

IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 24-09
Effective March 13, 2024


IN THE MATTER OF)
AMENDING LOCAL COURT RULE)
ARTICLE 14, FAMILY:)
SECTION 14.04 EMERGENCY MATTERS)



WHEREAS, the Sixteenth Judicial Circuit has elected to amend Kane County Local Court Rule 14.04, Emergency Matters;

IT IS HEREBY ORDERED that by a majority vote of the Circuit Judges of the Sixteenth Judicial Circuit, the attached Local Court Rule 14.04 Emergency Matters is adopted in and for the Sixteenth Judicial Circuit, effective immediately. This rule replaces all prior versions of Local Court Rule 14.04.

Entered this 12th day of March 2024, and effective March 13, 2024.


Robert K. Villa, Chief Judge

Kane County Local Rule

14.04 EMERGENCY MATTERS

- (a) Designation of a matter as an emergency is determined to be an extraordinary measure and shall be heard at the discretion of the Court.
 - (b) Emergency motions will be heard by the judge assigned to the case. The party and/or the attorney bringing the emergency motion must physically appear in person in open court. Zoom appearances will not be permitted barring extraordinary circumstances and with the express leave of the court. If the assigned judge is unavailable, then the emergency motion shall be heard by the presiding judge of the Family Division or his or her designee.
 - (c) The initial burden of proving the alleged emergency shall be on the party filing the motion, and shall include, at a minimum, the following:
 - (1) Inability to obtain an assignment on the regularly scheduled call within a reasonable time given the circumstances for which relief is sought;
 - (2) Proper notice to the opposing party; and
 - (3) That immediate and irreparable injury, loss or damage will result if the relief is not granted and that there exists no adequate remedy at law.
 - (d) If the Court makes a determination that a matter does not meet the criteria for an emergency matter, an order so finding shall be entered. A party or their attorney who responds to a motion alleged, but found not to be, an "emergency" may be entitled to an order striking the pleading, time to respond, and reimbursement of costs and fees.
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