

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 and a
27 statement of the name of any other person who is
28 authorized to pick up the child at the school. If both
29 parents are authorized to pick up the child at the
30 school, the order of protection must state that
31 authorization.

32 (c) Any order of protection shall include the following
33 notice, printed in conspicuous type: "Any knowing violation
34 of an order of protection forbidding physical abuse,

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

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

14 (725 ILCS 5/112A-22) (from Ch. 38, par. 112A-22)

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

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

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

1 (c) Service by sheriff. Unless respondent was present
2 in court when the order was issued, the sheriff, other law
3 enforcement official or special process server shall promptly
4 serve that order upon respondent and file proof of such
5 service, in the manner provided for service of process in
6 civil proceedings. If process has not yet been served upon
7 the respondent, it shall be served with the order.

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

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

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

30 (1) If the school is a private school, the custodial
31 parent shall send a certified copy of the order to the
32 school.

33 (2) If the school is a public school, the custodial
34 parent shall send a certified copy of the order to the

1 principal office of the public school district.

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

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

6 (750 ILCS 5/602.5 new)

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

8 (a) If a child custody order is issued under this Act
9 with respect to a minor child who is enrolled in school, the
10 order must contain a statement as to which of the child's
11 parents is authorized to pick up the child at the school and
12 must also state the name of any other person who is
13 authorized to pick up the child at the school. If both
14 parents are authorized to pick up the child at the school,
15 the order must state that authorization.

16 (b) After the entry of an order described in subsection
17 (a), the custodial parent (or both parents, if the court has
18 made an award of joint custody under Section 602.1) shall
19 notify the affected school as follows:

20 (1) If the school is a private school, the custodial
21 parent or parents shall send a certified copy of the
22 order to the school.

23 (2) If the school is a public school, the custodial
24 parent or parents shall send a certified copy of the
25 order to the principal office of the public school
26 district.

27 (750 ILCS 5/603) (from Ch. 40, par. 603)

28 Sec. 603. Temporary Orders.

29 (a) A party to a custody proceeding, including a
30 proceeding to modify custody, may move for a temporary
31 custody order. The court may award temporary custody under

1 the standards of Section 602 and the standards and procedures
2 of Section 602.1, after a hearing, or, if there is no
3 objection, solely on the basis of the affidavits.

4 (b) If a proceeding for dissolution of marriage or legal
5 separation or declaration of invalidity of marriage is
6 dismissed, any temporary custody order is vacated unless a
7 parent or the child's custodian moves that the proceeding
8 continue as a custody proceeding and the court finds, after a
9 hearing, that the circumstances of the parents and the best
10 interest of the child requires that a custody judgment be
11 issued.

12 (c) If a custody proceeding commenced in the absence of
13 a petition for dissolution of marriage or legal separation,
14 under either subparagraph (ii) of paragraph (1), or paragraph
15 (2), of subsection (d) of Section 601, is dismissed, any
16 temporary custody order is vacated.

17 (d) If an order is issued under this Section with respect
18 to a minor child who is enrolled in school, the order must
19 contain a statement as to which of the child's parents is
20 authorized to pick up the child at the school and must also
21 state the name of any other person who is authorized to pick
22 up the child at the school. If both parents are authorized
23 to pick up the child at the school, the order must state that
24 authorization.

25 After the entry of an order described in this subsection,
26 the custodial parent (or both parents, if the court has made
27 an award of joint custody under Section 602.1) shall notify
28 the affected school as follows:

29 (1) If the school is a private school, the custodial
30 parent or parents shall send a certified copy of the
31 order to the school.

32 (2) If the school is a public school, the custodial
33 parent or parents shall send a certified copy of the
34 order to the principal office of the public school

1 district.

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

3 (750 ILCS 5/607) (from Ch. 40, par. 607)

4 Sec. 607. Visitation.

5 (a) A parent not granted custody of the child is
6 entitled to reasonable visitation rights unless the court
7 finds, after a hearing, that visitation would endanger
8 seriously the child's physical, mental, moral or emotional
9 health. If the custodian's street address is not identified,
10 pursuant to Section 708, the court shall require the parties
11 to identify reasonable alternative arrangements for
12 visitation by a non-custodial parent, including but not
13 limited to visitation of the minor child at the residence of
14 another person or at a local public or private facility.

15 (a-5) If an order is issued under this Section with
16 respect to a minor child who is enrolled in school, the order
17 must contain a statement as to which of the child's parents
18 is authorized to pick up the child at the school and must
19 also state the name of any other person who is authorized to
20 pick up the child at the school. If both parents are
21 authorized to pick up the child at the school, the order must
22 state that authorization.

23 After the entry of an order described in this subsection,
24 the custodial parent (or both parents, if the court has made
25 an award of joint custody under Section 602.1) shall notify
26 the affected school as follows:

27 (1) If the school is a private school, the custodial
28 parent or parents shall send a certified copy of the
29 order to the school.

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

1 (b) (1) The court may grant reasonable visitation
2 privileges to a grandparent, great-grandparent, or sibling of
3 any minor child upon petition to the court by the
4 grandparents or great-grandparents or on behalf of the
5 sibling, with notice to the parties required to be notified
6 under Section 601 of this Act, if the court determines that
7 it is in the best interests and welfare of the child, and may
8 issue any necessary orders to enforce such visitation
9 privileges. Except as provided in paragraph (2) of this
10 subsection (b), a petition for visitation privileges may be
11 filed under this paragraph (1) whether or not a petition
12 pursuant to this Act has been previously filed or is
13 currently pending if one or more of the following
14 circumstances exist:

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

17 (B) one of the parents has been absent from the
18 marital abode for more than one month without the spouse
19 knowing his or her whereabouts;

20 (C) one of the parents is deceased;

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

23 (E) a sibling is in State custody.

24 (1.5) The Court may grant reasonable visitation
25 privileges to a stepparent upon petition to the court by the
26 stepparent, with notice to the parties required to be
27 notified under Section 601 of this Act, if the court
28 determines that it is in the best interests and welfare of
29 the child, and may issue any necessary orders to enforce
30 those visitation privileges. A petition for visitation
31 privileges may be filed under this paragraph (1.5) whether or
32 not a petition pursuant to this Act has been previously filed
33 or is currently pending if the following circumstances are
34 met:

- 1 (A) the child is at least 12 years old;
- 2 (B) the child resided continuously with the parent
- 3 and stepparent for at least 5 years;
- 4 (C) the parent is deceased or is disabled and is
- 5 unable to care for the child;
- 6 (D) the child wishes to have reasonable visitation
- 7 with the stepparent; and
- 8 (E) the stepparent was providing for the care,
- 9 control, and welfare to the child prior to the initiation
- 10 of the petition for visitation.

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

15 (B) A petition for visitation privileges may not be
16 filed under this subsection (b) if the child who is the
17 subject of the grandparents' or great-grandparents' petition
18 has been voluntarily surrendered by the parent or parents,
19 except for a surrender to the Illinois Department of Children
20 and Family Services or a foster care facility, or has been
21 previously adopted by an individual or individuals who are
22 not related to the biological parents of the child or is the
23 subject of a pending adoption petition by an individual or
24 individuals who are not related to the biological parents of
25 the child.

26 (3) When one parent is deceased, the surviving parent
27 shall not interfere with the visitation rights of the
28 grandparents.

29 (c) The court may modify an order granting or denying
30 visitation rights of a parent whenever modification would
31 serve the best interest of the child; but the court shall
32 not restrict a parent's visitation rights unless it finds
33 that the visitation would endanger seriously the child's
34 physical, mental, moral or emotional health. The court may

1 modify an order granting, denying, or limiting visitation
2 rights of a grandparent, great-grandparent, or sibling of any
3 minor child whenever a change of circumstances has occurred
4 based on facts occurring subsequent to the judgment and the
5 court finds by clear and convincing evidence that the
6 modification is in the best interest of the minor child.

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

11 (1) If an order has been entered granting
12 visitation privileges with the child to a grandparent or
13 great-grandparent who is related to the child through the
14 non-custodial parent, the visitation privileges of the
15 grandparent or great-grandparent may be revoked if:

16 (i) a court has entered an order prohibiting
17 the non-custodial parent from any contact with the
18 child, and the grandparent or great-grandparent is
19 found to have used his or her visitation privileges
20 to facilitate contact between the child and the
21 non-custodial parent; or

22 (ii) a court has entered an order restricting
23 the non-custodial parent's contact with the child,
24 and the grandparent or great-grandparent is found to
25 have used his or her visitation privileges to
26 facilitate contact between the child and the
27 non-custodial parent in a manner that violates the
28 terms of the order restricting the non-custodial
29 parent's contact with the child.

30 Nothing in this subdivision (1) limits the authority
31 of the court to enforce its orders in any manner
32 permitted by law.

33 (2) Any order granting visitation privileges with
34 the child to a grandparent or great-grandparent who is

1 related to the child through the non-custodial parent
2 shall contain the following provision:

3 "If the (grandparent or great-grandparent, whichever
4 is applicable) who has been granted visitation privileges
5 under this order uses the visitation privileges to
6 facilitate contact between the child and the child's
7 non-custodial parent, the visitation privileges granted
8 under this order shall be permanently revoked."

9 (e) No parent, not granted custody of the child, or
10 grandparent, or great-grandparent, or stepparent, or sibling
11 of any minor child, convicted of any offense involving an
12 illegal sex act perpetrated upon a victim less than 18 years
13 of age including but not limited to offenses for violations
14 of Article 12 of the Criminal Code of 1961, is entitled to
15 visitation rights while incarcerated or while on parole,
16 probation, conditional discharge, periodic imprisonment, or
17 mandatory supervised release for that offense, and upon
18 discharge from incarceration for a misdemeanor offense or
19 upon discharge from parole, probation, conditional discharge,
20 periodic imprisonment, or mandatory supervised release for a
21 felony offense, visitation shall be denied until the person
22 successfully completes a treatment program approved by the
23 court.

24 (f) Unless the court determines, after considering all
25 relevant factors, including but not limited to those set
26 forth in Section 602(a), that it would be in the best
27 interests of the child to allow visitation, the court shall
28 not enter an order providing visitation rights and pursuant
29 to a motion to modify visitation shall revoke visitation
30 rights previously granted to any person who would otherwise
31 be entitled to petition for visitation rights under this
32 Section who has been convicted of first degree murder of the
33 parent, grandparent, great-grandparent, or sibling of the
34 child who is the subject of the order. Until an order is

1 entered pursuant to this subsection, no person shall visit,
2 with the child present, a person who has been convicted of
3 first degree murder of the parent, grandparent,
4 great-grandparent, or sibling of the child without the
5 consent of the child's parent, other than a parent convicted
6 of first degree murder as set forth herein, or legal
7 guardian.

8 (g) If an order has been entered limiting, for cause, a
9 minor child's contact or visitation with a grandparent,
10 great-grandparent, or sibling on the grounds that it was in
11 the best interest of the child to do so, that order may be
12 modified only upon a showing of a substantial change in
13 circumstances occurring subsequent to the entry of the order
14 with proof by clear and convincing evidence that modification
15 is in the best interest of the minor child.

16 (Source: P.A. 90-782, eff. 8-14-98; 90-801, eff. 6-1-99;
17 91-357, eff. 7-29-99; 91-610, eff. 8-19-99.)

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

20 (750 ILCS 45/14) (from Ch. 40, par. 2514)

21 Sec. 14. Judgment.

22 (a) (1) The judgment shall contain or explicitly reserve
23 provisions concerning any duty and amount of child support
24 and may contain provisions concerning the custody and
25 guardianship of the child, visitation privileges with the
26 child, the furnishing of bond or other security for the
27 payment of the judgment, which the court shall determine in
28 accordance with the relevant factors set forth in the
29 Illinois Marriage and Dissolution of Marriage Act and any
30 other applicable law of Illinois, to guide the court in a
31 finding in the best interests of the child. In determining
32 custody, joint custody, or visitation, the court shall apply

1 the relevant standards of the Illinois Marriage and
2 Dissolution of Marriage Act. Specifically, in determining the
3 amount of any child support award, the court shall use the
4 guidelines and standards set forth in subsection (a) of
5 Section 505 and in Section 505.2 of the Illinois Marriage and
6 Dissolution of Marriage Act. For purposes of Section 505 of
7 the Illinois Marriage and Dissolution of Marriage Act, "net
8 income" of the non-custodial parent shall include any
9 benefits available to that person under the Illinois Public
10 Aid Code or from other federal, State or local
11 government-funded programs. The court shall, in any event
12 and regardless of the amount of the non-custodial parent's
13 net income, in its judgment order the non-custodial parent to
14 pay child support to the custodial parent in a minimum amount
15 of not less than \$10 per month. In an action brought within 2
16 years after a child's birth, the judgment or order may direct
17 either parent to pay the reasonable expenses incurred by
18 either parent related to the mother's pregnancy and the
19 delivery of the child. The judgment or order shall contain
20 the father's social security number, which the father shall
21 disclose to the court; however, failure to include the
22 father's social security number on the judgment or order does
23 not invalidate the judgment or order.

24 (2) If a judgment of parentage contains no explicit
25 award of custody, the establishment of a support obligation
26 or of visitation rights in one parent shall be considered a
27 judgment granting custody to the other parent. If the
28 parentage judgment contains no such provisions, custody shall
29 be presumed to be with the mother; however, the presumption
30 shall not apply if the father has had physical custody for at
31 least 6 months prior to the date that the mother seeks to
32 enforce custodial rights.

33 (a-5) If the judgment contains a provision for custody
34 of the child or for visitation with the child and if the

1 child is enrolled at a public or private school, the judgment
2 must contain a statement as to which of the child's parents
3 is authorized to pick up the child at the school and must
4 also state the name of any other person who is authorized to
5 pick up the child at the school. If both parents are
6 authorized to pick up the child at the school, the judgment
7 must state that authorization.

8 After the entry of a judgment described in this
9 subsection, the custodial parent (or both parents if the
10 court has made an award of joint custody as authorized under
11 Section 602.1 of the Illinois Marriage and Dissolution of
12 Marriage Act) shall notify the affected school as follows:

13 (1) If the school is a private school, the
14 custodial parent or parents shall send a certified copy
15 of the judgment to the school.

16 (2) If the school is a public school, the custodial
17 parent or parents shall send a certified copy of the
18 judgment to the principal office of the public school
19 district.

20 (b) The court shall order all child support payments,
21 determined in accordance with such guidelines, to commence
22 with the date summons is served. The level of current
23 periodic support payments shall not be reduced because of
24 payments set for the period prior to the date of entry of the
25 support order. The Court may order any child support
26 payments to be made for a period prior to the commencement of
27 the action. In determining whether and the extent to which
28 the payments shall be made for any prior period, the court
29 shall consider all relevant facts, including the factors for
30 determining the amount of support specified in the Illinois
31 Marriage and Dissolution of Marriage Act and other equitable
32 factors including but not limited to:

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

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

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

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

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

11 For purposes of determining the amount of child support
12 to be paid for any period before the date the order for
13 current child support is entered, there is a rebuttable
14 presumption that the father's net income for the prior period
15 was the same as his net income at the time the order for
16 current child support is entered.

17 If (i) the non-custodial parent was properly served with
18 a request for discovery of financial information relating to
19 the non-custodial parent's ability to provide child support,
20 (ii) the non-custodial parent failed to comply with the
21 request, despite having been ordered to do so by the court,
22 and (iii) the non-custodial parent is not present at the
23 hearing to determine support despite having received proper
24 notice, then any relevant financial information concerning
25 the non-custodial parent's ability to provide child support
26 that was obtained pursuant to subpoena and proper notice
27 shall be admitted into evidence without the need to establish
28 any further foundation for its admission.

29 (c) Any new or existing support order entered by the
30 court under this Section shall be deemed to be a series of
31 judgments against the person obligated to pay support
32 thereunder, each judgment to be in the amount of each payment
33 or installment of support and each such judgment to be deemed
34 entered as of the date the corresponding payment or

1 installment becomes due under the terms of the support order.
2 Each judgment shall have the full force, effect and
3 attributes of any other judgment of this State, including the
4 ability to be enforced. A lien arises by operation of law
5 against the real and personal property of the noncustodial
6 parent for each installment of overdue support owed by the
7 noncustodial parent.

8 (d) If the judgment or order of the court is at variance
9 with the child's birth certificate, the court shall order
10 that a new birth certificate be issued under the Vital
11 Records Act.

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

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

23 (g) A one-time charge of 20% is imposable upon the
24 amount of past-due child support owed on July 1, 1988 which
25 has accrued under a support order entered by the court. The
26 charge shall be imposed in accordance with the provisions of
27 Section 10-21 of the Illinois Public Aid Code and shall be
28 enforced by the court upon petition.

29 (h) All orders for support, when entered or modified,
30 shall include a provision requiring the non-custodial parent
31 to notify the court and, in cases in which party is receiving
32 child and spouse support services under Article X of the
33 Illinois Public Aid Code, the Illinois Department of Public
34 Aid, within 7 days, (i) of the name and address of any new

1 employer of the non-custodial parent, (ii) whether the
2 non-custodial parent has access to health insurance coverage
3 through the employer or other group coverage and, if so, the
4 policy name and number and the names of persons covered under
5 the policy, and (iii) of any new residential or mailing
6 address or telephone number of the non-custodial parent. In
7 any subsequent action to enforce a support order, upon a
8 sufficient showing that a diligent effort has been made to
9 ascertain the location of the non-custodial parent, service
10 of process or provision of notice necessary in the case may
11 be made at the last known address of the non-custodial parent
12 in any manner expressly provided by the Code of Civil
13 Procedure or this Act, which service shall be sufficient for
14 purposes of due process.

15 (i) An order for support shall include a date on which
16 the current support obligation terminates. The termination
17 date shall be no earlier than the date on which the child
18 covered by the order will attain the age of majority or is
19 otherwise emancipated. The order for support shall state
20 that the termination date does not apply to any arrearage
21 that may remain unpaid on that date. Nothing in this
22 subsection shall be construed to prevent the court from
23 modifying the order.

24 (j) An order entered under this Section shall include a
25 provision requiring the obligor to report to the obligee and
26 to the clerk of court within 10 days each time the obligor
27 obtains new employment, and each time the obligor's
28 employment is terminated for any reason. The report shall be
29 in writing and shall, in the case of new employment, include
30 the name and address of the new employer. Failure to report
31 new employment or the termination of current employment, if
32 coupled with nonpayment of support for a period in excess of
33 60 days, is indirect criminal contempt. For any obligor
34 arrested for failure to report new employment bond shall be

1 set in the amount of the child support that should have been
2 paid during the period of unreported employment. An order
3 entered under this Section shall also include a provision
4 requiring the obligor and obligee parents to advise each
5 other of a change in residence within 5 days of the change
6 except when the court finds that the physical, mental, or
7 emotional health of a party or that of a minor child, or
8 both, would be seriously endangered by disclosure of the
9 party's address.

10 (Source: P.A. 90-18, eff. 7-1-97; 90-539, eff. 6-1-98;
11 90-655, eff. 7-30-98; 91-767, eff. 6-9-00.)

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

14 (750 ILCS 60/221) (from Ch. 40, par. 2312-21)

15 Sec. 221. Contents of orders.

16 (a) Any order of protection shall describe the
17 following:

18 (1) Each remedy granted by the court, in reasonable
19 detail and not by reference to any other document, so
20 that respondent may clearly understand what he or she
21 must do or refrain from doing. Pre-printed form orders of
22 protection shall include the definitions of the types of
23 abuse, neglect, and exploitation, as provided in Section
24 103. Remedies set forth in pre-printed form orders shall
25 be numbered consistently with and corresponding to the
26 numerical sequence of remedies listed in Section 214 (at
27 least as of the date the form orders are printed).

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

30 (b) An order of protection shall further state the
31 following:

32 (1) The name of each petitioner that the court

1 finds was abused, neglected, or exploited by respondent,
2 and that respondent is a member of the family or
3 household of each such petitioner, and the name of each
4 other person protected by the order and that such person
5 is protected by this Act.

6 (2) For any remedy requested by petitioner on which
7 the court has declined to rule, that that remedy is
8 reserved.

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

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

15 (5) For each remedy in an emergency order of
16 protection, the reason for entering that remedy without
17 prior notice to respondent or greater notice than was
18 actually given.

19 (6) For emergency and interim orders of protection,
20 that respondent may petition the court, in accordance
21 with Section 224, to re-open that order if he or she did
22 not receive actual prior notice of the hearing, in
23 accordance with Section 211, and alleges that he or she
24 had a meritorious defense to the order or that the order
25 or any of its remedies was not authorized by this Act.

26 (7) For a remedy concerning physical care and
27 possession of a minor child, temporary legal custody of a
28 minor child, or visitation with a minor child, if the
29 minor child is enrolled at a public or private school, a
30 statement as to which of the child's parents is
31 authorized to pick up the child at the school and must
32 also state the name of any other person who is authorized
33 to pick up the child at the school. If both parents are
34 authorized to pick up the child at the school, the order

1 of protection must state that authorization.

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

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

18 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

19 Sec. 222. Notice of orders.

20 (a) Entry and issuance. Upon issuance of any order of
21 protection, the clerk shall immediately, or on the next court
22 day if an emergency order is issued in accordance with
23 subsection (c) of Section 217, (i) enter the order on the
24 record and file it in accordance with the circuit court
25 procedures and (ii) provide a file stamped copy of the order
26 to respondent, if present, and to petitioner.

27 (b) Filing with sheriff. The clerk of the issuing judge
28 shall, or the petitioner may, on the same day that an order
29 of protection is issued, file a certified copy of that order
30 with the sheriff or other law enforcement officials charged
31 with maintaining Department of State Police records or
32 charged with serving the order upon respondent. If the order
33 was issued in accordance with subsection (c) of Section 217,

1 the clerk shall on the next court day, file a certified copy
2 of the order with the Sheriff or other law enforcement
3 officials charged with maintaining Department of State Police
4 records.

5 (c) Service by sheriff. Unless respondent was present
6 in court when the order was issued, the sheriff, other law
7 enforcement official or special process server shall promptly
8 serve that order upon respondent and file proof of such
9 service, in the manner provided for service of process in
10 civil proceedings. If process has not yet been served upon
11 the respondent, it shall be served with the order. A single
12 fee may be charged for service of an order obtained in civil
13 court, or for service of such an order together with process,
14 unless waived or deferred under Section 210.

15 (c-5) If the person against whom the order of protection
16 is issued is arrested and the written order is issued in
17 accordance with subsection (c) of Section 217 and received by
18 the custodial law enforcement agency before the respondent or
19 arrestee is released from custody, the custodial law
20 enforcement agent shall promptly serve the order upon the
21 respondent or arrestee before the respondent or arrestee is
22 released from custody. In no event shall detention of the
23 respondent or arrestee be extended for hearing on the
24 petition for order of protection or receipt of the order
25 issued under Section 217 of this Act.

26 (d) Extensions, modifications and revocations. Any
27 order extending, modifying or revoking any order of
28 protection shall be promptly recorded, issued and served as
29 provided in this Section.

30 (e) Notice to schools. If an order of protection
31 contains a provision for physical care and possession of a
32 minor child, temporary legal custody of a minor child, or
33 visitation with a minor child and a statement concerning
34 authorization to pick up the child at a school as required

1 under subdivision (b)(7) of Section 221, the custodial parent
2 shall notify the affected school as follows:

3 (1) If the school is a private school, the custodial
4 parent shall send a certified copy of the order to the
5 school.

6 (2) If the school is a public school, the custodial
7 parent shall send a certified copy of the order to the
8 principal office of the public school district. Upon
9 request--the--clerk--of--the--issuing--judge--shall--file--a
10 certified--copy--of--an--order--of--protection--with--the--private
11 school--or--schools--or--the--principal--office--of--the--public
12 school--district--or--districts--in--which--any--children--of--the
13 petitioner--are--enrolled.

14 (f) Disclosure by schools. After receiving a certified
15 copy of an order of protection that prohibits a respondent's
16 access to records, neither a public or private school nor its
17 employees shall allow a respondent access to a protected
18 child's records or release information in those records to
19 the respondent. The school shall file the copy of the order
20 of protection in the records of a child who is a protected
21 person under the order of protection.

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