

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

THIRD AMENDED GENERAL ORDER NO. 20-03

Court Proceedings During COVID-19 Public Emergency

Because a state of emergency has been declared in response to the spread of COVID-19, and because the Centers for Disease Control and Prevention have urged reduced contact among people to slow the spread of the disease, the U.S. Bankruptcy Court for the Northern District of Illinois issues this order, *effective October 13, 2020*, to protect public health.

1. Court hours. The Bankruptcy Court will remain open during normal business hours, pending further order of court. Because some deadlines under the Bankruptcy Code and Federal Rules of Bankruptcy Procedure cannot be changed, the Bankruptcy Court will remain open as long as possible.

2. All court calls to be heard electronically. All court calls will be held remotely by electronic means. No personal appearances in court will be necessary or permitted, unless the judge orders otherwise. Attorneys must direct their clients *not* to appear in person at the courthouse.

3. Motions. Local Rule 9013-1(E)(1) governing presentment of motions in court is suspended. All motions will be heard remotely by electronic means, without personal appearances. Movants *must* use one of the two attached Notice of Motion forms.

4. Court appearances by Zoom for Government or AT&T Teleconference. At the discretion of the individual judge, the bankruptcy court will use either Zoom for Government or AT&T Teleconference for court appearances. There is no charge for using these services (other

than the usual toll charges for Zoom for Government). Attorneys and parties in interest should consult the individual judge's page on the court's web site to see which service the judge uses.

a. Zoom for Government. Attorneys and parties may connect through Zoom for Government by computer or by telephone. To connect by audio only, a telephone or a computer with a microphone and speakers (or headphones) is necessary. To connect by video, a computer with a webcam and microphone or a smartphone with audio-visual capability is necessary.

To appear by video, use the following link: <https://www.zoomgov.com/> Then enter the meeting ID and password. The applicable meeting ID and password can be found on the judge's page on the court's web site: <https://www.ilnb.uscourts.gov>.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. The meeting ID and password will differ for each court call. The applicable meeting ID and password can be found on the judge's page on the court's web site: <https://www.ilnb.uscourts.gov>.

b. AT&T Teleconference. Attorneys and parties may connect through AT&T Teleconference only by telephone. To do so, dial the toll-free number and enter the access code followed by the pound (#) sign. The toll-free number and access code will differ for each judge and can be found on the judge's page on the court's web site: <https://www.ilnb.uscourts.gov>.

5. Protocols for electronic court appearances.

- a. Your computer or telephone must be on "mute" except when your case is called.
- b. Each time you speak, identify yourself for the record. Remember to speak slowly and distinctly. Do not interrupt others.
- c. Do not use a speaker phone or call from a public place. Disruptions or background noise may cause the judge to mute you or terminate your participation.

d. No one except the assigned court reporter or another person that the court directs may record the audio or video.

e. Though held remotely by electronic means, each court call is a judicial proceeding. Formalities of a courtroom will be observed. Participants must conduct themselves in a suitable manner and if appearing by video must dress appropriately.

6. Dates and times of individual judges' court calls. To avoid simultaneous electronic court calls, the judges will hear matters on the following schedule rather than as originally scheduled, noticed, or (unless otherwise indicated) shown on the court's web site. Attorneys must check the court's docket to ensure that a matter has not been rescheduled.

a. Outlying county court calls (Joliet, Kane County, Lake County): All outlying county court calls will be held on the same dates and at the same times as previously scheduled but will be held electronically.

b. Chapter 7 and Chapter 11 calls: Each judge's chapter 7 and chapter 11 call will be held on a single day as follows.

- Chief Judge Goldgar: Monday, original motions at 9:30 a.m., set matters at 10 a.m.
- Judge Baer: Wednesday, original motions at 1:00 p.m., set matters at 1:30 p.m.
- Judge Barnes: Monday, original motions at 1:00 p.m., set matters at 1:30 p.m.
- Judge Cassling: Tuesday, original motions at 9:30 a.m., set matters at 10:00 a.m.
- Judge Cleary: Wednesday, original motions at 10 a.m., set matters at 10:30 a.m.
- Judge Cox: Tuesday, original motions at 1:00 p.m., set matters at 1:30 p.m.
- Judge Doyle: Thursday, original motions at 10 a.m., set matters at 10:30 a.m.
- Judge Hunt: Thursday, all matters at 11 a.m.
- Judge Lynch: Wednesday, all matters at 11 a.m.

- Judge Schmetterer: Tuesday, original motions at 10 a.m., set matters at 10:30 a.m.
- Judge Thorne: Thursday, original motions at 9 a.m., set matters at 9:30 a.m.

c. Chapter 13 calls and Western Division Chapter 12 calls:

- Chief Judge Goldgar: Tuesday afternoon

1:15 p.m. trustee motions
 1:30 p.m. original motions
 2:00 p.m. set matters
 2:30 p.m. confirmations

- Judge Barnes: Thursday afternoon

1:00 p.m. trustee motions
 1:30 p.m. original motions
 2:00 p.m. set matters
 2:30 p.m. confirmations

- Judge Cassling: Thursday morning, at times currently shown on the court's web site

- Judge Cleary: Monday afternoon

1:00 p.m. trustee motions
 1:30 p.m. original motions
 2:00 p.m. set matters
 2:30 p.m. confirmations

- Judge Cox: Monday morning, at times currently shown on the court's web site

- Judge Doyle: Tuesday morning, at times currently shown on the court's web site

- Judge Lynch: Thursday morning

8:45 a.m. trustee motions
 9:00 a.m. original motions
 10:00 a.m. confirmations
 11:00 a.m. chapter 12 matters

- Judge Schmetterer: Wednesday morning, at times currently shown on the court's web site

- Judge Thorne: Wednesday afternoon

1:00 p.m. trustee motions
1:30 p.m. original motions
2:00 p.m. set matters
2:30 p.m. confirmations

7. Motions; Objection procedure; Service. The following procedures apply to all motions noticed for presentment on or after October 13, 2020.

a. Every motion must be filed using the applicable attached Notice of Motion form.

If a motion noticed for presentment on or after October 13, 2020, has already been filed, the movant must file and serve an amended notice of motion using the applicable Notice of Motion form.

b. A party who objects to a motion and wants it called must file a Notice of Objection no later than two (2) business days before the presentment date.

c. A Notice of Objection need only say that the respondent objects to the motion. No reasons need be given for the objection.^{1/}

d. If a Notice of Objection is timely filed, the motion will be called on the presentment date.

e. If no Notice of Objection is timely filed, the court may grant the motion without a hearing before the date of presentment.

f. Local Rule 9013-1(D) governing service of motions is suspended in part. All motions must be served at least seven (7) days before the date of presentment, regardless of the method of service.

^{1/} For example, a trustee's objection to a chapter 13 debtor's motion to modify the plan post-confirmation need only say: "The trustee objects to the motion to modify the plan."

g. Any matter not subject to a deadline in the Bankruptcy Code or Bankruptcy Rules may be continued to another date by agreement of the parties. To obtain a continuance, the parties should contact chambers.

8. Trials and evidentiary hearings. All trials and evidentiary hearings will be held by video using the Zoom for Government platform. No trials and evidentiary hearings will be held in the courthouse. *See* General Order No. 20-05.

9. Original Non-Attorney Signatures. Section II.C.1 of the Administrative Procedures for the Case Management/Electronic Case Filing System is suspended. Electronic signatures using a method like DocuSign will be accepted.

10. Deadlines in Bankruptcy Code and Bankruptcy Rules unchanged. Nothing in this order alters in any respect deadlines under the Bankruptcy Code or Bankruptcy Rules.

11. Authority of judges to enter orders unaffected. This order does not affect the authority of judges to enter orders in any bankruptcy case or proceeding.

12. Local Rules remain in effect. Except as provided in this order, the Local Rules of the Bankruptcy Court and the court's Administrative Procedures for the Case Management/Electronic Case Filing System remain in effect, including Local Rule 9013-2 concerning emergency motions.

13. Effective date; Superseding effect of this order. This order is effective October 13, 2020. On the effective date, this order supersedes all other orders and all notices from individual judges concerning court proceedings during the current emergency.

Dated: September 28, 2020

ENTERED FOR THE COURT:


A. Benjamin Goldgar
Chief Judge

1. Notice of Motion form for Zoom for Government

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

[caption]

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on _____, 20__, at _____ a.m./p.m., I will appear before the Honorable _____, or any judge sitting in that judge's place, and present the motion of _____ [to/ for] _____, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is _____ and the password is _____. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

[Name of movant]

By: _____

[Name, address, telephone number,
and email address of counsel]

CERTIFICATE OF SERVICE

I, _____, certify [if an attorney]/declare under penalty of perjury under the laws of the United States of America [if a non-attorney] that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on _____, 20__, at _____ a.m./p.m.

2. Notice of Motion form for AT&T Teleconference

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

[caption]

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on _____, 20__, at _____ a.m./p.m., I will appear before the Honorable _____, or any judge sitting in that judge's place, and present the motion of _____ [to/ for] _____, a copy of which is attached.

This motion will be presented and heard electronically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must call this toll-free number: _____. Then enter access code _____ followed by the pound (#) sign.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

[Name of movant]

By: _____

[Name, address, telephone number,
and email address of counsel]

CERTIFICATE OF SERVICE

I, _____, certify [if an attorney]/declare under penalty of perjury under the laws of the United States of America [if a non-attorney] that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on _____, 20__, at _____ a.m./p.m.