

# Kane County Local Rule

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## ARTICLE 2: CLERK OF THE CIRCUIT COURT

### 2.00 OFFICE OF THE CIRCUIT CLERK

The Circuit Clerk shall maintain his/her principal office at such duly selected location or branch locations as determined by the Circuit Clerk and the Chief Judge and any additional branch locations which may be necessary to facilitate the transaction of business.

### 2.01 ACCEPTABLE FORMAT AND PAYMENT OF COURT FILINGS

- (a) All statutory filing fees shall be paid at the time that any document, pleading or case is filed with the Circuit Clerk.
- (b) The Circuit Clerk shall provide various pre-printed or electronic forms used in the Circuit Clerk's Office and Courts. Contents of printed forms must be approved by the Chief Judge, or his/her designee, prior to print and distribution. All new designs, revisions and modifications to forms must be routed through the Circuit Clerk prior to final approval by the Chief Judge, or his/her designee. The appropriate Kane County Bar Association Committee may be included in the process. The Circuit Clerk shall set policy on the form design, approval process and distribution. Distribution includes hard copy, electronic format, and other technologies as they become available. Alphanumeric and/or bar codes may be used to facilitate image scanning and data entry.
- (c) Forms available from the Circuit Clerk's Office, previously approved by the Chief Judge's Office, may be duplicated provided they contain the same verbiage, standardized heading and are coded to match.
- (d) The Circuit Clerk shall make available to self-represented litigants blank forms in the approved format; however, shall also accept standardized forms from the Illinois Supreme Court or other entities which provide such forms. Hand written documents not in the required format as prescribed in this rule shall only be accepted for filing from self-represented litigants. Any hand written document by a self-represented litigant must be legible, written in black or blue ink, and on white paper measuring 8½ inches by 11 inches. An exception to the hand written rule is that litigants/attorneys may write on Circuit Clerk's preprinted forms only.

### 2.02 DOCUMENTS (Physical Hard Copy)

- (a) All documents, as defined by [Supreme Court Rule 2 \(b\)\(3\)](#), shall be filed with the Clerk of the Court pursuant to Supreme Court Rules and this rule.
- (b) All documents created by word processing programs must be formatted as follows: The size of the type in the body of the text must be no less than 12 point font, and footnotes no less than 10 point font; the size of the document must be 8 ½ by 11 inches and no less than 20 pound weight; and the margins on each side of the page must each be a minimum of 1 inch; and the top right 2" x 2" corner of the first page of each pleading shall be left blank for the clerk's file stamp. The document shall include the case caption, and case number. The case number shall be in the upper right hand corner not placed in such a

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position that it will be obliterated by the Clerk's file stamp and there should be no handwriting in the margins.

- (c) All documents with multiple pages shall not contain staples, be permanently bound, or be a continuous form. All paper shall have the case number printed on each page. The first page shall be numbered "Page 1 of \_\_\_\_ Pages" and each page thereafter shall be numbered consecutively or sequentially. It is suggested that a reference be made on the original document to indicate the number of pages attached, i.e. Exhibit A (10 pages).
- (d) All documents shall be typed in black ink. Suggested font is Times New Roman or any other San Serif type. Signatures and dates shall be in black ink or in an electronic format approved by the Supreme Court. All documents shall have a minimum of 1.5 line spacing.
- (e) Exhibits attached to pleadings, motions, and the like shall be labeled consecutively with either an alphabetical or numeric symbol on the lower right corner of the first page of each exhibit. Unless required by Statute or Supreme Court Rule, the original document filed with the Clerk of the Circuit Court shall not have attachments that are duplicates or reproductions of previously filed documents. Instead, a reference to the filing date and title of the document shall be used to replace the reproductions.
- (f) The Clerk of the Circuit Court is not required to accept for filing any document that does not comply with the Supreme Court Rules or these rules.

### **2.03 RECORDKEEPING**

The Circuit Clerk shall assign numbers on all cases filed, in accordance with the [Supreme Court Manual on Recordkeeping](#) and the Administrative Orders of this Court.

### **2.04 ACCEPTABLE COURT FILINGS**

- (a) Any document to be filed in any cause or proceeding may be filed in person or by United States mail, or as otherwise permitted by Supreme Court Rule or as allowed by the Circuit Clerk. For the purpose of securing scheduling dates, the Clerk of the Circuit Court may accept email or facsimile signed copies as originals.
- (b) Any document to be filed in any cause or proceeding pending in the Court may be filed either at the main Circuit Clerk's office, satellite offices, or at the appropriate branch court.
- (c) Pleadings, motions and other papers filed with the Circuit Clerk, and not served in compliance with [Supreme Court Rules 11 and 12](#), may be stricken.
- (d) In furtherance of an expeditious case processing flow, each party commencing an action or proceeding in the conventional manner (physical hard copy), shall complete a [New Case Information Sheet](#).

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- (e) The first pleading and/or appearance and all subsequent papers and orders shall contain the name, address, telephone number, fax number and email address of the attorney (or party if self-represented) filing said paper, and any other information as required by Supreme Court Rule. The attorney shall also include his or her attorney registration number issued by the [Attorney Registration and Disciplinary Commission](#) (ARDC).
- (f) If an attorney of record is no longer with the firm, the attorney of record shall file a motion to withdraw, and the new attorney to appear on the case shall file an appearance form.

### **2.05 REMOVAL OF DOCUMENTS FILED**

No pleading, file content or other document filed in this Court shall be removed from the Circuit Clerk's office except by authorized Circuit Clerk or judicial personnel or as otherwise provided by the [Illinois Supreme Court Manual on Recordkeeping](#).

### **2.06 COPIES OF DOCUMENTS FILED**

Upon request and the payment of the appropriate fee, the Circuit Clerk shall provide copies of any pleading or document filed in this Court pursuant to [705 ILCS 105/27.2](#), unless otherwise specifically ordered.

### **2.07 APPLICATION FOR WAIVER OF COURT FEES**

Forms of [Application for Waiver of Court Fees](#) as provided in [Supreme Court Rule 298](#), shall be as provided through the Circuit Clerk's website.

### **2.08 JUDGE'S NOTES**

- (a) At the request of any Judge, the Clerk of the Circuit Court may for the sake of convenience and judicial economy keep and maintain a judge's trial and/or hearing notes in the court file. These notes are the property of the judge and shall not be filed of record by the Clerk. Judges notes shall be placed in an envelope, which shall be sealed and marked as "Judicial Notes – Impounded Documents" together with the name of the Judge requesting the notes to be preserved and stored.
- (b) The Circuit Clerk may at the time of microfilming or file destruction (pursuant to the [Local Records Act](#) and the retention schedules established by the Supreme Court of Illinois) dispose of judge's notes found in a court file by returning them to the judge or, if the judge approves, is retired, or deceased, by destroying them using approved methodology.

### **2.09 MAINTAINING DAILY COURT CALL SHEETS**

The Clerk shall maintain a daily call sheet for each Judge showing cases set for hearing and the hour of the day they shall be heard.

### **2.10 PRO HOC VICE**

[Supreme Court Rule 707](#) – Permissions for an Out-of-State Attorney to Provide Legal Services in proceedings in Illinois