

1 AN ACT concerning civil law.

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

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by adding Section 612 as follows:

6 (750 ILCS 5/612 new)

7 Sec. 612. Parenting coordinator.

8 (a) As used in this Section:

9 "Parenting coordination" means an out-of-court process for
10 the resolution of conflicts or impasse in decision-making
11 between the parties concerning the minor children.

12 "Parenting coordinator" means the person appointed by the
13 court to perform the duties of parenting coordination as set
14 forth in this Section.

15 (b) Following the entry of a parenting plan, or prior to
16 the entry of a parenting plan if approved by the court, and
17 after considering allegations or evidence of domestic abuse
18 between the parties, a parenting coordinator may be appointed
19 by the court when deemed in the best interests of the child due
20 to:

21 (1) the parties' failure to adequately cooperate and
22 communicate with regard to issues involving the children;

23 (2) the parties' inability to implement the existing

1 parenting plan or parenting schedule;

2 (3) unsuccessful mediation or the court determining
3 mediation to be inappropriate;

4 (4) the agreement of the parties; or

5 (5) any other reason the court deems appropriate which
6 does not exceed the authority under this Section.

7 (c) A parenting coordinator shall facilitate the
8 resolution of conflict among parties regarding an existing
9 parenting plan in a marital dissolution, parentage, or
10 post-judgment case to:

11 (1) monitor parental behaviors, including compliance
12 or lack thereof with orders entered in the case by the
13 court;

14 (2) resolve disputes between the parties upon request
15 of a party or order of the court;

16 (3) make recommendations to the parties; and

17 (4) make recommendations to the court upon proper
18 notice and petition.

19 (d) A parenting coordinator is authorized to make specific
20 recommendations regarding the existing parenting plan
21 including, but not limited to:

22 (1) the time, place, and manner for the pick-up or
23 drop-off of the child in relation to each party's
24 designated parenting time or non-parent visitation;

25 (2) disputes regarding the extent and nature of the
26 child's participation in existing educational and

1 extracurricular activities;

2 (3) minor alterations of parenting time or non-parent
3 visitation to accommodate changes in schedule or
4 availability of the child or a party, including make-up
5 time if permitted by a prior court order; and

6 (4) any other specific issues assigned to the
7 parenting coordinator by the court or agreed by the
8 parties which do not exceed the authority under this
9 Section.

10 (e) A parenting coordinator shall not make recommendations
11 as to:

12 (1) The allocation of parental responsibilities for
13 decision-making.

14 (2) The initial allocation of parental
15 responsibilities for parenting time and any allocation of
16 parenting time besides minor alterations described in
17 paragraph (3) of subsection (d).

18 (3) Relocation.

19 (4) Establishing visitation by a non-parent.

20 (f) The parenting coordinator shall provide his or her
21 recommendations in writing to the parties within 14 days of
22 the recommendations.

23 (g) The parties may submit the recommendations to the
24 court for entry as an agreed order.

25 (h) A parenting coordinator is prohibited from serving as
26 a court's professional evaluator pursuant to subsections (b)

1 and (c) of Section 604.10 in any proceeding involving one or
2 more parties for whom the parenting coordinator has provided
3 parenting coordination services. A previously appointed
4 professional evaluator may be appointed a parenting
5 coordinator in the same case only by agreement of the parties
6 and approval of the court.

7 (i) The parties shall pay the parenting coordinator fees
8 as ordered by the court or agreed upon in writing by the
9 parties and the parenting coordinator. The court shall
10 consider the financial resources of the parties and any fee
11 waiver requests pending or which have been granted.

12 (j) The parties shall comply with the recommendations made
13 by the parenting coordinator until and unless the court, after
14 a hearing on the motion and any responses thereto, rules that
15 the recommendations at issue are:

- 16 (1) in contravention of the child's best interests; or
17 (2) outside the scope of the authority bestowed upon
18 the parenting coordinator under this Section, the
19 applicable local circuit court rule, or the order entered
20 by the court appointing the parenting coordinator.

21 (k) A party may file a motion in the circuit court for
22 review of any recommendations made by the parenting
23 coordinator. The circuit court shall review the
24 recommendations at issue under a de novo standard of review.
25 If a party files a motion for review and the court
26 substantially affirms the recommendations of the parenting

1 coordinator, the court may order the party opposing the
2 recommendations to pay both parties' reasonable attorney's
3 fees and costs incurred in connection with the issue brought
4 before the court if the court finds the motion for review was
5 frivolous.

6 (l) The parenting coordinator shall have access to
7 non-public court records involving the same parties, including
8 orders of protection, civil no contact orders, and stalking no
9 contact orders, if approved by the court.

10 (m) Communications with the parenting coordinator shall
11 not be confidential, except as provided by another law or by
12 court order in a case involving the same parties.

13 (n) No ex parte communication by the parenting coordinator
14 with the court is permitted.

15 (o) A parenting coordinator has the same immunity provided
16 to all other professionals appointed pursuant to Section 506.

17 (p) The Supreme Court may adopt rules governing the
18 qualifications, appointment, duties, and training of parenting
19 coordinators if such rules do not conflict with the minimum
20 requirements that each parenting coordinator:

21 (1) possess a Juris Doctorate or a Master's degree in
22 social work, psychology, or counseling, or a higher or
23 equivalent degree in a related field;

24 (2) have at least 5 years of experience in law, mental
25 health, or a related field;

26 (3) complete an approved course on domestic violence;

1 and

2 (4) attend at least 4 hours per year of continuing
3 education programs which shall address, at a minimum,
4 psychological issues, the needs of children in cases of
5 family separation, and family dynamics.

6 The court may waive the requirements in paragraphs (1) through
7 (4).