

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 20-0011**

**Policy Governing the Appearance of Former
N.D. Illinois Judges as Counsel Before the Court**

Canon 3(C)(1) of the Code of Conduct of United States Judges states that judges shall disqualify themselves in any proceeding “in which the judge’s impartiality might reasonably be questioned.” In interpreting this Canon, the Judicial Conference Committee on Codes of Conduct recommends that federal courts “announce a policy that for a fixed period after the retirement or resignation of a colleague, judges recuse themselves in any case in which the former colleague appears as counsel.” Advisory Op. No. 70 at 1 (2009). This General Order announces the policy of the Northern District of Illinois pursuant to the recommendation.

IT IS HEREBY ORDERED that if an attorney who previously held judicial office as a district judge or a magistrate judge for the Northern District of Illinois files an appearance in a case in this District, then any current judge who served for more than six months with the former judge shall recuse themselves from the case. This required recusal applies for a period of one year from the date on which the former judge resigned or retired from the Court.

A required recusal under this General Order is subject to remittal of the disqualification, as set forth in Canon 3(D) of the Code of Conduct. Specifically, after the Court enters on the docket a notification of a recusal required under this General Order, each party may consider whether to agree that the assigned judge should not be disqualified. A party who agrees to remit the disqualification must cause to be delivered a letter of remittal to the Clerk of Court, 219 South Dearborn Street, in Room 2050, Chicago, Illinois 60604, and the letter must be delivered on or before the third business day after the entry of the recusal notification on the docket. The parties must not file the letter on the docket or otherwise make it publicly known that the party has submitted a remittal letter. If all parties remit the disqualification, then the judge will not be

disqualified (so long as the judge agrees to continue to preside over the case). If fewer than all parties remit the disqualification, then the case will be reassigned to another judge pursuant to this General Order. In exigent circumstances in which judicial action is required before the end of the three-day remittal period, the Executive Committee of the Court may reassign the case before the expiration of the three-day period.

If a reassignment of a case occurs under this General Order, then after the one-year recusal period, the Executive Committee may reassign the case to the recused judge or by lot to another judge based on caseload or other considerations.

ENTER:

FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 10th day of March 2020