

16th Judicial Circuit
County of Kane
Civil Division
COURT HOUSE
100 South Third Street
Geneva, Illinois 60134
Telephone: 630-232-3441



James R. Murphy
Circuit Judge
Presiding Judge of Civil Division

**CIVIL DIVISION STANDING PROCEDURAL ORDER
RELATIVE TO PRESENTATION OF MOTIONS, AND SUBMISSION OF
COURTESY COPIES RELATED THERETO**

Recognizing recent procedural changes including mandatory e-filing and new scheduling procedures in civil cases, and in order to provide for efficient delivery and distribution of courtesy copies of motions of parties/attorneys and memoranda supporting or opposing such motions, **IT IS HEREBY ORDERED:**

1. Motions properly e-filed and noticed are scheduled through the Circuit Clerk's scheduling department and may be set on a motion call or on a date previously set for the case for status/case management. The Court may hear a motion on the same day as it is scheduled for presentation, if time permits, unless a briefing schedule is requested, allowed, and granted. The Clerk's scheduling department may only set motions for calls/sessions previously authorized for motions set through scheduling. Motion hearings for other times/sessions may be set by court order only. If the motion is not heard on the presentation date, a future date for hearing will be set by court order.

2. Copies of pleadings, motions or other filings shall not be served upon the judge assigned or the Civil Division through the e-filing process. Parties/attorneys shall not include the judge or Civil Division staff on their e-filing service lists.

3. The Civil Division will not accept or deliver courtesy copies sent by facsimile transmission. Methods of delivery of hard copies via hand delivery, regular mail, express mail, express or overnight courier service such as FedEx or UPS are acceptable. Delivery must be made reasonably in advance of the scheduled hearing date. Courtesy copies of 10 pages or less may be sent via e-mail PDF, subject to the following additional terms.

4. There should be a specific order allowing courtesy copies in excess of 10 pages to be e-mailed to a Civil Division e-mail addresses, currently either civildivisionjudges@co.kane.il.us or akerlowdebi@co.kane.il.us. The Civil Division judicial assistant monitors those e-mail addresses and will forward courtesy copies to the judge assigned. The assistant will not print out or deliver hard copies of e-mailed courtesy copies in excess of 10 pages. Judges are responsible for checking their own e-mails for courtesy copies on a timely basis, in the event e-mail submissions have been specifically permitted in a particular case.

5. There should also be specific permission by order for submission of courtesy copies in alternative form such as CD-ROMs, memory sticks, or thumb drives.

6. Orders scheduling a hearing for a motion should also specify whether each party or attorney will submit their own memoranda or whether the movant will submit a full set of memoranda, including the opposing party's response.

7. Hand-delivered courtesy copies must be delivered to the designated drop-box located in Room 160 (Circuit Clerk's office) of the Kane County Courthouse.

8. Courtesy copies sent by first class mail, or express or overnight courier service such as FedEx or UPS, may be addressed and delivered directly to Room 360 (Civil Division Administration office) of the Kane County Courthouse, 100 S. Third St., Geneva, IL 60134.

9. Each courtesy copy shall have the following information listed prominently on a cover page, cover letter, or on the e-mail transmittal message:

- a. Case name and number
- b. Courtroom number
- c. Judge's name
- d. Courtesy copy title/subject matter
- e. Scheduled hearing date/time

10. Certain courtrooms currently request the following procedures in addition to the above:

a. **Courtroom 110:** Hard copy of each motion or petition to be presented, delivered at least 5 business days prior to court date.

b. **Courtrooms 120 and 150:** On all contested motions, movant shall deliver to the court a complete set of courtesy copies at least seven (7) days prior to the scheduled hearing date, unless otherwise ordered by the court. Courtesy copies shall be in hard copy format.

d. **Courtroom 250:** All courtesy copies are to be delivered at least 7 calendar days prior to the scheduled hearing date unless otherwise ordered.

e. **Courtroom 310:** On all contested motions, movant is to supply the court with a complete set of courtesy copies at least 7 days in advance of the contested hearing date. Courtesy copies may be sent via email if less than 10 pages. Courtesy copies greater than 10 pages are to be in hard copy unless otherwise ordered by the court.

f. **Courtroom 320:** For emergency motions (for instance a TRO), the court should be provided a hard courtesy copy of the Petition, affidavit and memorandum if applicable and any response thereto as soon as it is available. Agreed motions (by all parties) should be marked accordingly and may be submitted by e-mail together with a proposed order. On all contested motions, movant is to supply the court with a complete set of courtesy copies at least 5 court days in advance of the contested hearing date. Courtesy copies may be sent via email if less than 10 pages. Courtesy copies greater than 10 pages are to be in hard copy unless otherwise ordered by the court.

g. **Courtroom 340:** The court does not need courtesy copies of pleadings, amended pleadings, routine motions or contested motions up for presentation only, since such filings (if e-filed at least 5 court days prior to presentation) will be reviewed by the court online. On contested motions for which a briefing schedule and hearing date is ordered, one full set of hard copies delivered by movant is the preferred method, but if another method is suggested, the order should state manner and method of service of courtesy copies for the court.

h. **Courtroom 350:** The court will accept briefs in excess of 10 pages without a motion. Movant is responsible for tendering a complete set of all courtesy copies at least 4 days in advance of the hearing date. Courtesy copies may be tendered in writing or by email.