

## **ARTICLE 7: DISCOVERY**

### **7.00 GENERAL PROVISIONS**

(a) The sequence of discovery will comply with Supreme Court Rule 201. The obligation to comply with and complete discovery will not depend on the opponent's compliance unless otherwise ordered by the Court.

(b) All discovery will be completed no later than 60 days before the trial date unless otherwise authorized by the Court or agreed by counsel.

*Amend. by Gen. Order 90-10, eff. Dec. 14, 1990 ; Gen. Order 01-11, eff. June 20, 2001; Gen. Order 08-04, eff. May 5<sup>th</sup>, 2008*

### **7.01 DISCOVERY DOCUMENTS**

(a) Depositions, interrogatories, document requests, responses thereto, and other discovery documents will not be filed with the Clerk of Court (Supreme Court Rule 201), except as permitted by (b) or (c) below or pursuant to Supreme Court Rule 207. Requests to admit and responses thereto may be filed.

(b) Discovery documents may be filed as necessary in support of motions or as otherwise ordered by the Court.

(c) Proof of Service of discovery and responses thereto may be filed with the Clerk of the Court and upon filing will be prima facie evidence that such documents were served or answered.

*Amend. by Gen. Order 01-11, eff. June 20, 2001; Gen. Order 08-04, eff. May 5<sup>th</sup>, 2008*

### **7.02 MOTIONS RELATING TO DISCOVERY**

(a) Motions to Compel compliance with discovery rules or orders will be scheduled to assure hearing prior to any date(s) that may be affected by said motion.

(b) Motions requesting relief from discovery rules or orders will be scheduled to assure hearing prior to any date(s) that may be affected by said request.

(c) Failure to bring timely motions may preclude relief.

*Amend. by Gen. Order 01-11, eff. June 20, 2001 ; Gen. Order 08-04, eff. May 5<sup>th</sup>, 2008*

### **7.03 PHYSICIAN AND EXPERT FEES**

(a) In the instance of a conflict concerning reasonable compensation of a physician required to attend a deposition pursuant to Supreme Court Rule 204(c), or concerning the reasonable fee of an expert witness subpoenaed to appear at trial pursuant to the 735 ILCS 5/2-1101, Code of Civil Procedure, a petition seeking a ruling on the reasonableness and a response thereto will set forth under oath to the extent known the following:

- (1) the ordinary charges of the physician or expert for services rendered in his or her daily profession;
- (2) the usual and customary charges of physicians or experts (with similar credentials) in the area;
- (3) the level of skill possessed by the physician or expert as well as the time and effort expended and to be expended in the matter at issue;
- (4) the hardship, if any, of advancing the compensation or fee or of testifying prior to receiving the compensation or fee; and
- (5) other relevant facts.

*Amend. by Gen. Order 01-11, eff. June 20, 2001; Gen. Order 08-04, eff. May 5<sup>th</sup>, 2008*