

COURTROOM D

STANDING ORDER NO. 3 (Pre-Trial Motions & Motions *In Limine*)

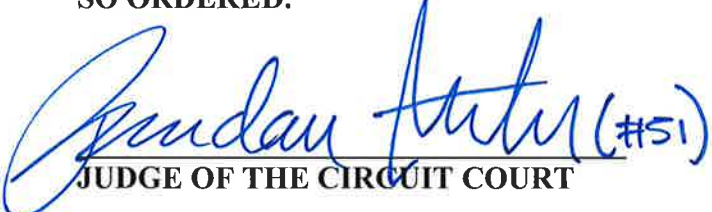
1. All **Pre-Trial Motions, Discovery Motions** and/or **Motions *in Limine*** shall cite the applicable statute(s), Illinois Supreme Court Rule(s), Illinois Rule(s) of Evidence (“IRE”) **and the most recent, relevant, controlling or persuasive** Illinois Supreme Court or Illinois Appellate Court authority or other authorities upon which the motion’s request for relief is based. Recycled and “form” motions and/or motions containing “string cites” for boilerplate propositions of law **not specific to the pending case** are strongly disfavored.
2. All **Pre-Trial Motions, Discovery Motions** and/or **Motions *in Limine*** shall clearly, concisely and completely state and allege the **case-specific facts** upon which the motion is based and upon which the **specific request for relief** depends. See *People v. Ramirez*, 2013 IL App (4th) 121153, ¶¶59, 63-65; see also *People v. Winchester*, 2016 IL App (4th) 140781, ¶¶22-30 (encouraging trial courts to reject motions that do not conform to statutory requirements on the face of the motion and to direct counsel to re-file properly). When required by statute or rule, or when otherwise appropriate, motions shall be verified and/or supported by affidavit.
3. Defendant’s **Pre-Trial Motions** pursuant to **725 ILCS 5/114-1, et seq.** or pursuant to a theory of dismissal or suppression based on Constitutional or common law, and all **Discovery Motions**, shall be filed promptly and at the **earliest possible opportunity** after defense counsel’s receipt of substantially all discovery from the State and **prior to setting the case on the Jury Trial Call**.
4. **Motions *in Limine***, if any, shall be filed at the **earliest possible opportunity** following substantial completion of discovery, and in no event later than the date set for the Final Jury Pre-Trial Conference (“FJPTC”). Motions *in limine* shall be noticed for presentment at the FJPTC. Except for good cause shown, the Court may, in the exercise of its discretion, decline to hear motions *in limine* not filed prior to and presented at the FJPTC in accordance with this Standing Order No. 3.
5. Counsel are expected to reasonably anticipate the amount of court time necessary for the Court to hear and decide a **Pre-Trial Motion, Discovery Motion** and/or **substantive Motion *in Limine*** that has been filed, or that is intended to be filed. If a party has filed or intends to file a substantive motion of any kind that will require an evidentiary hearing or may otherwise require more than fifteen (15) minutes of Court time, the filing party shall advise the Court and opposing counsel so that sufficient time can be scheduled to hear the motion.
6. **Counsel shall provide the Court with courtesy copies** (in either paper or electronic form) of any Pre-Trial Motions and/or motions *in limine*, along with: (a) copies of all statutes, rules and/or cases cited within the motion; and (b) copies of any documents referenced within the motion or upon which argument will or may be based. Counsel should highlight or tab the most relevant portions of all documents upon which arguments will be based. Counsel should also provide citations to, copies of, relevant case law, rules, statutes and/or documents to opposing counsel in advance of a scheduled hearing at which argument may be presented.

Unless excused by the Court, courtesy copies should be provided to the Court no less than two business days (48 hours) in advance of the scheduled hearing. Copies may be provided by mail, by delivery to chambers, or by e-mail in PDF format to bmaher@17thCircuit.illinoiscourts.gov with **opposing counsel copied** on all such e-mail correspondence.

7. The Court may, in its discretion on its own motion or on motion of the opposing party, strike without prejudice motion(s) that do not comply with Paragraphs 1 and 2 of this Standing Order No. 3 and direct the re-filing of compliant motion(s) within a specified or agreed period of time. See *People v. Ramirez*, 2013 IL App (4th) 121153, ¶¶59, 63-65; see also *People v. Winchester*, 2016 IL App (4th) 140781, ¶¶22-30. The delay occasioned by the time required to properly re-file a motion stricken by the Court is attributable to the party filing the non-compliant motion.

SO ORDERED.

Entered: 09/15/20


JUDGE OF THE CIRCUIT COURT