

1 AN ACT concerning certain court orders.

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-22 as follows:

6 (725 ILCS 5/112A-22) (from Ch. 38, par. 112A-22)

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

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

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

1 with maintaining Department of State Police records. If the  
2 respondent, at the time of the issuance of the order, is  
3 committed to the custody of the Illinois Department of  
4 Corrections or is on parole or mandatory supervised release,  
5 the sheriff or other law enforcement officials charged with  
6 maintaining Department of State Police records shall notify the  
7 Department of Corrections within 48 hours of receipt of a copy  
8 of the order of protection from the clerk of the issuing judge  
9 or the petitioner. Such notice shall include the name of the  
10 respondent, the respondent's IDOC inmate number, the  
11 respondent's date of birth, and the LEADS Record Index Number.

12 (c) Service by sheriff. Unless respondent was present in  
13 court when the order was issued, the sheriff, other law  
14 enforcement official or special process server shall promptly  
15 serve that order upon respondent and file proof of such  
16 service, in the manner provided for service of process in civil  
17 proceedings. Instead of serving the order upon the respondent,  
18 however, the sheriff, other law enforcement official, special  
19 process server, or other persons defined in Section 112A-22.10  
20 may serve the respondent with a short form notification as  
21 provided in Section 112A-22.10. If process has not yet been  
22 served upon the respondent, it shall be served with the order  
23 or short form notification if such service is made by the  
24 sheriff, other law enforcement official, or special process  
25 server.

26 (c-5) If the person against whom the order of protection is

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

11 (d) Extensions, modifications and revocations. Any order  
12 extending, modifying or revoking any order of protection shall  
13 be promptly recorded, issued and served as provided in this  
14 Section.

15 (e) Notice to health care facilities and health care  
16 practitioners. Upon the request of the petitioner, the clerk of  
17 the circuit court shall send a certified copy of the order of  
18 protection to any specified health care facility or health care  
19 practitioner requested by the petitioner at the mailing address  
20 provided by the petitioner.

21 (f) Disclosure by health care facilities and health care  
22 practitioners. After receiving a certified copy of an order of  
23 protection that prohibits a respondent's access to records, no  
24 health care facility or health care practitioner shall allow a  
25 respondent access to the records of any child who is a  
26 protected person under the order of protection, or release

1 information in those records to the respondent, unless the  
2 order has expired or the respondent shows a certified copy of  
3 the court order vacating the corresponding order of protection  
4 that was sent to the health care facility or practitioner.  
5 Nothing in this Section shall be construed to require health  
6 care facilities or health care practitioners to alter  
7 procedures related to billing and payment. The health care  
8 facility or health care practitioner may file the copy of the  
9 order of protection in the records of a child who is a  
10 protected person under the order of protection, or may employ  
11 any other method to identify the records to which a respondent  
12 is prohibited access. No health care facility or health care  
13 practitioner shall be civilly or professionally liable for  
14 reliance on a copy of an order of protection, except for  
15 willful and wanton misconduct.

16 (g) Notice to schools. Upon the request of the petitioner,  
17 within 24 hours of the issuance of an order of protection, the  
18 clerk of the issuing judge shall send a certified copy of the  
19 order of protection to the day-care facility, pre-school or  
20 pre-kindergarten, or private school or the principal office of  
21 the public school district or any college or university in  
22 which any child who is a protected person under the order of  
23 protection or any child of the petitioner is enrolled as  
24 requested by the petitioner at the mailing address provided by  
25 the petitioner. If the child transfers enrollment to another  
26 day-care facility, pre-school, pre-kindergarten, private

1 school, public school, college, or university, the petitioner  
2 may, within 24 hours of the transfer, send to the clerk written  
3 notice of the transfer, including the name and address of the  
4 institution to which the child is transferring. Within 24 hours  
5 of receipt of notice from the petitioner that a child is  
6 transferring to another day-care facility, pre-school,  
7 pre-kindergarten, private school, public school, college, or  
8 university, the clerk shall send a certified copy of the order  
9 to the institution to which the child is transferring.

10 (h) Disclosure by schools. After receiving a certified copy  
11 of an order of protection that prohibits a respondent's access  
12 to records, neither a day-care facility, pre-school,  
13 pre-kindergarten, public or private school, college, or  
14 university nor its employees shall allow a respondent access to  
15 a protected child's records or release information in those  
16 records to the respondent. The school shall file the copy of  
17 the order of protection in the records of a child who is a  
18 protected person under the order of protection. When a child  
19 who is a protected person under the order of protection  
20 transfers to another day-care facility, pre-school,  
21 pre-kindergarten, public or private school, college, or  
22 university, the institution from which the child is  
23 transferring may, at the request of the petitioner, provide,  
24 within 24 hours of the transfer, written notice of the order of  
25 protection, along with a certified copy of the order, to the  
26 institution to which the child is transferring.

1 (Source: P.A. 96-651, eff. 1-1-10; 97-50, eff. 6-28-11.)

2 Section 10. The Stalking No Contact Order Act is amended by  
3 changing Section 115 as follows:

4 (740 ILCS 21/115)

5 Sec. 115. Notice of orders.

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

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

1 committed to the custody of the Illinois Department of  
2 Corrections or is on parole or mandatory supervised release,  
3 the sheriff or other law enforcement officials charged with  
4 maintaining Department of State Police records shall notify the  
5 Department of Corrections within 48 hours of receipt of a copy  
6 of the stalking no contact order from the clerk of the issuing  
7 judge or the petitioner. Such notice shall include the name of  
8 the respondent, the respondent's IDOC inmate number, the  
9 respondent's date of birth, and the LEADS Record Index Number.

10 (c) Unless the respondent was present in court when the  
11 order was issued, the sheriff, other law enforcement official,  
12 or special process server shall promptly serve that order upon  
13 the respondent and file proof of such service in the manner  
14 provided for service of process in civil proceedings. If  
15 process has not yet been served upon the respondent, it shall  
16 be served with the order or short form notification.

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

1 under Section 95 of this Act.

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

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

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

11 Section 15. The Civil No Contact Order Act is amended by  
12 changing Section 218 as follows:

13 (740 ILCS 22/218)

14 Sec. 218. Notice of orders.

15 (a) Upon issuance of any civil no contact order, the clerk  
16 shall immediately, or on the next court day if an emergency  
17 order is issued in accordance with subsection (c) of Section  
18 214:

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

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

23 (b) The clerk of the issuing judge shall, or the petitioner  
24 may, on the same day that a civil no contact order is issued,



1 file a certified copy of that order with the sheriff or other  
2 law enforcement officials charged with maintaining Department  
3 of State Police records or charged with serving the order upon  
4 the respondent. If the order was issued in accordance with  
5 subsection (c) of Section 214, the clerk shall, on the next  
6 court day, file a certified copy of the order with the Sheriff  
7 or other law enforcement officials charged with maintaining  
8 Department of State Police records. If the respondent, at the  
9 time of the issuance of the order, is committed to the custody  
10 of the Illinois Department of Corrections or is on parole or  
11 mandatory supervised release, the sheriff or other law  
12 enforcement officials charged with maintaining Department of  
13 State Police records shall notify the Department of Corrections  
14 within 48 hours of receipt of a copy of the civil no contact  
15 order from the clerk of the issuing judge or the petitioner.  
16 Such notice shall include the name of the respondent, the  
17 respondent's IDOC inmate number, the respondent's date of  
18 birth, and the LEADS Record Index Number.

19 (c) Unless the respondent was present in court when the  
20 order was issued, the sheriff, other law enforcement official,  
21 or special process server shall promptly serve that order upon  
22 the respondent and file proof of such service in the manner  
23 provided for service of process in civil proceedings. If  
24 process has not yet been served upon the respondent, it shall  
25 be served with the order or short form notification.

26 (d) If the person against whom the civil no contact order

1 is issued is arrested and the written order is issued in  
2 accordance with subsection (c) of Section 214 and received by  
3 the custodial law enforcement agency before the respondent or  
4 arrestee is released from custody, the custodial law  
5 enforcement agent shall promptly serve the order upon the  
6 respondent or arrestee before the respondent or arrestee is  
7 released from custody. In no event shall detention of the  
8 respondent or arrestee be extended for hearing on the petition  
9 for civil no contact order or receipt of the order issued under  
10 Section 214 of this Act.

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

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

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

20 Section 20. The Illinois Domestic Violence Act of 1986 is  
21 amended by changing Section 222 as follows:

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

23 Sec. 222. Notice of orders.

24 (a) Entry and issuance. Upon issuance of any order of

1 protection, the clerk shall immediately, or on the next court  
2 day if an emergency order is issued in accordance with  
3 subsection (c) of Section 217, (i) enter the order on the  
4 record and file it in accordance with the circuit court  
5 procedures and (ii) provide a file stamped copy of the order to  
6 respondent, if present, and to petitioner.

7 (b) Filing with sheriff. The clerk of the issuing judge  
8 shall, or the petitioner may, on the same day that an order of  
9 protection is issued, file a certified copy of that order with  
10 the sheriff or other law enforcement officials charged with  
11 maintaining Department of State Police records or charged with  
12 serving the order upon respondent. If the order was issued in  
13 accordance with subsection (c) of Section 217, the clerk shall  
14 on the next court day, file a certified copy of the order with  
15 the Sheriff or other law enforcement officials charged with  
16 maintaining Department of State Police records. If the  
17 respondent, at the time of the issuance of the order, is  
18 committed to the custody of the Illinois Department of  
19 Corrections or is on parole or mandatory supervised release,  
20 the sheriff or other law enforcement officials charged with  
21 maintaining Department of State Police records shall notify the  
22 Department of Corrections within 48 hours of receipt of a copy  
23 of the order of protection from the clerk of the issuing judge  
24 or the petitioner. Such notice shall include the name of the  
25 respondent, the respondent's IDOC inmate number, the  
26 respondent's date of birth, and the LEADS Record Index Number.

1 (c) Service by sheriff. Unless respondent was present in  
2 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 civil  
6 proceedings. Instead of serving the order upon the respondent,  
7 however, the sheriff, other law enforcement official, special  
8 process server, or other persons defined in Section 222.10 may  
9 serve the respondent with a short form notification as provided  
10 in Section 222.10. If process has not yet been served upon the  
11 respondent, it shall be served with the order or short form  
12 notification if such service is made by the sheriff, other law  
13 enforcement official, or special process server. A single fee  
14 may be charged for service of an order obtained in civil court,  
15 or for service of such an order together with process, unless  
16 waived or deferred under Section 210.

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

1 Section 217 of this Act.

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

6 (e) Notice to schools. Upon the request of the petitioner,  
7 within 24 hours of the issuance of an order of protection, the  
8 clerk of the issuing judge shall send a certified copy of the  
9 order of protection to the day-care facility, pre-school or  
10 pre-kindergarten, or private school or the principal office of  
11 the public school district or any college or university in  
12 which any child who is a protected person under the order of  
13 protection or any child of the petitioner is enrolled as  
14 requested by the petitioner at the mailing address provided by  
15 the petitioner. If the child transfers enrollment to another  
16 day-care facility, pre-school, pre-kindergarten, private  
17 school, public school, college, or university, the petitioner  
18 may, within 24 hours of the transfer, send to the clerk written  
19 notice of the transfer, including the name and address of the  
20 institution to which the child is transferring. Within 24 hours  
21 of receipt of notice from the petitioner that a child is  
22 transferring to another day-care facility, pre-school,  
23 pre-kindergarten, private school, public school, college, or  
24 university, the clerk shall send a certified copy of the order  
25 to the institution to which the child is transferring.

26 (f) Disclosure by schools. After receiving a certified copy

1 of an order of protection that prohibits a respondent's access  
2 to records, neither a day-care facility, pre-school,  
3 pre-kindergarten, public or private school, college, or  
4 university nor its employees shall allow a respondent access to  
5 a protected child's records or release information in those  
6 records to the respondent. The school shall file the copy of  
7 the order of protection in the records of a child who is a  
8 protected person under the order of protection. When a child  
9 who is a protected person under the order of protection  
10 transfers to another day-care facility, pre-school,  
11 pre-kindergarten, public or private school, college, or  
12 university, the institution from which the child is  
13 transferring may, at the request of the petitioner, provide,  
14 within 24 hours of the transfer, written notice of the order of  
15 protection, along with a certified copy of the order, to the  
16 institution to which the child is transferring.

17 (g) Notice to health care facilities and health care  
18 practitioners. Upon the request of the petitioner, the clerk of  
19 the circuit court shall send a certified copy of the order of  
20 protection to any specified health care facility or health care  
21 practitioner requested by the petitioner at the mailing address  
22 provided by the petitioner.

23 (h) Disclosure by health care facilities and health care  
24 practitioners. After receiving a certified copy of an order of  
25 protection that prohibits a respondent's access to records, no  
26 health care facility or health care practitioner shall allow a

1 respondent access to the records of any child who is a  
2 protected person under the order of protection, or release  
3 information in those records to the respondent, unless the  
4 order has expired or the respondent shows a certified copy of  
5 the court order vacating the corresponding order of protection  
6 that was sent to the health care facility or practitioner.  
7 Nothing in this Section shall be construed to require health  
8 care facilities or health care practitioners to alter  
9 procedures related to billing and payment. The health care  
10 facility or health care practitioner may file the copy of the  
11 order of protection in the records of a child who is a  
12 protected person under the order of protection, or may employ  
13 any other method to identify the records to which a respondent  
14 is prohibited access. No health care facility or health care  
15 practitioner shall be civilly or professionally liable for  
16 reliance on a copy of an order of protection, except for  
17 willful and wanton misconduct.

18 (Source: P.A. 96-651, eff. 1-1-10; 97-50, eff. 6-28-11.)