

1 AN ACT in relation to child custody.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by changing Section 112A-21 as follows:

6 (725 ILCS 5/112A-21) (from Ch. 38, par. 112A-21)

7 Sec. 112A-21. Contents of orders.

8 (a) Any order of protection shall describe, in  
9 reasonable detail and not by reference to any other document,  
10 the following:

11 (1) Each remedy granted by the court, in reasonable  
12 detail and not by reference to any other document, so  
13 that respondent may clearly understand what he or she  
14 must do or refrain from doing. Pre-printed form orders of  
15 protection shall include the definitions of the types of  
16 abuse, as provided in Section 112A-3. Remedies set forth  
17 in pre-printed form orders shall be numbered consistently  
18 with and corresponding to the numerical sequence of  
19 remedies listed in Section 112A-14 (at least as of the  
20 date the form orders are printed).

21 (2) The reason for denial of petitioner's request  
22 for any remedy listed in Section 112A-14.

23 (b) An order of protection shall further state the  
24 following:

25 (1) The name of each petitioner that the court  
26 finds was abused by respondent, and that respondent is a  
27 member of the family or household of each such  
28 petitioner, and the name of each other person protected  
29 by the order and that such person is protected by this  
30 Act.

31 (2) For any remedy requested by petitioner on which

1 the court has declined to rule, that that remedy is  
2 reserved.

3 (3) The date and time the order of protection was  
4 issued, whether it is an emergency, interim or plenary  
5 order and the duration of the order.

6 (4) The date, time and place for any scheduled  
7 hearing for extension of that order of protection or for  
8 another order of greater duration or scope.

9 (5) For each remedy in an emergency order of  
10 protection, the reason for entering that remedy without  
11 prior notice to respondent or greater notice than was  
12 actually given.

13 (6) For emergency and interim orders of protection,  
14 that respondent may petition the court, in accordance  
15 with Section 112A-24, to re-open that order if he or she  
16 did not receive actual prior notice of the hearing, in  
17 accordance with Section 112A-11, and alleges that he or  
18 she had a meritorious defense to the order or that the  
19 order or any of its remedies was not authorized by this  
20 Article.

21 (7) For a remedy concerning physical care and  
22 possession of a minor child, temporary legal custody of a  
23 minor child, or visitation with a minor child, if the  
24 minor child is enrolled at a public or private school, a  
25 statement as to which of the child's parents is  
26 authorized to pick up the child at the school. If both  
27 parents are authorized to pick up the child at the  
28 school, the order of protection must state that  
29 authorization.

30 (c) Any order of protection shall include the following  
31 notice, printed in conspicuous type: "Any knowing violation  
32 of an order of protection forbidding physical abuse,  
33 harassment, intimidation, interference with personal liberty,  
34 willful deprivation, or entering or remaining present at

1 specified places when the protected person is present, or  
2 granting exclusive possession of the residence or household,  
3 or granting a stay away order is a Class A misdemeanor.  
4 Grant of exclusive possession of the residence or household  
5 shall constitute notice forbidding trespass to land. Any  
6 knowing violation of an order awarding legal custody or  
7 physical care of a child or prohibiting removal or  
8 concealment of a child may be a Class 4 felony. Any willful  
9 violation of any order is contempt of court. Any violation  
10 may result in fine or imprisonment."

11 (Source: P.A. 86-1300; 87-1186.)

12 (725 ILCS 5/112A-22) (from Ch. 38, par. 112A-22)

13 Sec. 112A-22. Notice of orders.

14 (a) Entry and issuance. Upon issuance of any order of  
15 protection, the clerk shall immediately, or on the next court  
16 day if an emergency order is issued in accordance with  
17 subsection (c) of Section 112A-17, (i) enter the order on the  
18 record and file it in accordance with the circuit court  
19 procedures and (ii) provide a file stamped copy of the order  
20 to respondent, if present, and to petitioner.

21 (b) Filing with sheriff. The clerk of the issuing judge  
22 shall, or the petitioner may, on the same day that an order  
23 of protection is issued, file a copy of that order with the  
24 sheriff or other law enforcement officials charged with  
25 maintaining Department of State Police records or charged  
26 with serving the order upon respondent. If the order was  
27 issued in accordance with subsection (c) of Section 112A-17,  
28 the clerk shall on the next court day, file a certified copy  
29 of the order with the Sheriff or other law enforcement  
30 officials charged with maintaining Department of State Police  
31 records.

32 (c) Service by sheriff. Unless respondent was present  
33 in court when the order was issued, the sheriff, other law

1 enforcement official or special process server shall promptly  
2 serve that order upon respondent and file proof of such  
3 service, in the manner provided for service of process in  
4 civil proceedings. If process has not yet been served upon  
5 the respondent, it shall be served with the order.

6 (c-5) If the person against whom the order of protection  
7 is issued is arrested and the written order is issued in  
8 accordance with subsection (c) of Section 112A-17 and  
9 received by the custodial law enforcement agency before the  
10 respondent or arrestee is released from custody, the  
11 custodial law enforcement agent shall promptly serve the  
12 order upon the respondent or arrestee before the respondent  
13 or arrestee is released from custody. In no event shall  
14 detention of the respondent or arrestee be extended for  
15 hearing on the petition for order of protection or receipt of  
16 the order issued under Section 112A-17 of this Code.

17 (d) Extensions, modifications and revocations. Any  
18 order extending, modifying or revoking any order of  
19 protection shall be promptly recorded, issued and served as  
20 provided in this Section.

21 (e) If an order of protection contains a provision for  
22 physical care and possession of a minor child, temporary  
23 legal custody of a minor child, or visitation with a minor  
24 child and a statement concerning authorization to pick up the  
25 child at a school as required under subdivision (b)(7) of  
26 Section 112A-21, the clerk of the court issuing the order  
27 shall notify the affected school as follows:

28 (1) If the school is a private school, the clerk  
29 shall send a certified copy of the order to the school.

30 (2) If the school is a public school, the clerk  
31 shall send a certified copy of the order to the principal  
32 office of the public school district.

33 (Source: P.A. 90-392, eff. 1-1-98.)

1 Section 10. The Illinois Marriage and Dissolution of  
2 Marriage Act is amended by adding Section 602.5 and changing  
3 Sections 603 and 607 as follows:

4 (750 ILCS 5/602.5 new)

5 Sec. 602.5. Custody; pick up child at school.

6 (a) If a child custody order is issued under this Act  
7 with respect to a minor child who is enrolled in school, the  
8 order must contain a statement as to which of the child's  
9 parents is authorized to pick up the child at the school. If  
10 both parents are authorized to pick up the child at the  
11 school, the order must state that authorization.

12 (b) After the entry of an order described in subsection  
13 (a), the clerk of the court shall notify the affected school  
14 as follows:

15 (1) If the school is a private school, the clerk  
16 shall send a certified copy of the order to the school.

17 (2) If the school is a public school, the clerk  
18 shall send a certified copy of the order to the principal  
19 office of the public school district.

20 (750 ILCS 5/603) (from Ch. 40, par. 603)

21 Sec. 603. Temporary Orders.

22 (a) A party to a custody proceeding, including a  
23 proceeding to modify custody, may move for a temporary  
24 custody order. The court may award temporary custody under  
25 the standards of Section 602 and the standards and procedures  
26 of Section 602.1, after a hearing, or, if there is no  
27 objection, solely on the basis of the affidavits.

28 (b) If a proceeding for dissolution of marriage or legal  
29 separation or declaration of invalidity of marriage is  
30 dismissed, any temporary custody order is vacated unless a  
31 parent or the child's custodian moves that the proceeding  
32 continue as a custody proceeding and the court finds, after a

1 hearing, that the circumstances of the parents and the best  
2 interest of the child requires that a custody judgment be  
3 issued.

4 (c) If a custody proceeding commenced in the absence of  
5 a petition for dissolution of marriage or legal separation,  
6 under either subparagraph (ii) of paragraph (1), or paragraph  
7 (2), of subsection (d) of Section 601, is dismissed, any  
8 temporary custody order is vacated.

9 (d) If an order is issued under this Section with respect  
10 to a minor child who is enrolled in school, the order must  
11 contain a statement as to which of the child's parents is  
12 authorized to pick up the child at the school. If both  
13 parents are authorized to pick up the child at the school,  
14 the order must state that authorization.

15 After the entry of an order described in this subsection,  
16 the clerk of the court shall notify the affected school as  
17 follows:

18 (1) If the school is a private school, the clerk  
19 shall send a certified copy of the order to the school.

20 (2) If the school is a public school, the clerk  
21 shall send a certified copy of the order to the principal  
22 office of the public school district.

23 (Source: P.A. 86-530; 87-1255.)

24 (750 ILCS 5/607) (from Ch. 40, par. 607)

25 Sec. 607. Visitation.

26 (a) A parent not granted custody of the child is  
27 entitled to reasonable visitation rights unless the court  
28 finds, after a hearing, that visitation would endanger  
29 seriously the child's physical, mental, moral or emotional  
30 health. If the custodian's street address is not identified,  
31 pursuant to Section 708, the court shall require the parties  
32 to identify reasonable alternative arrangements for  
33 visitation by a non-custodial parent, including but not

1 limited to visitation of the minor child at the residence of  
2 another person or at a local public or private facility.

3 (a-5) If an order is issued under this Section with  
4 respect to a minor child who is enrolled in school, the order  
5 must contain a statement as to which of the child's parents  
6 is authorized to pick up the child at the school. If both  
7 parents are authorized to pick up the child at the school,  
8 the order must state that authorization.

9 After the entry of an order described in this subsection,  
10 the clerk of the court shall notify the affected school as  
11 follows:

12 (1) If the school is a private school, the clerk  
13 shall send a certified copy of the order to the school.

14 (2) If the school is a public school, the clerk  
15 shall send a certified copy of the order to the principal  
16 office of the public school district.

17 (b) (1) The court may grant reasonable visitation  
18 privileges to a grandparent, great-grandparent, or sibling of  
19 any minor child upon petition to the court by the  
20 grandparents or great-grandparents or on behalf of the  
21 sibling, with notice to the parties required to be notified  
22 under Section 601 of this Act, if the court determines that  
23 it is in the best interests and welfare of the child, and may  
24 issue any necessary orders to enforce such visitation  
25 privileges. Except as provided in paragraph (2) of this  
26 subsection (b), a petition for visitation privileges may be  
27 filed under this paragraph (1) whether or not a petition  
28 pursuant to this Act has been previously filed or is  
29 currently pending if one or more of the following  
30 circumstances exist:

31 (A) the parents are not currently cohabiting on a  
32 permanent or an indefinite basis;

33 (B) one of the parents has been absent from the  
34 marital abode for more than one month without the spouse

1 knowing his or her whereabouts;

2 (C) one of the parents is deceased;

3 (D) one of the parents joins in the petition with  
4 the grandparents, great-grandparents, or sibling; or

5 (E) a sibling is in State custody.

6 (1.5) The Court may grant reasonable visitation  
7 privileges to a stepparent upon petition to the court by the  
8 stepparent, with notice to the parties required to be  
9 notified under Section 601 of this Act, if the court  
10 determines that it is in the best interests and welfare of  
11 the child, and may issue any necessary orders to enforce  
12 those visitation privileges. A petition for visitation  
13 privileges may be filed under this paragraph (1.5) whether or  
14 not a petition pursuant to this Act has been previously filed  
15 or is currently pending if the following circumstances are  
16 met:

17 (A) the child is at least 12 years old;

18 (B) the child resided continuously with the parent  
19 and stepparent for at least 5 years;

20 (C) the parent is deceased or is disabled and is  
21 unable to care for the child;

22 (D) the child wishes to have reasonable visitation  
23 with the stepparent; and

24 (E) the stepparent was providing for the care,  
25 control, and welfare to the child prior to the initiation  
26 of the petition for visitation.

27 (2)(A) A petition for visitation privileges shall not be  
28 filed pursuant to this subsection (b) by the parents or  
29 grandparents of a putative father if the paternity of the  
30 putative father has not been legally established.

31 (B) A petition for visitation privileges may not be  
32 filed under this subsection (b) if the child who is the  
33 subject of the grandparents' or great-grandparents' petition  
34 has been voluntarily surrendered by the parent or parents,

1     except for a surrender to the Illinois Department of Children  
2     and Family Services or a foster care facility, or has been  
3     previously adopted by an individual or individuals who are  
4     not related to the biological parents of the child or is the  
5     subject of a pending adoption petition by an individual or  
6     individuals who are not related to the biological parents of  
7     the child.

8           (3) When one parent is deceased, the surviving parent  
9     shall not interfere with the visitation rights of the  
10    grandparents.

11          (c) The court may modify an order granting or denying  
12    visitation rights of a parent whenever modification would  
13    serve the best interest of the child; but the court shall  
14    not restrict a parent's visitation rights unless it finds  
15    that the visitation would endanger seriously the child's  
16    physical, mental, moral or emotional health. The court may  
17    modify an order granting, denying, or limiting visitation  
18    rights of a grandparent, great-grandparent, or sibling of any  
19    minor child whenever a change of circumstances has occurred  
20    based on facts occurring subsequent to the judgment and the  
21    court finds by clear and convincing evidence that the  
22    modification is in the best interest of the minor child.

23          (d) If any court has entered an order prohibiting a  
24    non-custodial parent of a child from any contact with a child  
25    or restricting the non-custodial parent's contact with the  
26    child, the following provisions shall apply:

27           (1) If an order has been entered granting  
28    visitation privileges with the child to a grandparent or  
29    great-grandparent who is related to the child through the  
30    non-custodial parent, the visitation privileges of the  
31    grandparent or great-grandparent may be revoked if:

32           (i) a court has entered an order prohibiting  
33    the non-custodial parent from any contact with the  
34    child, and the grandparent or great-grandparent is

1 found to have used his or her visitation privileges  
2 to facilitate contact between the child and the  
3 non-custodial parent; or

4 (ii) a court has entered an order restricting  
5 the non-custodial parent's contact with the child,  
6 and the grandparent or great-grandparent is found to  
7 have used his or her visitation privileges to  
8 facilitate contact between the child and the  
9 non-custodial parent in a manner that violates the  
10 terms of the order restricting the non-custodial  
11 parent's contact with the child.

12 Nothing in this subdivision (1) limits the authority  
13 of the court to enforce its orders in any manner  
14 permitted by law.

15 (2) Any order granting visitation privileges with  
16 the child to a grandparent or great-grandparent who is  
17 related to the child through the non-custodial parent  
18 shall contain the following provision:

19 "If the (grandparent or great-grandparent, whichever  
20 is applicable) who has been granted visitation privileges  
21 under this order uses the visitation privileges to  
22 facilitate contact between the child and the child's  
23 non-custodial parent, the visitation privileges granted  
24 under this order shall be permanently revoked."

25 (e) No parent, not granted custody of the child, or  
26 grandparent, or great-grandparent, or stepparent, or sibling  
27 of any minor child, convicted of any offense involving an  
28 illegal sex act perpetrated upon a victim less than 18 years  
29 of age including but not limited to offenses for violations  
30 of Article 12 of the Criminal Code of 1961, is entitled to  
31 visitation rights while incarcerated or while on parole,  
32 probation, conditional discharge, periodic imprisonment, or  
33 mandatory supervised release for that offense, and upon  
34 discharge from incarceration for a misdemeanor offense or

1 upon discharge from parole, probation, conditional discharge,  
2 periodic imprisonment, or mandatory supervised release for a  
3 felony offense, visitation shall be denied until the person  
4 successfully completes a treatment program approved by the  
5 court.

6 (f) Unless the court determines, after considering all  
7 relevant factors, including but not limited to those set  
8 forth in Section 602(a), that it would be in the best  
9 interests of the child to allow visitation, the court shall  
10 not enter an order providing visitation rights and pursuant  
11 to a motion to modify visitation shall revoke visitation  
12 rights previously granted to any person who would otherwise  
13 be entitled to petition for visitation rights under this  
14 Section who has been convicted of first degree murder of the  
15 parent, grandparent, great-grandparent, or sibling of the  
16 child who is the subject of the order. Until an order is  
17 entered pursuant to this subsection, no person shall visit,  
18 with the child present, a person who has been convicted of  
19 first degree murder of the parent, grandparent,  
20 great-grandparent, or sibling of the child without the  
21 consent of the child's parent, other than a parent convicted  
22 of first degree murder as set forth herein, or legal  
23 guardian.

24 (g) If an order has been entered limiting, for cause, a  
25 minor child's contact or visitation with a grandparent,  
26 great-grandparent, or sibling on the grounds that it was in  
27 the best interest of the child to do so, that order may be  
28 modified only upon a showing of a substantial change in  
29 circumstances occurring subsequent to the entry of the order  
30 with proof by clear and convincing evidence that modification  
31 is in the best interest of the minor child.

32 (Source: P.A. 90-782, eff. 8-14-98; 90-801, eff. 6-1-99;  
33 91-357, eff. 7-29-99; 91-610, eff. 8-19-99.)

1 Section 15. The Illinois Parentage Act of 1984 is  
2 amended by changing Section 14 as follows:

3 (750 ILCS 45/14) (from Ch. 40, par. 2514)

4 Sec. 14. Judgment.

5 (a) (1) The judgment shall contain or explicitly reserve  
6 provisions concerning any duty and amount of child support  
7 and may contain provisions concerning the custody and  
8 guardianship of the child, visitation privileges with the  
9 child, the furnishing of bond or other security for the  
10 payment of the judgment, which the court shall determine in  
11 accordance with the relevant factors set forth in the  
12 Illinois Marriage and Dissolution of Marriage Act and any  
13 other applicable law of Illinois, to guide the court in a  
14 finding in the best interests of the child. In determining  
15 custody, joint custody, or visitation, the court shall apply  
16 the relevant standards of the Illinois Marriage and  
17 Dissolution of Marriage Act. Specifically, in determining the  
18 amount of any child support award, the court shall use the  
19 guidelines and standards set forth in subsection (a) of  
20 Section 505 and in Section 505.2 of the Illinois Marriage and  
21 Dissolution of Marriage Act. For purposes of Section 505 of  
22 the Illinois Marriage and Dissolution of Marriage Act, "net  
23 income" of the non-custodial parent shall include any  
24 benefits available to that person under the Illinois Public  
25 Aid Code or from other federal, State or local  
26 government-funded programs. The court shall, in any event  
27 and regardless of the amount of the non-custodial parent's  
28 net income, in its judgment order the non-custodial parent to  
29 pay child support to the custodial parent in a minimum amount  
30 of not less than \$10 per month. In an action brought within 2  
31 years after a child's birth, the judgment or order may direct  
32 either parent to pay the reasonable expenses incurred by  
33 either parent related to the mother's pregnancy and the

1 delivery of the child. The judgment or order shall contain  
2 the father's social security number, which the father shall  
3 disclose to the court; however, failure to include the  
4 father's social security number on the judgment or order does  
5 not invalidate the judgment or order.

6 (2) If a judgment of parentage contains no explicit  
7 award of custody, the establishment of a support obligation  
8 or of visitation rights in one parent shall be considered a  
9 judgment granting custody to the other parent. If the  
10 parentage judgment contains no such provisions, custody shall  
11 be presumed to be with the mother; however, the presumption  
12 shall not apply if the father has had physical custody for at  
13 least 6 months prior to the date that the mother seeks to  
14 enforce custodial rights.

15 (a-5) If the judgment contains a provision for custody  
16 of the child or for visitation with the child and if the  
17 child is enrolled at a public or private school, the judgment  
18 must contain a statement as to which of the child's parents  
19 is authorized to pick up the child at the school. If both  
20 parents are authorized to pick up the child at the school,  
21 the judgment must state that authorization.

22 After the entry of a judgment described in this  
23 subsection, the clerk of the court shall notify the affected  
24 school as follows:

25 (1) If the school is a private school, the clerk  
26 shall send a certified copy of the judgment to the  
27 school.

28 (2) If the school is a public school, the clerk  
29 shall send a certified copy of the judgment to the  
30 principal office of the public school district.

31 (b) The court shall order all child support payments,  
32 determined in accordance with such guidelines, to commence  
33 with the date summons is served. The level of current  
34 periodic support payments shall not be reduced because of

1 payments set for the period prior to the date of entry of the  
2 support order. The Court may order any child support  
3 payments to be made for a period prior to the commencement of  
4 the action. In determining whether and the extent to which  
5 the payments shall be made for any prior period, the court  
6 shall consider all relevant facts, including the factors for  
7 determining the amount of support specified in the Illinois  
8 Marriage and Dissolution of Marriage Act and other equitable  
9 factors including but not limited to:

10 (1) The father's prior knowledge of the fact and  
11 circumstances of the child's birth.

12 (2) The father's prior willingness or refusal to  
13 help raise or support the child.

14 (3) The extent to which the mother or the public  
15 agency bringing the action previously informed the father  
16 of the child's needs or attempted to seek or require his  
17 help in raising or supporting the child.

18 (4) The reasons the mother or the public agency did  
19 not file the action earlier.

20 (5) The extent to which the father would be  
21 prejudiced by the delay in bringing the action.

22 For purposes of determining the amount of child support  
23 to be paid for any period before the date the order for  
24 current child support is entered, there is a rebuttable  
25 presumption that the father's net income for the prior period  
26 was the same as his net income at the time the order for  
27 current child support is entered.

28 If (i) the non-custodial parent was properly served with  
29 a request for discovery of financial information relating to  
30 the non-custodial parent's ability to provide child support,  
31 (ii) the non-custodial parent failed to comply with the  
32 request, despite having been ordered to do so by the court,  
33 and (iii) the non-custodial parent is not present at the  
34 hearing to determine support despite having received proper

1 notice, then any relevant financial information concerning  
2 the non-custodial parent's ability to provide child support  
3 that was obtained pursuant to subpoena and proper notice  
4 shall be admitted into evidence without the need to establish  
5 any further foundation for its admission.

6 (c) Any new or existing support order entered by the  
7 court under this Section shall be deemed to be a series of  
8 judgments against the person obligated to pay support  
9 thereunder, each judgment to be in the amount of each payment  
10 or installment of support and each such judgment to be deemed  
11 entered as of the date the corresponding payment or  
12 installment becomes due under the terms of the support order.  
13 Each judgment shall have the full force, effect and  
14 attributes of any other judgment of this State, including the  
15 ability to be enforced. A lien arises by operation of law  
16 against the real and personal property of the noncustodial  
17 parent for each installment of overdue support owed by the  
18 noncustodial parent.

19 (d) If the judgment or order of the court is at variance  
20 with the child's birth certificate, the court shall order  
21 that a new birth certificate be issued under the Vital  
22 Records Act.

23 (e) On request of the mother and the father, the court  
24 shall order a change in the child's name. After hearing  
25 evidence the court may stay payment of support during the  
26 period of the father's minority or period of disability.

27 (f) If, upon a showing of proper service, the father  
28 fails to appear in court, or otherwise appear as provided by  
29 law, the court may proceed to hear the cause upon testimony  
30 of the mother or other parties taken in open court and shall  
31 enter a judgment by default. The court may reserve any order  
32 as to the amount of child support until the father has  
33 received notice, by regular mail, of a hearing on the matter.

34 (g) A one-time charge of 20% is imposable upon the

1 amount of past-due child support owed on July 1, 1988 which  
2 has accrued under a support order entered by the court. The  
3 charge shall be imposed in accordance with the provisions of  
4 Section 10-21 of the Illinois Public Aid Code and shall be  
5 enforced by the court upon petition.

6 (h) All orders for support, when entered or modified,  
7 shall include a provision requiring the non-custodial parent  
8 to notify the court and, in cases in which party is receiving  
9 child and spouse support services under Article X of the  
10 Illinois Public Aid Code, the Illinois Department of Public  
11 Aid, within 7 days, (i) of the name and address of any new  
12 employer of the non-custodial parent, (ii) whether the  
13 non-custodial parent has access to health insurance coverage  
14 through the employer or other group coverage and, if so, the  
15 policy name and number and the names of persons covered under  
16 the policy, and (iii) of any new residential or mailing  
17 address or telephone number of the non-custodial parent. In  
18 any subsequent action to enforce a support order, upon a  
19 sufficient showing that a diligent effort has been made to  
20 ascertain the location of the non-custodial parent, service  
21 of process or provision of notice necessary in the case may  
22 be made at the last known address of the non-custodial parent  
23 in any manner expressly provided by the Code of Civil  
24 Procedure or this Act, which service shall be sufficient for  
25 purposes of due process.

26 (i) An order for support shall include a date on which  
27 the current support obligation terminates. The termination  
28 date shall be no earlier than the date on which the child  
29 covered by the order will attain the age of majority or is  
30 otherwise emancipated. The order for support shall state  
31 that the termination date does not apply to any arrearage  
32 that may remain unpaid on that date. Nothing in this  
33 subsection shall be construed to prevent the court from  
34 modifying the order.

1 (j) An order entered under this Section shall include a  
2 provision requiring the obligor to report to the obligee and  
3 to the clerk of court within 10 days each time the obligor  
4 obtains new employment, and each time the obligor's  
5 employment is terminated for any reason. The report shall be  
6 in writing and shall, in the case of new employment, include  
7 the name and address of the new employer. Failure to report  
8 new employment or the termination of current employment, if  
9 coupled with nonpayment of support for a period in excess of  
10 60 days, is indirect criminal contempt. For any obligor  
11 arrested for failure to report new employment bond shall be  
12 set in the amount of the child support that should have been  
13 paid during the period of unreported employment. An order  
14 entered under this Section shall also include a provision  
15 requiring the obligor and obligee parents to advise each  
16 other of a change in residence within 5 days of the change  
17 except when the court finds that the physical, mental, or  
18 emotional health of a party or that of a minor child, or  
19 both, would be seriously endangered by disclosure of the  
20 party's address.

21 (Source: P.A. 90-18, eff. 7-1-97; 90-539, eff. 6-1-98;  
22 90-655, eff. 7-30-98; 91-767, eff. 6-9-00.)

23 Section 20. The Illinois Domestic Violence Act of 1986  
24 is amended by changing Sections 221 and 222 as follows:

25 (750 ILCS 60/221) (from Ch. 40, par. 2312-21)

26 Sec. 221. Contents of orders.

27 (a) Any order of protection shall describe the  
28 following:

29 (1) Each remedy granted by the court, in reasonable  
30 detail and not by reference to any other document, so  
31 that respondent may clearly understand what he or she  
32 must do or refrain from doing. Pre-printed form orders of

1 protection shall include the definitions of the types of  
2 abuse, neglect, and exploitation, as provided in Section  
3 103. Remedies set forth in pre-printed form orders shall  
4 be numbered consistently with and corresponding to the  
5 numerical sequence of remedies listed in Section 214 (at  
6 least as of the date the form orders are printed).

7 (2) The reason for denial of petitioner's request  
8 for any remedy listed in Section 214.

9 (b) An order of protection shall further state the  
10 following:

11 (1) The name of each petitioner that the court  
12 finds was abused, neglected, or exploited by respondent,  
13 and that respondent is a member of the family or  
14 household of each such petitioner, and the name of each  
15 other person protected by the order and that such person  
16 is protected by this Act.

17 (2) For any remedy requested by petitioner on which  
18 the court has declined to rule, that that remedy is  
19 reserved.

20 (3) The date and time the order of protection was  
21 issued, whether it is an emergency, interim or plenary  
22 order and the duration of the order.

23 (4) The date, time and place for any scheduled  
24 hearing for extension of that order of protection or for  
25 another order of greater duration or scope.

26 (5) For each remedy in an emergency order of  
27 protection, the reason for entering that remedy without  
28 prior notice to respondent or greater notice than was  
29 actually given.

30 (6) For emergency and interim orders of protection,  
31 that respondent may petition the court, in accordance  
32 with Section 224, to re-open that order if he or she did  
33 not receive actual prior notice of the hearing, in  
34 accordance with Section 211, and alleges that he or she

1 had a meritorious defense to the order or that the order  
2 or any of its remedies was not authorized by this Act.

3 (7) For a remedy concerning physical care and  
4 possession of a minor child, temporary legal custody of a  
5 minor child, or visitation with a minor child, if the  
6 minor child is enrolled at a public or private school, a  
7 statement as to which of the child's parents is  
8 authorized to pick up the child at the school. If both  
9 parents are authorized to pick up the child at the  
10 school, the order of protection must state that  
11 authorization.

12 (c) Any order of protection shall include the following  
13 notice, printed in conspicuous type: "Any knowing violation  
14 of an order of protection forbidding physical abuse, neglect,  
15 exploitation, harassment, intimidation, interference with  
16 personal liberty, willful deprivation, or entering or  
17 remaining present at specified places when the protected  
18 person is present, or granting exclusive possession of the  
19 residence or household, or granting a stay away order is a  
20 Class A misdemeanor. Grant of exclusive possession of the  
21 residence or household shall constitute notice forbidding  
22 trespass to land. Any knowing violation of an order awarding  
23 legal custody or physical care of a child or prohibiting  
24 removal or concealment of a child may be a Class 4 felony.  
25 Any willful violation of any order is contempt of court. Any  
26 violation may result in fine or imprisonment."

27 (Source: P.A. 86-542; 86-1300; 87-1186.)

28 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

29 Sec. 222. Notice of orders.

30 (a) Entry and issuance. Upon issuance of any order of  
31 protection, the clerk shall immediately, or on the next court  
32 day if an emergency order is issued in accordance with  
33 subsection (c) of Section 217, (i) enter the order on the

1 record and file it in accordance with the circuit court  
2 procedures and (ii) provide a file stamped copy of the order  
3 to respondent, if present, and to petitioner.

4 (b) Filing with sheriff. The clerk of the issuing judge  
5 shall, or the petitioner may, on the same day that an order  
6 of protection is issued, file a certified copy of that order  
7 with the sheriff or other law enforcement officials charged  
8 with maintaining Department of State Police records or  
9 charged with serving the order upon respondent. If the order  
10 was issued in accordance with subsection (c) of Section 217,  
11 the clerk shall on the next court day, file a certified copy  
12 of the order with the Sheriff or other law enforcement  
13 officials charged with maintaining Department of State Police  
14 records.

15 (c) Service by sheriff. Unless respondent was present  
16 in court when the order was issued, the sheriff, other law  
17 enforcement official or special process server shall promptly  
18 serve that order upon respondent and file proof of such  
19 service, in the manner provided for service of process in  
20 civil proceedings. If process has not yet been served upon  
21 the respondent, it shall be served with the order. A single  
22 fee may be charged for service of an order obtained in civil  
23 court, or for service of such an order together with process,  
24 unless waived or deferred under Section 210.

25 (c-5) If the person against whom the order of protection  
26 is issued is arrested and the written order is issued in  
27 accordance with subsection (c) of Section 217 and received by  
28 the custodial law enforcement agency before the respondent or  
29 arrestee is released from custody, the custodial law  
30 enforcement agent shall promptly serve the order upon the  
31 respondent or arrestee before the respondent or arrestee is  
32 released from custody. In no event shall detention of the  
33 respondent or arrestee be extended for hearing on the  
34 petition for order of protection or receipt of the order

1 issued under Section 217 of this Act.

2 (d) Extensions, modifications and revocations. Any  
3 order extending, modifying or revoking any order of  
4 protection shall be promptly recorded, issued and served as  
5 provided in this Section.

6 (e) Notice to schools. If an order of protection  
7 contains a provision for physical care and possession of a  
8 minor child, temporary legal custody of a minor child, or  
9 visitation with a minor child and a statement concerning  
10 authorization to pick up the child at a school as required  
11 under subdivision (b)(7) of Section 221, the clerk of the  
12 court issuing the order shall notify the affected school as  
13 follows:

14 (1) If the school is a private school, the clerk  
15 shall send a certified copy of the order to the school.

16 (2) If the school is a public school, the clerk  
17 shall send a certified copy of the order to the principal  
18 office of the public school district. Upon request the  
19 clerk of the issuing judge shall file a certified copy of  
20 an order of protection with the private school or schools  
21 or the principal office of the public school district or  
22 districts in which any children of the petitioner are  
23 enrolled.

24 (f) Disclosure by schools. After receiving a certified  
25 copy of an order of protection that prohibits a respondent's  
26 access to records, neither a public or private school nor its  
27 employees shall allow a respondent access to a protected  
28 child's records or release information in those records to  
29 the respondent. The school shall file the copy of the order  
30 of protection in the records of a child who is a protected  
31 person under the order of protection.

32 (Source: P.A. 89-106, eff. 7-7-95; 90-392, eff. 1-1-98.)