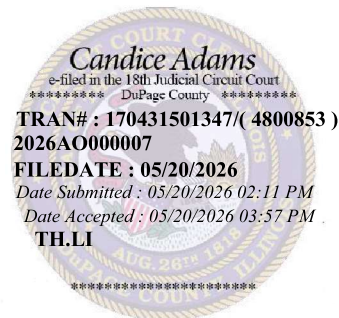


STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)



IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

IN THE MATTER OF MODIFICATIONS AND) Administrative Order 26-7
ADDITIONS TO THE CIRCUIT COURT RULES)


WHEREAS, the Circuit Judges of the 18th Judicial Circuit adopted local Circuit Court Rules on November 16, 2004; and

WHEREAS, from time to time the Circuit Judges find it necessary to ratify and codify certain revisions, amendments and additions to said local Circuit Court Rules; and

WHEREAS, on May 20, 2026, **Circuit Court Rule 1.22, 1.23 and 10.01 were amended and attached as Exhibit A.**

IT IS THEREFORE ORDERED that these changes, shown as adopted in the exhibit attached hereto, was adopted into the local Circuit Court Rules to be effective immediately.

ENTER:


Bonnie M. Wheaton
Chief Judge

Dated: May 20, 2026
Wheaton, Illinois

https://www.dupagecourts.gov/18th_judicial_circuit_court/administrative_orders.php

1.22 (RESERVED) REMOTE COURT APPEARANCE PROCEDURE (IN COMPLIANCE WITH IL. SUP. CT. RULE 45)

(a) Purpose: The purpose of this Local Rule is to provide information to the public about attending court remotely. The definitions in Illinois Supreme Court Rule 45 apply to this Local Rule.

(b) Who may appear remotely: Only “case participants” as defined in Ill. Sup. Ct. R. 45 are permitted to appear remotely. Per Ill. Sup. Ct. R. 45, “‘case participant’ means any individual participating in a court proceeding including, but not limited to, the parties, criminal defendants, minors, lawyers, guardians ad litem, guardians, youth in the care of the Department of Children and Family Services (DCFS), witnesses, experts, interpreters, treatment providers, probation officers, pretrial officers, DCFS caseworkers and contract service providers, court reporters, clerks of the court, and the judge presiding over the case. This term does not include jurors, the public, or members of the media that are not a party or witness in the case.” Persons other than case participants may appear remotely only with the permission of and at the discretion of the judge for good cause shown.

(c) How to appear remotely: You may have the option, as outlined in Ill. Sup. Ct. R. 45, to attend your court date by phone or video. If you are attending remotely and are allowed to do so, you can find the Zoom Meeting ID and link at the Circuit Court Clerk of DuPage County website at www.dupagecircuitclerk.gov.

(d) When to appear remotely: Pursuant to Illinois Supreme Court Rule 45, case participants may appear remotely, except for the following proceedings:

(e) IN PERSON IS REQUIRED FOR THE FOLLOWING PROCEEDINGS:

- (1) evidentiary hearings, including court-annexed arbitration hearings;
- (2) contested motions;
- (3) emergency motions;
- (4) settlement conferences;
- (5) bench trials and jury trials;

(6) all cases heard in traffic court;

(7) all orders of protection (OP) cases are required to be in person due to the evidentiary nature of these proceedings, except for statuses and settings of OPs;

(8) when the criminal defendant or respondent minor is in the custody of the DuPage County Jail, Illinois Department of Corrections, or any other detention or jail facility; and

(9) felony and juvenile arraignments and all cases set at 9:30 AM in any felony courtroom.

(f) Excusal from in person appearance requirement for the proceedings set forth in (e): Remote appearance may be permitted at the discretion of the presiding judge. Any request for remote appearance must be made before the presiding judge by filing an appropriate motion. Such permission may also be granted upon oral motion or may be made sua sponte upon the court's own motion entirely at the discretion of the presiding judge so long as such permission is consistent with the requirements of Ill. Sup. Ct. R. 45.

(g) How to act when appearing remotely: A remote court appearance is a court appearance, and you must act the same way you would if you were appearing in person in the courtroom. All the same rules regarding demeanor, language, dress, civility, and respect apply to all remote court dates and to all case participants, including the judge presiding over the case, court staff, lawyers, litigants, and witnesses.

(1) You should dress as if you are attending court in person in the courtroom. Hats or headwear are not permitted except for religious or medical reasons, and sunglasses are not permitted except for medical reasons.

(2) You should use best efforts to appear remotely from a quiet place without distractions. If you are appearing by video, unsuitable filters or backgrounds must be removed.

(3) You should not be driving while appearing remotely.

(4) You should make sure you have a stable internet or phone connection, fully charged device, and functioning video and/or audio.

(i) If you are appearing by video, you should use best efforts to make sure you are properly named on screen.

(ii) If you are calling into a remote court appearance, you should identify yourself when asked, and the host of the remote court date will rename you so that your phone number does not appear.

(iii) If you are appearing on Zoom by phone only, you can dial *6 to mute and unmute yourself and *9 to raise and lower your hand. You should remain muted until your case is called or you are asked to unmute.

(5) As with any court date, you must be courteous, civil, and respectful to all case participants. Only one person may speak at a time, and case participants shall not speak over one another.

(6) Eating, drinking, or chewing gum is not allowed without the court's permission, and the use of tobacco or vaping products is prohibited.

(7) All electronic devices aside from the one you are using for the remote court date should be turned off or silenced and notifications should be muted.

(h) Recording of Proceedings Strictly Prohibited. You may not record, take any pictures or screenshots, or otherwise capture an image or recording of a remote court date. Recording of zoom proceedings is strictly prohibited and violators will be subject to contempt proceedings.

1.23 MOTION FOR SUBSTITUTION OF JUDGE FOR CAUSE

(a) ~~Except for cases assigned to one of the Field Courts,~~ The following procedure shall be followed in all cases in which a Motion for Substitution of Judge for Cause has been filed:

(1) All Motions for Substitution of Judge for Cause must be filed, supported by affidavit, before the judge from whom substitution is sought.

(2) After a Motion for Substitution of Judge for Cause is filed, the named judge shall, after determining that the petition meets the applicable statutory and legal requirements for a hearing, immediately transfer the motion to his or her Presiding Judge for assignment or hearing. A Motion for Substitution of Judge for Cause naming a Presiding Judge shall be transferred to the Chief Judge for assignment or hearing.

(3) Without leave of court, no judge may be subpoenaed to testify at the hearing on a Motion for Substitution of Judge for Cause. The judge named in the motion need not testify, but may submit an affidavit if the judge wishes.

(4) If the Motion for Substitution of Judge for Cause is granted, the case shall be assigned to another judge within the Division, or if the motion is heard by the Chief Judge, he or she may retain the case.

~~(b) When a Motion for Substitution of Judge for Cause has been filed in a case assigned to the Field Courts, all of the above Rules shall apply, except the case shall be transferred to the Presiding Judge of the Traffic Division on a date approximately two weeks following the motion's presentment, at which time the motion shall be heard. If the motion is denied, the case shall be transferred back to the originating Field Court on the arresting officer's next regular court date. If the motion is granted, the case shall be transferred to the misdemeanor courtroom assigned to hear cases from the originating Field Court.~~

1.24 (RESERVED)

1.25 ATTORNEY REGISTRATION – ADDRESSES OF PARTIES AND ATTORNEYS

(a) The Clerk of the Circuit Court shall maintain a master attorney registration file with a computer identification number in such manner the Clerk deems necessary to properly identify the attorneys of record in a matter pending before the Court.

(b) Every attorney at law practicing before this Court shall register with the Clerk of the Circuit Court and obtain an attorney registration identification number.

(c) The first pleading or appearance and all subsequent documents and orders shall contain the name, address and telephone number of the attorney (or party, if pro se) filing said paper, and an attorney shall also include thereon an attorney identification number.

(d) All attorneys shall file an appearance with the Clerk before addressing the Court on behalf of any represented party. If the matter involves a post-trial motion for the enforcement of a judgment, an appearance fee charged by the Clerk shall be waived.

1.26 HANDLING OF ALL WRITS IN CRIMINAL PROCEEDINGS

Upon the issuance of any writ or process, the Clerk of the Court shall promptly deliver said writ or process to the Sheriff, or to such person as the law directs, for service.

III. PARTICULAR CIVIL PROCEEDINGS

ARTICLE 10: WRONGFUL DEATH AND/OR SURVIVAL ACTION SETTLEMENTS AND JUDGMENTS INVOLVING MINORS AND WARDS

10.01 SETTLEMENT OF MINOR'S OR WARD'S PERSONAL INJURY CLAIM, WRONGFUL DEATH CLAIM OR CLAIM UNDER THE SURVIVAL STATUTE

(a) To settle a cause of action for personal injuries sustained by a minor or ward, or any other action in which a minor or ward will receive any or all of the settlement proceeds, a verified petition shall be filed executed by the legal representative of the minor, ward, or the decedent's estate, and shall recite:

(1) A description of the occurrence giving rise to the cause of action.

(2) The name and address of the person or entity against whom the cause of action has accrued.

(3) The name of the liability insurance carrier, if any, affording coverage to the person or entity against whom the cause of action has accrued, and the monetary limits of the liability insurance policy issued by said insurance carrier in effect at the time of the occurrence.

(4) A brief description of the injuries sustained by the minor **or ward** and a list of hospital and medical expenses incurred on behalf of said minor as a result of the occurrence. A current medical certificate or letter executed by the attending physician stating the nature and extent of the injuries sustained by the minor or ward and the prognosis for the minor or ward, if it exists or if it is requested by the Court. The Court may waive the provisions of this sub-paragraph 4 upon good cause shown.

(5) The petition shall contain a statement by the petitioner or the attorney for the petitioner as to the fairness of the offer and a recommendation as to whether the offer should be approved or rejected.

(b) Where the proposed settlement relates to a pending case for personal injury, the verified petition shall be heard by the judge assigned to the case.

(c) Where the proposed settlement does not relate to a pending Law case for personal injury, the verified petition shall be heard by the judge regularly assigned to hear probate matters.

(d) In cases where no independent attorney has been employed by the legal representative of the minor or ward, the Court may appoint an attorney as guardian ad litem to investigate the merits of the proposed settlement and to report his or her findings and recommendations before approval of the proposed settlement. In the event the appointed guardian ad litem does not recommend the approval of the proposed settlement, the appointed guardian ad litem shall not represent as a private attorney the legal representative or any of the parties having an interest in the case, but may continue as such guardian ad litem with reference to any revised offer of settlement so long as the legal representative has not employed independent counsel for the case. The Court shall fix an appropriate fee for the guardian ad litem to be taxed as costs in the case.

(e) In minor's **or ward's** personal injury cases, an allowance for attorney fees shall not exceed 25% of the gross settlement amount unless the attorney representing the minor **or ward** in a sworn petition recites the work and hours involved or other special circumstances which would justify a higher attorney's fee to compensate the attorney fairly for the work performed, in which case the Court may fix the fee in excess of the 25% limitation.

(f) The order entered approving settlement shall provide for the distribution of the settlement funds and the filing of vouchers, which evidence receipt of any portion of the fund, with the Court within a time prescribed by the Court.

(g) When any settlement funds are to be received by a parent or legal representative on behalf of a minor child **or ward**, such funds shall be required to be deposited in an account in a financial institution approved by the Court for the benefit of the minor, and shall not be withdrawn without approval by court order. The financial institution so approved by the Court shall be insured either by the Federal Deposit Insurance Corporation (FDIC) or by the Federal Savings and Loan Insurance Corporation (FSLIC).

(h) The Court shall continue the case to a specific date for the purpose of having a voucher from the financial institution filed. The voucher from the depository shall acknowledge receipt of the funds and a copy of the order of the Court approving settlement, **and for minor's settlements**, shall include the express language that "No withdrawals shall be made from this account, unless authorized by order of Court, at any time prior to (date upon which the minor will reach the age of majority)." **For ward's settlements, the vouchers shall**

include the express language that “No withdrawals shall be made from this account, unless authorized by order of Court until such time as the ward no longer has a guardian.”

(i) The order entered approving settlement shall provide for the appointment of a guardian for the minor’s estate and shall require the appointed guardian to file a bond pending proper deposit of the minor’s funds in the financial institution approved by the Court. Upon the filing of the voucher from the financial institution acknowledging receipt of the funds and a copy of the order approving settlement, the bond may be canceled. The requirement of a surety on the bond to be filed by the guardian of the minor’s estate may be waived when the Court finds it is in the best interests of the minor’s estate. In such instances, the attorney representing the interests of the minor shall have personal responsibility for depositing the funds in the approved financial institution in accordance with the order entered.

(j) A stipulation dismissing the cause of action shall be filed with the filing of the voucher from the financial institution acknowledging receipt of the funds.

(k) Where the agreement involves a structured settlement, the company providing the annuity shall be one which holds a current rating of “A” or better by Best’s Insurance Guide.

(l) If the amount distributable to a **ward or** minor **who is** fourteen (14) years of age or older is \$750 or less, the Court in its discretion may order the amount distributed directly to the parent or guardian with whom the minor permanently resides for the benefit of the minor, or may order deposit into a financial institution approved by the Court.

(m) If the amount distributable to a **ward or** minor **who is** fourteen (14) years of age or older exceeds \$750 and is \$10,000 or less, the Court in its discretion may order the amount distributed on behalf of the minor to be deposited into a financial institution approved by the Court or may order that proceedings be instituted pursuant to the Probate Act of 1975, as amended.

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(n) If the amount distributable to a minor **or ward** exceeds \$10,000, or the minor is less than fourteen (14) years of age, or the distribution to the minor **or ward** is to be made pursuant to a structured settlement, a proceeding shall be initiated pursuant to the Probate Act of 1975, as amended. This provision may be waived by the Court on good cause shown.

(o) Any settlement approved which is required to be administered pursuant to the Probate Act of 1975, as amended, shall be paid to the guardian of the minor **or ward** and the order approving the distribution shall be effective only after the entry of any order by the Judge

assigned to Probate matters approving the bond or other security required to administer the settlement and distribution.

(p) A petition for withdrawal from said account **for a ward or for a minor** prior to the minor reaching the age of majority shall be in writing and shall state the amount in the account at the time of presenting the petition, the annual income available to the minor, the amount and purpose for the withdrawal, and the amount of the last authorization for withdrawal from the account for the same purpose.

(q) A ward is anyone whose person or property has been placed by authority of law under the care of a guardian. See, e.g., 755 ILCS 5/11a-3.

10.02 SETTLEMENT IN A WRONGFUL DEATH AND/OR SURVIVAL ACTION

(a) To settle a cause of action on behalf of a decedent for personal injuries and/or for the wrongful death of a person, the representative of the decedent's estate shall file in the court a petition for approval of the settlement of the cause of action. A petition for approval shall recite:

- (1) A brief description of the occurrence giving rise to the cause of action;
- (2) A brief description of the injuries sustained and/or facts giving rise to the cause of death of the decedent;
- (3) A brief assessment by the attorney based upon the facts and the law that the proposed settlement is fair and reasonable;
- (4) A breakdown and percentage of proposed wrongful death, pecuniary loss, and survival damages along with factual bases to support said proposal;
- (5) A list of fees, expenses, lien distribution, and overall disbursement to the heirs and estate;
- (6) A statement as to whether a probate action is pending DuPage County or some other county;
- (7) Affidavits from the representative and/or heirs acknowledging and agreeing to the settlement or indication that a dependency hearing is required; and
- (8) A proposed order approving of the settlement, fees, expenses, liens, and disbursements to the heirs and estate.

(b) Where the proposed settlement relates to a pending case for personal injuries and/or wrongful death of a person, the petition shall be heard by the judge assigned to the case in