

**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT  
KENDALL COUNTY**

**ADMINISTRATIVE ORDER 20 - 06**

*In re the Hearing of Matters  
Designated as an Emergency during  
the Activation of the Emergency  
Preparedness Plan in Response to  
the COVID-19 Pandemic*

**FILED**

**APR 03 2020**

**ROBYN INGEMUNSON  
CIRCUIT CLERK KENDALL CO.**

WHEREAS, on March 17, 2020 the Illinois Supreme Court issued an Order in M.R. 30370 concerning the ongoing threat of COVID-19 in response to the State of Emergency declared by the Governor of the State of Illinois and the Declaration of a National Emergency by the President of the United States; and

WHEREAS, the Order issued by the Illinois Supreme Court authorizes the Illinois courts to establish and periodically update temporary procedures to minimize the impact of COVID-19 on the court system; and

WHEREAS; the Order issued by the Illinois Supreme Court indicates that courts may consider as evidence sworn statements made out of court; and

WHEREAS, the Chief Judge of the Twenty-Third Judicial Circuit previously issued General Order 20-03 activating the Emergency Preparedness Plan for the courts in DeKalb and Kendall County which limits daily court proceedings to those Category 1 and 2 Essential Court Functions as set forth in the General Order; and

WHEREAS, pursuant to General Order 20-09, the period for the activation of Emergency Preparedness Plan has been extended through May 1, 2020; and


WHEREAS, Local Rule 5.45 of the Twenty-Third Judicial Circuit provides for the hearing of matters designated as an emergency, and there continues to be an obligation to comply with said local rule;

IT IS ORDERED:

1. Any matter not recognized as a Category 1 or 2 Essential Court Function pursuant to General Orders 20-03 and 20-09 and designated as an emergency by counsel or a litigant must set forth specific, articulable facts describing the basis for the emergency and shall be supported by appropriate affidavit(s).
2. The motion and notice of filing shall be e-filed with the Clerk of the Circuit Court, and a courtesy copy shall be emailed to the appropriate judge at the email set forth in Administrative Order 2020-04.
3. The judge receiving the motion or pleading seeking an emergency hearing during the time period for which the Emergency Preparedness Plan has been activated shall promptly review the motion or pleading to determine whether it is apparent on its face, together with any attached affidavit(s), that an emergency exists.
4. If the judge determines that an emergency does not exist, then the matter shall be set for hearing after the time period that the Emergency Preparedness Plan is no longer in effect, or with the agreement of the parties, the court may set a telephonic pretrial conference..
5. If the judge determines that an emergency does exist, then the judge shall set a date for hearing on the motion.
6. In the discretion of the judge, the hearing may occur remotely utilizing teleconferencing or video-conferencing technology.

7. Nothing herein shall relieve an attorney or litigant from giving proper notice to the opposing side, or otherwise failing to comply with the requirements of Local Rule 5.45.

Enter: April 3, 2020.



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Hon. Robert P. Pilmer