

**IN THE SIXTEENTH JUDICIAL CIRCUIT**  
**GENERAL ORDER 20-07**  
*effective March 17, 2020*

**IN THE MATTER OF** )  
**COVID-19** )  
**EMERGENCY MEASURES** )  
**IMPACTING COURT OPERATIONS** )

FILED \_\_\_\_\_  
ENTERED \_\_\_\_\_  
2020 MAR 16 A 8:36  
THOMAS M HARTWELL  
CIRCUIT COURT CLERK  
KANE COUNTY, IL

**WHEREAS** in light of the Coronavirus pandemic, and in order to protect the health and safety of the general public, circuit court judges and circuit court employees, and after consultation with the offices of the Kane County State’s Attorney, Public Defender, Sheriff, Circuit Clerk, County Board, and representatives of the private bar, and pursuant to Illinois Supreme Court Rule 21(b) and the Court’s inherent authority,

**IT IS HEREBY ORDERED** that except as provided below, all matters in the 16<sup>th</sup> Judicial Circuit, Kane County, Illinois, are rescheduled and continued through April 17, 2020. All matters are continued for a period of at least 35 days from the originally scheduled court date, unless the rescheduled date falls on a weekend, in which case it will be continued until the following business day.

**IT IS FURTHER ORDERED AS FOLLOWS:** that except as necessary for the purposes enumerated below, all judges and judicial employees of the Circuit Court of Kane County shall be encouraged to work remotely and conduct business telephonically or via videoconference until Monday, April 20, 2020, from the effective date of this order;

**IT IS FURTHER ORDERED** that the Sheriff of Kane County shall cease the execution of eviction orders relating to residential real estate effective March 15, 2020. The Sheriff shall resume execution of said orders beginning April 20, 2020.

**IT IS FURTHER ORDERED AS FOLLOWS:**

- 1) **ALL DIVISIONS:** Judges will be available in person in each division to hear emergency matters.
- 2) **BOND CALL (COURTROOM 005):** All bond calls will be heard at the Kane County Judicial Center, Room 005. Aurora and Elgin bond call matters are to be sent to the Kane County Judicial Center, Room 005.
- 3) **FELONY DIVISION (COURTROOMS 319, 313, 311, 305, and 217):** All cases will be continued except for the following:
  - a) In-custody trials in which an agreement to continue the trial has not been reached;

- b) In-custody cases in which a plea agreement has been reached that will allow for the defendant to be released from custody;
  - c) In-custody bond reduction motions that may result in the defendant being released from custody; and
  - d) Emergency motions.
- 4) **DUI COURT (COURTROOM 203):** All cases will be continued except for the following:
- a) In-custody trials and statutory summary suspension hearings in which an agreement to continue has not been reached;
  - b) In-custody cases in which a plea agreement has been reached that will allow for the defendant to be released from custody;
  - c) In-custody bond reduction motions that may result in the defendant being released from custody;
  - d) In-custody pro-se defendants sent from Aurora, Elgin, and Kane County branch courts;
  - e) Emergency motions.
- 5) **DOMESTIC VIOLENCE COURT (COURTROOM 209):** All cases will be continued except for the following:
- a) In-custody trials in which an agreement to continue has not been reached;
  - b) In-custody cases in which a plea agreement has been reached that will allow for the defendant to be released from custody;
  - c) In-custody bond reduction motions that may result in the defendant being released from custody;
  - d) Order of Protection hearings; and
  - e) Emergency motions;
- 6) **COURTROOM 005:** All Emergency Orders of Protection, Bond Call and Warrants will be heard each day.

- 7) **FAMILY DIVISION (COURTROOMS 211, 201, 113, 111, 101):** All cases will be continued except for Temporary Restraining Order's, emergency matters and Orders of Protection.
- 8) **JUVENILE DIVISION:**
- a) **ABUSE AND NEGLECT (COURTROOM 140):** All Abuse and Neglect cases will be heard at the Juvenile Justice Center, Courtroom 001. All cases will be continued except for the following:
- i) Shelter Care and Shelter Care re-hearings;
  - ii) Any removal motions required due to a minor(s) being endangered;
  - iii) Any motion to return a minor(s) home to their parents; and
  - iv) Emergency motions.
- b) **DELINQUENCY (COURTROOM 001):** All cases will be continued except for the following:
- i) Detention and Detention Re-hearings;
  - ii) In-custody trials in which an agreement to continue the trial has not been reached;
  - iii) In-custody cases in which a plea agreement has been reached that will allow for the minor to be released from custody;
  - iv) In-custody bond reduction motions that may result in the minor being released from custody; and
  - v) Emergency motions.
- 9) **CIVIL DIVISION (COURTROOM 350, 340, 320, 310, 250, 150, 120, 110):** All cases will be continued except for the following
- a) Emergency motions. Matters agreed by all parties to be emergencies will be heard and may be conducted either in-person, via video, or by telephone conference. Discovery in civil matters will continue as scheduled.
  - b) Evictions and Foreclosures shall be suspended until April 20, 2020.

- c) Mandatory Arbitration hearings shall be rescheduled and continued until after April 20, 2020;
  - d) All Workers Compensation and Bankruptcy hearing scheduled in Courtroom 240 are cancelled until April 20, 2020.
- 10) **MENTAL HEALTH** hearings will continue as scheduled.
- 11) **VIOLATION OF PROBATION (COURTROOM 123):** All violation of probation cases are continued except for the following:
- a) In-custody hearing in which an agreement to continue the hearing has not be reached;
  - b) In-custody cases in which a plea agreement has been reached that will allow for the defendant to be released from custody;
  - c) In-custody bond reduction motions that may result in the defendant being released from custody; and
  - d) Emergency motions.
- 12) **BRANCH COURTS (AURORA, ELGIN, and KANE):** All Branch Courts are closed until April 20, 2020.
- 13) **SPECIALTY COURTS (COURTROOM 123):** Drug Court, Treatment Alternative Court (Mental Health Court), and Veterans Court will be held on Wednesday mornings at 9:00 a.m. Defendants are not required to attend court unless directed by his/her probation officer.
- 14) **GRAND JURY:** No new grand jury shall be empaneled before April 20, 2020. Grand juries whose terms expire on or before March 31, 2020 shall be extended to April 30, 2020.
- 15) **WEDDINGS:** Weddings will not be performed until April 20, 2020.
- 16) **KANE COUNTY LAW LIBRARY & SELF HELP LEGAL CENTER:** The Law Library and Self Help Legal Center will be closed until April 20, 2020. Telephonic and electronic information requests will be fulfilled during this closure based on the availability of required resources.
- 17) **CHILDREN'S WAITING ROOM:** The waiting room will be closed until April 20, 2020.

- 18) **OTHER MATTERS:** Non-essential gatherings, meetings, and travel are cancelled, and programs that are scheduled for the Kane County Courthouse, Kane County Justice Center, or the Kane County Juvenile Justice Center including but not limited to Kids1st, Traffic Safety School, and Victim Impact Panel are continued until after April 20, 2020.
- 19) **SUMMONS:** All Summonses that have been served with return dates of March 17 through April 17, 2020, shall be returnable on the next court date.
- 20) The Court may issue further Orders, as necessary, to address the changing circumstances surrounding the Coronavirus pandemic.

This Order amends, and supersedes General Order 20-06.

Entered this 16<sup>th</sup> day of March 2020, and effective March 17, 2020.

  
Clint Hull, Chief Judge

A true copy of the original of this document is on file in my office
Attest: <u>March 16</u> , 20 <u>20</u>
<u>Thomas M. Hartwell</u> Circuit Court Clerk, Kane County, Illinois
By: <u>Thomas M. Hartwell</u> Deputy Clerk