

STANDING ORDER FOR COURTROOM 103

Judge Justin M. Hansen

FILED

MAR 27 2019

KATHERINE M. MOORE
McHENRY CTY. CIR. CLK.

1. **Purpose.** The purpose of this Standing Order is to provide guidelines to attorneys and litigants who appear in Courtroom 103 and to promote consistent, efficient treatment of cases.

2. **Case Assignment.** Courtroom 103 is assigned the **Civil IV Court Call**. The cases generally include the following:

Small Claims ["SC"] Causes of action for breach of contract or tort, where the claim does not exceed \$10,000.

Law Cases ["LM"] Complaints seeking less than \$50,000 without a jury demand, including eviction, replevin, and attachment cases.

Tax cases ["TX"] Petitions for tax deed, petitions for sales in error, and petitions for indemnification.

3. **Court Schedule:** Monday - Friday

TIME	ACTIVITY
9:00 a.m.	Return on summons, motions, and post-judgment matters, including returns on citations, garnishments, and wage deductions.
10:00 a.m.	Hearings on contested motions, trials on eviction cases, and trials on small claims cases involving credit cards or debt collection. All 10:00 a.m. cases are set by the Court.
1:30 p.m.	Trials and other matters specifically set by the Court.

4. **Cases filed by Self-Represented Litigants.** On Thursdays at 8:30 a.m., the Court holds a special call of cases filed by individuals without a lawyer. Volunteer mediators may be available to meet with the parties to help them resolve their cases.

Additionally, please note that the Clerk of the Circuit Court has published a Small Claim Manual which provides important information to assist self-represented litigants in filing and handling case. Parties can also find resources at the Law Library and Self Help Center, which are located on the third floor of the McHenry County Government Center

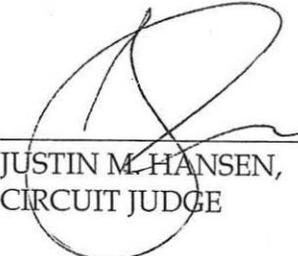
5. **Return of Summons.** The Court does not have jurisdiction to hear a case without the filing of proof of proper service. The proof of service must comply with Part 2 of the Code of Civil

Procedure, 735 ILCS 5/2-201 et seq., and include a copy of the summons served on the defendant(s).

Proof of service for each summons issued should be filed on or before the return date, even if the return indicates that service was not possible. The same applies to proof of service for citations, garnishments, and wage deductions.

6. **Contested Motions.** Contested motions are heard at 10:00 a.m. on a date assigned by the Court. Parties shall comply with Part 2 of the Local Rules. Parties are welcome to submit courtesy copies in PDF form via email but should be mindful of including opposing counsel and/or parties on any messages that include the judge. Upon request, the Court will provide an email address at the time the briefing schedule is entered.
7. **Agreed Orders and Routine Matters.** Court begins at 9:00 a.m. Prior to that time, counsel may deliver orders for routine matters to the Court Clerk, including: orders for alias summons, agreed orders for continuances, and orders to dismiss. Post-judgment matters may be continued or stricken from the call if there is no service or answer. When possible, the judge may take the bench early to hear agreed or uncontested matters.
8. **Defaults.** If a defendant fails to appear in court on the return date or file an appearance, a judgment by default may be entered if the complaint is verified and the proof of service has been properly filed (*see* Item 5, above); otherwise, the case may be set for prove up.
9. **Checking-In.** If an attorney has matters in other courtrooms, the attorney is requested to advise the Clerk prior to 9:00 a.m. of the location of the other courtrooms and the time the attorney will return to Courtroom 103. The Court will be patient, but an attorney who fails to appear when his case is called, and who has not communicated with the Clerk, may find that his or her case has been stricken or dismissed.
10. **Jury Demands.** If a party files a jury demand on a small claims case, an arbitration hearing will be scheduled, pursuant to Local Rule 7.05. The parties will be expected to exchange discovery pursuant to Ill. Sup. Ct. Rule 222 prior to the arbitration hearing.

DATE: 3/27/15



JUSTIN M. HANSEN,
CIRCUIT JUDGE