

Rule 2. Assignment of Cases.

(a) Ready Cases. When a case becomes ready, (1) the Director of Research shall review the case to determine if it should be assigned to the Research Department (except for cases placed on an accelerated docket), and (2) the case shall be randomly assigned by electronic process to an authoring judge and a panel of two additional judges from the authoring judge's division. Random assignment of cases shall be balanced for an annual equalization among judges.

If the authoring judge fails to secure a majority of the panel for any reason (either as to the judgment or the rationale), the presiding judge (if the presiding judge is in the majority) or, otherwise, the senior judge in the majority shall reassign a new author from among the judges in the majority.

If the authoring judge recuses himself or herself, the chair of the Executive Committee shall authorize the case to be randomly reassigned by electronic process.

The assigned panel shall render the dispositional order of the court, except (a) for realignment due to recusals and division rotation; (b) by order of the chair of the Executive Committee; and (c) where the authoring judge determines that (i) there is a need to promptly dispose of an accelerated or expedited case; (ii) where an assigned member of the panel is unavailable due to recusal, illness, or vacation; or (iii) adherence to panel designations would unduly delay the disposition of a case.

(b) Non-Ready Cases. The clerk shall randomly assign non-ready cases by electronic process to one of the six divisions for motion purposes. Except for transfers due to consolidations, recusals, or related case purposes, this assignment shall remain fixed until the case becomes ready, regardless of the annual rotation or reassignment of any judge to a different division.

A staff motions attorney designated by the court shall examine the notice of appeal and the docketing statement of each new appeal filed. If this review demonstrates there is a question regarding whether this court has jurisdiction over the appeal, the attorney shall notify the chair of the Executive Committee. If the chair agrees with the staff attorney's assessment, the appellant shall be ordered to file a jurisdictional statement.

(c) Related Cases. The clerk shall assign a case that is related to a prior case assigned to an authoring judge who is still a member of this court to that judge as the authoring judge and to a panel of judges from the authoring judge's division. If the authoring judge is no longer a member of the court, any case related to the disposed case shall be assigned as any other case.

Examples of related cases include, but are not limited to:

- (1) A postconviction appeal and the direct appeal of a criminal case;
- (2) An appeal at the conclusion of a case and a prior interlocutory appeal;
- (3) A section 2-1401 appeal and the direct appeal;

(4) An appeal from the same circuit court number, or the successor circuit court number, as in a prior case;

(5) Cases that arise out of the same incident regardless of whether they share the same circuit court number; and

(6) Cases that involve similar issues where one or more of the parties are the same.

The clerk shall assign cases listed in categories (c)(5) and (c)(6) as related only with permission of the chair of the Executive Committee.

The chair of the Executive Committee may also assign cases as related in the interest of judicial economy.

(d) Assignment of Related or Consolidated Cases. When a ready case is consolidated with a non-ready case, or a ready case is designated as related to a non-ready case, the cases may, in the chair's discretion, be assigned to the authoring judge and panel of the ready case. When non-ready cases are consolidated or designated as related, they shall be assigned for motion purposes to the division of the lowest-numbered case. Consolidation orders shall specify the due date for the next forthcoming required filing, if any, and should strike any inconsistent filing deadlines.

(e) Authority of the Executive Committee. The Executive Committee may, in its discretion, transfer or reassign any case to a new authoring judge or division by randomized computer process.