

ADMINISTRATIVE ORDER NO. 2023-11
22nd Judicial Circuit
McHenry County, Illinois

FILED
JUN 30 2023
KATHERINE M. KEEFE
MCHENRY CTY. CIR. CLK.

WHEREAS, the Circuit has just been able to fill a associate judgeship which has been vacant since August 22, 2022;

WHEREAS, through pending litigation on appeal, certain previously anticipated pretrial demands in the criminal cases remain on hold for the foreseeable future; and

WHEREAS, the Circuit faces evolving challenges with its Problem-Solving Court Division and complex litigation;

IT IS THEREFORE ORDERED that this Administrative Order shall take effect and apply on and after August 1, 2023, and that the following judicial divisions, assignments, and calls are established, re-established, or amended to include the following:

CIVIL DIVISION

Judge David R. Gervais – Presiding Judge of the Civil Division

CIVIL I CALL (Judge Kevin G. Costello – Courtroom 204)

One-half (1/2) of all Eminent Domain (ED); one-half (1/2) of all Law (LA) (claims over \$50,000); one-half (1/2) of all Miscellaneous Remedy (MR); one-half (1/2) of all Governmental Corporation (GC); one-half (1/2) of all Law (LM) (claims under \$50,000.00);

CIVIL II CALL (Judge Judge Joel D. Berg – Courtroom 201)

One-half (1/2) of all Eminent Domain (ED); one-half (1/2) of all Law (LA) (claims over \$50,000); one-half (1/2) of all Miscellaneous Remedy (MR); one-half (1/2) of all Governmental Corporation (GC); one-half (1/2) of all Law (LM) (claims under \$50,000.00

CIVIL III CALL (Judge Suzanne C. Mangiamele – Courtroom 202)

Foreclosure (FC); Eviction (EV); Tax (TX); Mental Health (MH).

CIVIL IV CALL (Judge David R. Gervais – Courtroom 357)

Chancery (CH); Probate (PR); Guardianship (GR).

CRIMINAL DIVISION

Judge Tiffany E. Davis – Presiding Judge of the Criminal Division

CRIMINAL FELONY I CALL (Judge Tiffany E. Davis – Courtroom 304)

One-half (1/2) of Criminal Felony (CF) cases and matters related thereto. Assigned Miscellaneous Criminal (MX) matters (Habeas Corpus (criminal), Eavesdropping, Fugitives from Justice, Forfeitures, and Sexually Violent Person Commitment Act proceedings). The Expungement and Sealing of Criminal Records except requests to expunge or seal juvenile records which are assigned to the Juvenile Court Judge.

CRIMINAL FELONY II CALL (Judge James S. Cowlin – Courtroom 302)

One-half (1/2) of Criminal Felony (CF) cases and matters related thereto. Assigned Miscellaneous Criminal (MX) matters (Habeas Corpus (criminal), Eavesdropping, Fugitives from Justice, Forfeitures, and Sexually Violent Person Commitment Act proceedings).

CRIMINAL MISDEMEANOR JURY CALL (Judge Michael E. Coppedge – Courtroom 301)

Criminal Misdemeanors (CM); Driving Under the Influence (DT); Major Traffic (MT); Traffic Violation (TR); Conservation Violation (CV); Ordinance Violation (OV); Quasi-Criminal (QC); all jury demand cases initiated by the following municipalities and/or State or local law enforcement agencies:

| | | |
|----------------------------|-------------------|--------------|
| Algonquin | Johnsburg | Pairie Grove |
| Barrington Hills | Lake in the Hills | Richmond |
| Crystal Lake Park District | Lakewood | Spring Grove |
| Harvard | Marengo | Union |
| Hebron | McCullom Lake | Woodstock |
| Holiday Hills | City of McHenry | |

CRIMINAL MISDEMEANOR JURY CALL (Judge Mark R. Gerhardt – Courtroom 303)

Criminal Misdemeanors (CM); Driving Under the Influence (DT); Major Traffic (MT); Traffic Violation (TR); Conservation Violation (CV); Ordinance Violation (OV); Quasi-Criminal (QC); all jury demand cases initiated by the following state, municipal, and/or local law enforcement agency:

| | | |
|-----------------|-------------------------------|-------------------------------|
| Bull Valley | Island Lake | McHenry County Conserv. Dist. |
| Cary | IL Dept. of Natural Resources | McHenry County Sheriff |
| Crystal Lake | IL Secretary of State Police | Oakwood Hills |
| Fox River Grove | IL State Police | Wonder Lake |
| Huntley | | |

CRIMINAL MISDEMEANOR NON-JURY CALL (Judge Christopher M. Harmon – Courtroom 104)

Initial return date on all Misdemeanor (CM) (DT) (MT) (CV) matters from all municipalities and/or State or local law enforcement agencies; all Bench Trials, Petitions to Revoke Proceedings, Bond Hearings, Summary Suspension Hearings, and Forfeitures arising out of CM, MT or DT cases when the underlying case is not transferred to a jury courtroom.

TRAFFIC CALL (Judge Cynthia D. Lamb – Courtroom 102)

Traffic Violations (TR); Conservation Violation (CV); Ordinance Violation (OV); Civil Law Violation (CL); Quasi-Criminal (QC).

FAMILY DIVISION

Judge Justin M. Hansen – Presiding Judge of the Family Division

FAMILY I CALL (Judge Mark R. Facchini – Courtroom 361)

One-third (1/3) of Dissolution with Children (DC); One-third of Dissolution No Children (DN), and Family (FA) (excluding cases relating only to non-support matters initiated by the Office of Illinois Attorney General).

Divorce (DC and DN) cases assigned to Judge Facchini will be proved-up in CR358.

FAMILY II CALL (Judge Jeffrey L. Hirsch – Courtroom 360)

One-third (1/3) of Dissolution with Children (DC); One-third of Dissolution No Children (DN), and Family (FA) (excluding cases relating only to non-support matters initiated by the Office of the Illinois Attorney General).

Divorce (DC and DN) cases assigned to Judge Hirsch will be proved-up in CR358.

FAMILY III CALL (Judge Justin M. Hansen – Courtroom 359)

One-third (1/3) of Dissolution with Children (DC); One-third of Dissolution No Children (DN), and Family (FA) (excluding cases relating only to non-support matters initiated by the Office of the Illinois Attorney General).

Divorce (DC and DN) cases assigned to Judge Hansen will be proved-up in CR358.

FAMILY IV CALL (Judge Robert J. Zalud – Courtroom 358)

Family (FA) (all cases related only to non-support matters initiated by the Office of the Illinois Attorney General, or in Family (FA) cases where the Office of the Attorney General has intervened); all return Hearings set on Emergency Orders of Protection, No Stalking Orders, Civil No Contact Orders, and Firearm Restraining Orders, as well as Petitions for Plenary Orders of Protection, No Stalking Orders, Civil No Contact Orders, and Firearm Restraining Orders; Assignment to trials, hearings, DC and DN prove ups, and other proceedings through case management procedures; vacation and school education coverage for the Family Division.

Adoption (AD) matters which shall be heard on Mondays at 1:00 p.m. unless otherwise designated by Judge Zalud or the judge presiding in courtroom 358.

Attorney General (AG) cases, related only to non-support matters, will be heard in Courtroom 358 as follows:

1ST, 2ND, and 3RD Friday of the month at 10:00 a.m. – new cases and previously filed cases.
4th and 5th Friday of the month at 8:30 a.m. – new cases and previously filed cases.

PROBLEM-SOLVING COURT DIVISION

Judge Michael W. Feetterer – Presiding Judge of the Problem-Solving Court Division

CRIMINAL MISDEMEANOR DOMESTIC VIOLENCE CASES, MENTAL HEALTH COURT, DUI COURT AND DRUG COURT (Judge Michael W. Feetterer – Courtroom 203)

Domestic Violence matters (DV), (Domestic Battery, Violations of Orders of Protection; Related Orders of Protection; Interference with reporting Domestic Violence). Mental Health Court, Drug Court proceedings and specialty DUI Court matters all as established by prior Administrative Orders.

JUVENILE COURT CALL (Judge Mary H. Nader – Courtroom 101)

Juvenile Abuse and Neglect (JA); Juvenile Delinquent (JD); Juvenile (JV). The Juvenile Court Judge is also assigned all requests to expunge or seal juvenile records.

HYBRID SPECIAL ASSIGNMENT I CALL (Judge Jennifer L. Johnson – Courtroom 103)

Assignment to all divisions for trials, hearings, and other proceedings through case management procedures including but not limited to vacation and other coverage as needed.

During regular Court hours, this Special Assignment Judge, shall have primary responsibility to respond to requests for assistance by the Court Administration Office before 12:00p.m., when not actively covering a courtroom. If both the Special Assignment Judge and the Duty Judge are in Court or otherwise unavailable, then it is the responsibility of the other Judges in the Duty Judge Rotation Schedule to respond to requests for assistance from the Court Administration Office. For the purposes of this Administrative Order, regular Court hours are defined as: between 8:30 a.m.- 12:00 p.m., and between 1:30 p.m. and 4:30 p.m. each day Court is in session.

All Small Claims (SC). Civil Collection cases relating to closed Criminal and Traffic cases. Self-Represented Litigant Mediation Supervisor.

HYBRID SPECIAL ASSIGNMENT II CALL (Judge Thomas A. Meyer – Courtroom 365)

Assignment to all divisions for trials, hearings, and other proceedings through case management procedures including but not limited to vacation and other coverage as needed.

Between the hours of 1:30pm and 4:30pm, during days when Court is in session, this Special Assignment Judge, shall have primary responsibility to respond to requests for assistance by the Court Administration Office, when not actively covering a courtroom. If both the Special Assignment Judge and the Duty Judge are in Court or otherwise unavailable, then it is the responsibility of the other Judges in the Duty Judge Rotation Schedule to respond to requests for assistance from the Court Administration Office. For the purposes of this Administrative Order, regular Court hours are defined as: between 8:30 a.m.- 12:00 p.m., and between 1:30 p.m. and 4:30 p.m. each day Court is in session.

All Arbitration (AR). Mandatory Arbitration Supervisor.

ADMINISTRATIVE DIVISION

CHIEF JUDGE'S ADMINISTRATIVE CALL (Judge Michael J. Chmiel, Chief Judge of the 22nd Judicial Circuit – Courtroom TBA)

All motions and other matters brought to the attention of the Chief Judge.

WEEKLY DUTY JUDGE ASSIGNMENT (Duty Judge)

For the purposes of this Administrative Order, regular Court hours are defined as: between 8:30 a.m.- 12:00 p.m., and between 1:30 p.m. and 4:30 p.m. each day Court is in session. Outside regular Court hours and between 8:00 and 8:30 a.m., the Duty Judge has primary responsibility for handling emergency matters (i.e., Search Warrants, Arrest Warrants, Orders of Protection, and other emergency matters). During regular Court hours, the Duty Judge has secondary responsibility to respond to requests for assistance by the Court Administration Office. The Duty Judge is assigned on a rotating schedule kept by the Court Administration Office.

DATED: June 30, 2023

Michael J. Chmiel

MICHAEL J. CHMIEL

Chief Judge