I. ADMINISTRATION OF THE COURT

ARTICLE 1. GENERAL POWERS

1.0 POWERS OF THE COURT TO ADOPT RULES

A. These Local Court Rules are adopted pursuant to the Civil Practice Act 735 ILCS 5/1-104(b) providing that the Circuit Court may make rules regulating their dockets, calendars, business, and pursuant to Supreme Court Rule 21(a) providing that a majority of the Circuit Judges in each Circuit may adopt rules.

B. The Chief Judge may enter and amend Kane County General Orders pursuant to Supreme Court Rule 21.

1.01 GENERAL RULES

A. These Local Court Rules as set forth shall not be interpreted in a manner that is inconsistent with any Illinois Statute or Illinois Supreme Court Rule. If there is any conflict between any requirement under these Local Rules and any Illinois Statute or Illinois Supreme Court Rule, then the Statute or Supreme Court Rule is controlling.

1. **Applicability:** These Local Court Rules apply both to civil and criminal proceedings. Together with the Illinois Supreme Court Rules, the Code of Civil Procedure 735 ILCS 5/1-101 *et seq*. and the Code of Criminal Procedure 725 ILCS 5/100-1 *et seq.*, these Rules govern all proceedings except to the extent that the procedure in a particular kind of action is specifically regulated by a statute other than as therein provided.
2. **Enforcement:** The Court shall enforce all rules and orders necessary to compel compliance with these Rules and may apply remedies provided in Supreme Court Rules 21 and 219, as well as such sanctions as passing the matter to the end of the call, striking it from the call, or continuing it to a later date.
3. **Effective Date:** These Local Court Rules shall become effective upon publication, or as otherwise ordered by the Court.

B. The following short titles shall be used throughout these rules:

1. Code of Civil Procedure 735 ILCS 5/1-101 *et seq.*;
2. Code of Criminal Procedure 725 ILCS 5/100-1 *et seq.*;
3. Criminal Code 720 ILCS 5/1-1 *et seq.*;
4. Supreme Court Rules;
5. Unified Code of Corrections 730 ILCS 5/1-1-1 *et seq*.

1.02 DIVISIONS OF COURT

A. Felony and Special Court Division (CF) All Felony Cases, Drug Rehabilitation Court, Treatment Alternative Court (TAC).

B. Traffic & Misdemeanor Division (TR and CM) All traffic, petty, misdemeanor & ordinance violation cases.

C. Civil Division (L, LM, SC, CH, P, MR, TX, MC, AR and ED) All matters pertaining to Small Claims, Law Medium and Law cases, both jury and non-jury and pre-trials of such cases, Arbitration, Chancery cases, Probate, Miscellaneous Remedies, Tax, Municipal Corporation, Eminent Domain and Elections.

D. Juvenile Division (J, JA, JD) All matters pertaining to Abuse and Neglect, Dependency and Delinquency, Adoptions, and all other matters under the Juvenile Court Act.
E. Family Division (D and F) All matters pertaining to Dissolution of Marriage or Civil Union, Legal Separation, Invalidity of Marriage or Civil Union, Paternity, actions to compel support under local or foreign court orders and other related matters.
F. Such Other Divisions as may be hereafter designated by the Chief Judge.

1.03 PLACE AND HOURS OF HOLDING COURT

A. Courtrooms of the Sixteenth Judicial Circuit are housed in multiple locations. In general, the following matters are heard in the respective buildings:
   1. Family, Felony, Domestic Violence, Driving Under the Influence (DUI), Treatment Alternative Court, Drug Rehabilitation Court
      Kane County Judicial Center
   2. Juvenile Delinquency
      Juvenile Justice Center
   3. Traffic, Misdemeanor, Petty Offenses, Ordinance Violations
      Kane County Branch Court
   4. Civil, Arbitration, Chancery, Small Claims, Probate, Abuse & Neglect, Foreclosure
      Kane County Courthouse
   5. Traffic, Misdemeanor, Petty Offenses, Ordinance Violations
      Aurora Branch Court
   6. Traffic, Misdemeanor, Petty Offenses, Ordinance Violations
      Elgin Branch Court
   7. Mental Health Cases
      Elgin Mental Health Center
      *Friday mornings or as otherwise scheduled
   8. Mental Health Cases
      Presence St. Joseph Hospital
      *As scheduled
   9. Mental Health Cases
      Presence Mercy Medical Center
      * As scheduled

B. The facilities of the Kane County Judicial Center and Kane County Court House shall be open Monday through Friday no later than 8:30 a.m. and shall close no earlier than 4:30 p.m., except for Holiday schedule and emergency closings for the safety and well-being of court personnel and the public by Order entered by the Chief Judge.
C. Other court facilities shall remain open during scheduled hours while court is in session as set out from time to time by General Orders of assignment.

1.04 GUIDELINES FOR COURT PERSONNEL IN ASSISTING SELF-REPRESENTED LITIGANTS

The Sixteenth Judicial Circuit adopts and follows the Illinois Supreme Court Policy on Assistance to Court Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers.

1.05 SELECTION OF A CHIEF JUDGE

A. Effective September 8, 2023 a majority of the Circuit Judges shall select, by secret ballot and pursuant to Article VI, Section 7(c) of the Illinois Constitution, one of their members to serve as Chief Judge for a three-year term commencing the first Monday in December, 2023. In the event that there are more than two (2) candidates and none of the judges running for Chief Judge receive a majority of the votes, the two (2) Judges receiving the highest number of votes shall be deemed finalists, and all others shall be eliminated. If more than two (2) candidates tie for the top two (2) spots, any other candidate(s) would be eliminated, and another vote shall be taken. This process shall continue until two (2) finalists are selected, or a single candidate receives a majority of the votes. This selection shall take place at a time designated by the Chief Judge prior to the first Monday in December 2023. Thereafter, a Chief Judge shall be selected for three-year terms in like manner in September of the year the term is to begin. The term will commence the first Monday in December, and every three (3) years thereafter. In no event shall a Circuit Judge serve consecutive three-year terms. Although a Circuit Judge may serve more than one three (3) year term, said terms of service as Chief Judge shall not be consecutive.

1. **Acting Chief Judge:** The Chief Judge shall appoint one of the Circuit Judges to act as Chief Judge in his or her absence, which shall have the same powers and duties as the Chief Judge. In the event the acting Chief Judge is also unavailable, the most Senior Circuit Judge on the premises shall act as Chief Judge.
2. **Removal:** At any time by written request directed to the Chief Judge, a majority of the Circuit Judges may call a meeting at a time and place stated therein. A copy of such request shall be mailed or delivered to each Circuit Judge not joining therein at least five (5) days before the time fixed for such meeting. If a majority of all the Judges shall at such meeting vote for removal of the Chief Judge, the Judges shall proceed immediately to elect a new Chief Judge to take office at once.
3. **Vacancy:** Whenever a vacancy occurs in the office of the Chief Judge, any two (2) Circuit Judges may call a meeting of the Circuit Judges to select a Circuit Judge to fill such vacancy to take office at once in the same manner as in paragraph A. The newly seated Chief Judge may, if eligible, be a candidate for Chief Judge at the end of the previous Chief Judge term.

B. When a vacancy arises in the office of the Chief Judge by virtue of the resignation, death or removal of a Chief Judge the election or selection called for in paragraphs (A)(2) and (A)(3) herein shall be for the balance of the elected term of the Chief Judge who has resigned, died, or has been removed.

1.06 AUTHORITY OF THE CHIEF JUDGE

A. The Chief Judge may enter any General Orders in the exercise of his or her general administrative authority, including but not limited to orders providing for the assignment of Judges, general or specialized divisions, and time and places of holding Court, as provided by applicable statutes Supreme Court Rules or Local Court Rules. The Chief Judge may appoint personnel to assist him/her in the performance of his/her duties.

B. The Chief Judge may, from time to time, as he or she deems appropriate, issue General Orders in accordance with Supreme Court Rule 21(b).

C. Copies of all General Orders issued by the Chief Judge shall be filed with the Circuit Clerk, who shall maintain them as permanent Court records. All General Orders shall be available for inspection as public records.

1.07 PROCEDURE FOR SELECTION OF THE OFFICE OF ASSOCIATE JUDGE

Selection of an Associate Judge is governed by statute, Supreme Court Rule 39, and Local Rule 1.07. In addition thereto, the Circuit Judges of the Sixteenth Judicial Circuit hereby adopt the following procedure to supplement those rules and statutes currently in effect. This procedure is subject to change by a majority vote of the Circuit Judges at any time.

A. Nominating Committee
All Circuit Judges of the Sixteenth Judicial Circuit constitute the Nominating Committee.

B. Interview Committee
1. Following the posting of a Notice of Vacancy in the Office of Associate Judge, the Chief Judge shall appoint an Interview Committee for the purpose of review of certified applicants and report back to the Nominating Committee regarding the applicants for that particular vacancy.
2. The Chief Judge shall select five (5) Circuit Judges to serve on the Interview Committee, which Committee shall expire upon the submission of the Nomination List to the Chief Judge.
3. The Chief Judge shall designate one of that number to serve as Chairperson.
4. The Chief Judge shall not serve on the Interview Committee.
5. Each qualified applicant, except those who have previously interviewed within the last twenty-four (24) months, will be scheduled for one interview with the Interview Committee.
6. Interviews of the applicants shall be open to any Circuit Judge, and shall be videotaped for available review by any Circuit Judge. Video interviews of qualified candidates who have previously interviewed within the last twenty-four (24) months will be made available for review by the Interview Committee.
7. The Office of the Chief Judge shall provide the certified applications and all other materials received by the Office of the Chief Judge with respect to each qualified applicant to the Interview Committee. All materials forwarded to the Interview Committee shall be available for review by the Nominating Committee upon request.
8. The Interview Committee shall review all available information, applications, other papers and documents submitted, and may conduct any further review deemed necessary into the qualifications of the applicants.
9. The Interview Committee shall report back to the Nominating Committee regarding the qualifications of the certified applicants in a manner as determined by the Circuit Judges
10. The Interview Committee shall recommend a list of six (6) qualified applicants (List) that the Interview Committee considers best qualified to be appointed to the current vacancy for the office of Associate Judge. If there is more than one (1) Associate Judge vacancy, the Interview Committee may recommend two additional names for consideration for each additional existing vacancy.

11. The Interview Committee shall prepare, as to each recommended candidate, a summary stating the reasons for its recommendations (Summary).
12. If time permits, the List and Summary shall be completed no later than twenty-eight (28) days after the close of applications, or three (3) business days prior to the Nominating Committee Meeting, whichever comes first.
13. The Interview Committee Chairperson shall deliver the List and Summary upon completion directly to the Chief Judge and no other person, and the Chief Judge shall then distribute the List and Summary to all of the Circuit Judges in writing within twenty-four (24) hours of receipt.

C. Associate Judge Poll
    1. The Chief Judge may direct one of the Associate Judges to poll the Associate Judges on the certified applicants.
    2. Within fourteen (14) days after the close of applications, or earlier as directed by the Chief Judge, the results of the Associate Judge Poll shall be returned to the Chief Judge indicating as to each applicant whether he/she is recommended, not recommended or qualifications unknown.
    3. The results of the Associate Judge Poll shall be provided to the Interview Committee for use in its deliberative process if time permits, and shall be provided to the Nominating Committee before its final vote.

D. Nominating Committee Meeting
    1. The Chief Judge shall set the date for the meeting of the Nominating Committee to select the final candidates.
    2. The Interview Committee shall report on the certified applicants at the meeting of the Nominating Committee.
    3. The List from the Interview Committee shall constitute the starting Nomination List for the Nominating Committee. Any Circuit Judge may nominate additional candidates for the Nomination List who were not included on the List of the Interviewing Committee. If that additional candidate receives at least three (3) votes by secret ballot, that name shall be added to the Nomination List."
    4. The Circuit Judges shall, by secret ballot, reduce the number of candidates to the required number for consideration pursuant to Supreme Court Rule 39.
    5. As soon as practicable thereafter, the Chief Judge shall first notify the final qualified candidates selected by the Nominating Committee, and then the Director of the Administrative Office of the Illinois Courts as required by Rule, followed by public announcement thereof.
    6. If, due to extraordinary circumstances, any Circuit Judge is unavailable to attend the meeting of the Nominating Committee to select the Final Candidates, at the request of the absent Circuit Judge, and with approval of a majority of the Circuit Judges present, reasonable efforts will be made to accommodate that Circuit Judge to attend remotely by an audio and/or audio and visual presence. When a Circuit Judge attends remotely in such manner, that Circuit Judge may then vote under seal of confidentiality with the assistance of another Circuit Judge of his or her choice. Proxy voting without any remote audio attendance, or under any other circumstances, is strictly prohibited.

E. Single Associate Judge Vacancy

1. Upon further discussion, the Nominating Committee shall reduce the Nomination List to six (6) candidates, which six candidates shall constitute the Preliminary Nomination list, as follows: Each Judge may vote for up to six (6) candidates from the Nomination List, and the six (6) candidates receiving the six (6) highest vote totals shall constitute the Preliminary Nomination List. Any ballot that contains more than six (6) names, or any name which did not appear on the Nomination List, shall be disqualified.
2. Upon further discussion, the Nominating Committee shall reduce the Preliminary Nomination List to four (4) candidates, which four (4) candidates shall constitute the Intermediate Nomination List, as follows: Each Judge may vote for up to four (4) candidates from the Preliminary Nomination List, and the four (4) candidates receiving the four (4) highest vote totals shall constitute the Intermediate Nomination List. Any ballot that contains more than four (4) names, or any name which did not appear on the Preliminary Nomination List, shall be disqualified.
3. Upon further discussion, the Nominating Committee shall reduce the Intermediate Nomination List to two (2) candidates, which two (2) candidates shall constitute the Final Ballot List, as follows: Each Judge may vote for up to two (2) candidates from the Intermediate Nomination List, and the two (2) candidates receiving the two (2) highest vote totals shall constitute the Final Ballot List. Any ballot that contains more than two (2) names, or any name which did not appear on the Intermediate Nomination List, shall be disqualified.

F. Multiple Associate Judge Vacancy
When multiple Associate Judge Vacancies exist for the same ballot, the above procedure for Single Associate judge Vacancy shall be followed, except two (2) additional candidates shall be added to each List step for each additional vacancy to be filled.

G. CONFIDENTIALITY
Except for the names of the final required number of qualified candidates selected by the Nominating Committee, all proceedings of the Interview and Nominating Committees, including, but not limited to, applications and documents received, discussions, nominations, lists, summaries, and balloting, shall be held in strict and absolute confidence by the Circuit Judges, and shall not be disclosed to any person except another Circuit Judge of the Sixteenth Judicial Circuit.

1.08 AUTHORITY OF PRESIDING JUDGES

Each Presiding Judge of the various divisions of the Court shall be accountable for the effective and efficient administration of the division over which they preside subject to the General Orders of the Circuit and the authority of the Chief Judge.

1.09 JUDGES MEETINGS

The Judges of the Sixteenth Judicial Circuit shall meet as often as practicable. Circuit Judges shall meet no less than twice per year to consider business of this Court and to take such action as required. The place and circumstances shall be announced in advance by the Chief Judge. A special meeting of the Circuit Judges may be called at any time by the Chief Judge or upon two (2) day notice by any two (2) Circuit Judges by notice delivered to all Circuit Judges. A proposed rule, order or change in procedure or policy

must be submitted in writing to all Circuit Judges at least one week prior to the proposed change being moved and/or brought to a vote.

1.10 ASSIGNMENT OF CASES

A. All cases shall be assigned by the Chief Judge.
B. Cases shall be randomly assigned, by classification in accordance with the Supreme Court Manual on Record Keeping, to a Judge who regularly hears cases of that classification, unless otherwise ordered by the Chief Judge or the Presiding Judge of the Division.
C. The assignment of cases and judges to the various divisions of the Circuit Court shall be governed by General Order.

1.11 PHOTOGRAPHING, RECORDING, BROADCASTING, OR TELEVISING COURTROOM PROCEEDINGS IN OR NEAR COURTROOMS

A. Except as otherwise provided, the taking of photographs, audio or video recordings or broadcasting by radio, television or other electronic means, in connection with any judicial proceeding, is prohibited, whether in any courtroom or from the same floor of any courthouse of this Circuit on which a courtroom is located, or at any remote location during a teleconference proceeding.
B. The provisions of this Rule 1.11 shall apply with regard to all judicial proceedings, except that:
    1. Official court reporters or privately retained court reporters authorized by the Court to transcribe the proceedings may make audio recordings in the performance of their regular duties;
    2. Incidental to ceremonial proceedings, any judge of this Circuit may, at his or her discretion, permit the taking of photographs, audio or video recordings, and broadcasting by radio or television, within the area of his or her courtroom, chambers, or court offices.
C. The purpose of this order is to implement the provisions of the Supreme Court Rules and for the orderly administration of justice. This Rule 1.11 shall not be applied in such a way as to conflict with any Supreme Court Rule.

1.12 EXTENDED MEDIA COVERAGE

The Illinois Supreme Court has approved an updated Extended Media Coverage Policy for the Circuit Courts (EMC Policy). This policy is effective Jan. 1, 2026, and replaces the previous policy approved in 2016. Extended Media Coverage forms are available on the Illinois Supreme Court's website.

1.13 JUDICIAL REVIEW OF LOCAL ELECTORAL BOARD ELECTIONS

A. Whenever the Kane County Board of Elections or the Aurora Election Commission is charged with the responsibility for printing ballots, providing election materials, or providing for absentee voting in any federal, state, or local election, it shall be a necessary party to any proceeding for judicial review of decision of electoral boards pertaining to such elections.

B. The Petitioner in any proceeding which falls under (a) of this Rule shall serve upon the Kane County Board of Elections or the Aurora Election Commission, written notice of the filing of any such proceeding within twenty-four (24) hours of the filing of the petition.

1.14 SELECTION OF THE PUBLIC DEFENDER

A. Selection and appointment of the Public Defender shall be pursuant to 55 ILCS 5/3-4000 *et seq*. and as provided within these rules.

B. A majority of the Circuit Judges shall, by secret ballot, appoint properly qualified persons to the Office of Public Defender.

C. The Public Defender so appointed shall hold office so long as properly qualified, death or resignation not intervening, at the pleasure of the judges competent to so appoint.

D. Commencing in 2011 and every four (4) years thereafter, said appointments shall be reviewed by the judges competent to so appoint no less than sixty (60) days before June 30th of the year in question.

1.15 COURT REPORTING SERVICES

A. Employees

1. The number of court reporter employees designated to serve the Circuit shall be determined by Court Reporting Services.
2. The Chief Judge shall appoint employees to vacant court reporter positions, consistent with Supreme Court Rule 46 and the *Administrative Regulations for Court Reporting Services in the Illinois Courts* of July 1, 2021, as amended. Said employees shall serve at the pleasure of the Chief Judge.
3. The Chief Judge, or the Court Reporting Services Supervisor under the direction of the Chief Judge, shall assign all such court employees to their duties, consistent with Supreme Court Rule 46, the *Administrative Regulations for Court Reporting Services in the Illinois Courts* of July 1, 2021, and general administrative powers.

B. Electronic Recording
   1. Electronic recording systems are installed and in use in several courtrooms in this Circuit located in the Kane County Courthouse (100 South 3rd Street, Geneva, Illinois) and the Kane County Judicial Center (37W777 IL Rte. 38, St. Charles, Illinois).
   2. Court Reporting Services employees shall be the only persons trained, assigned to operate, and produce transcripts from the electronic recording system.
   3. All digital recordings, court reporter notes, and related storage media are the property of the Circuit Court of the 16th Judicial Circuit and will be stored as such.
   4. Any spoken words in the courtroom that are not part of a court proceeding are not intended recordings and may not be used or played back in any way except in the following instances:
      a. During the court proceeding at the direction of the judge presiding over the matter;
      b. By a Court Reporting Services employee for the purpose of preparing a transcript of the official record;
      c. At the direction of the Presiding Judge.
      d. In all other instances, the contents of the electronic recordings shall be disseminated by transcript only.

C. Transcripts
   1. A request for a transcript may be obtained by calling the Court Reporter Supervisor within the Office of the Chief Judge or submitting completed Transcript Request form.
   2. All transcripts generated, whether from stenographic notes or electronic recording, shall be prepared and certified by qualified official Court Reporting Services employees pursuant to relevant statute, regulation, and rule.
   3. Unless specifically authorized by court order to the contrary, only a transcript certified by one of the official Court Reporting Services employees of this Circuit is the official record. A transcript prepared by a court-authorized freelance court reporter shall be considered the Official Record upon approval of the court. The official record shall be given preference for use in all courtrooms and as a part of the record on appeal for any case from this Circuit.

1.16 PORTABLE ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, SMARTPHONES, AND OTHER ELECTRONIC DEVICES

In compliance with the Illinois Supreme Court policy on Portable Electronic Devices effective January 2022, and to encourage and support equal access to the courts by self-represented litigants and the public, the Sixteenth Judicial Circuit (Kane County) adopts and supports this Supreme Court policy through this local court rule.

A. Purpose and Scope:
   1. The purpose of this local court rule is to provide information to the public regarding the permitted and prohibited uses of portable electronic devices in the Sixteenth

Judicial Circuit courthouses. Any authorized use of a portable electronic device under this local rule is subject to the authority of the judge presiding over a matter to terminate activity that is disruptive or distracting to a court proceeding, or that is otherwise contrary to the administration of justice.

2. Cameras, video cameras, video recording equipment and recording devices not classified as portable electronic devices are not allowed in the courthouses, unless permitted by the Chief Judge, and on such conditions as ordered, for ceremonial events such as marriages, investitures, and graduations in problem-solving courts or as outlined in the Policy for Extended Media Coverage in the Circuit Courts of Illinois and Illinois Supreme Court Rule 44 and Local Court Rules 1.11 and 1.12.

B. Definitions:

1. "Portable Electronic Devices" are mobile devices capable of electronically storing, accessing, or transmitting information and are defined to include personal computers, tablet computers, mobile telephones (including cell phones, smartphones and any form of telephone with camera, audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices.
2. "Court visitor" means any individual present at a Kane County courthouse.
3. "Courthouse" includes all areas within the exterior walls of a court building, or if the court does not occupy the entire building, that portion of the building used for the administration and operation of the court. A "courthouse" also includes areas outside of a court building where a judge conducts an event concerning a court case.
4. "Courtroom" includes the portion of a courthouse in which the actual proceedings take place.

C. Uses of Portable Electronic Devices in Common Areas of Courthouses:
All court visitors may use portable electronic devices in the common areas of the courthouse, such as lobbies, and hallways. No telephone conversation may be used on speakerphone. Court visitors must speak at an appropriate volume, and no music or other sounds may be played in the courthouses so as to minimize disruption of others. All portable electronic devices must be placed in "silent" mode at all times within the courthouses.

D. Uses of Portable Electronic Devices in Courtrooms:
Case participants including lawyers, parties (including self-represented litigants), and witnesses may use a portable electronic device inside a courtroom to check calendars or present case-related information. All other uses of portable electronic devices inside courtrooms are prohibited, unless authorized by the judge presiding in the courtroom. All portable electronic devices must remain in "silent" mode at all times in courtrooms.

E. Uses of Portable Electronic Devices by Court Security:
Court Security and Sheriff's Deputies may use portable electronic devices or a communication system as required in the course of their official duties in the courtroom at all times, including while court is in session.

F. Uses of Portable Electronic Devices by Disabled Persons:
Disabled persons, as defined by the Americans with Disabilities Act, whose disabilities nece ssitate the use of any of the above-named devices to communicate, are exempt from the requirements of this order as to the specific communication device required.

G. Prohibited uses of Portable Electronic Devices in Common Area and Courtrooms**:**

The taking of photographs, audio, and video recordings are prohibited without prior approval of a judge or as governed by Illinois Supreme Court Rule 44, and Local Court Rules 1.11 and 1.12. No court visitor may use a portable electronic device to communicate or attempt to communicate with any potential juror or juror at any time. No court visitor may use a portable electronic device to harass, intimidate, or communicate about given testimony with any witness at any time.

H. Confiscation of Equipment and Ejection:
Court visitors using a portable electronic device, or possessing other electronic devices, in violation of this or any other court order, rule, or policy may be removed from the courthouse, found in contempt of court, and/or subject to penalties as provided by law. Any portable electronic device used in violation of an order, rule, or policy 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.

I. Authority of Elected Officials and Department Heads:
Nothing in this order effects the ability of any department head or elected official to authorize the use of the above-referenced devices strictly within the confines of their own offices in any court facility.

1.17 SIXTEENTH JUDICIAL CIRCUIT REMOTE APPEARANCES AND PROCEDURES

All appearances under this rule shall comply with Supreme Court Rule 45:

A. General Rules

1. The Sixteenth Judicial Circuit strives to make court participation more accessible, meaningful, and convenient for all, and encourages the use of technology to attend court proceedings remotely where applicable. All judges in the Sixteenth Judicial Circuit have the discretion to create and maintain a remote hearing or docket to address safety or health concerns, provide cost or time savings to the court or parties, or improve efficiency of court operations. In the creation and scheduling of such hearings, judges and courthouse personnel should strive to utilize technology which is readily available to the public and attorneys and is available at either no cost or low cost to participants.
2. This rule does not require a judge to hold a remote hearing in any proceeding unless otherwise mandated by law or established by other court procedure – see Section (d) below. Those proceedings allowed to be conducted by video or telephone under SCR 45(c-e) may be required to be in-person if the judge determines that the nature of the hearing, the conduct of the parties or attorneys in the case, or if the need to allow parties and their attorneys to communicate and negotiate effectively requires it.
3. When a remote hearing involves a defendant in custody, the judge shall provide an opportunity for counsel to communicate privately with said defendant prior to, during, and immediately after the proceeding either in-person or remotely.
4. A judge may direct an attorney to initiate a remote hearing in an individual case as necessary, if that order does not place an undue burden on any one party or attorney.
5. Persons who appear in a remote hearing must conduct themselves in the same manner and in accordance with the same standards as the Illinois Code of Civil Procedure,

Illinois Supreme Court Rules, and Sixteenth Judicial Circuit Court Rules. The same rules regarding dress, conduct, demeanor, language, and respect for the court and staff apply as if the participants were physically present in the courtroom.

6. Judges, at their discretion, should make efforts to allow public viewing of any public court proceeding conducted by video.

B. How to Join and Appear in a Remote Proceeding (Zoom) in the Sixteenth Judicial Circuit

1. If you are attending court by video, you must first have the Zoom application downloaded on your computer, smartphone, or other device. Once Zoom is downloaded on your device, you may link to your courtroom by using your internet browser (Safari, Google) to connect to KaneCourt.org, then selecting the JOIN ZOOM COURT button. Locate your courtroom number or judge, then select JOIN HEARING, then select JOIN WITH ZOOM and follow the on-screen directions.
2. You should use your best efforts to make sure your full first and last name appear on screen. Judges or court staff may delay or deny access to on screen nicknames or preassigned names such as iPhone123. The courts often will only allow in those people whose screen names are on their court call. If you need help changing your on-screen name, please call the Kane County Law Library & Self-Help Legal Center at (630) 406-7126.
3. You may not record or take any pictures or screen shots, or otherwise capture an image or recording of a remote court date without the court's permission.
4. If you are attending court by telephone audio only (no video), you can find the dial-in information for each courtroom on KaneCourt.org by selecting the JOIN ZOOM COURT button. Locate your courtroom number or judge, then select JOIN HEARING. The telephone number to call, along with the needed Meeting ID and Password, will be displayed. When you call the telephone number, follow the prompts that are given.
5. When entering remote court (Zoom court) all but the area code and last three digits of your telephone number are hidden from participants who are using video to see the screen. The host of the remote court call (Zoom court) will replace your phone number with your name. To mute and unmute yourself, dial *6.

C. General In-person and Zoom Court Information

1. The website KaneCourt.org (Kane Court Partners) is designed to quickly direct you to information you may need to attend court, including but not limited to:

   How to Use Zoom
   Join Zoom Court
   Online Payment
   Is Court In-Person/Zoom?
   Hearing Reminders
   Find My Court Date

2. You may also find access to remote (Zoom) court through the links on the following websites: Sixteenth Judicial Circuit website, LIVE STREAMING JOIN ZOOM COURT link, the Kane County Circuit Clerk's Office website LIVE COURT link, or the Kane County Law Library & Self Help Legal Center's website ATTEND COURT link.

3. If in-person court attendance is required or preferred, you may find the courthouse locations, hours, and contact information on the Sixteenth Judicial Circuit website.

D. Proceedings Exempt from Remote (Zoom) Proceedings

Jury trials of all case types are exempt from remote proceedings.

E. How to Request a Remote (Zoom) Proceeding

1. To see if your appearance is in-person or remote (Zoom), view instructions on how to attend remote (Zoom) court, or find courthouse locations, please see section (c) above.
2. To request a remote (Zoom) court appearance in a Juvenile Division matter, you must first be a party to the case or otherwise meet the stipulations found in Local Court Rule 15.09 Attendance at Hearings. If you qualify, you may contact the Judicial Assistant at 630.232.3441 to request direction on how to attend the hearing remotely.

F. Documents Including Remote Appearance Information

All summonses, notices, and court orders setting court dates where case participants have the option to appear remotely shall include the following:

Hearing Type
Zoom Meeting ID, Password, and link or instructions for where to obtain this information
Dial-in information
Courthouse address and phone number

G. Where the Local Court Rule and any Amendments Will be Shared

This Local Court Rule and any amendments shall be linked to the Sixteenth Judicial Circuit, Kane County Law Library & Self-Help Legal Center and the Kane County Circuit Clerk's Office websites.

All current Local Court Rules, General Orders, and Administrative Orders are available in physical print format in the Kane County Law Library & Self-Help Legal Center.