

PART 4. APPEARANCES

Rule 4.1 Appearances

(a) **Written Appearances by Attorneys.** An attorney for a party shall file a written appearance, by pleading or otherwise, before the attorney addresses the Court. Every written appearance must contain the attorney's legible name, address, telephone number, and e-mail address. If the appearance is filed by a law firm, the appearance shall indicate the specific attorney or attorneys responsible for the case. The attorney shall serve copies of the written appearance in the manner required for the service of pleadings. The attorney must seasonably update information contained in the appearance. This Rule 4.1(a) and Rule 4.2 also shall apply to limited scope appearances.

(b) **Written Appearances by SRLs.** An SRL shall file a written appearance, by pleading or otherwise, before participating in any hearing before the Court. Every appearance must contain the SRL's legible name, address, telephone number, and, if required, e-mail address. If the appearance is not e-filed, the SRL must sign the appearance, and the SRL's signature must be acknowledged before a notary public or other person authorized to administer oaths under Illinois law. If the appearance contains a waiver of notice or consent to immediate hearing, the SRL shall set forth in the appearance that the SRL has received a copy of any pleading seeking relief with respect to him or her and attach a copy of that pleading to the appearance. The SRL shall serve copies of his or her appearance in the manner required for the service of pleadings.

(c) **Time to Plead.** A party who appears without having been served with summons is required to plead within the same time as if served with summons on the day he or she appears.

Rule 4.2 Appearance Fees

(a) **Number of Fees.** If a single appearance is filed for several parties, a single appearance fee shall be paid. If separate appearances are entered for several parties, either by the same or different attorneys, separate appearance fees shall be paid.

(b) **Supplementary Proceedings.** No appearance fee shall be required of a person cited in supplementary proceedings under the provisions of 735 ILCS 5/2-1401.

(c) **Time of Payment.** The appearance fee shall be paid when the appearance is filed.

Rule 4.3 Application for Waiver of Court Fees. An Application for Waiver of Court Fees in a civil action shall be in writing, on the form adopted by the Illinois Supreme Court, and signed by the applicant or, in the case of a minor or an incompetent adult, by another person having knowledge of the facts, and shall be e-filed in accordance with the Rules, unless e-filing is excused by the Court. If an applicant must personally appear to present the application and any supporting evidence to the Court, the Clerk shall inform

the applicant of the time and place of the appearance when the applicant files the application.

Rule 4.4 Remote Appearances

(a) Permitted Remote Appearances and Required Personal Appearances.

Except as otherwise set forth in this Rule, a person’s opportunity to participate remotely in civil, juvenile, and criminal matters shall be as set forth in S. Ct. R. 45, 725 ILCS 5/106D-1, and 725 ILCS 5/109-1(f). Unless the Court has waived a person’s appearance for a specific hearing or proceeding, a person not permitted by S. Ct. R. 45, 725 ILCS 5/106D-1, or 725 ILCS 5/109-1(f) to appear remotely must appear in person for the hearing or proceeding.

(b) Exemptions.

Pursuant to S. Ct. R. 45(b)(1), Rochelle municipal court proceedings and all juvenile matters are exempt from the option in S. Ct. R. 45 to appear remotely without advance approval. Persons may appear remotely in these exempted case and proceeding types only with the Court’s approval.

(c) Procedures for Appearing Remotely.

Persons permitted to appear remotely should be aware of the following:

(1) All courts within the Circuit use Zoom for remote hearings. All persons desiring to appear remotely must be able to access and use the Zoom platform with devices capable of receiving and transmitting data without interruption.

(2) Zoom links to judges’ courtrooms can be found on the Circuit’s website, www.15thjudicialcircuit.com, or on each county’s website:

Carroll County: www.carroll-county.net/judicial/index.php
JoDaviess County: www.jodaviesscountyil.gov/court
Lee County: www.leecountyil.com/490/Judicial-Virtual-Courtroom-Links
Ogle County: www.oglecounty.org/departments/circuit_clerk/zoom_links_for_court.php
Stephenson County: www.stephensoncountyil.gov/government/circuit_clerk_and_court/zoom_courtrooms.php

(3) Other information and assistance regarding remote appearances can be obtained from the websites identified above and from the Circuit Clerks:

Carroll County: (815) 244-0230
JoDaviess County: (815) 777-2295
Lee County: (815) 284-5234
Ogle County: (815) 732-1130
Stephenson County: (815) 235-8266

(d) Procedures for Requesting Permission to Appear Remotely. Unless otherwise allowed by (1) an individual Court's own standing order or (2) a case-by-case exception made within the Court's discretion, a person seeking permission to appear remotely pursuant to S. Ct. R. 45(c) or (d) must seek that permission through a written motion filed, scheduled, and served as required by Local Rule 5.1.

(e) Conduct of Remote Hearings and Required Decorum. Unless otherwise ordered by the Court, remote hearings shall be conducted as follows:

- (1) The Court will host the hearing and control entry into the hearing;
- (2) If requested by a party and if technologically feasible, the Court may allow breakout meetings, private chats, or other private communication between attorneys and clients during the hearing; provided, however, that during the testimony of any person, that person may not communicate by private chat with any other person;
- (3) The Court is responsible for the official record of the remote hearing, and no party may record any part of the hearing through the Zoom platform or any other means;
- (4) Any person permitted to testify remotely must appear by both video and audio;
- (5) When a participant is not speaking, the participant shall mute her or his microphone;
- (6) All participants must be in an environment free of video and/or audio distractions;
- (7) No exhibit may be used during a remote hearing unless a copy of the pre-marked exhibit was provided to all other parties and the Court at least one full business day before the hearing;
- (8) The Court shall be entitled to terminate or suspend the remote hearing for technological or other reasons at any time;
- (9) Remote hearings shall be conducted to the same standards as hearings in a courtroom and in accordance with the Illinois Rules of Civil Procedure, Illinois Rules of Evidence, Illinois Supreme Court Rules, and the Local Rules;
- (10) The precise method in which a remote hearing will be conducted remains within the discretion of the Court, within the bounds of applicable law, rules, and practice procedures;

- (11) All persons must use and display their real names (not aliases, “user,” or “iPhone”) on the Zoom platform to gain entrance to and participate in the hearing;
- (12) If a party or a party’s witness requires the use of an interpreter, that party shall be responsible for coordinating with the Court how the interpreter will be obtained and involved in the hearing;
- (13) Participants should be appropriately dressed and conduct themselves as they would in a courtroom;
- (14) Participants should ensure any background used is appropriate; and
- (15) Participants should not sit directly in front of or behind a window or otherwise use lighting that interferes with the quality of the video.

(f) Communication of Rule 4.4. To ensure persons desiring to appear remotely are informed regarding this Rule 4.4, a link to Rule 4.4 shall be created on each website identified in Rule 4.4(c)(3) and copies of Rule 4.4 shall be posted in each Circuit Clerk’s office and available in each courtroom.

Rule 4.5 [Reserved]

Rule 4.6 Hearings by Telephone

(a) When Permitted. Pursuant to S. Ct. R. 185, routine, uncontested motions and pre-trial conferences may be held in civil cases by telephone if requested by all attorneys or SRLs of record, supported by existing technology, and allowed by the Court.

(b) No Record. Unless arranged with the Court before a telephone conference, no verbatim record will be taken or maintained of any telephone conference conducted pursuant to Rule 4.6(a).