

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
DEKALB COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 20-08

FILED

JUN 01 2020

Maureen A. Josh
Clerk of the Circuit Court
DeKalb County, Illinois

In accordance with the Illinois Supreme Court's May 20, 2020 Order *In re: Illinois Courts Response to Covid-19 Emergency*, the Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During the Covid-19 Pandemic, and the Illinois Supreme Court Policy Remote Court Appearances in Civil Proceedings (May 2020), effective June 3, 2020, the following procedures regarding Family Court cases in DeKalb County are in full force and effect until further order of the court:

1. Agreed Orders may be e-filed with the Circuit Clerk as follows:
 - a. All Agreed Orders are subject to review and approval by the judge assigned to the case.
 - b. Agreed Orders shall not contain dates for hearings or trials.
 - c. If an Agreed Order involves one or more self-represented litigants ("SRL"), the signature of the SRL shall be attested to and witnessed before a Notary Public prior to filing with the clerk.
 - d. The Circuit Clerk will email the attorney and/or SRL a copy of the Agreed Order as entered by the Court.
2. Prove Up hearings ("Prove Ups") for cases not involving a default judgment
 - a. Attorneys and/or SRLs wishing to obtain a Certificate of Readiness in order to schedule a Prove Up on or after June 4, 2020, in lieu of meeting with the Court Administrator in person at the DeKalb County Courthouse may mail the original documents along with the completed and executed Certificate of Readiness form to the Court Administrator at 133 W. State Street, Sycamore, Illinois 60178. The signature of any SRL on the Certificate of Readiness form shall be attested to and witnessed before a Notary Public. Entry of final judgments may occur through either a) affidavits or b) via Zoom conference as set forth below:
 - b. **Affidavit Procedure** – The following are temporary accommodations to counsel and SRLs for matters that are prepared for entry of Final Judgment. Family Court Judges will be available to review and consider entering Judgments for Dissolution of Marriage without a Prove Up and transcripts under the following parameters:

- i. Parties should email their fully executed proposed settlement documents to include the Judgment, Marital Settlement Agreement, Allocation Judgment and Parenting Plan and Certificates of Completion of Parenting Classes (if applicable) and a copy of the Certificate of Dissolution (half/sheet) to the Court Administrator at dakerlow@dekalbcounty.org for the respective Judge's review and discretionary entry.
- ii. The Allocation Judgment/Parenting Plan may enter as a matter of course following review as presumed to be in the best interest of the minor children if signed by both parties. Please make sure all mandatory clauses are included within the Plan (e.g. mediation provision);
- iii. With respect to the Marital Settlement Agreement, setting of child support and maintenance should reference calculation pursuant to statute (i.e. income and duration, income sharing) and/or specify the basis for deviation and/or waiver or reservation of the same. Disproportionate distribution of marital property (assets and liabilities), if any, should also be explained if applicable;
- iv. Each party shall sign an additional notarized affidavit indicating:
 - 1) Their agreement that the court has both personal and subject matter jurisdiction;
 - 2) Their stipulation as to grounds;
 - 3) Their review of the Agreement in its entirety;
 - 4) Their understanding of the terms of the Agreement and intent to be bound by them;
 - 5) Their entry into the Agreement freely and voluntarily;
 - 6) Their belief that the Agreement is a fair and equitable division of the marital estate;
 - 7) Their waiver of appearance at a proveup;
 - 8) Their waiver of a transcript from a proveup;
 - 9) If either party is a self-represented litigant, the affidavit should include an acknowledgment that the SRL is not represented by opposing counsel and that the SRL has had or waived the opportunity to confer with outside counsel prior to signing the Agreement;
 - 10) Their desire that the Court approve their Agreement(s), incorporate it/them into the Judgment and enter the Final Judgment of Dissolution.

c. **Prove Ups via Zoom Conferencing** – As an alternative to the entry of a Final Judgment without a Prove Up, Prove Ups via Zoom Conferencing may be scheduled at the assigned judge’s discretion as follows:

i. Pursuant to the procedures set forth in Administrative Order 20-05 and the Illinois Supreme Court Policy Remote Court Appearances in Civil Proceedings (May 2020), counsel and/or SRLs who have submitted executed Certificates of Readiness along with the original documents may submit requests to schedule a Prove Up via Zoom conferencing which will be reviewed by the assigned judge. If the request is granted, the Prove Up hearing will be scheduled by the assigned judge and conducted via Zoom using the procedures set forth in Administrative Order 20-05 and the Illinois Supreme Court Policy Remote Court Appearances in Civil Proceedings (May 2020).

3. **Default Prove Up Hearings** - Prove up hearings for cases involving a default judgment, for which the petitioner’s testimony in open court is required, shall be scheduled after the issuance of a Certificate of Readiness through the Court Administrator at the assigned judge’s discretion.

4. **Pretrial Conferences**

a. Counsel and SRLs may submit requests to schedule pretrial conferences via Zoom conference or other electronic means in accordance with the procedures set forth in Administrative Order 20-05.

5. **Zoom Status Hearings/Notices of Motion, Etc.**

a. Currently scheduled status hearings or notices of motions, petitions or other pleadings will be heard in open court before the assigned judge. Beginning July 20, 2020, absent good cause, subsequent Family Court status hearings and all notices of motion, petition, or other pleadings will be scheduled via Zoom conference as follows:

i. Judges will schedule Family Court status calls as follows:

1) Judge Matekaitis – Monday, Tuesday, and Thursday at 1:30 p.m.

2) Judge Pedersen – Wednesday and Friday at 1:30 p.m.

ii. All Zoom Status hearings will be conducted in accordance with the procedures set forth in Administrative Order 20-05 and the Illinois Supreme Court Policy Remote Court Appearances in Civil Proceedings (May 2020) with the following exception:

1) Rather than receiving a Zoom invitation for the remote hearing from the assigned judge, all counsel and/or SRL's, and parties shall participate in the remote Status hearings via Zoom using the assigned judge's Zoom meeting ID number or Zoom webpage link as follows:

a. Judge Matekaitis

i. Meeting ID Number: 204 737 1759

ii. Webpage Link:

<https://zoom.us/j/2047371759?pwd=RLJOb29WbFFHNnFzSkxTZ2tWMFFkU>

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b. Judge Pedersen

i. Meeting ID Number: 936 331 7877

ii. Webpage Link:

<https://zoom.us/j/9363317877?pwd=YzVGTy9GLzMyU2d0L09QanBjcEorZz09>

iii. All case management conferences scheduled to occur after July 20, 2020 will be scheduled via Zoom on the assigned judge's regularly scheduled family court Zoom status dates.

iv. *Notices of Motion/Pleadings* - Upon the filing of any motion, petition or other pleading, and before sending notice of any motion, petition or any other pleading, including any notice of hearing, counsel or SRL shall ensure that they have received confirmation that the date and time that they have selected for any notice of motion, petition or other pleading has been accepted by the Circuit Court Clerk.


1) All notices shall indicate that the hearing will be conducted via Zoom and shall include the Zoom meeting ID and webpage link information for the assigned judge.

2) Attorneys shall be responsible for providing their clients with access instructions included in this order so that the

clients may listen to, or as required, participate in the proceedings.

- v. Prior to the conclusion of the remote status hearing, the parties shall advise the court, which counsel/SRL will draft the proposed order (“Drafter”). At the conclusion of the hearing, the Drafter shall promptly draft the proposed order and forward it to the opposing counsel/SRL. Opposing Counsel/SRL shall promptly respond with revisions or other suggested changes. The final proposed order shall be emailed to the assigned judge as soon as practicable but **no later than 4:30 p.m. the day of the status hearing** at the following email addresses:
 - 1) rmatekaitis@dekalbcounty.org
 - 2) jpedersen@dekalbcounty.org
- vi. The proposed order will then be reviewed and signed at the discretion of the assigned judge who will then file the order with the Circuit Clerk.
- vii. The Circuit Clerk will email the attorneys and/or SRL’s copies of the orders after they are signed by the assigned judge.

Dated this 1 day of June, 2020.



Robbin J. Stuckert
Presiding Judge

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Clerk of the Circuit Court
DeKalb County, Illinois

**AMENDED
ADMINISTRATIVE ORDER 20-08**

Paragraphs 5(a)(i) and (ii) of Administrative Order 20-08 entered June 1, 2020 are amended as follows:

5. Zoom Status Hearings/Notices of Motion, Etc.

a. Currently scheduled status hearings or notices of motions, petitions or other pleadings will be heard in open court before the assigned judge. Beginning July 20, 2020, absent good cause, subsequent Family Court status hearings and all notices of motion, petition, or other pleadings will be scheduled via Zoom conference as follows:

i. Judges will schedule Family Court status calls as follows:

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a. Judge Matekaitis

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ii. Webpage Link: <https://zoom.us/j/2047371759>

b. Judge Pedersen

i. Meeting ID Number: 936 331 7877

Webpage Link: <https://zoom.us/j/9363317877>

Dated this 9th day of June, 2020.


Robbin J. Stuckert
Presiding Judge