

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DU PAGE )

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

IN THE MATTER OF COURT OPERATIONS )  
UNDER THE EXIGENT CIRCUMSTANCES CREATED ) 3<sup>rd</sup> 4<sup>th</sup> Amendment to  
BY THE CORONAVIRUS (COVID-19) INVOLVING ) Administrative Order 20-45  
IN-PERSON BENCH AND JURY TRIALS )

**WHEREAS**, the outbreak of Coronavirus (COVID-19) in the United States has necessitated the justice system to take prudent, proactive measures to reduce the risk of exposure and prevent the spread of the virus; and,

**WHEREAS**, due to the frequently changing circumstances involved with the COVID-19 pandemic, measures must continue to be implemented and updated to both protect the health and safety of all those working inside the courthouse and the public, and to ensure the fair and efficient access to justice; and,

**WHEREAS**, recent data from the CDC, IDPH, and DuPage County Health Department reflects an ongoing and significant increase in COVID-19 positive cases throughout the State of Illinois and DuPage County; and,

**WHEREAS**, to best protect the health and safety of court employees, jurors, witnesses, attorneys, litigants and the general public, it is necessary to reschedule in-person bench and jury trials; and,

**WHEREAS**, the Illinois Supreme Court entered Order M.R. 30370 (effective May 20, 2020) authorizing Chief Judges of each circuit to continue trials until further order of the Illinois Supreme Court; and,

**WHEREAS**, Illinois Supreme Court Order M.R. 30370 (effective May 20, 2020) states, in pertinent part:

The Chief Judges of each circuit may continue trials until further order of this Court. The continuances occasioned by this Order serve the ends of justice and outweigh the best interests of the public and defendants in a speedy trial. Therefore, such continuances shall be excluded from speedy trial computations contained in section 103.5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the Court determines proper distancing and facilities

limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that pursuant to Illinois Supreme Court Order M.R. 30370 (effective May 20, 2020), and Administrative Order 20-25 (effective May 26<sup>th</sup>, 2020) the Chief Judge of the 18<sup>th</sup> Judicial Circuit orders that all trials may be continued until further order of the Illinois Supreme Court.

**IT IS FURTHER ORDERED** that all Circuit and Associate Judges of the 18<sup>th</sup> Judicial Circuit are authorized to continue trials pursuant to Illinois Supreme Court Order M.R. 30370 (effective May 20, 2020) and Administrative Order 20-25 (effective May 26<sup>th</sup>, 2020).

**IT IS FURTHER ORDERED** that such continuances shall be excluded from speedy trial computations contained in section 103.5 of the Code of Criminal Procedure of 1963 (725 ILCS 5/103-5 (West 2018)) and section 5-601 of the Illinois Juvenile Court Act (705 ILCS 405/5-601 (West 2018)). Statutory time restrictions in section 103-5 of the Code of Criminal Procedure of 1963 and section 5-601 of the Juvenile Court Act shall be tolled until further order of this Court. This provision also applies when a trial is delayed when the Court determines proper distancing and facilities limitations prevent the trial from proceeding safely. The judge in the case must find that such limitations necessitated the delay and shall make a record thereof.

**IT IS FURTHER ORDERED** that no jury trials in any division shall be conducted before March 1<sup>st</sup>, 2021.

**IT IS FURTHER ORDERED** that no in-person bench trials or evidentiary hearings requiring witness testimony shall be conducted in the Felony or Misdemeanor Divisions (except for Summary Suspension Hearings) before March 1<sup>st</sup>, 2021 except for matters scheduled in traffic court beginning on February 1<sup>st</sup>, 2021.

**IT IS FURTHER ORDERED** that in-person trials or extended hearings in the Domestic Relations Division may proceed only if the matter is determined to be exigent by the judge presiding over the case. Exigent matters in Domestic Relations are cases which require immediate action or are urgent and in need of immediate relief regarding parenting issues or economic issues which if left unattended could cause irreparable harm to the parties or marital estate.

**IT IS FURTHER ORDERED** that in-person bench trials in the Law and Chancery Divisions may proceed in the sole discretion of the judge presiding over the case.

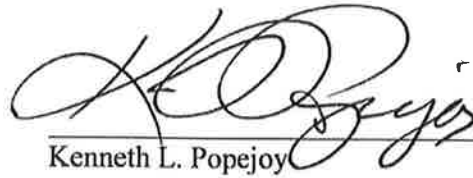
**IT IS FURTHER ORDERED** that judges will reschedule trials to a future trial or status date pursuant to this Administrative Order.

**IT IS FURTHER ORDERED** that judges and courthouse staff may work remotely whenever practicable and when in accordance with any policy, procedure, schedule or directive established by a supervisor.

**IT IS FURTHER ORDERED** that the court may issue orders, as necessary, to address the changing circumstances surrounding the COVID-19 pandemic.

Entered this 20th day of January 2021 and effective immediately.

ENTER: *Jan 20, 2021*

  
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Kenneth L. Popejoy  
Chief Judge

Dated: January 20, 2021  
Wheaton, Illinois