

**IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT**  
**GENERAL ORDER 19-27**  
*effective September 11, 2019*

**AMENDING LOCAL COURT RULES**

**PROCEDURE FOR SELECTION OF THE  
OFFICE OF ASSOCIATE JUDGE,  
JUDGES MEETINGS and  
CASE MANAGEMENT CONFERENCES**

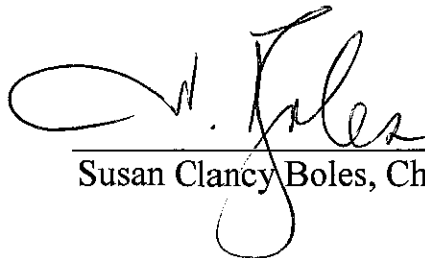
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THOMAS M HARTWELL  
CIRCUIT COURT CLERK  
KANE COUNTY, IL

**WHEREAS**, by a majority vote of the Sixteenth Judicial Circuit Court Judges, the current versions of Articles 1.07, 1.09 and 6.16, have been updated.

**IT IS HEREBY ORDERED** that the attached Articles 1.07 (Procedure for Selection of the Office of Associate Judge), 1.09 (Judges Meetings) and 6.16 (Case Management Conferences), are adopted in and for the Sixteenth Judicial Circuit, effective September 11, 2019. These updates amend and supersede the prior versions of Articles 1.07, 1.09 and 6.16.

Entered this 19<sup>th</sup> day of September, 2019

  
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Susan Clancy Boles, Chief Judge

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### **1.07 PROCEDURE FOR SELECTION OF THE OFFICE OF ASSOCIATE JUDGE**

Selection of an Associate Judge is governed by statute, Supreme Court Rule 39, and Local Rule 1.07. In addition thereto, the Circuit Judges of the Sixteenth Judicial Circuit hereby adopt the following procedure to supplement those rules and statutes currently in effect. This procedure is subject to change by a majority vote of the Circuit Judges at any time.

#### **(a) NOMINATING COMMITTEE**

All Circuit Judges of the Sixteenth Judicial Circuit constitute the Nominating Committee.

#### **(b) INTERVIEW COMMITTEE**

- (1) Following the posting of a Notice of Vacancy in the Office of Associate Judge, the Chief Judge shall appoint an Interview Committee for the purpose of review of certified applicants and report back to the Nominating Committee regarding the applicants for that particular vacancy.
  - (2) The Chief Judge shall select five (5) Circuit Judges to serve on the Interview Committee, which Committee shall expire upon the submission of the Nomination List to the Chief Judge.
  - (3) The Chief Judge shall designate one of that number to serve as Chairperson.
  - (4) The Chief Judge shall not serve on the Interview Committee.
  - (5) Each qualified applicant, except those who have previously interviewed within the last twenty-four (24) months, will be scheduled for one interview with the Interview Committee.
  - (6) Interviews of the applicants shall be open to any Circuit Judge, and shall be videotaped for available review by any Circuit Judge. Video interviews of qualified candidates who have previously interviewed within the last twenty-four (24) months will be made available for review by the Interview Committee.
  - (7) The Office of the Chief Judge shall provide the certified applications and all other materials received by the Office of the Chief Judge with respect to each qualified applicant to the Interview Committee. All materials forwarded to the Interview Committee shall be available for review by the Nominating Committee upon request.
  - (8) The Interview Committee shall review all available information, applications, other papers and documents submitted, and may conduct any further review deemed necessary into the qualifications of the applicants.
  - (9) The Interview Committee shall report back to the Nominating Committee regarding the qualifications of the certified applicants in a manner as determined by the Circuit Judges
  - (10) The Interview Committee shall recommend a list of six (6) qualified applicants (List) that the Interview Committee considers best qualified to be appointed to the current vacancy for the office of Associate Judge. If there is more than one (1) Associate Judge vacancy, the Interview Committee may recommend two additional names for consideration for each additional existing vacancy.
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- (11) The Interview Committee shall prepare, as to each recommended candidate, a summary stating the reasons for its recommendations (Summary).
- (12) If time permits, the List and Summary shall be completed no later than twenty-eight (28) days after the close of applications, or three (3) business days prior to the Nominating Committee Meeting, whichever comes first.
- (13) The Interview Committee Chairperson shall deliver the List and Summary upon completion directly to the Chief Judge and no other person, and the Chief Judge shall then distribute the List and Summary to all of the Circuit Judges in writing within twenty-four (24) hours of receipt.

### (c) ASSOCIATE JUDGE POLL

- (1) The Chief Judge may direct one of the Associate Judges to poll the Associate Judges on the certified applicants.
- (2) Within fourteen (14) days after the close of applications, or earlier as directed by the Chief Judge, the results of the Associate Judge Poll shall be returned to the Chief Judge indicating as to each applicant whether he/she is recommended, not recommended or qualifications unknown.
- (3) The results of the Associate Judge Poll shall be provided to the Interview Committee for use in its deliberative process if time permits, and shall be provided to the Nominating Committee before its final vote.

### (d) NOMINATING COMMITTEE MEETING

- (1) The Chief Judge shall set the date for the meeting of the Nominating Committee to select the final candidates.
  - (2) The Interview Committee shall report on the certified applicants at the meeting of the Nominating Committee.
  - (3) The List from the Interview Committee shall constitute the starting Nomination List for the Nominating Committee. Any Circuit Judge may nominate additional candidates for the Nomination List who were not included on the List of the Interviewing Committee. If that additional candidate receives at least four (4) votes by secret ballot, that name shall be added to the Nomination List.”
  - (4) The Circuit Judges shall, by secret ballot, reduce the number of candidates to the required number for consideration pursuant to Supreme Court Rule 39.
  - (5) As soon as practicable thereafter, the Chief Judge shall first notify the final qualified candidates selected by the Nominating Committee, and then the Director of the Administrative Office of the Illinois Courts as required by Rule, followed by public announcement thereof.
  - (6) If, due to extraordinary circumstances, any Circuit Judge is unavailable to attend the meeting of the Nominating Committee to select the Final Candidates, at the request of
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the absent Circuit Judge, and with approval of a majority of the Circuit Judges present, reasonable efforts will be made to accommodate that Circuit Judge to attend remotely by an audio and/or audio and visual presence. When a Circuit Judge attends remotely in such manner, that Circuit Judge may then vote under seal of confidentiality with the assistance of another Circuit Judge of his or her choice. Proxy voting without any remote audio attendance, or under any other circumstances, is strictly prohibited.

### (e) SINGLE ASSOCIATE JUDGE VACANCY

- (1) Upon further discussion, the Nominating Committee shall reduce the Nomination List to six (6) candidates, which six candidates shall constitute the Preliminary Nomination list, as follows: Each Judge may vote for up to six (6) candidates from the Nomination List, and the six (6) candidates receiving the six (6) highest vote totals shall constitute the Preliminary Nomination List. Any ballot that contains more than six (6) names, or any name which did not appear on the Nomination List, shall be disqualified.
- (2) Upon further discussion, the Nominating Committee shall reduce the Preliminary Nomination List to four (4) candidates, which four (4) candidates shall constitute the Intermediate Nomination List, as follows: Each Judge may vote for up to four (4) candidates from the Preliminary Nomination List, and the four (4) candidates receiving the four (4) highest vote totals shall constitute the Intermediate Nomination List. Any ballot that contains more than four (4) names, or any name which did not appear on the Preliminary Nomination List, shall be disqualified.
- (3) Upon further discussion, the Nominating Committee shall reduce the Intermediate Nomination List to two (2) candidates, which two (2) candidates shall constitute the Final Ballot List, as follows: Each Judge may vote for up to two (2) candidates from the Intermediate Nomination List, and the two (2) candidates receiving the two (2) highest vote totals shall constitute the Final Ballot List. Any ballot that contains more than two (2) names, or any name which did not appear on the Intermediate Nomination List, shall be disqualified.

### (f) MULTIPLE ASSOCIATE JUDGE VACANCY

When multiple Associate Judge Vacancies exist for the same ballot, the above procedure for Single Associate judge Vacancy shall be followed, except two (2) additional candidates shall be added to each List step for each additional vacancy to be filled.

### (g) CONFIDENTIALITY

Except for the names of the final required number of qualified candidates selected by the Nominating Committee, all proceedings of the Interview and Nominating Committees, including, but not limited to, applications and documents received, discussions, nominations, lists, summaries, and balloting, shall be held in strict and absolute confidence by the Circuit Judges, and shall not be disclosed to any person except another Circuit Judge of the Sixteenth Judicial Circuit.

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### **1.09 JUDGES MEETINGS**

The Judges of the Sixteenth Judicial Circuit shall meet as often as practicable. Circuit Judges shall meet no less than twice per year to consider business of this Court and to take such action as required. The place and circumstances shall be announced in advance by the Chief Judge. A special meeting of the Circuit Judges may be called at any time by the Chief Judge or upon two (2) day notice by any two (2) Circuit Judges by notice delivered to all Circuit Judges. A proposed rule, order or change in procedure or policy must be submitted in writing to all Circuit Judges at least one week prior to the proposed change being moved and/or brought to a vote.

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### 6.16 CASE MANAGEMENT CONFERENCES

- (a) In all Civil cases except those types listed in paragraph (f) below, the Circuit Court Clerk shall, on the date of filing, assign an automatic case management conference date on the call of the Judge assigned to the case within ninety (90) days from the date of filing. In all Probate (P) Decedent Estate cases, the Circuit Court Clerk shall, on the date of filing, assign an automatic case management conference date on the call of the Judge assigned to the case 14 months from the date of filing. The Circuit Court Clerk shall affix notice of the date to the original pleading and to copies of the pleading to be served on the opposing party.
  - (b) In the event an automatic case management conference falls on a date when the Court is not in session, the case will be set for the next court date.
  - (c) Failure of the parties or their counsel to appear on an automatic case management conference day may result in dismissal for want of prosecution, default and/or other sanctions.
  - (d) In all cases subject to Supreme Court Rule 218, the attorneys for the parties with the responsibility for trial of the case, shall, prior to the automatic case management conference and each conference thereafter, confer regarding matters set forth in Supreme Court Rule 218.
  - (e) Failure to comply with Supreme Court Rule 218, local rules, or court orders pertaining to case management may result in sanctions being imposed against a party and/or attorney.
  - (f) The following case categories are not included in the “Initial Case Management Conference” requirement under Supreme Court rule 218(a):
    - (1) Adoption (AD)
    - (2) Arbitration (AR)
    - (3) Forcible Entry and Detainer (L or LM cases)
    - (4) Mental Health (MH)
    - (5) Miscellaneous Remedy (MR) (Involving Name Changes Only)
    - (6) Order of Protection (OP)
    - (7) Ordinance Violation (OV)
    - (8) Probate (P) (Other than Decedent Estates)
    - (9) Small Claims (SC)
    - (10) Tax (TX)
  - (g) In jury cases requiring arbitration (AR), a case management conference need not be held unless and until a rejection of the arbitration award is filed pursuant to Supreme Court Rule
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93. A case management conference shall be held within forty-five (45) days of the rejection filing date.

