

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 15 - 0030**

The full Court met in executive session on Thursday, December 17, 2015 and approved a technical amendment to Local Rule 77.2 Emergencies; Emergency Judges. This is a technical amendment and does not require publication for comment.

The Court's Rules Committee considered the rule on December 15, 2015. It recommended that the full Court adopt the proposed amendment to Local Rule 77.2.

The full Court considered the recommendation of the Rules Committee at its meeting on December 17, 2015 and agreed to modify Local Rule 77.2. Therefore,

By direction of the full Court, which met in executive session on Thursday, December 17, 2015,

IT IS HEREBY ORDERED that Local Rule 77.2 Emergencies; Emergency Judges be amended as follows (additions shown thus, deletions shown ~~thus~~).

LR77.2. Emergencies; Emergency Judges

(a) Definitions. For the purpose of these rules—

(1) "Emergency judge" means the judge assigned to perform the duties of emergency judge specified by any local rule or procedure adopted by the Court,

(2) "Emergency magistrate judge" means the magistrate judge assigned to perform the duties of emergency magistrate judge specified by any local rule or procedure adopted by the Court, and

(3) "Emergency matter" means a matter of such a nature that the delay in hearing it that would result from its being treated as any other matter would cause serious and irreparable harm to one or more of the parties to the proceeding provided that requests for continuances or leave to file briefs or interrogatories in excess of the limits prescribed by these rules will normally be entertained as emergency matters only during the summer sessions, and

(4) "Summer session" means the fourteen-week period beginning on the first Monday in June.

(b) Duties of Emergency Judge. The emergency judge is responsible for hearing all

emergency matters not previously assigned to a judge of this Court that arise outside of the regular business hours of the Court, except for discovery motions as set forth in subsection (c) below.

During regular office hours other than in the summer session, the emergency judge will not hear emergency matters arising out of the cases assigned to the calendar of another judge where that judge is sitting, except on approval of the chief judge at the request of the judge to whom the case is assigned. The emergency judge will also hear the following matters or preside at the following ceremonies:

(1) petitions for admission brought by attorneys wishing to be admitted to practice before the Court;

(2) requests for review or de novo determinations of matters directly assigned to the duty magistrate brought pursuant to LCrR50.4;

(3) petitions presented by the United States Immigration and Naturalization Service;

(4) ceremonies for the mass admission of attorneys to the bar of this Court; and

(5) ceremonies for the administration of the oath of allegiance to newly naturalized citizens.

(c) Any emergency matter involving discovery or requests for protective orders that would otherwise be brought before the emergency judge are referred and shall be brought before the magistrate judge assigned to the case (or the emergency magistrate judge when the assigned magistrate judge is not sitting).

(d) Duties of Emergency Magistrate Judge. The emergency magistrate judge is responsible for hearing any emergency matter arising in a case referred or assigned to a magistrate judge when that magistrate judge is not sitting.

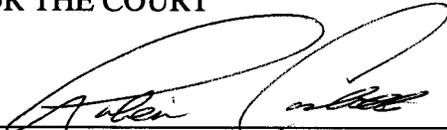
(e) Western Division. A party in a case filed in or to be filed in the Western Division with an emergency matter should first contact the Western Division judge, or in that judge's absence, the Western Division magistrate judge. If neither can be reached, then the emergency judge is authorized to handle the matter.

Committee Comment. In general, matters are to be presented to the judge to whom the case is assigned. Under procedures adopted by the Court, if a judge anticipates being absent temporarily, that judge will designate another judge to hear the absent judge's call. The name of the designated judge is posted on the door of the courtroom regularly used by the absent judge. It is also likely to be listed in posted on the Chicago Daily Law Bulletin Court's website.

If the absent judge did not designate another judge or where both the absent judge and the designated judge are unavailable, an emergency matter can then be taken before the emergency judge. If the emergency judge should also be unavailable, the matter can be brought to the attention of the chief judge. The chief judge is the chairperson of the Executive Committee, the Court's calendar committee. In that role the chief judge can instruct the parties as to which judge should hear the matter.

While emergency matters arising outside of regular business hours are rare, it is not unusual that a party can anticipate that happening. An example is ongoing negotiations which, if they do not reach agreement, will lead one of the parties to seek injunctive relief and the negotiations must be concluded by a point in time that lies outside of regular business hours, e.g., midnight on a Saturday. In such instances the party should make every effort to contact the chambers of the emergency judge and inform staff of the potential emergency. In this way arrangements can be made that will give greater assurance that the emergency judge will be available in the event that the emergency matter does in fact occur. If an emergency matter occurs outside of regular business hours and the party has not made prior arrangements with the emergency judge, a telephone number is ~~published in the Chicago Daily Law Bulletin~~ posted on the Court's website for contacting a member of the staff of the emergency judge.

ENTER:
FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 22nd day of December, 2015