



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Richard P. Myers

SYNOPSIS AS INTRODUCED:

750 ILCS 5/603

from Ch. 40, par. 603

Amends the Illinois Marriage and Dissolution of Marriage Act. Makes a technical change in a Section concerning temporary orders in child custody proceedings.

LRB093 19580 LCB 45321 b

1 AN ACT in relation to families.

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 changing Section 603 as follows:

6 (750 ILCS 5/603) (from Ch. 40, par. 603)

7 Sec. 603. Temporary orders ~~Orders~~.

8 (a) A party to a custody proceeding, including a proceeding
9 to modify custody, may move for a temporary custody order. The
10 court may award temporary custody under the standards of
11 Section 602 and the standards and procedures of Section 602.1,
12 after a hearing, or, if there is no objection, solely on the
13 basis of the affidavits.

14 (b) If a proceeding for dissolution of marriage or legal
15 separation or declaration of invalidity of marriage is
16 dismissed, any temporary custody order is vacated unless a
17 parent or the child's custodian moves that the proceeding
18 continue as a custody proceeding and the court finds, after a
19 hearing, that the circumstances of the parents and the best
20 interest of the child requires that a custody judgment be
21 issued.

22 (c) If a custody proceeding commenced in the absence of a
23 petition for dissolution of marriage or legal separation, under
24 either subparagraph (ii) of paragraph (1), or paragraph (2), of
25 subsection (d) of Section 601, is dismissed, any temporary
26 custody order is vacated.

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