

Procedures for Scheduling in Civil & Family Law Cases

(Note: Probate, AR, SC, EV, OP, FC have additional scheduling procedures)

Self-Represented Litigants are held to the same standards as attorneys.

Except for walk-in court, self-represented litigants must receive permission from a Judge to schedule a court hearing.

1. Notice is Required

A complete and accurate written Notice of Hearing must be filed and served in all case types prior to approaching a judge for action on a case, except for agreed orders and/or for actions in which the law permits *ex parte* action. A party's failure to respond to a pending motion does not waive the requirement to send a Notice of Hearing.

A judge may or may not require a Notice of Hearing prior to entry of a default judgment.

2. Hearings Must be Coordinated

Walk-In Hearings

Walk-In Hearings are conducted every day between 9:00 a.m. and 9:30 a.m. A complete and accurate Notice of Hearing must be filed and served in all cases.

Attorneys and self-represented litigants may schedule Walk-In Hearings without involving the Circuit Clerk or Court Administration. Prior to setting a Walk-In Hearing and sending/filing a Notice of Hearing, the Walk-In hearing date must be coordinated with the opposing attorney or self-represented litigant. If the opposing party is non-responsive or refuses to cooperate in the scheduling process, the Walk-In Hearing may be set and the Notice of Hearing served upon the opposing party. However, at the Walk-In Hearing the party setting the hearing shall notify the Court of the fact that the date was not cleared by the opposing party. The judge may or may not require further efforts at coordination.

Important Note on Walk-In Hearings. The purpose of Walk-In Hearings is for Court action on routine uncontested matters such as entry of agreed orders, setting briefing schedules, authorization of court time, defaults, etc. Walk-In Hearings should also be utilized for initial returns on orders to show cause, citation hearings, discovery disputes etc., so that the parties may confer and narrow the issues that require a judicial decision. Walk-In Hearings are not for entry of orders on non-routine matters such as rulings on complex cases, matters that require close examination of procedural history (e.g. foreclosures & tax deed cases), approval of settlements involving minors or disabled adults, etc.

Contested Hearings/Complex Uncontested Hearings

Parties shall contact Court Administration (309) 558-3260 to schedule all contested hearings and/or uncontested hearings that involve complex legal issues or a record that exceeds what is appropriate for a Walk-In Hearing (e.g., anything beyond what is required for prove up of an uncontested dissolution of marriage).

All attorneys or self-represented litigants must be on the telephone and/or in person prior to approaching Court Administration to schedule a hearing. Self-represented litigants may not schedule court time outside of Walk-In without first obtaining leave of court.

Attorneys may schedule up to one hour of court time without leave of court.

Attorneys may schedule up to one-half day of court time with leave granted by any judge, typically the walk-in judge.

Attorneys may schedule more than one-half day court time only after receiving permission from the judge assigned to the case. If the case is unassigned the parties shall contact Court Administration to obtain an assignment.

3. Case Management Conferences

Civil Case Management Conferences are conducted the third Thursday every other month.

Domestic Case Management Conferences are conducted the second Tuesday of every month.

When a case is opened it is assigned a date for an initial Case Management Conference.

Case Management Conferences are conducted in person and requests for a remote appearance will not be granted. This practice best effectuates the purpose behind case management conferences and Supreme Court Rule 218. That said, in the early stages of a case judges will typically approve *timely* e-filed agreed orders (signed by both parties) to continue a case management conference to a date certain.

Case Management Conferences are high volume calls and do not provide a forum for a hearing on motions or other contested matters. If the parties to a case believe it requires a more substantive proceeding, they should contact Court Administration at (309) 558-3260 to specially set a Case Management Conference.