

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DU PAGE )



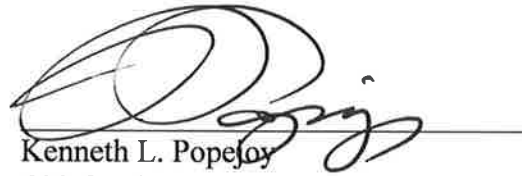
IN THE CIRCUIT COURT OF THE 18<sup>TH</sup> JUDICIAL CIRCUIT  
DU PAGE COUNTY, ILLINOIS

IN THE MATTER OF COURT OPERATIONS )  
UNDER THE EXIGENT CIRCUMSTANCES CREATED )  
BY THE CORONAVIRUS (COVID-19) INVOLVING ) 3<sup>rd</sup> 4<sup>th</sup> Amendment to  
FELONY, MISDEMEANOR/TRAFFIC & SPECIALTY/ ) Administrative Order 20-36  
JUVENILE COURTS DIVISIONS )

IT IS HEREBY ORDERED that pages 2, 3, 4 and 5 of Administrative Order 20-36 effective August 18, 2020 are amended.

IT IS FURTHER ORDERED that the attached copies of pages 2, 3, 4 and 5 shall replace the above pages to be effective June 14<sup>th</sup>, 2021 unless indicated otherwise.

ENTER: JUNE 4, 2021

  
Kenneth L. Popejoy  
Chief Judge

This Administrative Order 20-36 (3<sup>rd</sup> 4<sup>th</sup> Amendment) is effective ~~February 2, 2021~~ June 14<sup>th</sup>, 2021 and remains in effect until further order of Court. This Order supplements, and to the extent any provisions are inconsistent, supersedes Administrative Order 20-26 (as amended).

## IT IS FURTHER ORDERED:

### GENERAL PROCEDURES

- Starting August 24, 2020, most felony and misdemeanor court matters will proceed only by remote videoconference via Zoom. To access a Zoom court proceeding, go to the homepage of the Circuit Clerk's website at [www.18thjudicial.org](http://www.18thjudicial.org) and select the "Remote Court Proceedings (Zoom)" icon.
- Rules of conduct for Zoom court proceedings can be found on the Circuit Clerk's Remote Court Proceedings webpage. All persons participating in a Zoom court proceeding must follow these rules and any others established by the assigned judge. Failure to do so can result in removal from the Zoom court proceeding.
- Judges will conduct Zoom court proceedings from the bench in open courtrooms at regularly scheduled court times to ensure public access to judicial proceedings. **However, no in-person court proceedings, other than those exceptions listed below herein, will take place before 10:35 10:00 A.M.**
- Case document filings for a Zoom court proceeding must be filed with the Circuit Clerk through **i2File**, **excluding the Remote Proceeding Waiver form (attached). The Remote Proceeding Waiver form must be presented in person or emailed to the judge.** Follow the steps for **i2File** outlined on the Circuit Clerk's website at [www.18thjudicial.org](http://www.18thjudicial.org) and select the **Criminal E-Filing-i2File icon**. Courtesy copies of any documents filed through **i2File** for a Zoom court proceeding must be emailed to the judge **at least 24 hours prior to the court proceeding**. Documents needed for in-person court proceedings ~~at 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ may be filed in open court. Below are respective email addresses:

#### Felony

Room 4000	John.Kinsella@18thjudicial.org
Room 4002	Kavita.Athanikar@18thjudicial.org
Room 4004	Brian.Telander@18thjudicial.org
Room 4006	Daniel.Guerin@18thjudicial.org
Room 4010	Alex.McGimpsey@18thjudicial.org
Room 4012	AnnCeline.Walsh@18thjudicial.org
Room 4014	Jeffrey.MacKay@18thjudicial.org

#### Misdemeanor

Room 3001A	Karen.Wilson@18thjudicial.org
Room 4001	Paul.Marchese@18thjudicial.org
Room 4003	Robert.Miller@18thjudicial.org
Room 4005	Monique.O'Toole@18thjudicial.org
Room 4007	George.Ford@18thjudicial.org
Room 4015	Michael.Reidy@18thjudicial.org
Room 4017	Joseph.Bugos@18thjudicial.org

- The following matters are exceptions to Zoom proceedings and shall proceed in-person at their currently scheduled court dates and times until further order of the Court **unless otherwise authorized by the assigned judge**:
  - Orders of Protection
  - Matters set in Traffic courtrooms
  - Juvenile delinquency matters in courtrooms 3000 & 3002 (M,W,TH,F)

## CRIMINAL MATTERS

Court matters set by a judge at 10:00 A.M. or later ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ are exceptions to Zoom proceedings and shall proceed in-person. These matters include the following:

- ~~Arraignments unless the defendant has completed the Remote Arraignment Acknowledgement (attached).~~
- Guilty pleas ~~unless otherwise allowed by the Court pursuant to Illinois Supreme Court Order 30370 dated March 8, 2021 except for agreed pleas where the defendant has completed the Remote Plea Acknowledgement form (see attached).~~
- In-custody matters when an appearance is not waived or when an appearance from the jail via Zoom is not agreed.
- Motions to increase or revoke bond
- Evidentiary civil (SSH) and criminal hearings ~~unless otherwise allowed by the Court pursuant to Illinois Supreme Court Order 30370 dated March 8, 2021.~~
- Bench and jury trials
- Other matters deemed by the assigned judge as essential to proceed in-person

The above-listed exceptions shall proceed in-person at 10:00 A.M. or later ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ as set by the assigned judge. In addition, after a Zoom proceeding is completed, the assigned judge may call for an inmate to appear for an in-person proceeding at a time the judge deems necessary and appropriate.

### 1. BOND COURT

- Court matters shall proceed via video bond court or Zoom at their currently scheduled court times consistent with Administrative Order 20-26 (as amended) **except for the following**:
  - In-custody matters on Category A felony offenses when an appearance is not waived
  - Motions to increase or revoke bond
  - Other matters deemed by the assigned judge as essential to proceed in- person

### 2. FELONY DIVISION

- Matters shall proceed via Zoom at their regularly scheduled court times.
- Matters listed under CRIMINAL MATTERS above as exceptions to Zoom shall proceed in-person at 10:00 A.M. or later ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ as set by the assigned judge.
- Hearing and trial **calls** shall proceed via Zoom. After the judge determines which hearing or trial will proceed, it will proceed in-person at 10:00 A.M. or later ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ as set by the assigned judge.
- Matters previously set at 1:30 P.M. shall proceed in-person.

### 3. MISDEMEANOR DIVISION

- Matters shall proceed via Zoom at their regularly scheduled court times.
- Matters listed under CRIMINAL MATTERS above as exceptions to Zoom shall proceed in-person at ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ 10:00 A.M. or later as set by the assigned judge.
- Hearing and trial **calls** shall proceed via Zoom. After the judge determines which hearing or trial will proceed, it will proceed in-person at ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ 10:00 A.M. or later as set by the assigned judge. Witnesses should remain on-call in the manner and method designated by the parties responsible for their appearance at a hearing or trial.
- Matters previously set at 1:30 P.M. shall proceed in-person.

### 4. SPECIALTY & JUVENILE COURTS DIVISION

#### Specialty Courts

- Matters shall proceed via Zoom at their regularly scheduled court times.
- Matters listed under CRIMINAL MATTERS above as exceptions to Zoom shall proceed in-person at ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ 10:00 A.M. or later as set by the assigned judge.
- Hearing and trial **calls** shall proceed via Zoom. After the judge determines which hearing or trial will proceed, it will proceed in-person at ~~either 10:35 A.M., 11:00 A.M. or 1:30 P.M.~~ 10:00 A.M. or later as set by the assigned judge. Witnesses should remain on-call in the manner and method designated by the parties responsible for their appearance at a hearing or trial.
- Matters previously set at 1:30 P.M. shall proceed in-person.

#### Juvenile Courts

- ~~Minors who are appearing remotely on a delinquency matter must complete a Waiver of In-Person Court Proceeding form (attached) that must be presented in-person or sent via email to the judge.~~

### 5. ORDERS OF PROTECTION

- No change in current court operations

### 6. TRAFFIC COURTS

- No change in current court operations

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

Entered this 4<sup>th</sup> day of June, 2021 and **effective June 14<sup>th</sup>, 2021.**

ENTER:



Kenneth L. Popejoy  
Chief Judge

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
DUPAGE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

vs.

Case No.

Defendant

**REMOTE PROCEEDING WAIVER**

I, the Defendant in the above case, acknowledge the following:

1. I have the right to be physically present in the courtroom for every substantive proceeding;
2. Remote appearance means that I, the Court, and other participants will participate via video or telephonic conferencing platforms;
3. The remote appearance may be viewable by the public over the Internet or other method of streaming or broadcasting;
4. I may not be physically present together with my defense counsel during the proceeding;
5. The legal effect of the remote appearance will be the same as an in-person appearance;
6. I have consulted with my attorney in private about the remote [ \_\_\_\_\_ ] and this waiver. My attorney has answered all my questions about the remote proceeding. I have had enough time to talk to my attorney about the effect of the remote proceeding and my constitutional rights.
7. If at any time I cannot hear or see the proceeding, or portions of the proceeding, I will immediately inform the court and my attorney that I was unable to hear and see the proceeding.

I HAVE READ AND UNDERSTAND THE ABOVE AND VOLUNTARILY AGREE TO PARTICIAPATE REMOTELY IN THIS COURT PROCEEDING BY AUDIO-VIDEO CONFERENCING. NO FORCE, THREATS OR PROMISES WERE MADE TO ME IN EXCHANGE FOR MY AGREEMENT TO PROCEED REMOTELY.

Defendant orally acknowledges the above and waives his/her right to be physically present for the remote proceeding

Date:

Defendant:

The Court has conveyed to the Defendant the information set forth above and finds that he Defendant knowingly, voluntarily and understandingly participated in this court proceeding.

Date:

Judge:

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
DUPAGE COUNTY, ILLINOIS

Case No. \_\_\_\_\_

In the Interest of:		
A Minor Child		
P.D. <input type="checkbox"/>		
Juvenile's Attorney		
State's Attorney	Parent's Attorney	
DCFS	Probation	
Other	Other	
Judge	Court Reporter	Deputy Clerk

**WAIVER OF IN-PERSON COURT PROCEEDING**

THE COURT HAVING ADDRESSED THE MINOR FINDS:

That the minor was advised of and understands that:

1. The minor has a right to be physically present in the courtroom for every substantive proceeding;
2. Remote appearance means the minor, the Court, and other participants will participate via video or telephonic conferencing platforms;
3. Any remote appearance may be viewable by the public over the Internet or other method of streaming or broadcasting (if applicable and permitted by the Juvenile Court Act and the presiding juvenile judge);
4. The minor and defense counsel may not be physically present together during the proceeding;
5. The legal effect of the remote appearance will be the same as an in-person appearance; and
6. The minor has discussed the waiver with counsel

In the case of a bench trial or stipulated bench trial, the minor was advised and understands that:

7. The video or telephonic conferencing platform being utilized is technically sound and its operation is understood by all parties to the extent necessary to ensure the integrity of the trial process; and
8. Proceeding remotely will not otherwise jeopardize the integrity of the trial process.

The minor voluntarily waives his or her physical appearance in the courtroom.

Date: \_\_\_\_\_ Minor's Signature: \_\_\_\_\_

I, the attorney for the minor, have read the above document and discussed the legal implications of waiving in-court proceedings with my client and hereby give my approval of the minor waiving his/her rights.

Date: \_\_\_\_\_ Attorney for Minor: \_\_\_\_\_