

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT  
GENERAL ORDER NO. 21-24

effective January 1, 2022

IN THE MATTER OF  
FORFEITURE OF SEIZED PROPERTY  
MISCELLANEOUS REMEDY FILE  
AMENDING GENERAL ORDER 15-32

Theresa E. Barreiro  
Clerk of the Circuit Court  
Kane County, IL  
DEC 28 2021  
FILED 110  
ENTERED

the copy of the original of the  
document is on file in my office  
December 28 2021  
Theresa E. Barreiro  
Circuit Court Clerk, Kane County, Illinois  
By: Theresa E. Barreiro  
Deputy Clerk

WHEREAS, from time to time the Kane County State's Attorney presents to the Court routine notices and petitions seeking a preliminary review regarding forfeiture of seized property pursuant to statute including, but not limited to, 720 ILCS 5/36-1.5, 720 ILCS 550/12, 720 ILCS 570/505, 720 ILCS 646/85, and 725 ILCS 150/3.5; and

WHEREAS, at such proceedings, the Court may enter an order with certain findings granting or denying relief, which may or may not later result in the filing of a separate cause of action for forfeiture or return of property; and

WHEREAS, by custom and practice in Kane County, such routine notices, petitions, and orders relating to preliminary review regarding forfeiture of seized property prior to 2016 had not been filed with the Clerk of the Circuit Court, and were instead maintained by the Kane County State's Attorney; and

WHEREAS, due to the implementation of a new and more efficient Court Management System which keeps all petitions and orders within their own case number which in turn allows the State's Attorney and the Judiciary to see all actions for one cause in one place; and

WHEREAS, the Illinois Supreme Court Manual on Record Keeping (2022) provides that filings on matters involving forfeiture of seized property shall receive an MX designation.

WHEREFORE, IT IS HEREBY ORDERED that commencing on January 1, 2022, the Circuit Clerk's Office shall issue a new MX case number for the filing of each routine notice and petition seeking a preliminary review regarding forfeiture of seized property and initial orders related thereto. Each case will have its own respective case number.

WHEREFORE, BE IT ALSO ORDERED that the previous practice commencing on January 1, 2016, and extending through December 30, 2021, where on an annual basis, the Circuit Clerk of the Court established a single MR file bearing the same number following the number of each respective year for the filing of routine notices and petitions seeking a preliminary review regarding forfeiture of seized property and initial orders related thereto (*i.e.* 16 MR 05, 17 MR 05, 18 MR 05, *etc.*) is hereby revoked.

IT IS FURTHER ORDERED that the routine notices, petitions, and orders relating to preliminary review regarding forfeiture of seized property shall be filed in such MX file.

IT IS FURTHER ORDERED that such files are open to public inspection and review and are not impounded.

Entered the 28<sup>th</sup> day of December, 2021

Clint Hull  
Clint Hull, Chief Judge