

**UNITED STATES OF AMERICA**  
**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT**

2. Fact witnesses and non-retained opinion witnesses to be completed by Defendant by \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Fact witnesses and non-retained opinion witnesses to be completed by \_\_\_\_\_  
 by \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Retain opinion witnesses disclosed by Plaintiff with report by \_\_\_\_\_  
 \_\_\_\_\_ with deposition by \_\_\_\_\_  
 \_\_\_\_\_ with deposition by \_\_\_\_\_  
 \_\_\_\_\_

5. Retain opinion witnesses disclosed by Defendant with report by \_\_\_\_\_  
 \_\_\_\_\_ with deposition by \_\_\_\_\_  
 \_\_\_\_\_ with deposition by \_\_\_\_\_  
 \_\_\_\_\_

6. Retain opinion witnesses disclosed by \_\_\_\_\_ with report disclosed by \_\_\_\_\_  
 \_\_\_\_\_ to be deposed by \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

F. Mediation and Arbitration have been considered. If used, \_\_\_\_\_ will  
 be done by \_\_\_\_\_  
 \_\_\_\_\_

G. Based on the foregoing this case should be ready for ☐ Bench ☐ Jury Trial on \_\_\_\_\_  
 \_\_\_\_\_

**IT IS ORDERED** that this matter is set in Courtroom \_\_\_\_\_ as follows:

☐ For pretrial conference on \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_

☐ For case management conference on \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_

☐ For Bench ☐ For Jury Trial on \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_

**Date** \_\_\_\_\_ **Judge** \_\_\_\_\_

**Attorney for Plaintiff**

**Attorney for Defendant**

**Other Attorney**

Signature

Signature

Signature

Printed Name of Attorney

Printed Name of Attorney

Printed Name of Attorney

DuPage Attorney No.

DuPage Attorney No.

DuPage Attorney No.

## EXPLANATION OF LAW DIVISION CASE MANAGEMENT CONFERENCE ORDER

Pursuant to the Supreme Court Rule 218, the Bench is directed to take a significantly more active role in the management of cases as they progress through discovery. Under the rule, the Court and counsel must evaluate and formulate a case management plan within six months of the filing of the suit. The kinds of considerations mandated are at once basic, thorough and complete. If a case management conference order is prepared honestly, it will provide a valid itinerary, leading in an orderly fashion, to trial. The effective litigator will be able to plan and conduct discovery in even the most complex of cases with Court involvement limited to dispute resolution only. The savings in time and energy will certainly be significant to Bench and Bar alike.

To facilitate the entry of such Order, the Clerk of the Circuit Court, Chris Kachiroubas, will assign two (2) dates when an applicable Law Division case is filed\*. There will be an initial status date set for approximately ninety (90) days and a case management conference date within 35 days after the parties are at issue and in no event more than 182 days following the filing of the complaint. Cases set for conference will appear on the call at 9:10 am. The case management conference order must be prepared in advance, signed by all counsel and presented for court approval at the case management conference.

A form order will be available in the Clerk's office, and in each Law Division courtroom. A copy of the completed proposal order must be provided to the appropriate Judge seven (7) days before the case management conference. It is imperative that the order be prepared by knowledgeable counsel (either trial counsel or someone in direct contact with the trial counsel) so that the information contained on the order is accurate. It is anticipated that conferences between parties commence shortly after the status date to have the form completed and signed in a timely fashion.

The parties will be bound by the representations made in that order. All parties must cooperate in the preparation of the order. The burden is on the plaintiff to present the order. If every reasonable effort has been made to obtain another party's cooperation in vain, the order will be entered without discovery being authorized for that recalcitrant party. Once the order is entered, discovery beyond the order will be denied, absent an order of Court based upon good cause shown for the modification.

The form order is designed to provide sufficient space for the average Law Division case. If more space is needed, information should be typed on a blank page, identified by letter and number designation from the form and attached.

*\* Under local Rule 8.03, adopted by Administrative Order 96-1, dated 01/03/96, SC and non-Jury AR cases are exempted from the requirements of SCR 218. Jury AR cases must be given a case management conference date with forty five (45) days of the rejection of award filing date, and will be set by the Judge before whom the jury trial is scheduled.*

**THE INFORMATION BEING SOUGHT IN EACH AREA  
OF THE FORM IS AS FOLLOWS:**

***PARAGRAPH A***

Requires the parties to identify issues in the case such as "color of stoplight at intersection" or "value of damages approximately caused".

***PARAGRAPH B***

Asks parties to identify issues to which stipulations would be helpful and attainable, such as "foundation for hospital records and medical bills," and "qualifications for Dr. Smith."

***PARAGRAPH C***

Anticipates all parties have reviewed all facts known at the time and have identified amendments to be necessary, such as dismissing or adding appropriate parties, admitting those things to be admitted, filing necessary counter-complaints, third-party actions and / or affirmative defenses.

***PARAGRAPH D***

Anticipates that Supreme Court Rule 213 (interrogatories) and Supreme Court Rule 214 (document production) requests have been sent to opposing counsel prior to the conference date, and, if not yet produced, will be produced by the date indicated in the order.

***PARAGRAPH E***

Divides witnesses into two (2) types: non-retained and retained. It is anticipated that parties may wish a pretrial conference before paying expert witnesses, and so the distinction was maintained. In sub-paragraph 1, 2 or 3 the party will list by name or description each anticipated witness and the dates upon which all depositions will be taken. In sub-paragraph 4, 5, 6 the name and field of expertise of each retained opinion witness is to be listed and the date of disclosure, including report, as anticipated. The date of the completion of depositions is also to be specified.

***PARAGRAPH F***

Requires the parties to consider arbitration or mediation and accept or reject either. If either is contemplated, is should be named in the blank in the second sentence and completion date set.

***PARAGRAPH G***

Anticipates that given everything preceding this category, a realistic date will be set by when the case is ready for trial. In no instance shall that date be more than twenty four (24) months after filing, and date should fall within nine (9) to eighteen (18) months after filing in the vast majority of cases. Obviously, the other deadlines in the order should be staged prior to that date, accordingly.

One (1), two (2) or three (3) of the setting phrases in the final paragraph specifying the Order of Court should be checked off and used as appropriate to the particular case. At least one of them must be used in each order.

The attorneys knowledgeable in the case and with the authority of their client must identify themselves with their printed name and DuPage County Attorney Number and sign the form where indicated. As stated previously, the information in this order will be binding upon the parties; that a trial counsel was unfamiliar with the contents of the case management order will not be an excuse for its modification.