

## **ARTICLE 13: MANDATORY ARBITRATION**

The mandatory arbitration program in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois is governed by Supreme Court Rules 86-95 (not chaptered in ILCS) for the conduct of Mandatory Arbitration Proceedings. Pursuant to Supreme Court Rule 86(c), the Circuit Judges of the 18th Judicial Circuit adopt the following Local Rules effective January 23, 1989. Arbitration proceedings and small claims jury proceedings shall be governed by Supreme Court Rules and Article 13. *(amended effective 1/23/06)*

### **13.01 CIVIL ACTIONS SUBJECT TO MANDATORY ARBITRATION (S.Ct. Rule 86)**

(a) Mandatory Arbitration proceedings are undertaken and conducted in the Circuit Court for the 18th Judicial Circuit, pursuant to Order of the Illinois Supreme Court of December 19, 1988 and written letter from the Illinois Supreme Court dated November 20, 1996.

(b) All civil actions will be subject to Mandatory Arbitration on all claims exclusive for money in an amount exceeding \$10,000 but not exceeding the monetary limit authorized by the Supreme Court for the 18th Judicial Circuit, exclusive of interest and costs. These civil actions shall be assigned to the Arbitration Calendar of the Circuit Court of the 18th Judicial Circuit at the time of initial case filing with the Clerk of the Circuit Court, DuPage County, Illinois. *(amended effective 1/23/06)*

(c) Cases not originally assigned to the Arbitration Calendar may be ordered to arbitration on the motion of either party, by agreement of the parties or by order of court at a status call or pretrial conference when it appears to the Court that no claim in the action has a value in excess of the monetary limit authorized by the Supreme Court for the 18th Judicial Circuit but is not within the monetary limits of Small Claims Court, irrespective of defenses. However, all small claims jury proceedings are subject to Mandatory Arbitration pursuant to 16.04 of these Rules. *(amended effective 1/23/06)*

(d) When a civil action not originally assigned to the Arbitration Calendar is subsequently assigned to the Arbitration Calendar, pursuant to Supreme Court Rule 86(d), the Supervising Judge or the judge to whom the case is assigned shall promptly assign an arbitration hearing date. Except by agreement of counsel for all parties, and subject to approval by the court, the arbitration hearing date shall be not less than sixty (60) days nor more than one hundred eighty (180) days from the date of the assignment to the Arbitration Calendar. An extension may be granted upon good cause shown.