



First Amended

MCLEAN COUNTY FAMILY DIVISION REMOTE HEARING PROTOCOLS

Effective June 1, 2020

In conjunction with Amended Supreme Court Rules 45 and 241, the Illinois Supreme Court Policy on Remote Court Appearances in Civil Proceedings, and the Guidelines for Virtual Courtroom Proceedings of the Eleventh Judicial Circuit, the **Family Division of McLean County** adopts the following protocols related to remote hearings.

CONTACT INFORMATION

Judge	Assistant	Contact number
McFarland	Sandi Smith	309-888-5215 Sandra.smith@mcleancountyil.gov
Duffy	Shawn Garth	309-888-5220 Shawn.garth@mcleancountyil.gov
Kording	Charlotte Cramer	309-888-5257 Charlotte.cramer@mcleancountyil.gov

***Self Represented litigants may contact the Court at Family.Court@mcleancountyil.gov for questions about their case. Please include your assigned Judge's name and case number in the subject of the email. This address is not monitored continuously.**



REMOTE HEARING ACCESS:

Each Judge will have a dedicated Zoom® Meeting ID and password that can be used for purposes of status calls and some hearings. There may be a reason for the eCourt to change the password or meeting ID from time to time. We will make those changes available as those changes are made.

Judge	Meeting ID	Password	Call-in number*
McFarland	(through 6/19) 909 113 0107 (After 6/19) 945 9824 1091		1 312 626 6799 (Chicago) 1 929 436 2866 (New York) 1 346 248 7799 (Houston)

Judge	Meeting ID	Password	Call-in number*
Duffy	938 3601 4457		1 312 626 6799 (Chicago) 1 929 436 2866 (New York) 1 346 248 7799 (Houston)

Judge	Meeting ID	Password	Call-in number*
Kording	975 2260 0369		1 312 626 6799 (Chicago) 1 929 436 2866 (New York) 1 346 248 7799 (Houston)

- If you have a case where an invitation was previously sent, use the previous invitation for your hearing.

*contact eCourt for additional numbers as needed



NOTICE OF REMOTE HEARING:

- The Court expects that attorneys/self-represented litigants (SRL) will prepare and e-file a Notice of Remote Hearing (NRH) in advance of remote hearings in substantially similar form as the NRH attached hereto as Appendix A. Unless the opposing party is a SRL, the Court will not require a NRH to be sent for a “status/CMC” hearing that was scheduled in Court. The judge will make every effort to reflect that “all have notice” in its docket entry in appropriate circumstances.
- A NRH may be sent via email through the e-file system only if the SRL or opposing attorney has included their email address as an appropriate e-serve address. Otherwise, NRH shall be sent in any method approved pursuant to Supreme Court Rule 11.
- An attorney sending a NRH to a SRL for an initial appearance should include a copy of the initial appearance/CMC notice attached hereto as Addendum B. This may also be modified and used with a NRH for hearings other than initial appearance hearings where a party is self-represented.
- For cases where both parties are SRL, eCourt staff shall prepare a NRH along with the appropriate remote hearing instructions as directed by the presiding judge. Said NRH shall be e-filed with the Clerk. If a SRL has included an email address for service in the e-file system, the NRH will be sent to the email address provided by the SRL. Otherwise, the eCourt shall direct staff to send service by regular mail to the SRL’s last known address.



IN-PERSON COURT APPEARANCE

- Due to courthouse capacity and as part of the resumption of operations **McLEAN COUNTY ADMINISTRATIVE ORDER 2020 – 19 RESUMPTION OF COURT OPERATIONS – COVID-19**, dated May 26, 2020, the Family Division will primarily be conducting hearings remotely for the foreseeable future. The judges assigned to the Family Division will be coordinating to prioritize which cases shall be subject to an in-person hearing. Priority shall be given to half-day or full day trials on parenting time/responsibilities that may involve a school choice issue, Orders of Protection and some IV-D child support enforcement cases.
- As courtrooms become available and cases are settled or rescheduled throughout the next several months, the Court will work to accommodate additional in-person hearings as we are able.
- When an in-person hearing/trial is scheduled, the hearing may not occur in the courtroom regularly assigned to the judge hearing the case. Please check the schedule in the lobby or contact the judge’s assistant for confirmation of the courtroom that will be utilized for your hearing.



EXHIBITS

- **DO NOT E-FILE EXHIBITS WITH THE CLERK.**
- All exhibits for remote hearings need to be exchanged between the parties with copies to the eCourt AT LEAST 24 hours prior to the hearing. If you have not met this deadline, you will need to contact the judge and opposing party prior to the hearing to discuss accommodation for exchange of exhibits.
- Include an exhibit list for all hearings with exhibits, even if are only presenting one exhibit. See Exhibit list attached hereto as Appendix C.
- Exhibits shall be emailed to **Family.Court@mcleancountyil.gov**. Please designate **the judge** hearing the case **with the case name and number** in the subject line. This email will not be monitored continuously so last-minute submission of exhibits may not get to the eCourt in time for the hearing.
- Attorneys/parties shall be allowed to utilize the screen-sharing function on the remote hearing platform with permission of the eCourt. This does not negate the requirement to exchange exhibits before the hearing. Any rebuttal or supplemental exhibits presented via screen share shall be provided to the eCourt within 24 hours of the hearing for admission into the record.



GROUND/PROVE-UP HEARINGS:

- Grounds/prove-up hearings shall be required prior to an entry of Judgment of Dissolution. Said hearings may be scheduled on the judge's daily status call with relative short notice. If you need a special setting outside of the judge's status call, you will need to obtain judicial permission prior to setting the matter for hearing.

EMERGENCY MOTIONS

- Emergency motions should be filed electronically through the e-file system. You may contact the eCourt and provide a courtesy copy of the motion as there may be some delay between filing the motion and when the judge has access to it. The judge will determine whether the motion qualifies as an emergency motion and may schedule a remote hearing on the underlying motion or may schedule a status hearing on the matter.

SETTLEMENT CONFERENCE

- The eCourts will remain available and able to conduct judicial settlement conferences remotely with the use of breakout rooms and use of the Chat feature of the videoconference platform. Parties should be present and acknowledge their understanding and consent to participate in the settlement conference.



COURT REPORTERS

- You **must** request a court reporter *ASAP* upon setting your matter for hearing. The eCourt cannot guarantee a court reporter will be available for last minute requests. A recording of the hearing via the remote platform will not be sufficient to create a record of the proceedings. The eCourt will not have access to the courtroom audio recording system in all circumstances and cannot be relied up at this time.
- The requesting party will be responsible for providing the remote hearing meeting ID and password with the time of hearing to the court reporter.



GENERAL TIPS AND GUIDELINES

- Please do not utilize the virtual background feature available in the videoconference platform. While the Court may be utilizing a virtual background to simulate a courtroom environment, it creates visual distortions in meetings with multiple parties.
- Please make every attempt to rename yourself to reflect counsel/party's name of record before entering the waiting room. It is difficult for the eCourt to ascertain

which parties and cases are awaiting their hearing without correct names. If you are unsure how to make this change, there are several online tutorials on how to change your screen name in your Zoom® accounts.

- Remote hearings are open to the public subject to the public access process outlined in the Guidelines for Virtual Courtroom Proceedings of the Eleventh Judicial Circuit.
- The family division has relaxed the usual accepted courtroom attire while attorneys appear for a remote hearing. Business casual attire is acceptable for remote hearings, such that jackets and ties and dress blouses are not required. However, please respect the decorum of the “virtual courtroom” and dress accordingly. Please remember that other divisions and courts may have more formal dress code requirements.

STATE OF ILLINOIS, CIRCUIT COURT McLEAN COUNTY	<u>NOTICE OF REMOTE HEARING</u>	FOR COURT USE ONLY
<hr/> Petitioner		
v.		
<hr/> Respondent		<hr/> Case Number

This matter is set for a hearing on *initial appearance/Case management conference* on the ____ day of _____, 2020, at _____ by remote appearance.

The log-in details for the hearing are as follows:

<p><u>To join the Zoom hearing by Video:</u> Go to https://www.zoom.us/ Meeting ID: Password: To appear by video on Zoom, you will need to have an electronic device with an internet connection. You may use a smart phone, iPad/tablet, or webcam/built in camera with sound and video. You will also need to install the free zoom App before the</p>	<p><u>To join the Zoom hearing by Phone/Audio only:</u> Dial by your location Meeting ID: Password:</p>
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Proof of Service

The undersigned certifies that a true and correct copy of the foregoing instrument was mailed to the above-named persons at their address of record by placing the same in a U.S. Post Office Mail Box in Bloomington, Illinois, on _____, 2020 or via email as indicated as a service contact on your electronic filing.

DATED: _____

Remote initial appearance/case management conference

Participating in the Zoom Virtual Courtroom:

- Parties must sign up for a free account from Zoom Web Conferencing
- You will join the virtual courtroom at the scheduled time by entering the meeting ID and password contained on your **Notice of Remote Hearing**.
 - It is your responsibility to keep your contact information current with the Circuit Clerk's office during the pendency of your case.
 - **If you have an attorney**, it is your responsibility to contact your attorney to ensure you have the link to join the Conference at the designated time.
 - All parties must be logged into the Conference on time.
- When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the hearing begins.

IF YOU DO NOT HAVE ACCESS TO VIDEO:

- If you do not have access to a smart phone, or other electronic device that would allow you to participate by video, you may participate by phone by dialing the local number provided in your Notice of Remote Hearing and inputting your meeting ID and password to join the meeting.

Please be advised you may be placed on hold for a period of time as the Court concludes other matters that are before yours.

If both parties have a full agreement on all outstanding issues, be prepared to efile any and all agreed documents for execution by the Judge PRIOR to your court date or your matter may be delayed.

Be prepared:

- Parties must have enough battery power for the entire hearing and have a charger readily available.
- Parties must have enough data and/or Wi-Fi.
- Parties must be in a quiet area with minimal background noise.

**STATE OF ILLINOIS
CIRCUIT COURT
McLEAN COUNTY**

FOR COURT USE ONLY

Petitioner (First, Middle, Last Name)

v.

Respondent (First, Middle, Last Name)

Case Number

EXHIBIT LIST

Date of Hearing:	DATE				
Judge Assigned:	JUDGE NAME				
<u>Exhibit No.</u>	<u>Description</u>	<u>Admitted</u>	<u>Objected</u>	<u>Denied</u>	<u>Impound</u>

Date of Hearing:	DATE				
Judge Assigned:	JUDGE NAME				
<u>Exhibit No.</u>	<u>Description</u>	<u>Admitted</u>	<u>Objected</u>	<u>Denied</u>	<u>Impound</u>