiple emails regarding the same case will not be accepted.

b. Courtesy copies exceeding 25 pages must be sent by regular mail or hand delivered to the Daley Center at least seven (7) days in advance of the hearing unless otherwise allowed by the Judge in his/her individual Standing Order. In the email, the party shall notify the Judge that courtesy copies were sent to the Daley Center, provide the delivery date, the method of delivery and the tracking number for the package if applicable.

i. The postage shall be labeled as follows:

Daley Center
Probate Division, Calendar ##
ATTN: Judge [First name, Last name]
50 W. Washington St., Room 18##
Chicago, IL 60602

c. The subject line of the email to the individual Calendar Judge shall include the date of the hearing followed by the case name and case number (e.g. July 22, 2020: Estate of Doe, 20 P 0000).

d. All courtesy copies and Proposed or Agreed Orders shall be emailed in PDF format. All Proposed or Agreed Orders shall contain a valid email address of a person who can receive and distribute the stamped Order. **Your failure to provide an email address for receipt of the Order will result in a delay.**

e. Courtesy copies and proposed orders shall be emailed as follows:

Calendar 1: Judge Quinn, carolyn.quinn@cookcountyil.gov (also see Calendar 1 Standing Order for additional information)
Calendar 2: Judge Gallagher, carolyn.gallagher@cookcountyil.gov
Calendar 7: Joel Buikema, joel.buikema@cookcountyil.gov
Calendar 8: Judge Delgado, kent.delgado@cookcountyil.gov
Calendar 9: Judge Miller, stephanie.miller@cookcountyil.gov
Calendar 10: Judge MacCarthy, aicha.maccarthy@cookcountyil.gov
Calendar 11: Judge McGuire, terrence.mcguire@cookcountyil.gov
Calendar 12: Judge Outlaw, jesse.outlaw@cookcountyil.gov
Calendar 13: Judge Degnan, daniel.degnan@cookcountyil.gov
Calendar 14: Judge Malone, daniel.malone@cookcountyil.gov
Calendar 15: Judge Boliker, shauna.boliker@cookcountyil.gov
Calendar 16: Judge Kennedy-Sullivan, susan.kennedy-sullivan@cookcountyil.gov
Calendar 25: Judge Murphy, james.murphy2@cookcountyil.gov
Calendar 29: Judge Tiernan, danielo.tiernan2@cookcountyil.gov

f. Judges' email addresses are solely for receiving proposed orders and courtesy copies. **No reply e-mails will be generated from the Judges' email accounts, nor will Judges answer any questions raised in emails.** Failure to comply may result in a delay or the striking of your case from the court call.

g. Parties shall not send a group of documents as one PDF. Specifically, proposed orders sent via email shall be a separate document from the others.

h. If you submit an order **after** the hearing, orders bearing your email address **shall** be sent to the following emails and as otherwise directed by the Judge:

Calendar 1: Judge Quinn, carolyn.quinn@cookcountyil.gov
Calendar 2: Judge Gallagher, carolyn.gallagher@cookcountyil.gov
Calendar 7: Joel Buikema, joel.buikema@cookcountyil.gov
Calendar 8: Judge Delgado, probatecert1802orders@cookcountyil.gov
Calendar 9: Judge Miller, stephanie.miller@cookcountyil.gov
Calendar 10: Judge MacCarthy, aicha.maccarthy@cookcountyil.gov
Calendar 11: Judge McGuire, terrence.mcguire@cookcountyil.gov
Calendar 12: Judge Outlaw, jesse.outlaw@cookcountyil.gov
Calendar 13: Judge Degnan, daniel.degnan@cookcountyil.gov

Calendar 14: Judge Malone, daniel.malone@cookcountyil.gov
Calendar 15: Judge Boliker, shauna.boliker@cookcountyil.gov
Calendar 16: Judge Kennedy-Sullivan, susan.kennedy-sullivan@cookcountyil.gov
Calendar 25: Judge Murphy, james.murphy2@cookcountyil.gov
Calendar 29: Judge Tiernan, danielo.tiernan2@cookcountyil.gov

5. Notice to Parties and Interested Persons

a. Notice must be given in accordance with the Illinois Supreme Court Rules, Circuit Court Rules, and the Probate Act to all parties and interested persons (as defined in the Probate Act) and any other person entitled thereto.

b. A copy of the Probate Division Instructions for the Virtual Hearings shall be included in all Notices. The Instructions can be found at the Circuit Court of Cook County – Probate Division website under the COVID-19 emergency procedures tab.

c. All notices shall include the following language:

On _____ at _____ :__ AM/PM, or as soon thereafter as counsel may be heard, I shall appear before Judge _____ by Zoom video-conference, and present the attached motion.

If you do not have access to the internet, you may call the administrative assistant at (312) 603-7545 or (312) 603-7546 for information.

6. Conduct During the Zoom Hearing

a. The Instructions for the Probate Division’s Virtual Hearings are posted at the Circuit Court of Cook County – Probate Division website under the COVID-19 emergency procedures tab. The Instructions include directions on the participant’s course of conduct during the hearing and are adopted in full into this General Order by reference and are otherwise fully enforceable by the Court as if they were enumerated in this General Order.

7. Receiving Stamped Orders

a. Following the hearing, the Judge’s signed Order will be forwarded to the Clerk of the Court. A stamped copy of the Order will be sent to the attorney’s email address listed on the Order by the Clerk of the Court. For this reason, all Orders must contain an attorney or self-represented litigant’s email address.

b. Due to the pandemic, it may take longer than usual to receive a stamped Order. If you do not receive the Order after two (2) business days, contact the Courtroom Clerks as follows:

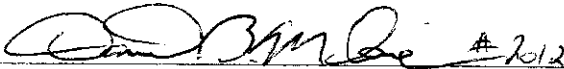
Calendar 1: Judge Quinn, Probatecrt1814Borders@cookcountycourt.com
Calendar 2: Judge Gallagher, Probatecrt1807orders@cookcountycourt.com
Calendar 7: Judge Buikema, Probatecrt1803orders@cookcountycourt.com
Calendar 8: Judge Delgado, Probatecrt1802orders@cookcountycourt.com
Calendar 9: Judge Miller, Probatecrt1806orders@cookcountycourt.com
Calendar 10: Judge MacCarthy, Probatecrt1810orders@cookcountycourt.com
Calendar 11: Judge McGuire, Probatecrt1814Aorders@cookcountycourt.com
Calendar 12: Judge Outlaw, Probatecrt1812orders@cookcountycourt.com
Calendar 13: Judge Degnan, Probatecrt1809orders@cookcountycourt.com
Calendar 14: Judge Malone, Probatecrt1803orders@cookcountycourt.com
Calendar 15: Judge Boliker, Probatecrt1804orders@cookcountycourt.com
Calendar 16: Judge Kennedy-Sullivan, Probatecrt1811orders@cookcountycourt.com
Calendar 25: Judge Murphy, Probatecrt1801orders@cookcountycourt.com

c. If you do not receive the Order within two (2) days after emailing the Courtroom Clerk, contact the Court Clerk Manager Nolan Shaw (nrshaw@cookcountycourt.com), the Assistant Chief Deputy Clerk Talitha Miller (tzmillier@cookcountycourt.com), and the Chief Deputy Clerk Best Anaele (beanaele@cookcountycourt.com). Additionally, you may email probatedivservices@cookcountycourt.com.

d. The party who receives the stamped Order from the Clerk's Office shall email a copy of the Order to all counsel of record, self-represented litigants and any other person entitled to notice as additional recipients on the email within 48 hours of receipt thereof.

8. Questions or Concerns

a. This Order shall be published in the Chicago Daily Law Bulletin and at: <http://www.cookcountycourt.org/ABOUTTHECOURT/CountyDepartment/ProbateDivision.aspx> to inform litigants and attorneys about these procedures. If attorneys or self-represented litigants do not have access to the Internet or have questions regarding the Probate Division or this General Order, contact the administrative assistant at (312) 603-7545 or (312) 603-7546.

Enter:  #2012

10.9.20

Daniel B. Malone
Acting Presiding Judge
Probate Division

DATED: October 9, 2020

