



CCM COVID-19 ALERT

April 30, 2020

Clingen Callow & McLean, LLC

To Our Friends and Business Partners:

We know that the global spread of the Corona Virus (“COVID-19”) continues to impact our community in a way that is creating concern and uncertainty at home, at work, and in the economy. As the situation develops, so does our firm’s response. To that end, we have been working to responsibly implement our work from home protocols. At this time, our office remains open. Please see our previous [alert](#) regarding executing documents remotely during the epidemic. Our IT infrastructure ensures that we can operate remotely without compromising the quality of our legal services or our security, while providing a healthy and safe environment for our attorneys, staff, and their families.

In response to the COVID-19 pandemic, federal and state courts throughout the country are issuing general orders providing for important changes to procedures for pending and newly scheduled court hearings. In Illinois, recent extensions to Governor J.B. Pritzker’s stay-at-home order have prompted the courts to also extend their responsive procedures. Below is a summary of such procedural changes in DuPage and surrounding counties as they apply to probate matters. For additional information regarding COVID-19 court closures and restrictions, generally, see our [post](#) under our COVID-19 Litigation section.

DuPage County- All civil matters, including probate, scheduled through May 15, 2020 will be continued. The Clerk of Court will contact parties with notice of the re-scheduled date. However, Probate judges have been entering some orders on routine matters without the need for court appearances. This is at the discretion of the judge, but it does allow us to open and close estates under certain circumstances.

Will County - All civil matters, including probate, scheduled through May 15, 2020 will be continued. The Clerk of Court will contact parties with notice of the re-scheduled date.

Kane County - All civil matters, including probate, scheduled through June 1, 2020 are automatically continued for at least 35 days. However, probate judges have been entering some orders on routine matters without the need for court appearances. This is at the discretion of the judge, but it does allow us to open and close estates under certain circumstances

Lake County- All civil matters scheduled prior to May 18, 2020 will be automatically continued to a later date. Per Administrative Order 20-08, the court will remotely hear Petitions for Guardianship and accept proposed agreed orders and uncontested motions and presentations submitted via email. Additionally, per Administrative Order 20-21, parties will be permitted to submit Petitions Seeking to Open or Close Uncontested Decedent's Estates via email.

Cook County- Per General Administrative Order No. 2020 P 01, excluding emergency motions, all probate matters will be continued and reset to a date after May 18, 2020. Judges will assign this date themselves. Emergency matters include, but are not limited to, a petition to appoint or extend a temporary guardian, petitions to open a decedent's estate to approve the sale of real estate, and petitions to authorize a distribution of settlement proceeds where a recipient has a financial hardship. All emergency proceedings shall be conducted remotely by videoconference. Additionally, per General Administrative Order No. 2020 P 02, the court shall accept electronic submission of Fee Petitions, limited to fees incurred by attorneys, trustees, guardians, administrators in supervised administrations, case managers, and care providers.

Courts in all counties will continue to hear emergency matters including, but not limited to, petitions to appoint or extend a temporary guardian, petitions to open a decedent's estate or to approve the sale of real estate, petitions to authorize a distribution of settlement proceeds where a recipient has a financial hardship, petitions authorizing emergency surgery and requests that terminally ill patients be removed from life support devices, and mental health incapacity cases. If there is an emerging situation that requires immediate court attention, we can address the matter with the specific court to obtain direction and, if necessary, authority to take appropriate action.

Furthermore, all courts are accepting pleadings and motions electronically, and nothing at the moment is preventing new matters from being filed. We are monitoring courts for further updates and are in the process of moving all court dates and hearings to the earliest dates available.

Please feel free to contact us should you have any questions as these orders are subject to some extent to individual judge discretion and may be modified on a case by case basis depending on the urgency of a specific matter.

We wish you, your family, and your colleagues continued health and safety.

Sincerely,

The CCM Estate Planning Group

Amber Drew
Iman Eikram
Angelia Green
Clingen Callow & McLean, LLC
2300 Cabot Drive, Suite 500
Lisle, Illinois 60532
www.ccmlawyer.com
630.-871-2600

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