

## MEMO

To: Tax Objection Practitioners

From: County Division and Rule 10.8 Committee

Re: Tax Objection Procedures

Date: July 7, 2020

Objector's counsel, following up on the Administrative Order ("Adm Order") of June 1 and the webinars of the week of June 8, 2020 whereby the details of Adm Order were explained and questions addressed, a number of issues have arisen since then, which this Memo seeks to address.

Again, however, please be patient as this newly devised system represents a learning curve for all of us - practitioners, assistant state's attorneys, clerks, and judges. And counsel are strongly encouraged to obtain the calendar/Assistant State's Attorney ("ASA's") assignment for their cases and to discuss their cases with the individual ASA's, who continue to work remotely, and are expected to do so for the foreseeable future.

1. What does the 'soft reopening' of the courthouse on July 6, 2020 mean for the Objection cases? Little. It must be emphasized that the system outlined in the Administrative Order 2020-4 and in the webinars is intended to continue on for some months, and attorneys are discouraged from appearing physically at the courthouse, absent extraordinary circumstances;

2. What is the procedure for the July, August and September Trial Management calls for the 2017 cases? These cases will be continued pursuant to an administrative order to their respective Trial Assignments dates (as set forth in their respective trial management orders) without need of further individual orders;

3. What about previously scheduled status and pre-trial dates after expiration of the continuance schedule set forth in the Adm Order?

These cases shall be continued by administrative order to the week of September 8-11, 2020 without need of further individual orders, in accordance with the following calendar schedule:

- a. Calendar 4, Judge Kipperman – Thursday, 9:30 am 9/10/20 (ASA Josiah Harris);
- b. Calendar 5, Judge Stanton – Thursday, 10:30 am 9/10/20 (ASA Luz Toldeo);
- c. Calendar 6, Judge Carroll – Tuesday, 9:30 am 9/8/20 (ASA John Coyne);
- d. Calendar 7, Judge Karkula - Thursday, 10:45 am 9/10/20 (ASA John Carey);
- e. Calendar 8, Judge Hannon – Wednesday, 2:00 pm 9/9/20 (ASA Elly Drake);
- f. Calendar 9, Judge Clay-Herron – Thursday, 10:00 am 9/10/20 (ASA Kat Murphy);
- g. Calendar 10, Judge Ward-Kirby – Tuesday, 9:30 am 9/8/20 (ASA Oscar Garcia);
- h. Calendar 11, Judge Paul – Wednesday, 9:30 am 9/9/20 (ASA Sarah Cunningham);
- i. Calendar 12, Judge Patton – Friday, 11:00 am 9/10/20 (ASA Katie Murphy)

4. Delays in receiving stamped copies Agreed Judgement Orders ("AJO's") from the clerk. This is the product of the volume of AJO's which have been coming in since the

Administrative Order was entered and the webinars were put on, together with continuing mandatory staff reductions in the clerk's office. It is expected that with the July 6, 'soft reopening' of the courthouse next week and the return of additional clerk staff that this backlog will be addressed;

5. Regarding the upcoming July 14, 2020 Case Management date which replaced the April 7, 2020 date, we have settled cases but are still awaiting the return of either the stamped copies of AJO's from the clerk or the signed AJO and Settlement Memo from the ASA. Should we enter Case Management orders for July 14? No. If the cases are settled, better to wait until you receive stamped copies of the AJO's and then submit those, rather than send over case management orders. This will also be true for the cases rescheduled for July 21 and 28;

6. For cases up on July 14 which are not settled, how to have the orders entered? A single pdf with all the orders case should be sent to [ccc.countytaxo@cookcountyiil.gov](mailto:ccc.countytaxo@cookcountyiil.gov), and counsel will receive a copy back signed by the judge, but not stamped by the clerk. This will also be true for cases rescheduled for July 21 and 28. Please put the calendar number, "Case Management Call Orders" or "Small Claims Assignment Orders" with the original month (e.g., April, 2020) in the subject line of the email;

7. Haven't received June calendar assignments yet? If you submitted a request to [sao.tax@cookcountyiil.gov](mailto:sao.tax@cookcountyiil.gov) and it has been more than 14 days and you have not received assignments, please send an email with case #'s to Cristin Duffy at the State's Attorney's Office;

8. What if we need to schedule a pre-trial? A pre-trial may be scheduled by sending an email requesting a pre-trial to [Maureen.marchese@cookcountyiil.gov](mailto:Maureen.marchese@cookcountyiil.gov). The request will be forwarded to the calendar judge. You will be provided a phone conference number or Zoom ID information and the means by which to submit any pre-trial memorandum to the court.

9. What is the process for matters scheduled for the Case Management calls for August 4, September 1, and October 6, 2020? The County Division will extend the procedures set forth in Administrative Order 2020-4. These calls will be handled similarly to the Case Management matters up on the April, May and June dates. See section I(2) thru I(4) of Adm Order. No orders need be submitted by and no physical appearance need be made in court on the August 4, September 1, or October 6, 2020 Case Management calls.

For cases originally scheduled for August 4, 2020 one of the following orders shall be submitted on or before November 10, 2020; for matters originally scheduled for September 1, 2020, one of the following orders shall be submitted on or before November 17, 2020; and for matters originally scheduled for October 6, 2020, one of the following orders shall be submitted on or before November 24, 2020:

- a. Small Claim Assignment Order
- b. Case Management Call Order (dates shall remain the same as per the grid for the month in which the case was originally scheduled)
- c. Agreed Judgement Order
- d. Dismissal Order

Objector's counsel are strongly encouraged to continue to engage in discussions with the State's Attorney's Office regarding their respective cases during this process.

10. Should I begin sending hard copies of my 2-50 production documents to the ASA's? No. The State's Attorney's office is still shorthanded and may be for some time, and cannot process such a volume of physical documents. It is their intent to set up a cloud-based, electronic document submission platform, but that system is not up and running yet.