

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 Stalking No Contact Order Act is amended by
5 changing Section 115 and by adding Section 117 as follows:

6 (740 ILCS 21/115)

7 Sec. 115. Notice of orders.

8 (a) Upon issuance of any stalking no contact order, the
9 clerk shall immediately, or on the next court day if an
10 emergency order is issued in accordance with subsection (c) of
11 Section 95:

12 (1) enter the order on the record and file it in
13 accordance with the circuit court procedures; and

14 (2) provide a file stamped copy of the order to the
15 respondent, if present, and to the petitioner.

16 (b) The clerk of the issuing judge shall, or the petitioner
17 may, on the same day that a stalking no contact order is
18 issued, file a certified copy of that order with the sheriff or
19 other law enforcement officials charged with maintaining
20 Department of State Police records or charged with serving the
21 order upon the respondent. If the order was issued in
22 accordance with subsection (c) of Section 95, the clerk shall,
23 on the next court day, file a certified copy of the order with

1 the sheriff or other law enforcement officials charged with
2 maintaining Department of State Police records.

3 (c) Unless the respondent was present in court when the
4 order was issued, the sheriff, other law enforcement official,
5 or special process server shall promptly serve that order upon
6 the respondent and file proof of such service in the manner
7 provided for service of process in civil proceedings. Instead
8 of serving the order upon the respondent, however, the sheriff,
9 other law enforcement official, special process server, or
10 other persons defined in Section 117 may serve the respondent
11 with a short form notification as provided in Section 117. If
12 process has not yet been served upon the respondent, it shall
13 be served with the order or short form notification if such
14 service is made by the sheriff, other law enforcement official,
15 or special process server.

16 (d) If the person against whom the stalking no contact
17 order is issued is arrested and the written order is issued in
18 accordance with subsection (c) of Section 95 and received by
19 the custodial law enforcement agency before the respondent or
20 arrestee is released from custody, the custodial law
21 enforcement agent shall promptly serve the order upon the
22 respondent or arrestee before the respondent or arrestee is
23 released from custody. In no event shall detention of the
24 respondent or arrestee be extended for hearing on the petition
25 for stalking no contact order or receipt of the order issued
26 under Section 95 of this Act.

1 (e) Any order extending, modifying, or revoking any
2 stalking no contact order shall be promptly recorded, issued,
3 and served as provided in this Section.

4 (f) Upon the request of the petitioner, within 24 hours of
5 the issuance of a stalking no contact order, the clerk of the
6 issuing judge shall send written notice of the order along with
7 a certified copy of the order to any school, daycare, college,
8 or university at which the petitioner is enrolled.

9 (Source: P.A. 96-246, eff. 1-1-10.)

10 (740 ILCS 21/117 new)

11 Sec. 117. Short form notification.

12 (a) Instead of personal service of a stalking no contact
13 order under Section 115, a sheriff, other law enforcement
14 official, special process server, or personnel assigned by the
15 Department of Corrections to investigate the alleged
16 misconduct of committed persons or alleged violations of a
17 parolee's or releasee's conditions of parole or mandatory
18 supervised release may serve a respondent with a short form
19 notification. The short form notification must include the
20 following items:

21 (1) The respondent's name.

22 (2) The respondent's date of birth, if known.

23 (3) The petitioner's name.

24 (4) The names of other protected parties.

25 (5) The date and county in which the stalking no

1 contact order was filed.

2 (6) The court file number.

3 (7) The hearing date and time, if known.

4 (8) The conditions that apply to the respondent, either
5 in checklist form or handwritten.

6 (b) The short form notification must contain the following
7 notice in bold print:

8 "The order is now enforceable. You must report to the
9 office of the sheriff or the office of the circuit court in
10 (name of county) County to obtain a copy of the order. You are
11 subject to arrest and may be charged with a misdemeanor or
12 felony if you violate any of the terms of the order."

13 (c) Upon verification of the identity of the respondent and
14 the existence of an unserved order against the respondent, a
15 sheriff or other law enforcement official may detain the
16 respondent for a reasonable time necessary to complete and
17 serve the short form notification.

18 (d) When service is made by short form notification under
19 this Section, it may be proved by the affidavit of the person
20 making the service.

21 (e) The Attorney General shall make the short form
22 notification form available to law enforcement agencies in this
23 State.

24 (f) A single short form notification form may be used for
25 orders of protection under the Illinois Domestic Violence Act
26 of 1986, stalking no contact orders under this Act, and civil

1 no contact orders under the Civil No Contact Order Act.

2 Section 10. The Civil No Contact Order Act is amended by
3 changing Section 218 and by adding Section 218.1 as follows:

4 (740 ILCS 22/218)

5 Sec. 218. Notice of orders.

6 (a) Upon issuance of any civil no contact order, the clerk
7 shall immediately, or on the next court day if an emergency
8 order is issued in accordance with subsection (c) of Section
9 214:

10 (1) enter the order on the record and file it in
11 accordance with the circuit court procedures; and

12 (2) provide a file stamped copy of the order to the
13 respondent, if present, and to the petitioner.

14 (b) The clerk of the issuing judge shall, or the petitioner
15 may, on the same day that a civil no contact order is issued,
16 file a certified copy of that order with the sheriff or other
17 law enforcement officials charged with maintaining Department
18 of State Police records or charged with serving the order upon
19 the respondent. If the order was issued in accordance with
20 subsection (c) of Section 214, the clerk shall, on the next
21 court day, file a certified copy of the order with the Sheriff
22 or other law enforcement officials charged with maintaining
23 Department of State Police records.

24 (c) Unless the respondent was present in court when the

1 order was issued, the sheriff, other law enforcement official,
2 or special process server shall promptly serve that order upon
3 the respondent and file proof of such service in the manner
4 provided for service of process in civil proceedings. Instead
5 of serving the order upon the respondent, however, the sheriff,
6 other law enforcement official, special process server, or
7 other persons defined in Section 218.1 may serve the respondent
8 with a short form notification as provided in Section 218.1. If
9 process has not yet been served upon the respondent, it shall
10 be served with the order or short form notification if such
11 service is made by the sheriff, other law enforcement official,
12 or special process server.

13 (d) If the person against whom the civil no contact order
14 is issued is arrested and the written order is issued in
15 accordance with subsection (c) of Section 214 and received by
16 the custodial law enforcement agency before the respondent or
17 arrestee is released from custody, the custodial law
18 enforcement agent shall promptly serve the order upon the
19 respondent or arrestee before the respondent or arrestee is
20 released from custody. In no event shall detention of the
21 respondent or arrestee be extended for hearing on the petition
22 for civil no contact order or receipt of the order issued under
23 Section 214 of this Act.

24 (e) Any order extending, modifying, or revoking any civil
25 no contact order shall be promptly recorded, issued, and served
26 as provided in this Section.

1 (f) Upon the request of the petitioner, within 24 hours of
2 the issuance of a civil no contact order, the clerk of the
3 issuing judge shall send written notice of the order along with
4 a certified copy of the order to any school, college, or
5 university at which the petitioner is enrolled.

6 (Source: P.A. 93-236, eff. 1-1-04; 93-811, eff. 1-1-05.)

7 (740 ILCS 22/218.1 new)

8 Sec. 218.1. Short form notification.

9 (a) Instead of personal service of a civil no contact order
10 under Section 218, a sheriff, other law enforcement official,
11 special process server, or personnel assigned by the Department
12 of Corrections to investigate the alleged misconduct of
13 committed persons or alleged violations of a parolee's or
14 releasee's conditions of parole or mandatory supervised
15 release may serve a respondent with a short form notification.
16 The short form notification must include the following items:

17 (1) The respondent's name.

18 (2) The respondent's date of birth, if known.

19 (3) The petitioner's name.

20 (4) The names of other protected parties.

21 (5) The date and county in which the civil no contact
22 order was filed.

23 (6) The court file number.

24 (7) The hearing date and time, if known.

25 (8) The conditions that apply to the respondent, either

1 in checklist form or handwritten.

2 (b) The short form notification must contain the following
3 notice in bold print:

4 "The order is now enforceable. You must report to the
5 office of the sheriff or the office of the circuit court in
6 (name of county) County to obtain a copy of the order. You are
7 subject to arrest and may be charged with a misdemeanor or
8 felony if you violate any of the terms of the order."

9 (c) Upon verification of the identity of the respondent and
10 the existence of an unserved order against the respondent, a
11 sheriff or other law enforcement official may detain the
12 respondent for a reasonable time necessary to complete and
13 serve the short form notification.

14 (d) When service is made by short form notification under
15 this Section, it may be proved by the affidavit of the person
16 making the service.

17 (e) The Attorney General shall make the short form
18 notification form available to law enforcement agencies in this
19 State.

20 (f) A single short form notification form may be used for
21 orders of protection under the Illinois Domestic Violence Act
22 of 1986, stalking no contact orders under the Stalking No
23 Contact Order Act, and civil no contact orders under this Act.

24 Section 15. The Illinois Domestic Violence Act of 1986 is
25 amended by changing Section 222.10 as follows:

1 (750 ILCS 60/222.10)

2 Sec. 222.10. Short form notification.

3 (a) Instead of personal service of an order of protection
4 under Section 222, a sheriff, other law enforcement official,
5 special process server, or personnel assigned by the Department
6 of Corrections to investigate the alleged misconduct of
7 committed persons or alleged violations of a parolee's or
8 releasee's conditions of parole or mandatory supervised
9 release may serve a respondent with a short form notification.
10 The short form notification must include the following items:

11 (1) The respondent's name.

12 (2) The respondent's date of birth, if known.

13 (3) The petitioner's name.

14 (4) The names of other protected parties.

15 (5) The date and county in which the order of
16 protection was filed.

17 (6) The court file number.

18 (7) The hearing date and time, if known.

19 (8) The conditions that apply to the respondent, either
20 in checklist form or handwritten.

21 ~~(9) The name of the judge who signed the order.~~

22 (b) The short form notification must contain the following
23 notice in bold print:

24 "The order ~~of protection~~ is now enforceable. You must
25 report to the office of the sheriff or the office of the

1 circuit court in (name of county) County to obtain a copy
2 of the order ~~of protection~~. You are subject to arrest and
3 may be charged with a misdemeanor or felony if you violate
4 any of the terms of the order ~~of protection~~."

5 (c) Upon verification of the identity of the respondent and
6 the existence of an unserved order ~~of protection~~ against the
7 respondent, a sheriff or other law enforcement official may
8 detain the respondent for a reasonable time necessary to
9 complete and serve the short form notification.

10 (d) When service is made by short form notification under
11 this Section, it may be proved by the affidavit of the person
12 making the service.

13 (e) The Attorney General shall make ~~provide adequate copies~~
14 ~~of~~ the short form notification form available to law
15 enforcement agencies in this State.

16 (f) A single short form notification form may be used for
17 orders of protection under this Act, stalking no contact orders
18 under the Stalking No Contact Order Act, and civil no contact
19 orders under the Civil No Contact Order Act.

20 (Source: P.A. 97-50, eff. 6-28-11.)