

16th Judicial Circuit
County of Kane
Office of the Chief Judge
and Court Administrator
KANE COUNTY JUDICIAL CENTER
37W777 Route 38, Suite 301
St. Charles, Illinois 60175



Clint Hull
Chief Judge

16TH JUDICIAL CIRCUIT ANNOUNCES PLAN, PROTOCOL TO RE-OPEN COURTS

May 27, 2020

ST. CHARLES TOWNSHIP – Kane County courts are scheduled to reopen to the public on Monday, June 1, on a limited basis with public health and safety practices in place.

These practices are being implemented as the courts continue to address challenges presented by the novel coronavirus COVID-19 pandemic. The 16th Judicial Circuit’s goal is to protect the public and allow access to justice.

“As we prepare to reopen the courts, we must acknowledge that this pandemic still poses a threat,” said Clint Hull, Chief Judge of the 16th Judicial Circuit. “Therefore we must remain vigilant and take significant precautions to ensure that our community stays safe. We have worked tirelessly to plan for a safe re-opening of the courts. For it to work, however, it will require cooperation and understanding by everyone. My thanks to all who helped with this process, and to the public for its patience.

“Please note that this is a fluid situation. We will keep you updated with additional information,” Judge Hull said.

To learn the next date of your case, please visit the Kane County Circuit Clerk’s Website at www.cic.countyofkane.org, or call the office at (630) 232-3413. **Please have your case number available.** You also may visit the “Court Notification” link on the circuit clerk’s Website and, using your case number, sign up to receive text or email notifications of upcoming court dates.

All trials remain suspended until after Aug. 3, 2020. If you had a case set for trial, the Circuit Clerk will notify you of your rescheduled trial date.

All Kane County courtrooms are scheduled to reopen June 1, 2020. Please be aware of these new procedures:

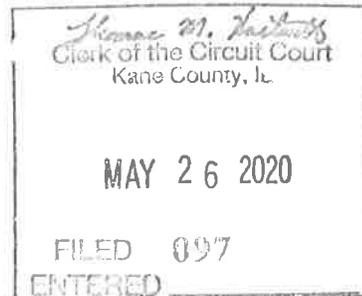
- **Everyone** who enters a court building is **required to wear a mask**. Please bring your own mask as the supply of available masks is very limited. If you have a medical condition ...
- **Bring only items needed for court, and only persons who are required** to be present for your case. Anyone not required to be in court should wait outside or in their car.
- **Each person** entering a court building will have their **temperature taken** with a digital, no-contact thermometer and be **asked these health questions**:
 - *Have you had contact with anyone who you are aware was symptomatic or COVID positive for more than 10 minutes and within less than 6 feet in the last 14 days?*
 - *Are you COVID positive or symptomatic yourself?*
- **If your answer to either question is ‘yes,’** please call the Circuit Clerk’s Office at (630) 232-3413; **do not** come to the courthouse.
- **Childcare will not be available** at any location until further order of the court.
- **Social distancing measures** will be in place in each courthouse, with seats and pathways marked. Everyone is expected to follow these measures.

- To allow for proper social distancing, **the number of people in court will be restricted** by reduced court calls and staggered court-calls times, as well as remote appearances and hearings. **You may be asked to wait outside or in your car once the courthouse reaches its maximum capacity.**
- You should contact your attorney to learn **if you are required to appear** on your next court date. Generally, defendants will not be required to appear at every court date until further order of the court.
- **If you are representing yourself** in court, you may contact the Circuit Clerk's Office at (630) 232-3413, or visit the clerk's website at www.cic.co.kane.il.us.
- **For cases filed since the original March 16 court closure order**, if you have not been to court or had a status date in June, you should receive a notice from the Circuit Clerk with a future date. If you have not received such notice, contact the Circuit Clerk.

For more detailed information about new practices and procedures, as well as what to expect when the courts reopen, please visit the 16th Judicial Circuit's Website at <http://illinois16thjudicialcircuit.org/>. You also can look for information on our new Facebook page: **16th Circuit Courts Coronavirus Information.**

IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 20-21
effective June 1, 2020

IN THE MATTER OF)
COVID-19)
REQUIREMENT OF MASKS)
IN ALL COURTHOUSE LOCATIONS)



WHEREAS, in light of the Coronavirus pandemic, and in order to protect the health and safety of the general public, circuit court judges and circuit court employees, and after consultation with the offices of the Kane County State’s Attorney, Public Defender, Sheriff, Circuit Clerk, County Board, and representatives of the private bar, and pursuant to Illinois Supreme Court Rule 21(b) and the Court’s inherent authority, and

WHEREAS, due to the frequently changing circumstances involved with the COVID-19 pandemic, measures must continue to be implemented and updated to protect the health and safety of all those working inside the courthouse and the public, and to ensure the fair and efficient access to justice; and

WHEREAS, the Illinois Supreme Court Guidelines For Resuming Illinois Judicial Branch Operations During the COVID-19 Pandemic recommends that all practical measures should be taken within the courthouse and courtrooms to ensure a clean environment and prevent the spread of the virus, including notifying all entering the courthouse that wearing a mask/face covering is required (consistent with current public health requirements and Governor Pritzker’s Executive Order).

WHEREAS, to protect the health and safety of all those inside the courthouse and inside all courtrooms:

IT IS HEREBY ORDERED that upon the effective date of this Order and until further order of court:

- 1) Anyone entering the courthouse must wear a mask/face covering; and
- 2) Individuals are encouraged to wear their own mask/face covering. If an individual does not have a mask, one may be provided to them, if available. If a mask/face covering is not available, the individual will not be allowed to enter the courthouse; and
- 3) If an individual refuses to wear a mask/face covering, entry will be denied; and
- 4) If an individual refuses to follow this Order and wear a mask/face covering once inside the courthouse, they will be asked to put one on. If they continue to refuse to wear the mask/face covering, they will be removed from the building; and
- 5) All judges, judicial staff, courthouse employees, attorneys and members of the general public must wear masks/face coverings when inside the public spaces of the courthouses; and

- 6) All persons, including courtroom personnel, must wear masks/face coverings when inside all courtrooms, unless the presiding judge of the courtroom gives permission to remove the mask/face covering in order to participate in a court proceeding.

IT IS FURTHER ORDERED that court security personnel and judicial staff shall take reasonable measures to enforce six-foot social distancing and the wearing of masks/face coverings within the public spaces of the courthouses and all courtrooms.

IT IS FURTHER ORDERED that in addition to requiring masks/face coverings and practicing social distancing, the 16th Judicial Circuit will be limiting the number of people inside the courthouses and courtrooms.

IT IS FURTHER ORDERED that the Court may issue further Orders, as necessary, to address the changing circumstances surrounding the Coronavirus pandemic.

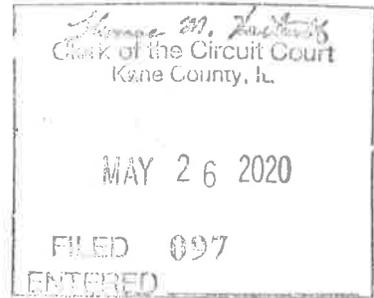
Entered this 26th day of May 2020, and effective June 1st, 2020.


Clint Hull, Chief Judge

A true copy of the original of this document is on file in my office	
Attest:	5-26, 20 20
Thomas M. Hartwell	
Circuit Court Clerk, Kane County, Illinois	
By:	 Deputy Clerk

IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 20-22
Effective June 1, 2020

IN THE MATTER OF)
AMENDING GENERAL ORDER 20-07,)
GENERAL ORDER 20-14, AND)
GENERAL ORDER 20-18)
COVID-19 EMERGENCY MEASURES)
IMPACTING COURT OPERATIONS)



WHEREAS, in light of the Coronavirus pandemic, and in order to protect the health and safety of the general public, Circuit Court Judges and Circuit Court employees, and after consultation with the offices of the Kane County State’s Attorney, Public Defender, Sheriff, Circuit Clerk, County Board, and representatives of the private bar, and pursuant to Illinois Supreme Court Rule 21(b) and the Court’s inherent authority,

WHEREAS, the Circuit Court has, pursuant to the Illinois Supreme Court’s order of March 17, 2020, reduced its operation to essential activities,

WHEREAS, the Illinois Supreme Court’s order of May 20, 2020, allows circuits to adopt their own plans for resumption of court activity;

IT IS HEREBY ORDERED, that General Order 20-07, entered on March 16, 2020, amended and superseded by General Order 20-14, entered on April 6, 2020, amended and superseded by General Order 20-18, entered on April 22, 2020, is amended and superseded by this General Order;

IT IS THEREFORE ORDERED that, effective June 1, 2020, the following procedures are in effect in the 16th Judicial Circuit:

- 1) **RETURN TO ADDITIONAL COURT ACTIVITY:** Effective June 1, 2020, all Divisions will return to hearing all matters, with the exception and provisos set forth below. Each Division has entered Administrative Orders titled “In the Matter of Covid-19 Temporary Procedures for _____ Matters” establishing temporary procedures for each division. Attorneys and self-represented litigants appearing in these divisions should consult the Administrative Orders to learn about the scheduling and procedures that must be followed for each division.

- 2) **TRIALS/BRANCH COURT:** General Order 20-17 regarding trials is modified as follows. The Branch Courts (Aurora, Elgin, and Kane) have the discretion to hear bench trials on petty traffic, ordinance violations, and certain misdemeanors due to the limited number of witnesses that are needed for trial effective June 1, 2020. Remote trials are the preferred method of holding said trials.

- 3) **CRIMINAL JURY TRIALS:** Criminal jury trials will begin on August 3, 2020, subject to limitations on the number that can be accommodated. This order incorporates the language contained in the Illinois Supreme Court order M.R. 30370 signed May 20, 2020. “The Chief Judges of each circuit may continue trials until further order of this Court. 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 the 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.”
- 4) **CIVIL JURY TRIALS:** Civil Jury Trials will begin no sooner than September 8, 2020.
- 5) **MASK/FACE COVERINGS:** Pursuant to General Order 20-21, all persons in public areas of the courthouse, including courtrooms, must wear a mask/face covering unless the judge presiding over the courtroom gives permission to remove the mask/face covering in order to participate in court proceedings.
- 6) **REDUCED CALL SIZE:** In order to reduce the number of people in the building(s), the Court will, to the extent possible, reduce the number of cases slotted for each court call. The Courts will use a number of different strategies including, but not limited to, staggering court calls, staggering start times, scheduling remote hearings, and accepting agreed orders.
- 7) **REPRESENTED PARTIES EXCUSED:** Unless ordered by the judge or directed by their attorney, parties represented by attorneys are strongly discouraged from attending court. Attorneys should advise their clients not to attend court unless their attendance is strictly necessary given the nature of the hearing at issue. **Please see 16th Judicial Circuit Administrative Orders.**
- 8) **ADDITIONAL PERSONS DISCOURAGED:** Litigants are strongly discouraged from bringing any other person with them to the courthouse. Individuals appearing in court with litigants may be asked to remain in the parking lot due to the number of individuals in the courthouse.

- 9) **REMOTE HEARING:** The Court will begin increased reliance on remote court and remote hearings. Parties should plan to appear as scheduled, to make a timely appearance, and should familiarize themselves with the “Guidelines for Virtual Courtroom Proceedings of the Sixteenth Judicial Circuit” and the Illinois Supreme Court Remote Access Policy, effective January 1, 2020, and revised effective June 1, 2020.

A “remote hearing” is one that is one conducted either telephonically or via a video conferencing system. A “remote hearing” includes, but is not limited to, status dates, pleas, motion hearings, and trials. The 16th Judicial Circuit will be utilizing the Zoom video conferencing platform.

The Circuit Clerk will not schedule remote hearings without first receiving approval from the judge to schedule the matter on his/her court call. At the discretion of the assigned judge, remote hearings may be scheduled pursuant to administrative orders entered by the Presiding Judge of each Division.

Each judge may exercise his or her discretion in establishing additional parameters for remote hearings. In misdemeanor and felony matters, a clerk and court reporter must be present either in person, telephonically, or by video conferencing when contested remote hearings are held to ensure a record is made.

- 10) **BENCH WARRANTS AND DEFAULTS:** Judges may refrain, in appropriate circumstances, from the issuance of bench warrants or the entry of default judgments. Individual judges may, based upon the nature of the hearing, the case, and their call, be more flexible in excusing the appearances of a party or defendant.
- 11) **BOND CALL (COURTROOM 005):** All bond calls will continue to be heard at the Kane County Judicial Center, Room 005. Aurora and Elgin bond call matters are to be heard in the Kane County Judicial Center, Room 005.
- 12) **WEDDINGS:** Weddings will not be performed until July 13, 2020.
- 13) **KANE COUNTY LAW LIBRARY & SELF HELP LEGAL CENTER:** The Law Library and Self Help Legal Center will re-open on June 1, 2020. The law library has a maximum capacity of twelve people.
- 14) **ARBITRATION/BANKRUPTCY/WORKERS COMPENSATION:** All hearings set between June 1, 2020, and September 4, 2020, are to be continued and rescheduled until September 8, 2020, and after.
- 15) **CHILDREN’S WAITING ROOM:** The waiting room will remain closed until further order of the court.

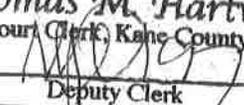
16) **OTHER MATTERS:** Non-essential gatherings and meetings will be allowed subject to their ability to abide by the policies and procedures established by this order and the room capacity limits.

The Court may issue further Orders, as necessary, to address the changing circumstances surrounding the Coronavirus pandemic.

Entered this 26th day of May, 2020, and effective June 1, 2020.



Clint Hull, Chief Judge

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Circuit Court Clerk, Kane County, Illinois
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