



## **NINETEENTH JUDICIAL CIRCUIT LAKE COUNTY**

### **2-1.05 EMERGENCY MOTIONS**

- A. If emergency relief is requested, application shall be made to the assigned Judge, or if unavailable, to the Judge specifically assigned to sit in his stead. If neither Judge is available, application shall be made to the Presiding Judge of the division to which the case is assigned.
- B. Each application for emergency relief shall be accompanied by an affidavit of the movant or movant's attorney stating the reason for emergency relief; and, in cases where the request is without Notice, except as permitted by law, said affidavit shall state what attempts have been made to notify opposing counsel or the opposing party. Failure to attach said affidavits to the request for emergency relief may be grounds for denial of the Motion. A party and/or his or her counsel who respond to a Motion propounded as, but found not to be, an emergency may be entitled to reimbursement by the proponent of actual expenses, fees and costs incurred in responding to the said Motion.
- C. Every Complaint or Petition requesting an Ex Parte Order for the appointment of a receiver, Temporary Restraining Order, or any other emergency relief, shall be filed in the Office of the Clerk of the Circuit Court, if during court hours, before application to the Court for the Order.
- D. If a Motion is heard without prior Notice under this Rule and any Respondent or other party fails to appear, a copy of the Orders entered at the hearing shall be served personally, or by US Mail, upon all parties not previously found by the Court to be in default for failure to plead, and proof of service thereof shall be filed with the Clerk of the Circuit Court within two days of the hearing thereon.
- E. Counsel shall use every reasonable effort to notify opposing parties or counsel of entry of each Order, at the earliest opportunity.