

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Anthony Murdock, *et al.*,)
)
Plaintiffs,)
) 20-cv-1440
-vs-)
) (*Judge Feinerman*)
City of Chicago,)
)
Defendant.)

**PLAINTIFFS' SURREPLY ON DEFENDANT'S
MOTION FOR JUDGMENT ON THE PLEADINGS**

Plaintiffs show in this memorandum that Cook County Circuit Court General Administrative Order No. 2015-06 does not permit the City of Chicago to disregard the requirements of the Fourth and Fourteenth Amendments and cannot, consistent with the Constitution of the State of Illinois, be construed to overrule the command of the Illinois legislature in 725 ILCS 5/110-9 that a person arrested on a warrant where “bail had been set by a judicial officer” may be released by posting bail without appearing in court.¹

Plaintiffs demonstrate in Part I that the power of the Chief Judge of the Circuit Court of Cook County to issue a General Administrative Order (“GAO”) comes from the Illinois constitution and, as regulated by Illinois Supreme

¹ 725 ILCS 5/110-9 provides as follows:

When bail has been set by a judicial officer for a particular offense or offender any sheriff or other peace officer may take bail in accordance with the provisions of Section 110-7 or 110-8 of this Code and release the offender to appear in accordance with the conditions of the bail bond, the Notice to Appear or the Summons.

Court Rule 22, is limited to matters about the administration of the Circuit Court. Plaintiffs illustrate the scope of GAOs in Part II in a brief discussion of the 120 General Administrative Orders that the Chief Judge of the Circuit Court of Cook County has issued from 1995 to the present.²

Plaintiffs analyze in Part III the text of GAO 2015-06 and show that the construction of that order urged by defendant would render the order unconstitutional under Illinois law.

Plaintiffs show in Part IV that defendant adopted the policy challenged in this case three years *before* GAO 2015-06 was issued and that defendant never amended its policy to conform to what defendant urges is the policy decreed in GAO 2015-06.

In Part V, plaintiffs show that as construed by defendant, GAO 2015-06 “is not a *defense* to liability under federal law; it is a *source* of liability under federal law.” *Quinones v. City of Evanston*, 58 F.3d 275, 277 (7th Cir. 1995), quoting *Williams v. General Foods Corp.*, 492 F.2d 399, 404 (7th Cir.1974).

I. General Administrative Orders

Section 7, Article VI of the Illinois Constitution (1970) vests the Chief Judge of the Circuit Court of Cook County with “general administrative authority over his court.” In pertinent part, Section 7 provides as follows:

² Plaintiffs’ Exhibit 1 (attached as App. 1-6) is a list of the General Administrative Orders, with hyperlinks to the appropriate page on the website of the Circuit Court of Cook County.

Subject to the authority of the Supreme Court, the Chief Judge shall have general administrative authority over his court, including authority to provide for divisions, general or specialized, and for appropriate times and places of holding court.

ILLINOIS CONSTITUTION (1970), Article VI, Section 7.

The Illinois Supreme Court authorized the chief judge of each circuit court to issue “general orders” in Supreme Court Rule 21(e), which provides as follows:

(e) General Orders. The chief judge of each circuit may enter general orders in the exercise of his or her general administrative authority, including orders (i) providing for assignment of judges, general or specialized divisions, and times and places of holding court and (ii) specifying the nature of any needed court-related personnel, facilities, or resources.

Illinois Supreme Court Rule 21(e).³

General Administrative Orders are intended “to insure the efficient operation of the court.” *People ex rel. Bier v. Scholz*, 77 Ill. 2d 12, 18, 394 N.E.2d 1157, 159 (1979). As the Illinois Supreme Court made plain in discussing the limited powers granted to the former Municipal Court of the City of Chicago, the authority to make rules for the operation of courts does not vest any “power to make substantive rules of law, because this would violate that provision of the Constitution which divides the government into three parts.” *Danoff v. Larson*, 368 Ill. 519, 523, 15 N.E.2d 290, 292 (1938).

³ The Illinois Supreme Court amended Rule 21 on December 1, 2008 and Nov. 24, 2020. Neither amendment made any substantive change in the power of a chief judge to issue a general order.

The 120 General Administrative Orders that the Chief Judge of the Circuit Court of Cook County has issued from 1995 to the present shows that, aside from GAO 2015-06 as construed by defendant, each GAO relates to the administration of the Circuit Court; none of the other GAOs attempt to make a substantive rule of law or establish procedures for the Chicago Police Department.

II. General Administrative Orders Are Limited to Matters Involving the Administration of the Circuit Court

The Chief Judge of the Circuit Court of Cook County has issued and amended 120 General Orders since 1995.⁴ 11 orders address electronic filing issues.⁵ 19 general orders establish procedures for the appointment of officials who serve at the pleasure of the circuit court.⁶ 20 orders direct the disbursement of funds under the Illinois not-for-profit dispute resolution act.⁷ Three general orders restrict particular persons from entering court premises.⁸ Three

⁴ The orders are available at <https://www.cookcountycourt.org/FOR-ATTORNEYS-LITIGANTS/General-Administrative-Orders/cid/367/General-Administrative-Orders-Issued-in-2021> (visited August 23, 2022). Exhibit 1 (App. 1-6) is a list of the general orders, with hyperlinks, as extracted from the website. This list does not include the COVID related orders that are available at https://www.cookcountycourt.org/HOME/Covid-19-Information/Agg5088_SelectTab/1.

⁵ The GAOs addressing electronic filing are 2009-01, 2011-07, 2012-10, 2013-02, 2013-07, 2013-08, 2014-02, 2014-02, 2017-02, 2018-06, and 2019-03.

⁶ 1997-6, 1998-2, 1999-3, 1999-4, 2001-2, 2003-03, 2003-07, 2005-05, 2007-02, 2011-09, 1997-5, 1997-8, 2013-11, 2017-06, 2017-01, 2004-05, 2018-05, 2019-05, and 2019-07.

⁷ 1996-1, 1997-3, 1998-1, 1999-2, 2000-2, 2001-1, 2002-01, 2003-01, 2004-01, 2005-04, 2006-01, 2008-02, 2011-02, 2013-04, 2014-04, 2015-02, 2016-03, 2017-03, 2018-04, and 2019-04.

⁸ 2018-2, 2018-03, and 2019-06.

general orders relate to weather emergencies.⁹ Seven general orders identify the members of the court’s “executive committee.”¹⁰ Three general orders regulate courthouse decorum.¹¹

None of the General Administrative Orders—aside from GAO 2015-06—are directed at a separate unit of government. GAO 2009-02 (attached as Exhibit 2, App. 7), is titled “ORDER MANDATING ILLINOIS STATE POLICE COMPLIANCE WITH CIRCUIT COURT OF COOK COUNTY GENERAL ORDER NO-1-2—OPERATION—2.3(f)2, AND VACATING GENERAL ADMINISTRATIVE ORDER 98-4.” The order does not impose any duty on the Illinois State police, but is addressed to a court function: It identifies the court district in which “Illinois State Police cases shall be filed.” (*Id.*)

Two general orders, attached as Exhibits 3 and 4 (App. 8-9), relate to the State’s Attorney’s deferred prosecution program.¹² Neither order seeks to regulate the deferred prosecution program; each relates to court procedures that apply to deferred prosecutions.

⁹ 2014-01, 2018-01, and 2019-02.

¹⁰ 2000-1, 2001-3, 2002-02, 2004-03, 2007-04, 2011-04, and 2017-07.

¹¹ 2000-6, 2012-8, 2013-01, and 2013-05

¹² 2011-03, 2011-06.

Three General Administrative Orders relate to scheduling of bond hearings.¹³ These orders, attached as Exhibits 5-7 (App. 10-12), relate to scheduling and do not purport to impose duties on any entity but the court.

General Administrative Order 2016-01 (Exhibit 8) sets out the procedure when a defendant is arrested on a new offense but is also detained on a warrant in another case. The judge who presides over the initial appearance on the new offense may not review the amount of bail set on the warrant; pursuant to the GAO, whether bail should be reduced on the warrant is assigned to the original judge who set bail on the warrant.

Defendant urges the Court to construe GAO 2015-06 as mandating procedures to be followed by the Chicago Police Department. (ECF No. 115 at 14-15.) As explained, consistent with Illinois law, no other GAO mandates procedures by a separate unit of government. Plaintiffs analyze the text of this GAO to show that the Court should reject defendant's request to depart from well-settled Illinois law.

III. General Administrative Order 2015-06

General Administrative Order 2015-06 (attached as Exhibit 9) is reformatted below to number each sentence:

IT IS HEREBY ORDERED that, effective July 6, 2015, arresting agencies and the circuit clerk shall comply with the following procedures:

¹³ 2014-09, 2015-01, and 2018-11.

1. Defendants taken into custody by an arresting agency located within Cook County on an arrest warrant issued by an Illinois state court outside of Cook County shall be required to appear in bond court in the appropriate district or division of this court.
2. A properly executed Intrastate Hold Affidavit shall accompany the defendant.
3. The circuit clerk shall assign the affidavit an administrative case number and maintain the administrative case data in an electronic case index separate from the electronic criminal case docket.
4. A bail hearing shall be held, and the defendant shall be remanded by mittimus to the custody of the Cook County sheriff.
5. The mittimus (remand order) shall direct the sheriff to release the defendant to the demanding authority if the demanding authority presents itself at the Cook County Department of Corrections.
6. The sheriff may also release the defendant upon receipt of notice from the demanding authority that it has withdrawn its warrant from the Illinois Law Enforcement Agencies Data System (LEADS) and will not take the defendant into custody on that warrant.
7. Further, when the defendant is able to post the bail set on the warrant issued by the demanding authority, the defendant shall be admitted to bail and scheduled for a court appearance in the county of the demanding authority.

Sentences 2-6 impose duties on the Clerk of the Court and on the Sheriff of Cook County. Defendant urges a construction of sentences 1, 4, and 7 that conflicts with Illinois law.

Sentences 1 and 4, in defendant's reading, require every person arrested anywhere in Cook County on an arrest warrant issued by an Illinois state court

outside of Cook County to appear in bond court.¹⁴ This construction renders a nullity the requirement of 725 ILCS 5/107-9 that an arrest warrant “[s]pecify the amount of bail”—there is no need for a bail hearing when a judge had already set the amount of bail.

When an arrestee appears at bond court following an arrest on a warrant, the judge presiding at the hearing does not make a de novo review of the bond but will only inquire if the arrestee is able to post the amount of bond set by the judge that issued the warrant. As plaintiff Neals explained at his deposition:

You can’t say two words. You walk up there, they say your name, you let them know what your name is, and then they tell you if you got a bond, what your bond is, and then you go right back. And then they let you know—and they ask if you can post bond.

(ECF No. 117-1 at 221, Neals Dep. 91:8-13.) The arrestee is not permitted to speak:

He [the bond court judge] called my name, I agreed. He told me what my bond was. Asked me if I could post bail. I looked back and saw my girlfriend was there, and they took me in the back.

You don’t get to say nothing, except yes or no if you can post bail.

(ECF No. 117-1 at 222, Neals Dep. 92:14-19.)

¹⁴ Defendant’s policy has a different scope because it applies to all persons arrested on an arrest warrant issued by an Illinois state court outside of Chicago. Defendant also applies its policy to all persons arrested on warrants on weekends and court holidays. GAO 2015-06 says nothing about such warrants. *See infra* at 12.

Defendant's construction of GAO 2015-06 also contradicts 725 ILCS 5/110-9, which allows any peace officer to accept cash bail. The Chief Judge of the Circuit Court of Cook County, however, lacks the power to overrule a statute such as 725 ILCS 5/110-9. This rule is enshrined in the Illinois Constitution: Article II, Section 1 of the Illinois Constitution provides that "No branch [of government] shall exercise powers properly belonging to another."

Under Illinois law, the power to establish pretrial procedures rests exclusively with the Illinois legislature. *Agran v. Checker Taxi Co.*, 412 Ill. 145, 149, 105 N.E.2d 713, 715 (1952); *see also*, *People v. Stanley*, 116 Ill. App. 3d 532, 535, 452 N.E.2d 105, 107 (1983) (power to require that prosecution request trial *in absentia*). The Chief Judge of the Circuit Court of Cook County lacks the power to prohibit arrestees from posting bail at a police station, as defendant urges in its construction of GAO 2015-06.

The Chief Judge of the Circuit Court of Cook County also lacks the power to mandate procedures for the Chicago Police Department. As the Illinois Supreme Court explained in *Knuepfer v. Fawell*, 96 Ill.2d 284, 449 N.E.2d 1312 (1983), the powers of the Chief Judge of a Circuit Court to issue General Administrative Orders is limited "the performance of judicial functions." The Chief Judge may only exercise rulemaking power "to insure the efficient operation of the court." *People ex rel. Bier v. Scholz*, 77 Ill. 2d 12, 18, 394 N.E.2d

1157, 1159 (1979). The construction of GAO 2015-06 urged by defendant far exceeds this limited power.

Illinois follows the rule that a statute should be construed “so as to uphold its constitutionality, if reasonably possible.” *People v. Minnis*, 2016 IL 119563, ¶ 21, 67 N.E.3d 272, 282 (2016). The Court should not construe GAO 2015-06 to violate the Illinois constitution, as defendant urges. The appropriate construction of GAO 2015-06 is that it applies *only* when an arrestee is unable to post the bond set on a warrant. In that circumstance, the arresting authority arranges for the arrestee “to appear in bond court in the appropriate district or division of this court.” But GAO 2015-06 does not apply when, as in this case, the arrestee is able to post cash bond at the police station.

IV. The Text of Special Order S06-12-02 Shows that the Chicago Police Department Is Not Implementing a Judicial Order

Before April 24, 2012, the Chicago Police Department permitted persons arrested on a warrant where “the bond amount is indicated on the warrant ... to post the indicated bond.” (ECF No. 117-1 at 360, General Order 97-12, Section IV(A)(5)(a)) This policy is continued in Section VII of the Chicago Police Department Bail Bond Manual, ECF No. 117-1 at 366-448:

VII. Arrest on Warrant (Ordinance, Misdemeanor, or Felony)

When a person is arrested on a warrant (amount of bail is listed on all warrants), the offender may be let to bail by:

A. depositing 10% of the amount stated on the warrant with the desk sergeant in accordance with 725 ILCS 5/110-7 (“D”

Book). A minimum of \$120 will be taken. Therefore, bail of \$500 would require a deposit of \$120.

B. depositing with the desk sergeant, in cash, the full amount of the bail stated in the warrant (“C” Book).

(ECF No. 117-1 at 389, Bail Bond Manual, Section VII.)

The Department added a new provision, effective April 24, 2012. That provision, Section IV(B) (3), states as follows:

B. The station supervisor will ensure that:

* * *

3. the following will be transported to Central Bond Court:

- a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
- b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
- c. all persons arrested on all warrants on Saturday, Sunday, and Court Holidays.

(ECF No. 117-1 at 370.) Defendant retained this provision in the version of the policy that was in force from June 13, 2013 through August 26, 2019 (ECF No. 117-1 at 373-78) and this provision exists in the current version that became effective on August 26, 2019. (App. 378-85.)

There are significant differences between the policy defendant adopted in 2012 and defendant’s reading of GAO 2015-16, which was adopted three years later.

Defendant's 2012 policy is limited to "all persons arrested on a warrant [issued] outside of the First Municipal District," i.e., the City of Chicago,¹⁵ as well as "all persons arrested on all warrants on Saturday, Sunday, and Court Holidays." GAO 2015-16 does not make any reference to arrests on weekends or holidays.

The geographic scope of GAO 2015-16 is also different from the City's policy; instead of applying only to warrants issued outside of Chicago, GAO 2015-16 applies to warrants "issued by an Illinois state court outside of Cook County." That is, defendant's policy requires a bond hearing for arrests on warrants from Skokie or Bridgeview while GAO 2015-16 does not. Defendant reissued Special Order S06-12-02 on August 26, 2019 (ECF No. 117-1 at 379-385) and did not make any attempt to conform the order to GAO 2015-16. Defendant's order continues to apply to "all persons arrested on a warrant [issued] outside of the First Municipal District" as well as "all persons arrested on all warrants on Saturday, Sunday, and court holidays." (ECF 117-1 at 383.)

These differences between GAO 2015-16 and Special Order S06-12-02 require that the Court reject as a factual matter any claim that defendant's policy is "compelled" by GAO 2015-16. Plaintiffs show below that the same is true for defendant's legal theory.

¹⁵ <https://www.cookcountycourt.org/ABOUT-THE-COURT/Organization-of-the-Circuit-Court> (visited August 25, 2022).

V. Special Order S06-12-02 Does Not Implement a Command of State Law

Defendant is mistaken in relying on the rule that “general compliance with the dictates of state law” is a defense to municipal liability. *Snyder v. King*, 745 F.3d 242, 247 (7th Cir. 2014). This rule requires “compulsion of state ... law.” *Lutheran Homes and Servs., Inc. v. Leean*, 154 F.3d 716, 718 (7th Cir.1998). The differences between GAO 2015-16 and Special Order S06-12-02, discussed above, show that defendant is enforcing its own policy without regard to the General Administrative Order.

The rule applicable to this case is that applied by the Seventh Circuit in *Quinones v. City of Evanston*, 58 F.3d 275 (7th Cir. 1995).

Quinones involved a conflict between an Illinois statute and Federal law: The Illinois statute barred participation in a firefighter’s pension plan to persons who began employment when 35 or older; federal law prohibited discrimination in pensions on the basis of age. The municipality argued that the State of Illinois was the appropriate defendant. The Seventh Circuit disagreed:

Evanston has been told by the State of Illinois that it may not provide pensions to firefighters hired after age 34; it has been told by the United States of America to treat these employees no worse than those hired when younger. Evanston believes that it is compelled to follow the directive from the state, but the Supremacy Clause of the Constitution requires a different order of priority. A discriminatory state law is not a *defense* to liability under federal law; it is a *source* of liability under federal law. *Williams v. General Foods Corp.*, 492 F.2d 399, 404 (7th Cir.1974).

Quinones, 58 F.3d at 277.

In this case, defendant asserts that the Chief Judge of the Circuit Court of Cook County has commanded the Chicago Police Department to hold in custody and transport to “Central Bond Court” all persons arrested on warrants issued by a judge outside of the Chicago, as well as all persons arrested on warrants on weekends and court holidays. Plaintiffs showed above that this argument is wrong on the facts and that any such command by the Chief Judge would be unconstitutional under Illinois law. Such a command would conflict with rights secured by the Fourth and Fourteenth Amendments because plaintiffs and the members of the putative class have a “constitutional liberty interest in release on bail.” *Doyle v. Elsea*, 658 F.2d 512, 516 n.6 (7th Cir. 1981). Plaintiffs developed this argument more fully in their motion for class certification, ECF No. 117 at 12-14, and in their initial response to the motion for judgment on the pleadings, ECF No. 119 at 5-7.

Defendant is unable to explain its decision to refuse to permit persons arrested on out-of-city warrants on weekends and court holidays to post cash bond at the police station. Nor does defendant offer any justification for denying the right to post cash bail at the police station to persons arrested on warrants issued in Cook County outside of Chicago. The Court should deny defendant’s motion for judgment on the pleadings.

VI. Conclusion

For the reasons above stated and those previously advanced, the Court should deny defendant's motion for judgment on the pleadings.

Respectfully submitted,

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GENERAL ADMINISTRATIVE ORDER NO. 09-02 - ORDER MANDATING ILLINOIS STATE POLICE COMPLIANCE WITH CIRCUIT COURT OF COOK COUNTY GENERAL ORDER NO. 1.2 – OPERATIONS – 2.3 (f)(2), AND VACATING GENERAL ADMINISTRATIVE ORDER 98-4

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER NO. 09-02

SUBJECT: ORDER MANDATING ILLINOIS STATE POLICE COMPLIANCE WITH CIRCUIT COURT OF COOK COUNTY GENERAL ORDER NO. 1.2 – OPERATIONS – 2.3 (f)(2), AND VACATING GENERAL ADMINISTRATIVE ORDER 98-4

Effective January 1, 2010, in accordance with Circuit Court of Cook County General Order No. 1.2 – Operations – 2.3 (f)(2), all Illinois State Police cases shall be filed in the court district in which the offense occurred. Furthermore, General Administrative Order No. 98-4 is hereby vacated as of the effective date of this order.

Case scheduling, key dates and courtroom assignments shall be designated by the Presiding Judge of each district. All Illinois State Police cases filed prior to the effective date of this order shall remain in the district in which they were initially filed until those matters are concluded.

Dated this 18th day of May, 2009. This order shall be spread upon the records of this Court and published.

Enter:

Timothy C. Evans
Chief Judge
Circuit Court of Cook County



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GENERAL ADMINISTRATIVE ORDER: 11-03 - COOK COUNTY STATE'S ATTORNEY'S DEFERRED PROSECUTION PROGRAM

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER: 2011-03

SUBJECT: COOK COUNTY STATE'S ATTORNEY'S DEFERRED PROSECUTION PROGRAM

On February 28, 2011, the Cook County State's Attorney's Office will implement the Deferred Prosecution Program in Cook County. In accordance with that and for the court to fully assist and participate in this program, it is hereby ordered:

In order to qualify for consideration for acceptance into the program, an individual must be charged with a felony offense by way of a complaint for preliminary examination that is pending in a preliminary hearing courtroom in any municipal district of Cook County and must be selected by the Cook County State's Attorney's Office as a candidate for the Deferred Prosecution Program. The candidate and the State's Attorney's Office shall execute in open court an agreement to participate in the State's Attorney's Deferred Prosecution Program. Before being executed, the agreement shall be made part of the court record filed with the clerk, and made part of the court file. The court shall then advise the candidate of his or her right to a preliminary hearing and explain it fully to the candidate. The candidate and the State's Attorney's Office shall execute a waiver of a preliminary examination which shall be filed by the clerk and made part of the court file.

After both the agreement and waiver of preliminary hearing are executed and made part of the court record and file, the case shall be transferred to Branch 9 which shall convene every Wednesday at 1:30 p.m. in Room 102 at 2600 South California Avenue, Chicago, Illinois. The case shall be scheduled for the Wednesday of the following week in Branch 9.

Upon appearance in Branch 9, the agreement and waiver of preliminary hearing shall be reaffirmed. The candidate will be screened by members of the Adult Probation Department's Pre-trial Services Unit, the State's Attorney's Office and TASC. The case shall be continued to a 90 day status date in Branch 9 so as to monitor the progress of the candidate.

If the candidate breaches the agreement and fails to comply with the conditions of same, the state shall motion the case up to advise the court. At that time, the court shall transfer the case to the presiding judge of the Criminal Division for a date 21 days hence based upon the waiver of preliminary examination executed previously. If the candidate successfully complies with all of the conditions of the agreement, the State's Attorney's Office shall motion the case up in Branch 9. The court shall be advised in the premises and the state shall nolle prosequi all charges against the candidate.

Dated this 17th day of February, 2011. This Order shall be spread upon the records of this Court and published.

ENTERED:

Timothy C. Evans
Chief Judge
Circuit Court of Cook County

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GENERAL ADMINISTRATIVE ORDER 11-06 - AMENDMENT TO COOK COUNTY STATE'S ATTORNEY'S DEFERRED PROSECUTION PROGRAM

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER 2011-06

SUBJECT: AMENDMENT TO COOK COUNTY STATE'S ATTORNEY'S DEFERRED PROSECUTION PROGRAM

It is hereby ordered that General Administrative Order 2011-03 is amended as follows:

Any defendant with a case pending in the Criminal Division who is identified by the Cook County State's Attorney as a candidate for its Deferred Prosecution Program may have his or her case transferred to the First Municipal District, Branch 9 on Wednesdays at 1:30 p.m. in Room 102 at 2600 South California Avenue, Chicago, Illinois. If the candidate successfully completes the program, his or her case will be nolle prosequi by the state's attorney. If the candidate should violate the program, his or her case shall be returned to the same courtroom where it was pending.

No case in the Criminal Division may be transferred to this program after the close of business on March 14, 2011.

Dated this 28th day of February 2011. This Order shall be spread upon the records of this Court and published.

ENTERED:

Timothy C. Evans
Chief Judge
Circuit Court of Cook County



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GENERAL ADMINISTRATIVE ORDER NO. 2014-09 BOND CALL SCHEDULE, FIRST MUNICIPAL DISTRICT, CENTRAL BOND COURT

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER NO. 2014-09

SUBJECT: Bond call schedule, First Municipal District, Central Bond Court

IT IS HEREBY ORDERED that General Administrative Order 2014-09, entered September 24, 2014, is hereby amended as follows:

IT IS HEREBY ORDERED:

Effective November 1, 2014, the First Municipal District's Central Bond Court shall convene as follows:

| | | |
|--|-----------|--------------------------------------|
| Monday through Friday (except court holidays) | 1:30 p.m. | misdemeanors and felonies |
| Saturday, Sunday, and holidays | Noon | misdemeanors |
| | 1:30 p.m. | felonies |

Dated this 29th day of September, 2014.

Entered Sept. 24, 2014, eff. Nov. 1, 2014; amended, Sept. 29, 2014, eff. Nov. 1, 2014

Entered:

Timothy C. Evans

Chief Judge



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GENERAL ADMINISTRATIVE ORDER NO. 2015-01 BOND CALL SCHEDULE, FIRST MUNICIPAL DISTRICT, CENTRAL BOND COURT AND MUNICIPAL DISTRICTS TWO THROUGH SIX

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER NO. 2015 - 01

SUBJECT: Bond call schedule, First Municipal District, Central Bond Court and Two through Six

Municipal Districts

IT IS HEREBY ORDERED:

The First Municipal District's Central Bond Court shall convene as follows:

Monday through Friday 1:30 p.m. felonies
(except court holidays)

Saturday, Sunday, and holidays Noon misdemeanors
1:30 p.m. felonies

Effective March 3, 2015, the following procedures shall be followed in Municipal Districts Two through Six:

1. A daily dedicated bond call shall be established for all hearings for the purpose of setting bail.
2. All bond calls shall convene daily as follows:

Monday through Friday 10 a.m. misdemeanors
(except court holidays)
1:30 p.m. felonies

This order supersedes General Administrative Order 2014-09 (eff. November 1, 2014). This order shall be spread upon the record of this Court and published.

Dated this 29th day of January, 2015.

ENTERED:

Timothy C. Evans

Chief Judge

Circuit Court of Cook County



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GENERAL ADMINISTRATIVE ORDER No.: 2018-11 Bond call schedules, Pretrial Division and Municipal Districts Two through Six

IT IS HEREBY ORDERED:

Bond calls in the Pretrial Division shall convene as follows:

| CATEGORY | DAY | TIME |
|--------------|---|-------------------------|
| Misdemeanors | Monday through Friday, except court holidays Weekends and court holidays | Noon 12:30 p.m. |
| Felonies | Monday through Friday, except court holidays Weekends and court holidays | 1:30 p.m. 12:30 p.m. |

Bond calls in the Domestic Violence Division at 555 W. Harrison St., Chicago, shall convene as follows:

| CATEGORY | DAY | TIME |
|--------------|--|-----------|
| Misdemeanors | Monday through Friday, except court holidays | Noon |
| Felonies | Monday through Friday, except court holidays | 1:30 p.m. |

In Municipal Districts Two through Six, all bail hearings, including those in all cases with domestic violence offenses, shall convene as follows:

| CATEGORY | DAY | TIME |
|--------------|--|------------|
| Misdemeanors | Monday through Friday, except court holidays | 11:00 a.m. |
| Felonies | Monday through Friday, except court holidays | 1:30 p.m. |

This order supersedes General Administrative Order 2015-01 (eff. March 3, 2015).

Dated this 28th day of December, 2018, and effective January 7, 2019.

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GENERAL ADMINISTRATIVE ORDER NO. 2016-01 SCHEDULING OF BAIL HEARING ON VIOLATION OF PROBATION OR VIOLATION OF BAIL BOND PENDING BEFORE ANOTHER JUDGE

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER No. 2016-01

SUBJECT: SCHEDULING OF BAIL HEARING ON VIOLATION OF PROBATION OR VIOLATION OF BAIL BOND PENDING BEFORE ANOTHER JUDGE

IT IS HEREBY ORDERED that, when a defendant appears before the court and is served with or is already being held in custody on a warrant for violation of probation or violation of bail bond, and the sentence of probation or bail order was entered by another judge, judicial review of the bail set on the warrant shall be scheduled by the judge presiding at the instant appearance as follows:

1. If the sentence of probation or bail order was entered by a judge who presides at the same courthouse facility, no later than the next regular business day following the instant appearance;
2. If the sentence of probation or bail order was entered by a judge who presides at a different courthouse facility, no later than the second regular business day following the instant appearance;
3. If the judge who entered the sentence of probation or bail order is not available on the date provided above, the Presiding Judge of the Division or Municipal District in which the sentence of probation or bail order was entered shall either review the defendant's bail status or designate a judge from that section of the court to do so on the date provided above.

IT IS FURTHER ORDERED that, for purposes of this order, a regular business day is any day from Monday through Friday, except for court holidays.

Dated this 27th day of January, 2016, and effective immediately.

ENTERED:

Timothy C. Evans
Chief Judge
Circuit Court of Cook County



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GENERAL ADMINISTRATIVE ORDER NO. 2015-06 PROCEDURES FOR ARRESTS ON ILLINOIS INTRASTATE WARRANTS ISSUED OUTSIDE OF COOK COUNTY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER NO. 2015-06

SUBJECT: PROCEDURES FOR ARRESTS ON ILLINOIS INTRASTATE WARRANTS ISSUED OUTSIDE OF COOK COUNTY

IT IS HEREBY ORDERED that, effective July 6, 2015, arresting agencies and the circuit clerk shall comply with the following procedures:

Defendants taken into custody by an arresting agency located within Cook County on an arrest warrant issued by an Illinois state court outside of Cook County shall be required to appear in bond court in the appropriate district or division of this court. A properly executed Intrastate Hold Affidavit shall accompany the defendant. The circuit clerk shall assign the affidavit an administrative case number and maintain the administrative case data in an electronic case index separate from the electronic criminal case docket.

A bail hearing shall be held, and the defendant shall be remanded by mittimus to the custody of the Cook County sheriff. The mittimus (remand order) shall direct the sheriff to release the defendant to the demanding authority if the demanding authority presents itself at the Cook County Department of Corrections.

The sheriff may also release the defendant upon receipt of notice from the demanding authority that it has withdrawn its warrant from the Illinois Law Enforcement Agencies Data System (LEADS) and will not take the defendant into custody on that warrant. Further, when the defendant is able to post the bail set on the warrant issued by the demanding authority, the defendant shall be admitted to bail and scheduled for a court appearance in the county of the demanding authority.

Dated this 17th day of June, 2015.

ENTERED:

Timothy C. Evans
Chief Judge
Circuit Court of Cook County

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