

STATE OF ILLINOIS)
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NINETEENTH JUDICIAL CIRCUIT)

ADMINISTRATIVE ORDER 20-31
NINETEENTH JUDICIAL CIRCUIT
CIRCUIT COURT OF LAKE COUNTY

TEMPORARY PROCEDURES FOR THE CRIMINAL DIVISION

Consistent with the Order of the Illinois Supreme Court in MR 30370, dated May 20, 2020, which was adopted in response to the COVID -19 outbreak and the emergencies declared by the Federal Government and the State of Illinois and Administrative Order 20-29, in order to protect the health and safety of all litigants, the general public, judges and court partners, and further considering the factors outlined in Supreme Court Order M.R. 30370, as well as the *Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations During the COVID 19 pandemic*,

IT IS HEREBY ORDERED that, Administrative Orders 20-22 and 20-25 are vacated.

IT IS FURTHER ORDERED that, the following temporary procedures will apply in all cases assigned to the Criminal Division:

1. **ALL PROCEEDINGS.** All proceedings beginning June 1, 2020, until further order of court, will be proceed remotely by Zoom, with limited exception.
2. **ZOOM COURT CALLS.** Scheduled court calls will have a Zoom link posted by courtroom, date and time at the following web location:
<https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings>.

A Nineteenth Judicial Circuit Zoom instruction and protocol sheet can be found at the following link: <https://19thcircuitcourt.state.il.us/DocumentCenter/View/2812/Zoom-Instruction-and-Protocol-Sheet-51820>.

All parties are directed to read and follow the protocol during Zoom proceedings. Parties who believe that they cannot appear via Zoom, may file a motion requesting an in-person court appearance. The motion must set forth a good faith basis for the movant's request along with any proposed in-person or alternative procedure(s). Any in-person court appearance will take place only by order of the court.

3. **CONTENTS OF THE NOTICE AND MOTIONS.** Beginning on June 1, 2020, and until further order of this court, any notice or motion placed on any Criminal Division call shall contain the following language: “Parties wishing to attend presentment of this motion shall not appear in person in the courtroom unless specially ordered to do so by the court”. The proceeding will be conducted by Zoom video and telephone conferencing. A Zoom link for this court call will be listed by courtroom, date and time at: <https://19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings>.

4. **ZOOM LINK.** There will be a Zoom link for each morning and/or afternoon court session. Even if your case is scheduled at a later time than the initial start time of your court call, you can enter the court session at your scheduled time using the link at paragraph 3.

5. **PLEA AGREEMENTS.** All negotiated plea agreements shall be presented before the assigned judge on their scheduled day. All paperwork SHALL be submitted to the Clerk’s office 3 business days prior to the court date at: cccriminalfiling@lakecountyil.gov. (If this procedure is not followed, the plea will not go forward.)

6. **COURT FORMS.** All necessary forms will be available in PDF fillable format and will be available at the Nineteenth Judicial Circuit website, the Circuit Court of Lake County website or the Lake County Bar Association website. Forms can also be accessed by clicking on the following link:

<http://19thcircuitcourt.state.il.us/1256/Court-Forms>

7. **AGREED ORDERS.** Agreed orders may be presented to the assigned Judge for their consideration by emailing the agreed order to the judge’s courtroom email address listed in the below table. Agreed orders need not be given a court date. The assigned Judge will enter the agreed order, if approved. For any agreed order to be given consideration by the assigned Judge, both the prosecution and the defense shall be included on any electronic transmission to the court. Failure to do so will result in the rejection of the agreed order.

C-401	CC401@lakecountyil.gov	Judge Kennedy
C-403	CC403@lakecountyil.gov	Judge Potkonjak
C-404	CC404@lakecountyil.gov	Judge Rozenberg
C-405	CC405@lakecountyil.gov	Judge Vorderstrasse
T-110	CT110@lakecountyil.gov	Judge Novak
T-510	CT510@lakecountyil.gov	Judge Fix
T-511	CT511@lakecountyil.gov	Judge Mathews

T-512	CT512@lakecountyil.gov	Judge Collins
T-610	CT610@lakecountyil.gov	Judge Booras
T-611	CT611@lakecountyil.gov	Judge Stride
T-612	CT612@lakecountyil.gov	Judge Shanes
T-710	CT710@lakecountyil.gov	Judge Rossetti
T-711	CT711@lakecountyil.gov	Judge Bishop
T-712	CT712@lakecountyil.gov	Judge Levitt
T-812	CT812@lakecountyil.gov	Judge Strickland
North Branch	North Branch@lakecountyil.gov	Judge Cornell
Park City A	Park City A@lakecountyil.gov	Judge Haxall
Mundelein	Mundelein@lakecountyil.gov	Judge Kennedy

- 8. PUBLIC DEFENDER.** The Lake County Public Defender’s Office will be appointed to all unrepresented defendants prior to the Bond Hearing. These appointments are for the purpose of the Bond hearing only and will terminate immediately.
- 9. COURTROOMS CLOSED.** All courtrooms will remain closed and all matters will proceed remotely via Zoom beginning June 1, 2020.
- 10. TRIALS.** All trials in the Criminal Division are continued until further Order. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103-5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.

IT IS FURTHER ORDERED THAT, THE FOLLOWING PROCEDURES SHALL APPLY IN FELONY CASES AS OF JUNE 1, 2020:

11. CALENDAR OF PROCEEDINGS:

- a. **COURTROOM T-110 BOND COURT** (Judge Novak) all bond court proceedings including bond hearings, bond reviews, preliminary hearings and status of attorney, shall be held remotely at 9:00 a.m.
- b. **COURTROOM T-510** (Judge Fix), remote court proceedings will be held on Tuesday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody

cases, and Friday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody cases.

- c. **COURTROOM T-610** (Judge Booras), remote court proceedings will be held on Wednesday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody cases, and Thursday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody cases.
- d. **COURTROOM T-611 FELONY DUI** (Judge Stride), remote court proceedings will be held on Tuesday and Thursday mornings from 10:00 a.m. to 12:00 p.m. for custody cases and 1:30 p.m. for non-custody cases.
- e. **COURTROOM T-612** (Judge Shanes) remote court proceedings will be held on Thursday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody cases and Friday at 9:00 a.m. for non-custody cases and 1:30 p.m. for custody cases.
- f. **COURTROOM T-710** (Judge Rossetti), remote court proceedings will be held on Monday 9:00 am for non-custody cases only and 1:30 p.m. for custody cases; and on Wednesday's, 9:00 a.m. non-custody cases and 1:30 p.m. custody cases.
- g. **COURTROOM T-711** (Judge Bishop):
 - i. **MENTAL HEALTH COURT**: remote court proceedings will be held on Monday at 9:30 a.m.
 - ii. **FITNESS CALL**: remote proceedings will be held on Tuesday at 9:00 a.m.
 - iii. **DRUG COURT**: remote proceedings will be held on Wednesday at 9:30 a.m.
 - iv. **VETERANS COURT**: remote proceedings will be held on Friday at 9:00 a.m.
- h. **COURTROOM T-712** (Judge Levitt), remote court proceedings will be held on Monday 9:00 a.m. for non-custody cases, and 1:30 p.m. for custody cases. And Tuesday, 9:00 a.m. non-custody and 1:30 p.m. custody cases.
- i. **COURTROOM T-812** (Judge Strickland), all court proceedings assigned will be set at the discretion of the judge.

12. TRIAL DATES: All trial dates for each individual felony courtroom beginning June 1, 2020 shall remain as scheduled.

IT IS FURTHER ORDERED THAT, THE TEMPORARY PROCEDURES FOR MISDEMEANOR CASES ARE AS FOLLOWS:

13. CALENDAR OF PROCEEDINGS:

a. **COURTROOM C-403** (Judge Potkonjak), remote court proceedings will be held on Tuesday mornings at 9:00 a.m. and 10:30 a.m. and Tuesday afternoons at 1:30 p.m. and 3:00 p.m.

b. **COURTROOM C-404** (Judge Rozenberg), remote court proceedings will be held on Wednesday mornings at 9:00 a.m. and 10:30 a.m. and Wednesday afternoons at 1:30 p.m. and 3:00 p.m.

c. **COURTROOM C-405** (Judge Vorderstrasse), remote court proceedings will be held on Friday mornings at 9:00 a.m. and 10:30 a.m. and Friday afternoons at 1:30 p.m. and 3:00 p.m.

d. **COURTROOM T-511** (Judge Mathews), remote court proceedings for the Domestic Violence call for cases where the defendant is in custody will be held on Monday, Wednesday and Friday mornings from 10:00 a.m. to 12:00 p.m. All other cases will be heard on Monday, Wednesday and Friday at 1:30 p.m. and 3:00 p.m.

e. **COURTROOM T-611** (Judge Stride; the call previously heard by Judge Johnson in 512). All Misdemeanors for the 611 call will be heard remotely on Monday mornings at 9:00 a.m. and 10:30 a.m. and Monday afternoons at 1:30 p.m. and 3:00 p.m.

14. ADVANCEMENT OF CASES. Cases may be advanced to any appropriate misdemeanor courtroom by contacting the judge's clerk to schedule the matter or as set by court order by the assigned judge and by filing a notice with the Clerk of the Circuit Court. Documents may be filed with the clerk via email at: ccCriminalFiling@lakecountyiil.gov. Further, this Administrative Order waives the usual and customary filing fee associated with notice.

15. PROCEEDINGS IN MISDEMEANOR COURT. Until further order of this court, fully negotiated pleas, agreed terminations, dismissal of charges, filing of Petitions to Revoke, Arraignments on new charges and Petitions to Revoke, dismissal of Petitions to Revoke, Summary Suspension Hearings, Bond review or modifications, Motions to Continue, and any matters allowed to be scheduled or set by court order by the assigned Judge will proceed.

IT IS FURTHER ORDERED THAT, THE TEMPORARY PROCEDURES FOR BRANCH COURT CASES ARE AS FOLLOWS:


- 16. CALENDAR OF PROCEEDINGS IN THE MUNDELEIN, PARK CITY AND ROUND LAKE BRANCH COURTS.** All branch courts will remain closed until further order of the Court. Remote Court Proceedings will begin on June 1, 2020, for the Park City and Round Lake branch courts and on June 2, 2020, for the Mundelein branch court. The calendar of court sessions for all branch courts will resume, including all city and village key dates as originally set by the Nineteenth Judicial Circuit for the calendar year of 2020.
- 17. ADVANCEMENT OF CASES.** Cases may be advanced to any appropriate branch court date by filing a notice with the Clerk of the Circuit Court at:
- **Mundelein:** ccmundeleinfiling@lakecountyil.gov
 - **Park City:** ccparkcityfiling@lakecountyil.gov
 - **Round Lake:** ccroundlakefiling@lakecountyil.gov
- Further, this Administrative Order waives the usual and customary filing fee associated with notice.
- 18. PROCEEDINGS IN BRANCH COURT.** Until further order of this court, only fully negotiated pleas, agreed terminations, dismissal of charges, filing of Petitions to Revoke, arraignments on new charges and Petitions to Revoke, dismissal of Petitions to Revoke, motions to continue and any matters allowed to be scheduled or set by court order by the assigned Judge will proceed.
- 19. PLEAS BY AFFIDAVIT.** Pursuant to 625 ILCS 5/6-601 and 735 ILCS 5/1-109, all statutorily permitted petty offenses can be resolved by the filing of the following forms and documents:
- a. An Affidavit form which can be located at:
<http://19thcircuitcourt.state.il.us/1256/Court-Forms>
 - b. A Waiver of Trial form;
 - c. A Waiver of Right to be Physically Present form.
 - d. A separate order listing all terms and conditions of the fully negotiated plea; and an accurate Financial Sentencing Order and Cost sheet.

Any plea by Affidavit presented without those items will be rejected as incomplete. Pleas by Affidavit do not require a court date. Pleas by Affidavit may be presented to the court in the same fashion as an Agreed Order, provided both the defense and prosecution are included on any electronic

transmission of the agreed order to the Court. Failure to do so will result in the rejection of the agreed order.

Dated this 22nd day of May, 2020.

ENTERED:



DIANE E. WINTER,
Chief Judge