



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB1531

Introduced 2/6/2015, by Rep. Kelly Burke

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Illinois Parentage Act of 2015. Provides methods for the establishment of a parent-child relationship. Authorizes genetic testing. Provides for temporary relief and proceedings to adjudicate parentage. Establishes procedures regarding parentage of a child of assisted reproduction. Provides for child support establishment and enforcement. Repeals the Illinois Parentage Act and the Illinois Parentage Act of 1984. Amends numerous Acts to make conforming changes.

LRB099 04250 HEP 25224 b

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 ARTICLE 1. GENERAL PROVISIONS

5 Section 101. Short title. This Act may be cited as the  
6 Illinois Parentage Act of 2015.

7 Section 102. Public policy. Illinois recognizes the right  
8 of every child to the physical, mental, emotional, and  
9 financial support of his or her parents. The parent-child  
10 relationship, including support obligations, extends equally  
11 to every child and to his or her parent or to each of his or her  
12 2 parents, regardless of the legal relationship of the parents,  
13 and regardless of whether a parent is a minor.

14 Section 103. Definitions. In this Act:

15 (a) "Acknowledged father" means a man who has established a  
16 father-child relationship under Article 3.

17 (b) "Adjudicated father" means a man who has been  
18 adjudicated by a court of competent jurisdiction, or as  
19 authorized under Article X of the Illinois Public Aid Code, to  
20 be the father of a child.

21 (c) "Alleged father" means a man who alleges himself to be,

1 or is alleged to be, the biological father or a possible  
2 biological father of a child, but whose paternity has not been  
3 established. The term does not include:

4 (1) a presumed parent or acknowledged father;

5 (2) a man whose parental rights have been terminated or  
6 declared not to exist; or

7 (3) a male donor.

8 (d) "Assisted reproduction" means any method of causing  
9 pregnancy other than sexual intercourse. The term includes but  
10 is not limited to:

11 (1) intrauterine insemination;

12 (2) donation of eggs;

13 (3) donation of embryos;

14 (4) in-vitro fertilization and transfer of embryos;

15 (5) intracytoplasmic sperm injection; and

16 (6) artificial insemination.

17 (e) "Child" means an individual of any age whose parentage  
18 may be established under this Act.

19 (f) "Combined paternity index" means the likelihood of  
20 paternity calculated by computing the ratio between:

21 (1) the likelihood that the tested man is the father,  
22 based on the genetic markers of the tested man, mother, and  
23 child, conditioned on the hypothesis that the tested man is  
24 the father of the child; and

25 (2) the likelihood that the tested man is not the  
26 father, based on the genetic markers of the tested man,

1 mother, and child, conditioned on the hypothesis that the  
2 tested man is not the father of the child and that the  
3 father is of the same ethnic or racial group as the tested  
4 man.

5 (g) "Commence" means to file the initial pleading seeking  
6 an adjudication of parentage in the circuit court of this  
7 State.

8 (h) "Determination of parentage" means the establishment  
9 of the parent-child relationship by the signing of a voluntary  
10 acknowledgment under Article 3 of this Act or adjudication by  
11 the court or as authorized under Article X of the Illinois  
12 Public Aid Code.

13 (i) "Donor" means an individual who contributes a gamete or  
14 gametes used for assisted reproduction, whether or not for  
15 consideration. The term does not include:

16 (1) an intended parent who provides sperm, or an  
17 intended parent who provides eggs, to be used for assisted  
18 reproduction by the intended parent or parents;

19 (2) a woman who gives birth to a child by means of  
20 assisted reproduction, except as otherwise provided in the  
21 Gestational Surrogacy Act or a valid gestational surrogacy  
22 contract; or

23 (3) a parent under Article 7 of this Act, or an  
24 intended parent under the Gestational Surrogacy Act or a  
25 valid gestational surrogacy contract.

26 (j) "Ethnic or racial group" means, for purposes of genetic

1 testing, a recognized group that an individual identifies as  
2 all or part of the individual's ancestry or that is so  
3 identified by other information.

4 (k) "Gamete" means either a sperm or an egg.

5 (l) "Genetic testing" means an analysis of genetic markers  
6 to exclude or identify a man as the father or a woman as the  
7 mother of a child as provided in Article 4 of this Act.

8 (m) "Gestational mother" means an adult woman who gives  
9 birth to a child pursuant to the terms of a valid gestational  
10 surrogacy contract.

11 (n) "Parent" means an individual who has established a  
12 parent-child relationship under Section 201 of this Act.

13 (o) "Parent-child relationship" means the legal  
14 relationship between a child and a parent of the child.

15 (p) "Presumed parent" means an individual who, by operation  
16 of law under Section 204 of this Act, is recognized as the  
17 parent of a child until that status is rebutted or confirmed in  
18 a judicial or administrative proceeding.

19 (q) "Probability of paternity" means the measure, for the  
20 ethnic or racial group to which the alleged father belongs, of  
21 the probability that the man in question is the father of the  
22 child, compared with a random, unrelated man of the same ethnic  
23 or racial group, expressed as a percentage incorporating the  
24 combined paternity index and a prior probability.

25 (r) "Record" means information that is inscribed on a  
26 tangible medium or that is stored in an electronic or other

1 medium and is retrievable in perceivable form.

2 (s) "Signatory" means an individual who authenticates a  
3 record and is bound by its terms.

4 (t) "State" means a state of the United States, the  
5 District of Columbia, Puerto Rico, the United States Virgin  
6 Islands, or any territory or insular possession subject to the  
7 jurisdiction of the United States.

8 (u) "Substantially similar legal relationship" means a  
9 relationship recognized in this State under Section 60 of the  
10 Religious Freedom Protection and Civil Union Act.

11 (v) "Support-enforcement agency" means a public official  
12 or agency authorized to seek:

13 (1) enforcement of support orders or laws relating to  
14 the duty of support;

15 (2) establishment or modification of child support;

16 (3) determination of parentage; or

17 (4) location of child-support obligors and their  
18 income and assets.

19 Section 104. Scope of Act; choice of law; other legal  
20 rights and duties preserved.

21 (a) This Act applies to determination of parentage in this  
22 State.

23 (b) The court shall apply the law of this State to  
24 adjudicate the parent-child relationship. The applicable law  
25 does not depend on:

1 (1) the place of birth of the child; or

2 (2) the past or present residence of the child.

3 (c) This Act does not create, enlarge, abrogate, or  
4 diminish parental rights or duties under other laws of this  
5 State, including the common law.

6 Section 105. Authority to establish parentage. The circuit  
7 courts are authorized to establish parentage under this Act.  
8 The Department of Healthcare and Family Services may make  
9 administrative determinations of paternity and nonpaternity in  
10 accordance with Section 10-17.7 of the Illinois Public Aid  
11 Code. Such administrative determinations shall have the full  
12 force and effect of court judgments entered under this Act.

13 Section 106. Protection of participants. Proceedings under  
14 this Act are subject to other law of this State governing the  
15 health, safety, privacy, and liberty of a child or other  
16 individual who could be jeopardized by disclosure of  
17 identifying information, including address, telephone number,  
18 place of employment, social security number, and the child's  
19 day-care facility and school.

20 Section 107. Applicability. Insofar as practicable, the  
21 provisions of this Act applicable to the father and child  
22 relationship shall apply to the mother and child relationship  
23 including, but not limited to, the obligation to support.

1                                   ARTICLE 2. PARENT-CHILD RELATIONSHIP

2           Section 201. Establishment of parent-child relationship.

3           (a) The parent-child relationship is established between a  
4 woman and a child by:

5                   (1) the woman having given birth to the child, except  
6 as otherwise provided in a valid gestational surrogacy  
7 contract;

8                   (2) an adjudication of the woman's parentage;

9                   (3) adoption of the child by the woman;

10                   (4) the woman having consented to assisted  
11 reproduction by a woman under Article 7 of this Act which  
12 resulted in the birth of the child;

13                   (5) a valid gestational surrogacy contract under the  
14 Gestational Surrogacy Act or other law; or

15                   (6) an unrebutted presumption of the woman's parentage  
16 of the child under Section 204 of this Act.

17           (b) The parent-child relationship is established between a  
18 man and a child by:

19                   (1) an unrebutted presumption of the man's parentage of  
20 the child under Section 204 of this Act;

21                   (2) an effective voluntary acknowledgment of paternity  
22 by the man under Article 3 of this Act, unless the  
23 acknowledgment has been rescinded or successfully  
24 challenged;



- 1 (3) an adjudication of the man's parentage;
- 2 (4) adoption of the child by the man;
- 3 (5) the man having consented to assisted reproduction
- 4 by a woman under Article 7 of this Act which resulted in
- 5 the birth of the child; or
- 6 (6) a valid gestational surrogacy contract under the
- 7 Gestational Surrogacy Act or other law.
- 8 (c) Insofar as practicable, the provisions of this Act
- 9 applicable to parent-child relationships shall apply equally
- 10 to men and women as parents, including, but not limited to, the
- 11 obligation to support.

12 Section 202. Parents' legal relationship. Every child has

13 equal rights under the law regardless of the parents' legal

14 relationship.

15 Section 203. Consequences of establishment of parentage. A

16 parent-child relationship established under this Act applies

17 for all purposes, except as otherwise specifically provided by

18 other law of this State.

19 Section 204. Presumption of parentage.

20 (a) A person is presumed to be the parent of a child if:

- 21 (1) the person and the mother of the child have entered
- 22 into a marriage, civil union, or substantially similar
- 23 legal relationship, and the child is born to the mother

1 during the marriage, civil union, or substantially similar  
2 legal relationship, except as provided by a valid  
3 gestational surrogacy contract, Article 7 of this Act, or  
4 other law;

5 (2) the person and the mother of the child were in a  
6 marriage, civil union, or substantially similar legal  
7 relationship and the child is born to the mother within 300  
8 days after the marriage, civil union, or substantially  
9 similar legal relationship is terminated by death,  
10 declaration of invalidity of marriage, judgment for  
11 dissolution of marriage, civil union, or substantially  
12 similar legal relationship, or after a judgment for legal  
13 separation, except as provided by a valid gestational  
14 surrogacy contract, Article 7 of this Act, or other law;

15 (3) before the birth of the child, the person and the  
16 mother of the child entered into a marriage, civil union,  
17 or substantially similar legal relationship in apparent  
18 compliance with law, even if the attempted marriage, civil  
19 union, or substantially similar legal relationship is or  
20 could be declared invalid, and the child is born during the  
21 invalid marriage, civil union, or substantially similar  
22 legal relationship or within 300 days after its termination  
23 by death, declaration of invalidity of marriage, judgment  
24 for dissolution of marriage, civil union, or substantially  
25 similar legal relationship, or after a judgment for legal  
26 separation, except as provided by a valid gestational

1           surrogacy contract, Article 7 of this Act, or other law; or  
2           (4) after the child's birth, the person and the child's  
3           mother have entered into a marriage, civil union, or  
4           substantially similar legal relationship, even if the  
5           marriage, civil union, or substantially similar legal  
6           relationship is or could be declared invalid, and the  
7           person is named, with the person's written consent, as the  
8           child's parent on the child's birth certificate.

9           (b) If 2 or more conflicting presumptions arise under this  
10          Section, the presumption which on the facts is founded on the  
11          weightier considerations of policy and logic, especially the  
12          policy of promoting the child's best interests, controls.

13          Section 205. Proceedings to declare the non-existence of  
14          the parent-child relationship.

15          (a) An action to declare the non-existence of the  
16          parent-child relationship may be brought by the child, the  
17          birth mother, or a person presumed to be a parent under Section  
18          204 of this Act. Actions brought by the child, the birth  
19          mother, or a presumed parent shall be brought by verified  
20          complaint, which shall be designated a petition. After a  
21          presumption under Section 204 of this Act has been rebutted,  
22          parentage of the child by another man or woman may be  
23          established in the same action, if he or she has been made a  
24          party.

25          (b) An action to declare the non-existence of the

1 parent-child relationship brought under subsection (a) of this  
2 Section shall be barred if brought later than 2 years after the  
3 petitioner knew or should have known of the relevant facts. The  
4 2-year period for bringing an action to declare the  
5 non-existence of the parent-child relationship shall not  
6 extend beyond the date on which the child reaches the age of 18  
7 years. Failure to bring an action within 2 years shall not bar  
8 any party from asserting a defense in any action to declare the  
9 existence of the parent-child relationship.

10 (c) An action to declare the non-existence of the  
11 parent-child relationship may be brought subsequent to an  
12 adjudication of parentage in any judgment by the man  
13 adjudicated to be the parent pursuant to a presumption in  
14 paragraphs (a) (1) through (a) (4) of Section 204 if, as a result  
15 of deoxyribonucleic acid (DNA) testing, it is discovered that  
16 the man adjudicated to be the parent is not the father of the  
17 child. Actions brought by the adjudicated father shall be  
18 brought by verified petition. If, as a result of the  
19 deoxyribonucleic acid (DNA) testing that is admissible under  
20 Section 614 of this Act, the petitioner is determined not to be  
21 the father of the child, the adjudication of paternity and any  
22 orders regarding custody, parenting time, and future payments  
23 of support may be vacated.

24 (d) An action to declare the non-existence of the  
25 parent-child relationship brought under subsection (c) of this  
26 Section shall be barred if brought more than 2 years after the

1 petitioner obtains actual knowledge of relevant facts. The  
2 2-year period shall not apply to periods of time where the  
3 birth mother or the child refuses to submit to deoxyribonucleic  
4 acid (DNA) testing. The 2-year period for bringing an action to  
5 declare the non-existence of the parent-child relationship  
6 shall not extend beyond the date on which the child reaches the  
7 age of 18 years.

8 Section 206. Presumption; burden of proof. A person  
9 challenging a presumption under Section 204 of this Act may  
10 rebut the presumption with clear and convincing evidence.

### 11 ARTICLE 3. VOLUNTARY ACKNOWLEDGMENT

12 Section 301. Voluntary acknowledgment. A parent-child  
13 relationship may be established voluntarily by the signing and  
14 witnessing of a voluntary acknowledgment in accordance with  
15 Section 12 of the Vital Records Act and Section 10-17.7 of the  
16 Illinois Public Aid Code. The voluntary acknowledgment shall  
17 contain the last four digits of the social security numbers of  
18 the persons signing the voluntary acknowledgment; however,  
19 failure to include the social security numbers of the persons  
20 signing a voluntary acknowledgment does not invalidate the  
21 voluntary acknowledgment.

22 Section 302. Execution of voluntary acknowledgment.

1 (a) A voluntary acknowledgment described in Section 301 of  
2 this Act must:

3 (1) be in a record;

4 (2) be signed, or otherwise authenticated, under  
5 penalty of perjury by the mother and by the man seeking to  
6 establish his parentage;

7 (3) state that the child whose parentage is being  
8 acknowledged:

9 (A) does not have a presumed parent, or has a  
10 presumed parent whose full name is stated; and

11 (B) does not have another acknowledged or  
12 adjudicated parent;

13 (4) be witnessed; and

14 (5) state that the signatories understand that the  
15 acknowledgment is the equivalent of a judicial  
16 adjudication of parentage of the child and that a challenge  
17 to the acknowledgment is permitted only under limited  
18 circumstances and is barred after 2 years.

19 (b) An acknowledgment is void if it:

20 (1) states that another person is a presumed parent,  
21 unless a denial signed or otherwise authenticated by the  
22 presumed parent is filed with the Department of Healthcare  
23 and Family Services, as provided by law;

24 (2) states that another person is an acknowledged or  
25 adjudicated parent; or

26 (3) falsely denies the existence of a presumed,

1           acknowledged, or adjudicated parent of the child.

2           (c) A presumed father may sign or otherwise authenticate an  
3           acknowledgment.

4           Section 303. Denial of parentage. A presumed parent may  
5           sign a denial of parentage. The denial is valid only if:

6           (a) a voluntary acknowledgment described in Section 301 of  
7           this Act signed, or otherwise authenticated, by a man is filed  
8           pursuant to Section 305 of this Act;

9           (b) the denial is in a record, and is signed, or otherwise  
10          authenticated, under penalty of perjury; and

11          (c) the presumed parent has not previously:

12               (1) acknowledged his parentage, unless the previous  
13               acknowledgment has been rescinded under Section 307 of this  
14               Act or successfully challenged under Section 308 of this  
15               Act; or

16               (2) been adjudicated to be the parent of the child.

17          Section 304. Rules for acknowledgment and denial of  
18          parentage.

19          (a) An acknowledgment as described in Section 301 of this  
20          Act and a denial may be contained in a single document or may  
21          be signed in counterparts, and may be filed separately or  
22          simultaneously. If the acknowledgment and denial are both  
23          necessary, neither is valid until both are filed.

24          (b) An acknowledgment or a denial may be signed before the

1 birth of the child.

2 (c) Subject to subsection (a), an acknowledgment or denial  
3 takes effect on the birth of the child or the filing of the  
4 document with the Department of Healthcare and Family Services,  
5 as provided by law, whichever occurs later.

6 (d) An acknowledgment or denial signed by a minor is valid  
7 if it is otherwise in compliance with this Act.

8 Section 305. Effect of acknowledgment or denial of  
9 parentage.

10 (a) Except as otherwise provided in Sections 307 and 308 of  
11 this Act, a valid acknowledgment filed with the Department of  
12 Healthcare and Family Services, as provided by law, is  
13 equivalent to an adjudication of the parentage of a child and  
14 confers upon the acknowledged father all of the rights and  
15 duties of a parent.

16 (b) Notwithstanding any other provision of this Act,  
17 parentage established in accordance with Section 301 of this  
18 Act has the full force and effect of a judgment entered under  
19 this Act and serves as a basis for seeking a child support  
20 order without any further proceedings to establish parentage.

21 (c) Except as otherwise provided in Sections 307 and 308 of  
22 this Act, a valid denial by a presumed parent filed with the  
23 Department of Healthcare and Family Services, as provided by  
24 law, in conjunction with a voluntary acknowledgment, is  
25 equivalent to an adjudication of the nonparentage of the



1 presumed parent and discharges the presumed parent from all  
2 rights and duties of a parent.

3 Section 306. No filing fee. The Department of Healthcare  
4 and Family Services, as provided by law, may not charge a fee  
5 for filing a voluntary acknowledgment or denial.

6 Section 307. Proceeding for rescission. A signatory may  
7 rescind a voluntary acknowledgment or denial by filing a signed  
8 and witnessed rescission with the Department of Healthcare and  
9 Family Services as provided in Section 12 of the Vital Records  
10 Act, before the earlier of:

11 (a) 60 days after the effective date of the acknowledgment  
12 or denial, as provided in Section 304 of this Act; or

13 (b) the date of a judicial or administrative proceeding  
14 relating to the child (including a proceeding to establish a  
15 support order) in which the signatory is a party.

16 Section 308. Challenge after expiration of period for  
17 rescission. After the period for rescission under Section 307  
18 of this Act has expired, a signatory of a voluntary  
19 acknowledgment or denial may commence a proceeding to challenge  
20 the acknowledgment or denial only as provided in Section 309 of  
21 this Act.

22 Section 309. Procedure for challenge.

1 (a) A voluntary acknowledgment and any related denial may  
2 be challenged only on the basis of fraud, duress, or material  
3 mistake of fact by filing a verified petition under this  
4 Section within 2 years after the effective date of the  
5 acknowledgment or denial, as provided in Section 304 of this  
6 Act. Time during which the person challenging the  
7 acknowledgment or denial is under legal disability or duress or  
8 the ground for relief is fraudulently concealed shall be  
9 excluded in computing the period of 2 years.

10 (b) The verified complaint, which shall be designated a  
11 petition, shall be filed in the county where a proceeding  
12 relating to the child was brought, such as a support proceeding  
13 or, if none exists, in the county where the child resides.  
14 Every signatory to the voluntary acknowledgment and any related  
15 denial must be made a party to a proceeding to challenge the  
16 acknowledgment or denial. The party challenging the  
17 acknowledgment or denial shall have the burden of proof. The  
18 burden of proof to challenge a voluntary acknowledgment is  
19 clear and convincing evidence.

20 (c) For the purpose of a challenge to an acknowledgment or  
21 denial, a signatory submits to personal jurisdiction of this  
22 State by signing the acknowledgment and any related denial,  
23 effective upon the filing of the acknowledgment and any related  
24 denial with the Department of Healthcare and Family Services,  
25 as provided in Section 12 of the Vital Records Act.

26 (d) Except for good cause shown, during the pendency of a

1 proceeding to challenge an acknowledgment or denial, the court  
2 may not suspend the legal responsibilities of a signatory  
3 arising from the acknowledgment, including the duty to pay  
4 child support.

5 (e) At the conclusion of a proceeding to challenge an  
6 acknowledgment or denial, the court shall order the Department  
7 of Public Health to amend the birth record of the child, if  
8 appropriate. A copy of an order entered at the conclusion of a  
9 proceeding to challenge shall be provided to the Department of  
10 Healthcare and Family Services.

11 Section 310. Ratification barred. A court or  
12 administrative agency conducting a judicial or administrative  
13 proceeding is not required or permitted to ratify an  
14 unchallenged acknowledgment described in Section 301 of this  
15 Act.

16 Section 311. Full faith and credit. A court of this State  
17 shall give full faith and credit to a valid acknowledgment or  
18 denial of parentage effective in another state if the  
19 acknowledgment or denial has been signed and is otherwise in  
20 compliance with the law of the other state.

21 Section 312. Forms for acknowledgment and denial of  
22 parentage.

23 (a) To facilitate compliance with this Article, the

1 Department of Healthcare and Family Services shall prescribe  
2 forms for the acknowledgment and the denial of parentage and  
3 for the rescission of acknowledgment or denial consistent with  
4 Section 307 of this Act.

5 (b) A voluntary acknowledgment or denial of parentage is  
6 not affected by a later modification of the prescribed form.

7 Section 313. Release of information. The Department of  
8 Healthcare and Family Services may release information  
9 relating to the acknowledgment described in Section 301 of this  
10 Act, or the related denial, to a signatory of the  
11 acknowledgment or denial; to the child's guardian, the  
12 emancipated child, or the legal representatives of those  
13 individuals; to appropriate federal agencies; and to courts and  
14 appropriate agencies of this State or another state.

15 Section 314. Adoption of rules. The Department of Public  
16 Health and the Department of Healthcare and Family Services may  
17 adopt rules to implement this Article.

18 ARTICLE 4. GENETIC TESTING

19 Section 401. Proceeding authorized. As soon as  
20 practicable, a court or an administrative hearing officer in an  
21 Expedited Child Support System may, and upon the request of a  
22 party except as provided in Section 610 of this Act, or of the

1 child, shall order or direct the mother, child, and alleged  
2 father to submit to deoxyribonucleic acid (DNA) testing to  
3 determine inherited characteristics. If any party refuses to  
4 submit to genetic testing, the court may resolve the question  
5 of paternity against that party or enforce its order if the  
6 rights of others and the interests of justice so require.

7 Section 402. Requirements for genetic testing.

8 (a) The genetic testing shall be conducted by an expert  
9 qualified as an examiner of blood or tissue types and appointed  
10 by the court. The expert shall determine the genetic testing  
11 procedures. However, any interested party, for good cause  
12 shown, in advance of the scheduled genetic testing, may request  
13 a hearing to object to the qualifications of the expert or the  
14 genetic testing procedures. The expert appointed by the court  
15 shall testify at the pre-test hearing at the expense of the  
16 party requesting the hearing, except for an indigent party as  
17 provided in Section 405 of this Act. An expert not appointed by  
18 the court shall testify at the pre-test hearing at the expense  
19 of the party retaining the expert. Inquiry into an expert's  
20 qualifications at the pre-test hearing shall not affect either  
21 party's right to have the expert qualified at trial.

22 (b) Genetic testing must be of a type reasonably relied  
23 upon by experts in the field of genetic testing and performed  
24 in a testing laboratory accredited by the American Association  
25 of Blood Banks or a successor to its functions.

1 (c) A specimen used in genetic testing may consist of one  
2 or more samples, or a combination of samples, of blood, buccal  
3 cells, bone, hair, or other body tissue or fluid.

4 (d) The testing laboratory shall determine the databases  
5 from which to select frequencies for use in calculation of the  
6 probability of paternity based on the ethnic or racial group of  
7 an individual or individuals. If there is disagreement as to  
8 the testing laboratory's choice, the following rules apply:

9 (1) The individual objecting may require the testing  
10 laboratory, within 30 days after receipt of the report of  
11 the genetic testing, to recalculate the probability of  
12 paternity using an ethnic or racial group different from  
13 that used by the laboratory.

14 (2) The individual objecting to the testing  
15 laboratory's initial choice shall:

16 (A) if the frequencies are not available to the  
17 testing laboratory for the ethnic or racial group  
18 requested, provide the requested frequencies compiled  
19 in a manner recognized by accrediting bodies; or

20 (B) engage another testing laboratory to perform  
21 the calculations.

22 (e) If, after recalculation using a different ethnic or  
23 racial group, genetic testing does not reputably identify a man  
24 as the father of a child, an individual who has been tested may  
25 be required to submit to additional genetic testing.

1 Section 403. Genetic test results.

2 (a) The expert shall prepare a written report of the  
3 genetic test results. If the genetic test results show that the  
4 alleged father is not excluded, the report shall contain  
5 statistics based upon the statistical formula of combined  
6 paternity index (CPI) and the probability of paternity as  
7 determined by the probability of exclusion (Random Man Not  
8 Excluded = RMNE). The expert may be called by the court as a  
9 witness to testify to his or her findings and, if called, shall  
10 be subject to cross-examination by the parties. If the genetic  
11 test results show that the alleged father is not excluded, any  
12 party may demand that other experts, qualified as examiners of  
13 blood or tissue types, perform independent genetic testing  
14 under order of court, including, but not limited to, blood  
15 types or other testing of genetic markers. The results of the  
16 genetic testing may be offered into evidence. The number and  
17 qualifications of the experts shall be determined by the court.

18 (b) Documentation of the chain of custody of the blood or  
19 tissue samples, accompanied by an affidavit or certification in  
20 accordance with Section 1-109 of the Code of Civil Procedure,  
21 is competent evidence to establish the chain of custody.

22 (c) The report of the genetic test results prepared by the  
23 appointed expert shall be made by affidavit or by certification  
24 as provided in Section 1-109 of the Code of Civil Procedure and  
25 shall be mailed to all parties. A proof of service shall be  
26 filed with the court. The verified report shall be admitted

1 into evidence at trial without foundation testimony or other  
2 proof of authenticity or accuracy, unless a written motion  
3 challenging the admissibility of the report is filed by either  
4 party within 28 days of receipt of the report, in which case  
5 expert testimony shall be required. A party may not file such a  
6 motion challenging the admissibility of the report later than  
7 28 days before commencement of trial. Before trial, the court  
8 shall determine whether the motion is sufficient to deny  
9 admission of the report by verification. Failure to make that  
10 timely motion constitutes a waiver of the right to object to  
11 admission by verification and shall not be grounds for a  
12 continuance of the hearing to establish paternity.

13 Section 404. Effect of genetic testing. Genetic testing  
14 taken under this Article shall have the following effect:

15 (a) If the court finds that the conclusion of the expert or  
16 experts, as disclosed by the evidence based upon the genetic  
17 testing, is that the alleged father is not the parent of the  
18 child, the question of paternity shall be resolved accordingly.

19 (b) If the experts disagree in their findings or  
20 conclusions, the question shall be weighed with other competent  
21 evidence of paternity.

22 (c) If the genetic testing results indicate that the  
23 alleged father is not excluded and that the combined paternity  
24 index is at least 1,000 to 1, and there is at least a 99.9%  
25 probability of paternity, the alleged father is presumed to be



1 the father, and this evidence shall be admitted.

2 (d) A man identified under subsection (c) of this Section  
3 as the father of the child may rebut the genetic testing  
4 results by other genetic testing satisfying the requirements of  
5 this Article which:

6 (1) excludes the man as a genetic father of the child;

7 or

8 (2) identifies another man as the possible father of  
9 the child.

10 (e) Except as otherwise provided in this Article, if more  
11 than one man is identified by genetic testing as the possible  
12 father of the child, the court shall order them to submit to  
13 further genetic testing to identify the genetic father.

14 Section 405. Cost of genetic testing. The expense of the  
15 genetic testing shall be paid by the party who requests the  
16 genetic testing, except that the court may apportion the costs  
17 between the parties, upon request. When the genetic testing is  
18 requested by the party seeking to establish paternity and that  
19 party is found to be indigent by the court, the expense shall  
20 be paid by the public agency providing representation; except  
21 that where a public agency is not providing representation, the  
22 expense shall be paid by the county in which the action is  
23 brought. When the genetic testing is ordered by the court on  
24 its own motion or is requested by the alleged or presumed  
25 father and that father is found to be indigent by the court,

1 the expense shall be paid by the county in which the action is  
2 brought. Any part of the expense may be taxed as costs in the  
3 action, except that no costs may be taxed against a public  
4 agency that has not requested the genetic testing.

5 Section 406. Compensation of expert. The compensation of  
6 each expert witness appointed by the court shall be paid as  
7 provided in Section 405 of this Act. Any part of the payment  
8 may be taxed as costs in the action, except that no costs may  
9 be taxed against a public agency that has not requested the  
10 services of the expert witness.

11 Section 407. Independent genetic testing. Nothing in this  
12 Article shall prevent a party from obtaining genetic testing of  
13 his or her own blood or tissue independent of those ordered by  
14 the court or from presenting expert testimony interpreting  
15 those tests or any other blood tests ordered under this  
16 Article. Reports of all the independent tests, accompanied by  
17 affidavit or certification pursuant to Section 1-109 of the  
18 Code of Civil Procedure, and notice of any expert witnesses to  
19 be called to testify to the results of those tests shall be  
20 submitted to all parties at least 30 days before any hearing  
21 set to determine the issue of parentage.

22 Section 408. Additional persons to be tested.

23 (a) Subject to subsection (b), if a genetic-testing

1 specimen is not available from a man who may be the father of a  
2 child, for good cause and under circumstances the court  
3 considers to be just, the court may order the following  
4 individuals to submit specimens for genetic testing:

5 (1) the parents of the man;

6 (2) brothers and sisters of the man;

7 (3) other children of the man and their mothers; and

8 (4) other relatives of the man necessary to complete  
9 genetic testing.

10 (b) Issuance of an order under this Section requires a  
11 finding that a need for genetic testing outweighs the  
12 legitimate interests of the individual sought to be tested, and  
13 in no event shall an order be issued until the individual is  
14 joined as a party and given notice as required under the Code  
15 of Civil Procedure.

16 ARTICLE 5. TEMPORARY RELIEF

17 Section 501. Temporary orders.

18 (a) On a motion by a party and a showing of clear and  
19 convincing evidence of parentage, the court shall issue a  
20 temporary order for support of a child if the order is  
21 appropriate and the individual ordered to pay support is:

22 (1) a presumed parent of the child;

23 (2) petitioning to have parentage adjudicated;

24 (3) identified as the father through genetic testing

1 under Article 4 of this Act;

2 (4) an alleged father who has declined to submit to  
3 genetic testing;

4 (5) shown by clear and convincing evidence to be the  
5 child's father;

6 (6) the mother of the child; or

7 (7) anyone else determined to be the child's parent.

8 In determining the amount of a temporary child support  
9 award, the court shall use the guidelines and standards set  
10 forth in Sections 505 and 505.2 of the Illinois Marriage and  
11 Dissolution of Marriage Act.

12 (b) A temporary order may include provisions for custody  
13 and parenting time as provided by the Illinois Marriage and  
14 Dissolution of Marriage Act.

15 (c) Temporary orders issued under this Section shall not  
16 have prejudicial effect with respect to final support, custody,  
17 or parenting time orders.

18 Section 502. Injunctive relief.

19 (a) In any action brought under this Act for the initial  
20 determination of parentage, custody or parenting time of a  
21 child, or for modification of a prior custody or parenting time  
22 order, the court, upon application of a party, may enjoin a  
23 party having physical possession or custody of a child from  
24 temporarily removing the child from this State pending the  
25 adjudication of the issues of parentage, custody, and parenting

1 time. When deciding whether to enjoin removal of a child, or to  
2 order a party to return the child to this State, the court  
3 shall consider factors including, but not limited to:

4 (1) the extent of previous involvement with the child  
5 by the party seeking to enjoin removal or to have the  
6 absent party return the child to this State;

7 (2) the likelihood that parentage will be established;  
8 and

9 (3) the impact on the financial, physical, and  
10 emotional health of the party being enjoined from removing  
11 the child or the party being ordered to return the child to  
12 this State.

13 (b) A temporary restraining order or preliminary  
14 injunction under this Act shall be governed by the relevant  
15 provisions of Part 1 of Article XI of the Code of Civil  
16 Procedure.

17 (c) Notwithstanding the provisions of subsection (a) of  
18 this Section, the court may decline to enjoin a domestic  
19 violence victim having physical possession or custody of a  
20 child from temporarily or permanently removing the child from  
21 this State pending the adjudication of issues of custody or  
22 parenting time. In determining whether a person is a domestic  
23 violence victim, the court shall consider the following  
24 factors:

25 (1) a sworn statement by the person that the person has  
26 good reason to believe that he or she is the victim of

1 domestic violence or stalking;

2 (2) a sworn statement that the person fears for his or  
3 her safety or the safety of his or her children;

4 (3) evidence from police, court, or other government  
5 agency records or files;

6 (4) documentation from a domestic violence program if  
7 the person is alleged to be a victim of domestic violence;

8 (5) documentation from a legal, clerical, medical, or  
9 other professional from whom the person has sought  
10 assistance in dealing with the alleged domestic violence;  
11 and

12 (6) any other evidence that supports the sworn  
13 statements, such as a statement from any other individual  
14 with knowledge of the circumstances that provides the basis  
15 for the claim, or physical evidence of the domestic  
16 violence.

17 ARTICLE 6. PROCEEDING TO ADJUDICATE PARENTAGE

18 Section 601. Proceeding authorized. A civil proceeding may  
19 be maintained to adjudicate the parentage of a child. The  
20 proceeding is governed by the Code of Civil Procedure and  
21 Illinois Supreme Court Rules. Administrative proceedings  
22 adjudicating paternity shall be governed by Section 10-17.7 of  
23 the Illinois Public Aid Code.

1           Section 602. Standing. A complaint to adjudicate parentage  
2 shall be verified, shall be designated a petition, and shall  
3 name the person or persons alleged to be the parent of the  
4 child. Subject to Article 3 and Sections 607, 608, and 609 of  
5 this Act, a proceeding to adjudicate parentage may be  
6 maintained by:

7           (a) the child;

8           (b) the mother of the child;

9           (c) a pregnant woman;

10           (d) a man presumed or alleging himself to be the parent of  
11 the child;

12           (e) a woman presumed or alleging herself to be the parent  
13 of the child;

14           (f) the support-enforcement agency or other governmental  
15 agency authorized by other law;

16           (g) any person or public agency that has custody of, is  
17 providing financial support to, or has provided financial  
18 support to the child;

19           (h) the Department of Healthcare and Family Services if it  
20 is providing, or has provided, financial support to the child  
21 or if it is assisting with child support collections services;

22           (i) an authorized adoption agency or licensed  
23 child-placing agency;

24           (j) a representative authorized by law to act for an  
25 individual who would otherwise be entitled to maintain a  
26 proceeding but who is deceased, incapacitated, or a minor;

1 (k) an intended parent pursuant to the terms of a valid  
2 gestational surrogacy contract; or

3 (l) an individual who has consented or has allegedly  
4 consented to assisted reproduction pursuant to Article 7 of  
5 this Act.

6 Section 603. Subject matter and personal jurisdiction.

7 (a) The circuit courts of this State shall have  
8 jurisdiction of an action brought under this Act. In a civil  
9 action not brought under this Act, the provisions of this Act  
10 shall apply if parentage is at issue. The court may join any  
11 action under this Act with any other civil action in which this  
12 Act is applicable.

13 (b) An individual may not be adjudicated to be a parent  
14 unless the court has personal jurisdiction over the individual.

15 (c) A court of this State having jurisdiction to adjudicate  
16 parentage may exercise personal jurisdiction over a  
17 nonresident individual, or the guardian or conservator of the  
18 individual, if the conditions prescribed in Section 201 of the  
19 Uniform Interstate Family Support Act are fulfilled.

20 (d) Lack of jurisdiction over one individual does not  
21 preclude the court from making an adjudication of parentage  
22 binding on another individual over whom the court has personal  
23 jurisdiction.

24 Section 604. Venue.



1           (a) Venue for a proceeding to adjudicate parentage is any  
2 county of this State in which a party resides, or if the  
3 presumed or alleged father is deceased, in which a proceeding  
4 for probate or administration of the presumed or alleged  
5 father's estate has been commenced, or could be commenced.

6           (b) A child custody proceeding is commenced in the county  
7 where the child resides.

8           Section 605. Notice to presumed parent.

9           (a) In any action brought under Article 3 or Article 6 of  
10 this Act where the individual signing the petition for an order  
11 establishing the existence of the parent-child relationship by  
12 consent or the individual alleged to be the parent in a  
13 petition is different from an individual who is presumed to be  
14 parent of the child under Article 2 of this Act, a notice shall  
15 be served on the presumed parent in the same manner as  
16 summonses are served in other civil proceedings or, in lieu of  
17 personal service, service may be made as follows:

18           (1) The person requesting notice shall pay to the clerk  
19 of the circuit court a mailing fee of \$1.50 and furnish to  
20 the clerk of the circuit court an original and one copy of  
21 a notice together with an affidavit setting forth the  
22 presumed parent's last known address. The original notice  
23 shall be retained by the clerk of the circuit court.

24           (2) The clerk of the circuit court shall promptly mail  
25 to the presumed parent, at the address appearing in the

1 affidavit, the copy of the notice by certified mail, return  
2 receipt requested. The envelope and return receipt shall  
3 bear the return address of the clerk of the circuit court.  
4 The receipt for certified mail shall state the name and  
5 address of the addressee and the date of mailing and shall  
6 be attached to the original notice.

7 (3) The return receipt, when returned to the clerk of  
8 the circuit court, shall be attached to the original notice  
9 and shall constitute proof of service.

10 (4) The clerk of the circuit court shall note the fact  
11 of service in a permanent record.

12 (b) The notice shall read as follows:

13 "IN THE MATTER OF NOTICE TO ..... PRESUMED PARENT.

14 You have been identified as the presumed parent of  
15 ..... , born on ..... The birth parent of the child is  
16 .....

17 An action is being brought to establish the parent-child  
18 relationship between the named child and a parent named by the  
19 person filing this action, .....

20 As the presumed parent, you have certain legal rights with  
21 respect to the named child, including the right to notice of  
22 the filing of proceedings instituted for the establishment of  
23 parentage of the named child and, if named as a parent in a  
24 petition to establish parentage, the right to submit to, along  
25 with the birth parent and child, deoxyribonucleic acid (DNA)  
26 tests to determine inherited characteristics, subject to

1 Section 610 of the Illinois Parentage Act of 2015. If you wish  
2 to assert your rights with respect to the child named in this  
3 notice, you must file with the Clerk of this Circuit Court of  
4 ..... County, Illinois, whose address is ..... , within  
5 30 days after the date of receipt of this notice, a declaration  
6 of parentage stating that you are, in fact, the parent of the  
7 named child and that you intend to assert your legal rights  
8 with respect to the child, or that you request to be notified  
9 of any further proceedings with respect to the parentage of the  
10 child.

11 If you do not file a declaration of parentage or a request  
12 for notice, then whatever legal rights you have with respect to  
13 the named child, including the right to notice of any future  
14 proceedings for the establishment of parentage of the child,  
15 may be terminated without any further notice to you. When your  
16 legal rights with respect to the named child are terminated,  
17 you will not be entitled to notice of any future proceedings."

18 (c) The notice to a presumed parent under this Section in  
19 any action brought by a public agency shall be prepared and  
20 mailed by the public agency, and the mailing fee to the clerk  
21 of the circuit court shall be waived.

22 Section 606. Summons. The summons that is served on a  
23 respondent shall include the return date on or by which the  
24 respondent must appear and shall contain the following  
25 information, in a prominent place and in conspicuous language,

1 in addition to the information required to be provided under  
2 the laws of this State: "If you do not appear as instructed in  
3 this summons, you may be required to support the child named in  
4 this petition until the child is at least 18 years old. You may  
5 also have to pay the pregnancy and delivery costs of the  
6 mother."

7 Section 607. No limitation; child having no presumed,  
8 acknowledged, or adjudicated parent. A proceeding to  
9 adjudicate the parentage of a child having no presumed,  
10 acknowledged, or adjudicated parent may be commenced at any  
11 time, even after:

12 (a) the child becomes an adult, but only if the child  
13 initiates the proceeding; or

14 (b) an earlier proceeding to adjudicate parentage has been  
15 dismissed based on the application of a statute of limitations  
16 then in effect.

17 Section 608. Limitation; child having presumed parent.

18 (a) An alleged father, as that term is defined in Section  
19 103 of this Act, must commence an action to establish a  
20 parent-child relationship for a child having a presumed parent  
21 not later than 2 years after the petitioner knew or should have  
22 known of the relevant facts. The time the petitioner is under  
23 legal disability or duress or the ground for relief is  
24 fraudulently concealed shall be excluded in computing the

1 period of 2 years.

2 (b) A proceeding seeking to declare the non-existence of  
3 the parent-child relationship between a child and the child's  
4 presumed father may be maintained at any time by a person  
5 described in paragraphs (1) through (4) of subsection (a) of  
6 Section 204 of this Act if the court determines that the  
7 presumed father and the mother of the child neither cohabited  
8 nor engaged in sexual intercourse with each other during the  
9 probable time of conception.

10 Section 609. Limitation; child having acknowledged or  
11 adjudicated parent.

12 (a) If a child has an acknowledged parent, a signatory to  
13 the acknowledgment described in Section 301 of this Act or  
14 related denial may commence a proceeding seeking to challenge  
15 the acknowledgment or denial or challenge the paternity of the  
16 child only within the time allowed under Section 309 of this  
17 Act.

18 (b) If a child has an acknowledged parent or an adjudicated  
19 parent, an individual, other than the child, who is neither a  
20 signatory to the acknowledgment nor a party to the adjudication  
21 and who seeks an adjudication of parentage of the child must  
22 commence a proceeding not later than 2 years after the  
23 effective date of the acknowledgment or adjudication.

24 (c) A proceeding under this Section is subject to the  
25 application of the principles of estoppel established in

1 Section 610 of this Act.

2 Section 610. Authority to deny motion for genetic testing.

3 (a) In a proceeding to adjudicate the parentage of a child  
4 having a presumed, acknowledged, or adjudicated parent, the  
5 court may deny a motion by a parent, presumed parent,  
6 acknowledged parent, adjudicated parent, or alleged parent  
7 seeking an order for genetic testing of the parents and child  
8 if the court determines that:

9 (1) the conduct of the parent, acknowledged parent,  
10 adjudicated parent, or the presumed parent estops that  
11 party from denying parentage;

12 (2) it would be inequitable to disprove the  
13 parent-child relationship between the child and the  
14 presumed, acknowledged, or adjudicated parent; and

15 (3) it is in the child's best interests to deny genetic  
16 testing, taking into account the following factors:

17 (A) the length of time between the current  
18 proceeding to adjudicate parentage and the time that  
19 the presumed, acknowledged, or adjudicated parent was  
20 placed on notice that he or she might not be the  
21 biological parent;

22 (B) the length of time during which the presumed,  
23 acknowledged, or adjudicated parent has assumed the  
24 role of parent of the child;

25 (C) the facts surrounding the presumed,

1           acknowledged, or adjudicated parent's discovery of his  
2           or her possible nonparentage;

3                   (D) the nature of the relationship between the  
4           child and the presumed, acknowledged, or adjudicated  
5           parent;

6                   (E) the age of the child;

7                   (F) the harm that may result to the child if the  
8           presumed, acknowledged, or adjudicated parentage is  
9           successfully disproved;

10                   (G) the nature of the relationship between the  
11           child and any alleged parent;

12                   (H) the extent to which the passage of time reduces  
13           the chances of establishing the parentage of another  
14           person and a child support obligation in favor of the  
15           child;

16                   (I) other factors that may affect the equities  
17           arising from the disruption of the parent-child  
18           relationship between the child and the presumed,  
19           acknowledged, or adjudicated parent or the chance of  
20           other harm to the child; and

21                   (J) any other factors the court determines to be  
22           equitable.

23           (b) In a proceeding involving the application of this  
24           Section, a minor or incapacitated child must be represented by  
25           a guardian ad litem, child's representative, or attorney for  
26           the child.

1           (c) If the court denies a motion seeking an order for  
2 genetic testing, it shall issue an order adjudicating the  
3 presumed parent to be the parent of the child.

4           Section 611. Joinder of proceedings.

5           (a) Except as otherwise provided in subsection (b), a  
6 proceeding to adjudicate parentage may be joined with a  
7 proceeding for adoption, termination of parental rights, child  
8 custody or parenting time, child support, dissolution of  
9 marriage or civil union, declaration of invalidity of marriage  
10 or civil union, legal separation, probate or administration of  
11 an estate, or other appropriate proceeding.

12           (b) A respondent may not join a proceeding described in  
13 subsection (a) with a proceeding to adjudicate parentage  
14 brought under the Uniform Interstate Family Support Act.

15           Section 612. Proceeding before birth. A proceeding to  
16 establish parentage may be commenced before the birth of the  
17 child, but may not be concluded until after the birth of the  
18 child. The following actions may be taken before the birth of  
19 the child:

20           (a) service of process;

21           (b) the taking of depositions to perpetuate testimony; and

22           (c) except as prohibited by Article 4 of this Act,  
23 collection of specimens for genetic testing.



1 Section 613. Child as party; representation.

2 (a) A minor child is a permissible party, but is not a  
3 necessary party to a proceeding under this Article.

4 (b) The court shall appoint a guardian ad litem, child's  
5 representative, or attorney for the child to represent a minor  
6 or incapacitated child if the child is a party or the court  
7 finds that the interests of the child are not adequately  
8 represented.

9 Section 614. Admissibility of results of genetic testing;  
10 expenses.

11 (a) If a child has a presumed, acknowledged, or adjudicated  
12 parent, the results of genetic testing are inadmissible to  
13 adjudicate parentage unless performed:

14 (1) with the consent of both the mother and the  
15 presumed, acknowledged, or adjudicated parent; or

16 (2) pursuant to an order of the court under Section 402  
17 of this Act.

18 (b) Copies of bills for genetic testing and for prenatal  
19 and postnatal health care for the mother and child which are  
20 furnished to the adverse party not less than 10 days before the  
21 date of a hearing are admissible to establish:

22 (1) the amount of the charges billed; and

23 (2) that the charges were reasonable, necessary, and  
24 customary.

25 (c) Certified copies of the bills for costs incurred for

1 pregnancy and childbirth shall be admitted into evidence at  
2 judicial or administrative proceedings without foundation  
3 testimony or other proof of authenticity or accuracy.

4 Section 615. Consequences of declining genetic testing.

5 (a) An order for genetic testing is enforceable through a  
6 proceeding for adjudication of contempt.

7 (b) If an individual whose parentage is being determined  
8 declines to submit to genetic testing ordered by the court or  
9 administrative agency, the court or administrative agency may  
10 adjudicate parentage contrary to the position of that  
11 individual.

12 (c) Genetic testing of the mother of a child is not a  
13 condition precedent to genetically testing the child and a man  
14 whose paternity is being determined. If the mother is  
15 unavailable or declines to submit to genetic testing, the court  
16 or administrative agency may order the genetic testing of the  
17 child and every man whose paternity is being adjudicated.

18 Section 616. Admission of parentage authorized.

19 (a) A respondent in a proceeding to adjudicate parentage  
20 may admit to the parentage of a child by filing a pleading to  
21 that effect or by admitting parentage under penalty of perjury  
22 when making an appearance or during a hearing.

23 (b) If the court finds that the admission of parentage  
24 satisfies the requirements of this Section and finds that there

1 is no reason to question the admission, the court shall enter  
2 an order adjudicating the child to be the child of the person  
3 admitting parentage.

4 Section 617. Rules for adjudication of parentage. The court  
5 shall apply the following rules to adjudicate the parentage of  
6 a child:

7 (a) The parentage of a child having an adjudicated parent  
8 may be disproved only by admissible results of genetic testing,  
9 or other means, excluding that person as the parent of the  
10 child or identifying another person as the parent of the child.

11 (b) Unless the results of the genetic testing or other  
12 evidence are admitted to rebut other results of genetic  
13 testing, a person identified as the parent of a child under  
14 Section 404 of this Act may be adjudicated the parent of the  
15 child.

16 (c) If the court finds that genetic testing under Section  
17 404 neither identifies nor excludes a person as the parent of a  
18 child, the court may not dismiss the proceeding. In that event,  
19 the results of genetic testing and other evidence are  
20 admissible to adjudicate the issue of parentage.

21 (d) Unless the results of genetic testing are admitted to  
22 rebut other results of genetic testing, a person excluded as  
23 the parent of a child by genetic testing may be adjudicated not  
24 to be the parent of the child.

1           Section 618. Pre-trial proceedings. As soon as practicable  
2 after an action to declare the existence or non-existence of  
3 the parent-child relationship has been brought, and the parties  
4 are at issue, the court may conduct a pre-trial conference.

5           Section 619. Jury prohibited. Trial by jury is not  
6 available under this Act.

7           Section 620. Order on default. The court may issue an order  
8 adjudicating the parentage of a person who is in default after  
9 service of process.

10          Section 621. Binding effect of determination of parentage.

11           (a) Except as otherwise provided in subsection (b) of this  
12 Section, a determination of parentage is binding on:

13               (1) all signatories to an acknowledgment or denial as  
14 provided in Article 3 of this Act; and

15               (2) all parties to an adjudication by a court acting  
16 under circumstances that satisfy the jurisdictional  
17 requirements of Section 201 of the Uniform Interstate  
18 Family Support Act.

19           (b) A child is not bound by a determination of parentage  
20 under this Act unless:

21               (1) the determination was based on an unrescinded  
22 acknowledgment as provided in Article 3 of this Act and the  
23 acknowledgment is consistent with the results of genetic

1 testing;

2 (2) the adjudication of parentage was based on a  
3 finding consistent with the results of genetic testing and  
4 the consistency is declared in the determination or is  
5 otherwise shown;

6 (3) the child was a party or was represented in the  
7 proceeding determining parentage by a guardian ad litem,  
8 child's representative or attorney for the child.

9 (4) the child was no longer a minor at the time the  
10 proceeding was initiated and was the moving party resulting  
11 in the parentage determination.

12 (c) In a proceeding for dissolution of marriage, civil  
13 union, or substantially similar legal relationship,  
14 declaration of invalidity of marriage, civil union, or  
15 substantially similar legal relationship, or legal separation,  
16 the court is deemed to have made an adjudication of the  
17 parentage of a child if the court acts under circumstances that  
18 satisfy the jurisdictional requirements of Section 201 of the  
19 Uniform Interstate Family Support Act, and the final order:

20 (1) expressly identifies a child as a "child of the  
21 marriage, civil union, or substantially similar legal  
22 relationship", "issue of the marriage, civil union, or  
23 substantially similar legal relationship", or uses similar  
24 words indicating that a party to the marriage, civil union,  
25 or substantially similar legal relationship is the parent  
26 of the child; or

1           (2) provides for support of the child by the parties to  
2           the marriage, civil union, or substantially similar legal  
3           relationship, unless parentage is specifically disclaimed  
4           in the order.

5           (d) Except as otherwise provided in subsection (b) of this  
6           Section, a determination of parentage may be a defense in a  
7           subsequent proceeding seeking to adjudicate parentage by an  
8           individual who was not a party to the earlier proceeding.

9           (e) A party to an adjudication of parentage may challenge  
10          the adjudication only under the laws of this State relating to  
11          appeal, vacation of judgments, or other judicial review.

12          Section 622. Custody or visitation prohibited to men who  
13          father through sexual assault or sexual abuse.

14          (a) This Section applies to a person who has been found to  
15          be the father of a child under this Act and who:

16               (1) has been convicted of or who has pled guilty or  
17               nolo contendere to a violation of Section 11-1.20 (criminal  
18               sexual assault), Section 11-1.30 (aggravated criminal  
19               sexual assault), Section 11-1.40 (predatory criminal  
20               sexual assault of a child), Section 11-1.50 (criminal  
21               sexual abuse), Section 11-1.60 (aggravated criminal sexual  
22               abuse), Section 11-11 (sexual relations within families),  
23               Section 12-13 (criminal sexual assault), Section 12-14  
24               (aggravated criminal sexual assault), Section 12-14.1  
25               (predatory criminal sexual assault of a child), Section

1           12-15 (criminal sexual abuse), or Section 12-16  
2           (aggravated criminal sexual abuse) of the Criminal Code of  
3           1961 or the Criminal Code of 2012, or a similar statute in  
4           another jurisdiction, for his conduct in fathering that  
5           child; or

6           (2) at a fact-finding hearing, is found by clear and  
7           convincing evidence to have committed an act of  
8           non-consensual sexual penetration for his conduct in  
9           fathering that child.

10          (b) A person described in subsection (a) shall not be  
11          entitled to custody of or visitation with that child without  
12          the consent of the child's mother or guardian. If the person  
13          described in subsection (a) is also the guardian of the child,  
14          he does not have the authority to consent to visitation or  
15          custody under this Section. If the mother of the child is a  
16          minor, and the person described in subsection (a) is also the  
17          father or guardian of the mother, then he does not have the  
18          authority to consent to custody or visits.

19          (c) Notwithstanding any other provision of this Act,  
20          nothing in this Section shall be construed to relieve the  
21          father described in subsection (a) of any support and  
22          maintenance obligations to the child under this Act. The  
23          child's mother or guardian may decline support and maintenance  
24          obligations from the father.

25          (d) Notwithstanding any other provision of law, the father  
26          described in subsection (a) of this Section is not entitled to

1 any inheritance or other rights from the child without the  
2 consent of the child's mother or guardian.

3 (e) Notwithstanding any provision of the Illinois Marriage  
4 and Dissolution of Marriage Act, the parent, grandparent,  
5 great-grandparent, or sibling of the person described in  
6 subsection (a) of this Section does not have standing to bring  
7 an action requesting custody or visitation with the child  
8 without the consent of the child's mother or guardian.

9 (f) A petition under this Section may be filed by the  
10 child's mother or guardian either as an affirmative petition in  
11 circuit court or as an affirmative defense in any proceeding  
12 filed by the person described in subsection (a) of this Section  
13 regarding the child.

14 ARTICLE 7. CHILD OF ASSISTED REPRODUCTION

15 Section 701. Scope of Article. This Article does not apply  
16 to the birth of a child conceived by means of sexual  
17 intercourse or as a result of a valid gestational surrogacy  
18 contract under the Gestational Surrogacy Act or other law.

19 Section 702. Parental status of donor. Except as provided  
20 in this Act, a donor is not a parent of a child conceived by  
21 means of assisted reproduction.

22 Section 703. Parentage of a child of assisted reproduction.



1 A person who provides gametes for, or consents to, assisted  
2 reproduction by a woman as provided in Section 704 of this Act  
3 with the intent to be the parent of her child is a parent of the  
4 resulting child.

5 Section 704. Consent to assisted reproduction.

6 (a) Consent by an individual who intends to be a parent of  
7 a child born to a woman must be in a writing signed by the woman  
8 and the individual consenting to be the parent. A writing  
9 includes a certificate of birth naming both intended parents or  
10 a written ratification of a prior oral agreement to assisted  
11 reproduction.

12 (b) Failure to establish the consent required by subsection  
13 (a) of this Section, before or after the birth of the child,  
14 does not preclude a presumption under Section 204 of this Act.

15 (c) In order to be valid, both parties signing a consent  
16 under this Section must be at least 18 years of age at the time  
17 the writing is executed.

18 (d) A consent may not be entered that would result in the  
19 birth of a child created by sperm and eggs of parties who are  
20 blood relatives of the first degree.

21 Section 705. Effect of petition or withdrawal of consent.

22 (a) If a petition for legal separation or for the  
23 dissolution or declaration of invalidity of a marriage, civil  
24 union, or substantially similar legal relationship is filed and

1 properly served or notice is given of the filing of the  
2 petition to the other party before implantation of existing  
3 gametes or an embryo or embryos, then consent to assisted  
4 reproduction shall be treated as being withdrawn unless the  
5 party and the woman, after the filing of the petition or the  
6 giving of notice of the filing of the petition to the other  
7 party, sign a new writing consenting to the assisted  
8 reproduction or ratify, in writing, a prior written consent.

9 (b) Consent to assisted reproduction may be withdrawn by an  
10 individual in a writing given with proper notice to the other  
11 party at any time before implantation of the gametes or an  
12 embryo or embryos. An individual who withdraws consent under  
13 this Section is not a parent of any resulting child.

14 Section 706. Parental status of deceased individual. If an  
15 individual does not consent in a writing to be a parent by  
16 assisted reproduction after death and dies before the  
17 implantation of gametes or an embryo or embryos, the deceased  
18 individual is not a parent of the resulting child.

19 Section 707. Burden of proof. A consent executed under  
20 Section 704 of this Act or a withdrawal of consent under  
21 Section 705 of this Act must be proven by clear and convincing  
22 evidence.

1 Section 801. Child support orders.

2 (a) Notwithstanding any other law to the contrary, pending  
3 the outcome of a judicial determination of parentage, the court  
4 shall issue an order for child support upon motion by a party  
5 and a showing of clear and convincing evidence of parentage. In  
6 determining the amount of the child support award, the court  
7 shall use the guidelines and standards set forth in Sections  
8 505 and 505.2 of the Illinois Marriage and Dissolution of  
9 Marriage Act.

10 (b) Any new or existing support order entered by the court  
11 under this Section shall be deemed to be a series of judgments  
12 against the person obligated to pay support thereunder, each  
13 judgment to be in the amount of each payment or installment of  
14 support and each judgment to be deemed entered as of the date  
15 the corresponding payment or installment becomes due under the  
16 terms of the support order. Each judgment shall have the full  
17 force, effect, and attributes of any other judgment of this  
18 State, including the ability to be enforced. A judgment under  
19 this Section is subject to modification or termination only in  
20 accordance with Section 510 of the Illinois Marriage and  
21 Dissolution of Marriage Act. Notwithstanding any other state or  
22 local law to the contrary, a lien arises by operation of law  
23 against the real and personal property of the noncustodial  
24 parent for each installment of overdue support owed by the  
25 noncustodial parent.

1           (c) An order for support, when entered or modified, shall  
2 include a provision requiring the non-custodial parent to  
3 notify the court and, in cases in which a party is receiving  
4 child support enforcement services under Article X of the  
5 Illinois Public Aid Code, the Department of Healthcare and  
6 Family Services, within 7 days: (i) of the name and address of  
7 any new employer of the non-custodial parent; (ii) whether the  
8 non-custodial parent has access to health insurance coverage  
9 through the employer or other group coverage and, if so, of the  
10 policy name and number and the names of adults and initials of  
11 minors covered under the policy; and (iii) of any new  
12 residential or mailing address or telephone number of the  
13 non-custodial parent. In any subsequent action to enforce a  
14 support order, upon a sufficient showing that a diligent effort  
15 has been made to ascertain the location of the non-custodial  
16 parent, service of process or provision of notice necessary in  
17 the case may be made at the last known address of the  
18 non-custodial parent in any manner expressly provided by this  
19 Act or the Code of Civil Procedure, and shall be sufficient for  
20 purposes of due process.

21           (d) An order for support shall include a date on which the  
22 current support obligation terminates. The termination date  
23 shall be no earlier than the date on which the child covered by  
24 the order will attain the age of 18. However, if the child will  
25 not graduate from high school until after attaining the age of  
26 18, then the termination date shall be no earlier than the

1 earlier of the date on which the child's high school graduation  
2 will occur or the date on which the child will attain the age  
3 of 19. The order for support shall state that the termination  
4 date does not apply to any arrearage that may remain unpaid on  
5 that date. Nothing in this subsection shall be construed to  
6 prevent the court from modifying the order or terminating the  
7 order in the event the child is otherwise emancipated.

8 (e) If there is an unpaid arrearage or delinquency (as  
9 those terms are defined in the Income Withholding for Support  
10 Act) equal to at least one month's support obligation on the  
11 termination date stated in the order for support or, if there  
12 is no termination date stated in the order, on the date the  
13 child attains the age of majority or is otherwise emancipated,  
14 the periodic amount required to be paid for current support of  
15 that child immediately prior to that date shall automatically  
16 continue to be an obligation, not as current support but as  
17 periodic payment toward satisfaction of the unpaid arrearage or  
18 delinquency. The periodic payment shall be in addition to any  
19 periodic payment previously required for satisfaction of the  
20 arrearage or delinquency. The total periodic amount to be paid  
21 toward satisfaction of the arrearage or delinquency may be  
22 enforced and collected by any method provided by law for the  
23 enforcement and collection of child support including, but not  
24 limited to, income withholding under the Income Withholding for  
25 Support Act. Each order for support entered or modified must  
26 contain a statement notifying the parties of the requirements

1 of this subsection. Failure to include the statement in the  
2 order for support does not affect the validity of the order or  
3 the operation of the provisions of this subsection with regard  
4 to the order. This subsection shall not be construed to prevent  
5 or affect the establishment or modification of an order for the  
6 support of a minor child or the establishment or modification  
7 of an order for the support of a non-minor child or educational  
8 expenses under Section 513 of the Illinois Marriage and  
9 Dissolution of Marriage Act.

10 (f) An order entered under this Section shall include a  
11 provision requiring the obligor to report to the obligee and to  
12 the clerk of the circuit court within 7 days each time the  
13 obligor obtains new employment, and each time the obligor's  
14 employment is terminated for any reason. The report shall be in  
15 writing and shall, in the case of new employment, include the  
16 name and address of the new employer. Failure to report new  
17 employment or the termination of current employment, if coupled  
18 with nonpayment of support for a period in excess of 60 days,  
19 is indirect criminal contempt. For an obligor arrested for  
20 failure to report new employment, bond shall be set in the  
21 amount of the child support that should have been paid during  
22 the period of unreported employment. An order entered under  
23 this Section shall also include a provision requiring the  
24 obligor and obligee parents to advise each other of a change in  
25 residence within 5 days of the change except when the court  
26 finds that the physical, mental, or emotional health of a party

1 or that of a minor child, or both, would be seriously  
2 endangered by disclosure of the party's address.

3 Section 802. Judgment.

4 (a) The court shall issue an order adjudicating whether a  
5 person alleged or claiming to be the parent is the parent of  
6 the child. An order adjudicating parentage must identify the  
7 child by initials and year of birth.

8 The court may assess filing fees, reasonable attorney's  
9 fees, fees for genetic testing, other costs, necessary travel  
10 expenses, and other reasonable expenses incurred in a  
11 proceeding under this Act. The court may award attorney's fees,  
12 which may be paid directly to the attorney, who may enforce the  
13 order in the attorney's own name. The court may not assess  
14 fees, costs, or expenses against the support-enforcement  
15 agency of this State or another state, except as provided by  
16 other law.

17 The judgment shall contain or explicitly reserve  
18 provisions concerning any duty and amount of child support and  
19 may contain provisions concerning the custody and guardianship  
20 of the child, parenting time privileges with the child, and the  
21 furnishing of bond or other security for the payment of the  
22 judgment, which the court shall determine in accordance with  
23 the relevant factors set forth in the Illinois Marriage and  
24 Dissolution of Marriage Act and any other applicable law of  
25 this State, to guide the court in a finding in the best

1 interests of the child. In determining custody, joint custody,  
2 removal, parenting time, parenting time interference, support  
3 for a non-minor disabled child, educational expenses for a  
4 non-minor child, and related post-judgment issues, the court  
5 shall apply the relevant standards of the Illinois Marriage and  
6 Dissolution of Marriage Act. Specifically, in determining the  
7 amount of a child support award, the court shall use the  
8 guidelines and standards set forth in subsection (a) of Section  
9 505 and in Section 505.2 of the Illinois Marriage and  
10 Dissolution of Marriage Act. The court shall order all child  
11 support payments, determined in accordance with such  
12 guidelines, to commence with the date summons is served. The  
13 level of current periodic support payments shall not be reduced  
14 because of payments set for the period prior to the date of  
15 entry of the support order.

16 (b) In an action brought within 2 years after a child's  
17 birth, the judgment or order may direct either parent to pay  
18 the reasonable expenses incurred by either parent or the  
19 Department of Healthcare and Family Services related to the  
20 mother's pregnancy and the delivery of the child.

21 (c) If a judgment of parentage contains no explicit award  
22 of custody, the establishment of a child support obligation or  
23 of parenting time rights in one parent shall be considered a  
24 judgment granting custody to the other parent. If the parentage  
25 judgment contains no such provisions, custody shall be presumed  
26 to be with the mother; however, the presumption shall not apply



1 if the father has had physical custody for at least 6 months  
2 prior to the date that the mother seeks to enforce custodial  
3 rights.

4 (d) The court, if necessary to protect and promote the best  
5 interests of the child, may set aside a portion of the  
6 separately held estates of the parties in a separate fund or  
7 trust for the support, education, physical and mental health,  
8 and general welfare of a minor or mentally or physically  
9 disabled child of the parties.

10 (e) The court may order child support payments to be made  
11 for a period prior to the commencement of the action. In  
12 determining whether and to what extent the payments shall be  
13 made for the prior period, the court shall consider all  
14 relevant facts, including but not limited to:

15 (1) The factors for determining the amount of support  
16 specified in the Illinois Marriage and Dissolution of  
17 Marriage Act.

18 (2) The father's prior knowledge of the fact and  
19 circumstances of the child's birth.

20 (3) The father's prior willingness or refusal to help  
21 raise or support the child.

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

26 (5) The reasons the mother or the public agency did not

1 file the action earlier.

2 (6) The extent to which the father would be prejudiced  
3 by the delay in bringing the action.

4 For purposes of determining the amount of child support to  
5 be paid for the period before the date the order for current  
6 child support is entered, there is a rebuttable presumption  
7 that the father's net income for the prior period was the same  
8 as his net income at the time the order for current child  
9 support is entered.

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

22 (f) A new or existing support order entered by the court  
23 under this Section shall be deemed to be a series of judgments  
24 against the person obligated to pay support thereunder, each  
25 judgment to be in the amount of each payment or installment of  
26 support and each judgment to be deemed entered as of the date

1 the corresponding payment or installment becomes due under the  
2 terms of the support order. Each judgment shall have the full  
3 force, effect, and attributes of any other judgment of this  
4 State, including the ability to be enforced. A judgment under  
5 this Section is subject to modification or termination only in  
6 accordance with Section 510 of the Illinois Marriage and  
7 Dissolution of Marriage Act. Notwithstanding any State or local  
8 law to the contrary, a lien arises by operation of law against  
9 the real and personal property of the noncustodial parent for  
10 each installment of overdue support owed by the noncustodial  
11 parent.

12 (g) If the judgment or order of the court is at variance  
13 with the child's birth certificate, the court shall order that  
14 a new birth certificate be issued under the Vital Records Act.

15 (h) On the request of both parents, the court shall order a  
16 change in the child's name.

17 (i) After hearing evidence, the court may stay payment of  
18 support during the period of the father's minority or period of  
19 disability.

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

1           (k) An order for support, when entered or modified, shall  
2 include a provision requiring the non-custodial parent to  
3 notify the court and, in cases in which a party is receiving  
4 child support enforcement services under Article X of the  
5 Illinois Public Aid Code, the Department of Healthcare and  
6 Family Services, within 7 days: (i) of the name and address of  
7 any new employer of the non-custodial parent; (ii) whether the  
8 non-custodial parent has access to health insurance coverage  
9 through the employer or other group coverage and, if so, of the  
10 policy name and number and the names of adults and initials of  
11 minors covered under the policy; and (iii) of any new  
12 residential or mailing address or telephone number of the  
13 non-custodial parent. In a subsequent action to enforce a  
14 support order, upon a sufficient showing that a diligent effort  
15 has been made to ascertain the location of the non-custodial  
16 parent, service of process or provision of notice necessary in  
17 the case may be made at the last known address of the  
18 non-custodial parent in any manner expressly provided by this  
19 Act or the Code of Civil Procedure, and shall be sufficient for  
20 purposes of due process.

21           (l) An order for support shall include a date on which the  
22 current support obligation terminates. The termination date  
23 shall be no earlier than the date on which the child covered by  
24 the order will attain the age of 18. However, if the child will  
25 not graduate from high school until after attaining the age of  
26 18, then the termination date shall be no earlier than the

1 earlier of the date on which the child's high school graduation  
2 will occur or the date on which the child will attain the age  
3 of 19. The order for support shall state that the termination  
4 date does not apply to any arrearage that may remain unpaid on  
5 that date. Nothing in this subsection shall be construed to  
6 prevent the court from modifying the order or terminating the  
7 order in the event the child is otherwise emancipated.

8 (m) If there is an unpaid arrearage or delinquency (as  
9 those terms are defined in the Income Withholding for Support  
10 Act) equal to at least one month's support obligation on the  
11 termination date stated in the order for support or, if there  
12 is no termination date stated in the order, on the date the  
13 child attains the age of majority or is otherwise emancipated,  
14 the periodic amount required to be paid for current support of  
15 that child immediately prior to that date shall automatically  
16 continue to be an obligation, not as current support but as  
17 periodic payment toward satisfaction of the unpaid arrearage or  
18 delinquency. The periodic payment shall be in addition to any  
19 periodic payment previously required for satisfaction of the  
20 arrearage or delinquency. The total periodic amount to be paid  
21 toward satisfaction of the arrearage or delinquency may be  
22 enforced and collected by any method provided by law for  
23 enforcement and collection of child support, including but not  
24 limited to income withholding under the Income Withholding for  
25 Support Act. Each order for support entered or modified must  
26 contain a statement notifying the parties of the requirements

1 of this subsection. Failure to include the statement in the  
2 order for support does not affect the validity of the order or  
3 the operation of the provisions of this subsection with regard  
4 to the order. This subsection shall not be construed to prevent  
5 or affect the establishment or modification of an order for  
6 support of a minor child or the establishment or modification  
7 of an order for support of a non-minor child or educational  
8 expenses under Section 513 of the Illinois Marriage and  
9 Dissolution of Marriage Act.

10 (n) An order entered under this Section shall include a  
11 provision requiring the obligor to report to the obligee and to  
12 the clerk of court within 7 days each time the obligor obtains  
13 new employment, and each time the obligor's employment is  
14 terminated for any reason. The report shall be in writing and  
15 shall, in the case of new employment, include the name and  
16 address of the new employer. Failure to report new employment  
17 or the termination of current employment, if coupled with  
18 nonpayment of support for a period in excess of 60 days, is  
19 indirect criminal contempt. For an obligor arrested for failure  
20 to report new employment bond shall be set in the amount of the  
21 child support that should have been paid during the period of  
22 unreported employment. An order entered under this Section  
23 shall also include a provision requiring the obligor and  
24 obligee parents to advise each other of a change in residence  
25 within 5 days of the change except when the court finds that  
26 the physical, mental, or emotional health of a party or that of

1 a minor child, or both, would be seriously endangered by  
2 disclosure of the party's address.

3 Section 803. Information to State Case Registry.

4 (a) In this Section:

5 "Order for support", "obligor", "obligee", and "business  
6 day" are defined as set forth in the Income Withholding for  
7 Support Act.

8 "State Case Registry" means the State Case Registry  
9 established under Section 10-27 of the Illinois Public Aid  
10 Code.

11 (b) Each order for support entered or modified by the  
12 circuit court under this Act shall require that the obligor and  
13 obligee file with the clerk of the circuit court (i) the  
14 information required by this Section (and any other information  
15 required under Title IV, Part D of the Social Security Act or  
16 by the federal Department of Health and Human Services) at the  
17 time of entry or modification of the order for support; and  
18 (ii) updated information within 5 business days of any change.  
19 Failure of the obligor or obligee to file or update the  
20 required information shall be punishable as in cases of  
21 contempt. The failure shall not prevent the court from entering  
22 or modifying the order for support, however.

23 (c) The obligor shall file the following information: the  
24 obligor's name, year of birth, mailing address, and the last 4  
25 digits of the obligor's social security number. If either the

1 obligor or the obligee receives child support enforcement  
2 services from the Department of Healthcare and Family Services  
3 under Article X of the Illinois Public Aid Code, the obligor  
4 shall also file the following information: the obligor's  
5 telephone number, the last 4 digits of the obligor's driver's  
6 license number, residential address (if different from the  
7 obligor's mailing address), and the name, address, and  
8 telephone number of the obligor's employer or employers.

9 (d) The obligee shall file the following information:

10 (1) The name of the obligee and the initials of the  
11 child or children covered by the order for support.

12 (2) The years of birth of the obligee and the child or  
13 children covered by the order for support.

14 (3) The last 4 digits of the social security numbers of  
15 the obligee and the child or children covered by the order  
16 for support.

17 (4) The obligee's mailing address.

18 (e) In cases in which the obligee receives child support  
19 enforcement services from the Department of Healthcare and  
20 Family Services under Article X of the Illinois Public Aid  
21 Code, the order for support shall (i) require that the obligee  
22 file the information required under subsection (d) with the  
23 Department of Healthcare and Family Services for inclusion in  
24 the State Case Registry, rather than file the information with  
25 the clerk, and (ii) require that the obligee include the  
26 following additional information:



1           (1) The obligee's telephone and the last 4 digits of  
2           the obligee's driver's license number.

3           (2) The obligee's residential address, if different  
4           from the obligee's mailing address.

5           (3) The name, address, and telephone number of the  
6           obligee's employer or employers.

7           The order for support shall also require that the obligee  
8           update the information filed with the Department of Healthcare  
9           and Family Services within 5 business days of any change.

10          (f) The clerk of the circuit court shall provide the  
11          information filed under this Section, together with the court  
12          docket number and county in which the order for support was  
13          entered, to the State Case Registry within 5 business days  
14          after receipt of the information.

15          (g) In a case in which a party is receiving child support  
16          enforcement services under Article X of the Illinois Public Aid  
17          Code, the clerk of the circuit court shall provide the  
18          following additional information to the State Case Registry  
19          within 5 business days after entry or modification of an order  
20          for support or request from the Department of Healthcare and  
21          Family Services:

22                 (1) the amount of monthly or other periodic support  
23                 owed under the order for support and other amounts,  
24                 including arrearage, interest, or late payment penalties  
25                 and fees, due or overdue under the order; and

26                 (2) any amounts that have been received by the clerk,

1 and the distribution of those amounts by the clerk.

2 (h) Information filed by the obligor and obligee under this  
3 Section that is not specifically required to be included in the  
4 body of an order for support under other laws is not a public  
5 record and shall be treated as confidential and subject to  
6 disclosure only in accordance with the provisions of this  
7 Section, Section 10-27 of the Illinois Public Aid Code, and  
8 Title IV, Part D of the Social Security Act.

9 Section 804. Information to locate putative fathers and  
10 noncustodial parents.

11 (a) Upon request by a public office, employers, labor  
12 unions, and telephone companies shall provide location  
13 information concerning putative fathers and noncustodial  
14 parents for the purpose of establishing the parentage of a  
15 child or establishing, enforcing, or modifying a child support  
16 obligation. As used in this Section, the term "public office"  
17 is defined as set forth in the Income Withholding for Support  
18 Act, and "location information" means information about (i) the  
19 physical whereabouts of a putative father or noncustodial  
20 parent; (ii) the employer of the putative father or  
21 noncustodial parent; or (iii) the salary, wages, and other  
22 compensation paid and the health insurance coverage provided to  
23 the putative father or noncustodial parent by the employer of  
24 the putative father or noncustodial parent or by a labor union  
25 of which the putative father or noncustodial parent is a

1 member. An employer, labor union, or telephone company shall  
2 respond to the request of the public office within 15 days  
3 after receiving the request. An employer, labor union, or  
4 telephone company that willfully fails to fully respond within  
5 the 15-day period shall be subject to a penalty of \$100 for  
6 each day that the response is not provided to the public office  
7 after the 15-day period has expired. The penalty may be  
8 collected in a civil action, which may be brought against the  
9 employer, labor union, or telephone company in favor of the  
10 public office.

11 (b) Upon being served with a subpoena (including an  
12 administrative subpoena as authorized by law), a utility  
13 company or cable television company must provide location  
14 information to a public office for the purpose of establishing  
15 the parentage of a child or establishing, enforcing, or  
16 modifying a child support obligation.

17 (c) Notwithstanding the provisions of any other State or  
18 local law to the contrary, an employer, labor union, telephone  
19 company, utility company, or cable television company shall not  
20 be liable to any person for disclosure of location information  
21 under the requirements of this Section, except for willful and  
22 wanton misconduct.

23 Section 805. Enforcement of judgment or order.

24 (a) If the existence of the parent-child relationship is  
25 declared, or if parentage or a duty of support has been

1 established under this Act or under prior law or under the law  
2 of any other jurisdiction, the judgment rendered thereunder may  
3 be enforced in the same or in other proceedings by any party or  
4 any person or agency that has furnished or may furnish  
5 financial assistance or services to the child. The Income  
6 Withholding for Support Act and Sections 802 and 808 of this  
7 Act shall also be applicable with respect to the entry,  
8 modification, and enforcement of a support judgment entered  
9 under the Paternity Act, approved July 5, 1957 and repealed  
10 July 1, 1985.

11 (b) Failure to comply with an order of the court shall be  
12 punishable as contempt as in other cases of failure to comply  
13 under the Illinois Marriage and Dissolution of Marriage Act. In  
14 addition to other penalties provided by law, the court may,  
15 after finding the party guilty of contempt, take the following  
16 action:

17 (1) Order that the party be placed on probation with  
18 such conditions of probation as the court deems advisable.

19 (2) Order that the party be sentenced to periodic  
20 imprisonment for a period not to exceed 6 months. However,  
21 the court may permit the party to be released for periods  
22 of time during the day or night to work, conduct business,  
23 or engage in other self-employed occupation. The court may  
24 further order any part of all the earnings of a party  
25 during a sentence of periodic imprisonment to be paid to  
26 the clerk of the circuit court or to the person or parent

1           having custody of the minor child for the support of the  
2           child until further order of the court.

3           (3) Pierce the ownership veil of a person, persons, or  
4           business entity to discover assets of a non-custodial  
5           parent held in the name of that person, those persons, or  
6           that business entity, if there is a unity of interest and  
7           ownership sufficient to render no financial separation  
8           between the non-custodial parent and that person, those  
9           persons, or the business entity. The following  
10          circumstances are sufficient for a court to order discovery  
11          of the assets of a person, persons, or business entity and  
12          to compel the application of any discovered assets toward  
13          payment of the judgment for support:

14                 (A) the non-custodial parent and the person,  
15                 persons, or business entity maintain records together.

16                 (B) the non-custodial parent and the person,  
17                 persons, or business entity fail to maintain an  
18                 arm's-length relationship between themselves with  
19                 regard to any assets.

20                 (C) the non-custodial parent transfers assets to  
21                 the person, persons, or business entity with the intent  
22                 to perpetrate a fraud on the custodial parent. With  
23                 respect to assets which are real property, no order  
24                 entered under this subdivision (3) shall affect the  
25                 rights of bona fide purchasers, mortgagees, judgment  
26                 creditors, or other lien holders who acquire their

1 interests in the property prior to the time a notice of  
2 lis pendens under the Code of Civil Procedure or a copy  
3 of the order is placed of record in the office of the  
4 recorder of deeds for the county in which the real  
5 property is located.

6 (4) Order that, in cases where the party is 90 days or  
7 more delinquent in payment of support or has been  
8 adjudicated in arrears in an amount equal to 90 days  
9 obligation or more, the party's Illinois driving  
10 privileges be suspended until the court determines that the  
11 party is in compliance with the judgment or duty of  
12 support. The court may also order that the parent be issued  
13 a family financial responsibility driving permit that  
14 would allow limited driving privileges for employment and  
15 medical purposes in accordance with Section 7-702.1 of the  
16 Illinois Vehicle Code. The clerk of the circuit court shall  
17 certify the order suspending the driving privileges of the  
18 parent or granting the issuance of a family financial  
19 responsibility driving permit to the Secretary of State on  
20 forms prescribed by the Secretary. Upon receipt of the  
21 authenticated documents, the Secretary of State shall  
22 suspend the party's driving privileges until further order  
23 of the court and shall, if ordered by the court and subject  
24 to the provisions of Section 7-702.1 of the Illinois  
25 Vehicle Code, issue a family financial responsibility  
26 driving permit to the parent.

1           In addition to the penalties or punishment that may be  
2 imposed under this Section, a person whose conduct constitutes  
3 a violation of Section 15 of the Non-Support Punishment Act may  
4 be prosecuted under that Act, and a person convicted under that  
5 Act may be sentenced in accordance with that Act. The sentence  
6 may include, but need not be limited to, a requirement that the  
7 person perform community service under Section 50 of that Act  
8 or participate in a work alternative program under Section 50  
9 of that Act. A person may not be required to participate in a  
10 work alternative program under Section 50 of the Non-Support  
11 Punishment Act if the person is currently participating in a  
12 work program under Section 806 of this Act.

13           (c) In a post-judgment proceeding to enforce or modify the  
14 judgment, the parties shall continue to be designated as in the  
15 original proceeding.

16           Section 806. Unemployment of person owing duty of support.

17           (a) Whenever it is determined in a proceeding to establish  
18 or enforce a child support obligation that the person owing a  
19 duty of support is unemployed, the court may order the person  
20 to seek employment and report periodically to the court with a  
21 diary, listing, or other memorandum of his or her efforts to  
22 seek employment in accordance with the order. Additionally, the  
23 court may order the unemployed person to report to the  
24 Department of Employment Security for job search services and  
25 to participate in job training or work programs. When the duty

1 of support is owed to a child receiving child support  
2 enforcement services under Article X of the Illinois Public Aid  
3 Code, the court may order the unemployed person to report to  
4 the Department of Healthcare and Family Services for  
5 participation in job search, training, or work programs  
6 established under Section 9-6 and Article IXA of that Code.

7 (b) Whenever it is determined that a person owes past-due  
8 support for a child, and the child is receiving assistance  
9 under the Illinois Public Aid Code, the court shall, at the  
10 request of the Department of Healthcare and Family Services,  
11 order the following:

12 (1) that the person pay the past-due support in  
13 accordance with a payment plan approved by the court; or

14 (2) if the person owing past-due support is unemployed,  
15 is subject to a payment plan, and is not incapacitated,  
16 that the person participate in job search, training, or  
17 work programs established under Section 9-6 and Article IXA  
18 of the Illinois Public Aid Code as the court deems  
19 appropriate.

20 Section 807. Order of protection; status. Whenever relief  
21 is sought under this Act, the court, before granting relief,  
22 shall determine whether an order of protection has previously  
23 been entered in the instant proceeding or any other proceeding  
24 in which any party, or a child of any party, or both, if  
25 relevant, has been designated as either a respondent or a



1 protected person.

2 Section 808. Modification of judgment. The court has  
3 continuing jurisdiction to modify an order for support,  
4 custody, parenting time, or removal included in a judgment  
5 entered under this Act. Any custody, parenting time, or removal  
6 judgment modification shall be in accordance with the relevant  
7 factors specified in the Illinois Marriage and Dissolution of  
8 Marriage Act. Any support judgment is subject to modification  
9 or termination only in accordance with Section 510 of the  
10 Illinois Marriage and Dissolution of Marriage Act.

11 Section 809. Right to counsel.

12 (a) Any party may be represented by counsel at all  
13 proceedings under this Act. Except as otherwise provided in  
14 this Act, the court may order, in accordance with the relevant  
15 factors specified in Section 508 of the Illinois Marriage and  
16 Dissolution of Marriage Act, reasonable fees of counsel,  
17 experts, and other costs of the action, pre-trial proceedings,  
18 post-judgment proceedings to enforce or modify the judgment,  
19 and the appeal or the defense of an appeal of the judgment to  
20 be paid by the parties. The court may not order payment by the  
21 Department of Healthcare and Family Services in cases in which  
22 the Department is providing child support enforcement services  
23 under Article X of the Illinois Public Aid Code.

24 (b) In any proceedings involving the support, custody,

1 parenting time, education, parentage, property interest, or  
2 general welfare of a minor or dependent child, the court may,  
3 on its own motion or that of any party, appoint an attorney to  
4 serve in one of the capacities specified in Section 506 of the  
5 Illinois Marriage and Dissolution of Marriage Act.

6 Section 810. Withholding of income to secure payment of  
7 support. Orders for support entered under this Act are subject  
8 to the Income Withholding for Support Act.

9 Section 811. Information concerning obligors.

10 (a) In this Section:

11 "Arrearage", "delinquency", "obligor", and "order for  
12 support" have the meanings attributed to those terms in the  
13 Income Withholding for Support Act.

14 "Consumer reporting agency" has the meaning attributed to  
15 that term in Section 603(f) of the Fair Credit Reporting Act,  
16 15 U.S.C. 1681a(f).

17 (b) Whenever a court of competent jurisdiction finds that  
18 an obligor either owes an arrearage of more than \$10,000 or is  
19 delinquent in payment of an amount equal to at least 3 months'  
20 support obligation pursuant to an order for support, the court  
21 shall direct the clerk of the circuit court to make information  
22 concerning the obligor available to consumer reporting  
23 agencies.

24 (c) Whenever a court of competent jurisdiction finds that

1 an obligor either owes an arrearage of more than \$10,000 or is  
2 delinquent in payment of an amount equal to at least 3 months'  
3 support obligation pursuant to an order for support, the court  
4 shall direct the clerk of the circuit court to cause the  
5 obligor's name and address to be published in a newspaper of  
6 general circulation in the area in which the obligor resides.  
7 The clerk of the circuit court shall cause the obligor's name  
8 and address to be published only after sending to the obligor  
9 at the obligor's last known address, by certified mail, return  
10 receipt requested, a notice of intent to publish the  
11 information. This subsection (c) applies only if the obligor  
12 resides in the county in which the clerk of the circuit court  
13 holds office.

14 Section 812. Interest on support obligations. A support  
15 obligation, or any portion of a support obligation, which  
16 becomes due and remains unpaid as of the end of each month,  
17 excluding the child support that was due for that month to the  
18 extent that it was not paid in that month, shall accrue simple  
19 interest as set forth in Section 12-109 of the Code of Civil  
20 Procedure. An order for support shall contain a statement that  
21 a support obligation required under the order, or any portion  
22 of a support obligation required under the order, that becomes  
23 due and remains unpaid as of the end of each month, excluding  
24 the child support that was due for that month to the extent  
25 that it was not paid in that month, shall accrue simple

1 interest as set forth in Section 12-109 of the Code of Civil  
2 Procedure. Failure to include the statement in the order for  
3 support does not affect the validity of the order or the  
4 accrual of interest as provided in this Section.

5 Section 813. Support payments; receiving and disbursing  
6 agents.

7 (a) In an action filed in a county with less than 3,000,000  
8 inhabitants in which an order for child support is entered, and  
9 in supplementary proceedings to enforce or vary the terms of  
10 the order arising out of an action filed in such a county, the  
11 court, except in actions or supplementary proceedings in which  
12 the pregnancy and delivery expenses of the mother or the child  
13 support payments are for a recipient of aid under the Illinois  
14 Public Aid Code, shall direct that child support payments be  
15 made to the clerk of the circuit court, unless in the  
16 discretion of the court exceptional circumstances warrant  
17 otherwise. In cases where payment is to be made to persons  
18 other than the clerk of the circuit court, the judgment or  
19 order of support shall set forth the facts of the exceptional  
20 circumstances.

21 (b) In an action filed in a county of 3,000,000 or more  
22 inhabitants in which an order for child support is entered, and  
23 in supplementary proceedings to enforce or vary the terms of  
24 the order arising out of an action filed in such a county, the  
25 court, except in actions or supplementary proceedings in which

1 the pregnancy and delivery expenses of the mother or the child  
2 support payments are for a recipient of aid under the Illinois  
3 Public Aid Code, shall direct that child support payments be  
4 made either to the clerk of the circuit court or to the Court  
5 Service Division of the Department of Human Services local  
6 office or offices or its successor or to the Department of  
7 Healthcare and Family Services, unless in the discretion of the  
8 court exceptional circumstances warrant otherwise. In cases  
9 where payment is to be made to persons other than the clerk of  
10 the circuit court, the Court Service Division of the Department  
11 of Human Services local office or offices or its successor, or  
12 the Department of Healthcare and Family Services, the judgment  
13 or order of support shall set forth the facts of the  
14 exceptional circumstances.

15 (c) When the action or supplementary proceeding is on  
16 behalf of a mother for pregnancy and delivery expenses or for  
17 child support, or both, and the mother, child, or both, are  
18 recipients of aid under the Illinois Public Aid Code, the court  
19 shall order that the payments be made directly to (1) the  
20 Department of Healthcare and Family Services, if the mother or  
21 child, or both, are recipients under Article IV or V of the  
22 Illinois Public Aid Code; or (2) the local governmental unit  
23 responsible for the support of the mother or child, or both, if  
24 they are recipients under Article VI of the Illinois Public Aid  
25 Code. In accordance with federal law and regulations, the  
26 Department of Healthcare and Family Services may continue to

1 collect current maintenance payments or child support  
2 payments, or both, after those persons cease to receive public  
3 assistance and until termination of services under Article X of  
4 the Illinois Public Aid Code. The Department of Healthcare and  
5 Family Services shall pay the net amount collected to those  
6 persons after deducting any costs incurred in making the  
7 collection or any collection fee from the amount of any  
8 recovery made. The Department of Healthcare and Family Services  
9 or the local governmental unit, as the case may be, may direct  
10 that payments be made directly to the mother of the child, or  
11 to some other person or agency on the child's behalf, upon the  
12 removal of the mother and child from the public aid rolls or  
13 upon termination of services under Article X of the Illinois  
14 Public Aid Code; upon such direction, the Department of  
15 Healthcare and Family Services or the local governmental unit  
16 shall give notice of the action to the court in writing or by  
17 electronic transmission.

18 (d) All clerks of the circuit court and the Court Service  
19 Division of the Department of Human Services local office or  
20 offices or its successor and the Department of Healthcare and  
21 Family Services, receiving child support payments under  
22 subsection (a) or (b) shall disburse the payments to the person  
23 or persons entitled to the payments under the terms of the  
24 order. The entity disbursing the payments shall establish and  
25 maintain clear and current records of all moneys received and  
26 disbursed and of defaults and delinquencies in required

1 payments. The court, by order or rule, shall make provision for  
2 the carrying out of these duties. Payments under this Section  
3 to the Department of Healthcare and Family Services made  
4 pursuant to the Child Support Enforcement Program established  
5 by Title IV-D of the Social Security Act shall be paid into the  
6 Child Support Enforcement Trust Fund. All payments under this  
7 Section to the Illinois Department of Human Services shall be  
8 deposited in the DHS Recoveries Trust Fund. Disbursement from  
9 these funds shall be as provided in the Illinois Public Aid  
10 Code. Payments received by a local governmental unit shall be  
11 deposited in that unit's General Assistance Fund.

12 (e) The moneys received by persons or agencies designated  
13 by the court shall be disbursed by them in accordance with the  
14 order. However, the court, on petition of the State's Attorney,  
15 may enter new orders designating the clerk of the circuit court  
16 or the Department of Healthcare and Family Services as the  
17 person or agency authorized to receive and disburse child  
18 support payments and, in the case of a recipient of public aid,  
19 the court, on petition of the Attorney General or State's  
20 Attorney, shall direct subsequent payments to be paid to the  
21 Department of Healthcare and Family Services or to the  
22 appropriate local governmental unit, as provided in subsection  
23 (c) of this Section. Payments of child support by principals or  
24 sureties on bonds or proceeds of any sale for the enforcement  
25 of a judgment shall be made to the clerk of the circuit court,  
26 the Department of Healthcare and Family Services, or the

1 appropriate local governmental unit, as required by this  
2 Section.

3 (f) For those cases in which child support is payable to  
4 the clerk of the circuit court for transmittal to the  
5 Department of Healthcare and Family Services by order of court  
6 or upon notification by the Department of Healthcare and Family  
7 Services, the clerk of the circuit court shall transmit all  
8 payments, within 4 working days of receipt, to insure that  
9 funds are available for immediate distribution by the  
10 Department of Healthcare and Family Services to the person or  
11 entity entitled to them in accordance with the Child Support  
12 Enforcement Program under Title IV-D of the Social Security  
13 Act. The clerk of the circuit court shall notify the Department  
14 of Healthcare and Family Services of the date of receipt and  
15 the amount of the funds at the time of transmittal. If the  
16 clerk of the circuit court has entered into an agreement of  
17 cooperation with the Department of Healthcare and Family  
18 Services to record the terms of child support orders and  
19 payments made thereunder directly into the Department's  
20 automated data processing system, the clerk of the circuit  
21 court shall account for, transmit and otherwise distribute  
22 child support payments in accordance with the agreement in lieu  
23 of the requirements contained in this Section.

24 (g) To the extent the provisions of this Section are  
25 inconsistent with the requirements pertaining to the State  
26 Disbursement Unit under Section 815 of this Act and Section



1 10-26 of the Illinois Public Aid Code, the requirements  
2 pertaining to the State Disbursement Unit shall apply.

3 Section 814. Notice of child support enforcement services.  
4 The Department of Healthcare and Family Services may provide  
5 notice at any time to the parties to an action filed under this  
6 Act that child support enforcement services are being provided  
7 by the Department under Article X of the Illinois Public Aid  
8 Code. After notice is provided, the Department of Healthcare  
9 and Family Services shall be entitled, as if it were a party,  
10 to notice of any further proceedings brought in the case. The  
11 Department of Healthcare and Family Services shall provide the  
12 clerk of the circuit court with copies of the notices sent to  
13 the parties. The clerk of the circuit court shall file the  
14 copies in the court file.

15 Section 815. Payment of support to State Disbursement Unit.

16 (a) As used in this Section, "order for support",  
17 "obligor", "obligee", and "payor" have the meanings ascribed to  
18 them in the Income Withholding for Support Act, except that  
19 "order for support" does not mean an order for spousal  
20 maintenance under which there is no child support obligation.

21 (b) Notwithstanding any other provision of this Act to the  
22 contrary, each order for support entered or modified on or  
23 after October 1, 1999 shall require that support payments be  
24 made to the State Disbursement Unit established under Section

1 10-26 of the Illinois Public Aid Code if:

2 (1) a party to the order is receiving child support  
3 enforcement services under Article X of the Illinois Public  
4 Aid Code; or

5 (2) no party to the order is receiving child support  
6 enforcement services, but the support payments are made  
7 through income withholding.

8 (c) Support payments shall be made to the State  
9 Disbursement Unit if:

10 (1) the order for support was entered before October 1,  
11 1999, and a party to the order is receiving child support  
12 enforcement services under Article X of the Illinois Public  
13 Aid Code; or

14 (2) no party to the order is receiving child support  
15 enforcement services, and the support payments are being  
16 made through income withholding.

17 (d) If no party to the order is receiving child support  
18 enforcement services under Article X of the Illinois Public Aid  
19 Code and the support payments are not made through income  
20 withholding, then support payments shall be made as directed by  
21 the order for support.

22 (e) At any time, and notwithstanding the existence of an  
23 order directing payments to be made elsewhere, the Department  
24 of Healthcare and Family Services may provide notice to the  
25 obligor and, where applicable, to the obligor's payor:

26 (1) to make support payments to the State Disbursement

1 Unit if:

2 (A) a party to the order for support is receiving  
3 child support enforcement services under Article X of  
4 the Illinois Public Aid Code; or

5 (B) no party to the order for support is receiving  
6 child support enforcement services under Article X of  
7 the Illinois Public Aid Code, but the support payments  
8 are made through income withholding; or

9 (2) to make support payments to the State Disbursement  
10 Unit of another state upon request of another state's Title  
11 IV-D child support enforcement agency, in accordance with  
12 the requirements of Title IV, Part D of the Social Security  
13 Act and regulations promulgated under that Part D.

14 The Department of Healthcare and Family Services shall  
15 provide a copy of the notice sent under this subsection to the  
16 obligee and to the clerk of the circuit court.

17 (f) The clerk of the circuit court shall provide written  
18 notice to the obligor to make payments directly to the clerk of  
19 the circuit court if no party to the order is receiving child  
20 support enforcement services under Article X of the Illinois  
21 Public Aid Code, the support payments are not made through  
22 income withholding, and the order for support requires support  
23 payments to be made directly to the clerk of the circuit court.  
24 The clerk of the circuit court shall provide a copy of the  
25 notice to the obligee.

26 (g) If the State Disbursement Unit receives a support

1 payment that was not appropriately made to the Unit under this  
2 Section, the Unit shall immediately return the payment to the  
3 sender, including, if possible, instructions detailing where  
4 to send the support payments.

5 (h) The notices under subsections (e) and (f) may be sent  
6 by ordinary mail, certified mail with return receipt requested,  
7 facsimile transmission, other electronic process, or any  
8 method provided by law for service of a summons.

9 Section 816. Notice to the clerk of circuit court of  
10 payment received by Department of Healthcare and Family  
11 Services. For those cases in which support is payable to the  
12 clerk of the circuit court for transmittal to the Department of  
13 Healthcare and Family Services by order of court, and the  
14 Department of Healthcare and Family Services collects support  
15 by assignment, offset, withhold, deduction, or other process  
16 permitted by law, the Department of Healthcare and Family  
17 Services shall notify the clerk of the circuit court of the  
18 date and amount of the collection. Upon notification, the clerk  
19 of the circuit court shall record the collection on the payment  
20 record for the case.

21 ARTICLE 9. MISCELLANEOUS PROVISIONS

22 Section 901. Burden of proof. Absent a burden of proof  
23 specifically set forth in this Act, the burden of proof shall

1 be by a preponderance of the evidence.

2 Section 902. Severability clause. If any provision of this  
3 Act or its application to an individual or circumstance is held  
4 invalid, the invalidity does not affect other provisions or  
5 applications of this Act which can be given effect without the  
6 invalid provision or application, and to this end the  
7 provisions of this Act are severable.

8 Section 903. Transitional provision. A proceeding to  
9 adjudicate parentage which was commenced before the effective  
10 date of this Act is governed by the law in effect at the time  
11 the proceeding was commenced.

12 Section 904. Savings provision. The repeal of the Illinois  
13 Parentage Act of 1984 and the Illinois Parentage Act shall not  
14 affect rights or liabilities under those Act which have been  
15 determined, settled, or adjudicated prior to the effective date  
16 of this Act or which are the subject of proceedings pending on  
17 the effective date of this Act. This Act shall not be construed  
18 to bar an action which would have been barred because the  
19 action had not been filed within a time limitation under the  
20 Illinois Parentage Act of 1984 and the Illinois Parentage Act,  
21 or which could not have been maintained under those Acts, as  
22 long as the action is not barred by a limitations period set  
23 forth in this Act.

1 Section 905. Other states' establishments of parentage.  
2 Establishments of parentage made under the laws of other states  
3 shall be given full faith and credit in this State regardless  
4 of whether parentage was established through voluntary  
5 acknowledgment or through judicial or administrative  
6 processes.

7 Section 951. The Department of Employment Security Law of  
8 the Civil Administrative Code of Illinois is amended by  
9 changing Section 1005-130 as follows:

10 (20 ILCS 1005/1005-130) (was 20 ILCS 1005/43a.14)

11 Sec. 1005-130. Exchange of information for child support  
12 enforcement.

13 (a) The Department has the power to exchange with the  
14 Department of Healthcare and Family Services information that  
15 may be necessary for the enforcement of child support orders  
16 entered pursuant to the Illinois Public Aid Code, the Illinois  
17 Marriage and Dissolution of Marriage Act, the Non-Support of  
18 Spouse and Children Act, the Non-Support Punishment Act, the  
19 Revised Uniform Reciprocal Enforcement of Support Act, the  
20 Uniform Interstate Family Support Act, ~~or~~ the Illinois  
21 Parentage Act of 1984, or the Illinois Parentage Act of 2015.

22 (b) Notwithstanding any provisions in the Civil  
23 Administrative Code of Illinois to the contrary, the Department

1 of Employment Security shall not be liable to any person for  
2 any disclosure of information to the Department of Healthcare  
3 and Family Services (formerly Illinois Department of Public  
4 Aid) under subsection (a) or for any other action taken in good  
5 faith to comply with the requirements of subsection (a).

6 (Source: P.A. 95-331, eff. 8-21-07.)

7 Section 952. The Department of Professional Regulation Law  
8 of the Civil Administrative Code of Illinois is amended by  
9 changing Section 2105-15 as follows:

10 (20 ILCS 2105/2105-15)

11 Sec. 2105-15. General powers and duties.

12 (a) The Department has, subject to the provisions of the  
13 Civil Administrative Code of Illinois, the following powers and  
14 duties:

15 (1) To authorize examinations in English to ascertain  
16 the qualifications and fitness of applicants to exercise  
17 the profession, trade, or occupation for which the  
18 examination is held.

19 (2) To prescribe rules and regulations for a fair and  
20 wholly impartial method of examination of candidates to  
21 exercise the respective professions, trades, or  
22 occupations.

23 (3) To pass upon the qualifications of applicants for  
24 licenses, certificates, and authorities, whether by

1 examination, by reciprocity, or by endorsement.

2 (4) To prescribe rules and regulations defining, for  
3 the respective professions, trades, and occupations, what  
4 shall constitute a school, college, or university, or  
5 department of a university, or other institution,  
6 reputable and in good standing, and to determine the  
7 reputability and good standing of a school, college, or  
8 university, or department of a university, or other  
9 institution, reputable and in good standing, by reference  
10 to a compliance with those rules and regulations; provided,  
11 that no school, college, or university, or department of a  
12 university, or other institution that refuses admittance  
13 to applicants solely on account of race, color, creed, sex,  
14 or national origin shall be considered reputable and in  
15 good standing.

16 (5) To conduct hearings on proceedings to revoke,  
17 suspend, refuse to renew, place on probationary status, or  
18 take other disciplinary action as authorized in any  
19 licensing Act administered by the Department with regard to  
20 licenses, certificates, or authorities of persons  
21 exercising the respective professions, trades, or  
22 occupations and to revoke, suspend, refuse to renew, place  
23 on probationary status, or take other disciplinary action  
24 as authorized in any licensing Act administered by the  
25 Department with regard to those licenses, certificates, or  
26 authorities. The Department shall issue a monthly



1 disciplinary report. The Department shall deny any license  
2 or renewal authorized by the Civil Administrative Code of  
3 Illinois to any person who has defaulted on an educational  
4 loan or scholarship provided by or guaranteed by the  
5 Illinois Student Assistance Commission or any governmental  
6 agency of this State; however, the Department may issue a  
7 license or renewal if the aforementioned persons have  
8 established a satisfactory repayment record as determined  
9 by the Illinois Student Assistance Commission or other  
10 appropriate governmental agency of this State.  
11 Additionally, beginning June 1, 1996, any license issued by  
12 the Department may be suspended or revoked if the  
13 Department, after the opportunity for a hearing under the  
14 appropriate licensing Act, finds that the licensee has  
15 failed to make satisfactory repayment to the Illinois  
16 Student Assistance Commission for a delinquent or  
17 defaulted loan. For the purposes of this Section,  
18 "satisfactory repayment record" shall be defined by rule.  
19 The Department shall refuse to issue or renew a license to,  
20 or shall suspend or revoke a license of, any person who,  
21 after receiving notice, fails to comply with a subpoena or  
22 warrant relating to a paternity or child support  
23 proceeding. However, the Department may issue a license or  
24 renewal upon compliance with the subpoena or warrant.

25 The Department, without further process or hearings,  
26 shall revoke, suspend, or deny any license or renewal

1 authorized by the Civil Administrative Code of Illinois to  
2 a person who is certified by the Department of Healthcare  
3 and Family Services (formerly Illinois Department of  
4 Public Aid) as being more than 30 days delinquent in  
5 complying with a child support order or who is certified by  
6 a court as being in violation of the Non-Support Punishment  
7 Act for more than 60 days. The Department may, however,  
8 issue a license or renewal if the person has established a  
9 satisfactory repayment record as determined by the  
10 Department of Healthcare and Family Services (formerly  
11 Illinois Department of Public Aid) or if the person is  
12 determined by the court to be in compliance with the  
13 Non-Support Punishment Act. The Department may implement  
14 this paragraph as added by Public Act 89-6 through the use  
15 of emergency rules in accordance with Section 5-45 of the  
16 Illinois Administrative Procedure Act. For purposes of the  
17 Illinois Administrative Procedure Act, the adoption of  
18 rules to implement this paragraph shall be considered an  
19 emergency and necessary for the public interest, safety,  
20 and welfare.

21 (6) To transfer jurisdiction of any realty under the  
22 control of the Department to any other department of the  
23 State Government or to acquire or accept federal lands when  
24 the transfer, acquisition, or acceptance is advantageous  
25 to the State and is approved in writing by the Governor.

26 (7) To formulate rules and regulations necessary for

1 the enforcement of any Act administered by the Department.

2 (8) To exchange with the Department of Healthcare and  
3 Family Services information that may be necessary for the  
4 enforcement of child support orders entered pursuant to the  
5 Illinois Public Aid Code, the Illinois Marriage and  
6 Dissolution of Marriage Act, the Non-Support of Spouse and  
7 Children Act, the Non-Support Punishment Act, the Revised  
8 Uniform Reciprocal Enforcement of Support Act, the Uniform  
9 Interstate Family Support Act, ~~or~~ the Illinois Parentage  
10 Act of 1984, or the Illinois Parentage Act of 2015.

11 Notwithstanding any provisions in this Code to the  
12 contrary, the Department of Professional Regulation shall  
13 not be liable under any federal or State law to any person  
14 for any disclosure of information to the Department of  
15 Healthcare and Family Services (formerly Illinois  
16 Department of Public Aid) under this paragraph (8) or for  
17 any other action taken in good faith to comply with the  
18 requirements of this paragraph (8).

19 (8.5) To accept continuing education credit for  
20 mandated reporter training on how to recognize and report  
21 child abuse offered by the Department of Children and  
22 Family Services and completed by any person who holds a  
23 professional license issued by the Department and who is a  
24 mandated reporter under the Abused and Neglected Child  
25 Reporting Act. The Department shall adopt any rules  
26 necessary to implement this paragraph.

1           (9) To perform other duties prescribed by law.

2           (a-5) Except in cases involving default on an educational  
3 loan or scholarship provided by or guaranteed by the Illinois  
4 Student Assistance Commission or any governmental agency of  
5 this State or in cases involving delinquency in complying with  
6 a child support order or violation of the Non-Support  
7 Punishment Act, no person or entity whose license, certificate,  
8 or authority has been revoked as authorized in any licensing  
9 Act administered by the Department may apply for restoration of  
10 that license, certification, or authority until 3 years after  
11 the effective date of the revocation.

12           (b) The Department may, when a fee is payable to the  
13 Department for a wall certificate of registration provided by  
14 the Department of Central Management Services, require that  
15 portion of the payment for printing and distribution costs be  
16 made directly or through the Department to the Department of  
17 Central Management Services for deposit into the Paper and  
18 Printing Revolving Fund. The remainder shall be deposited into  
19 the General Revenue Fund.

20           (c) For the purpose of securing and preparing evidence, and  
21 for the purchase of controlled substances, professional  
22 services, and equipment necessary for enforcement activities,  
23 recoupment of investigative costs, and other activities  
24 directed at suppressing the misuse and abuse of controlled  
25 substances, including those activities set forth in Sections  
26 504 and 508 of the Illinois Controlled Substances Act, the

1 Director and agents appointed and authorized by the Director  
2 may expend sums from the Professional Regulation Evidence Fund  
3 that the Director deems necessary from the amounts appropriated  
4 for that purpose. Those sums may be advanced to the agent when  
5 the Director deems that procedure to be in the public interest.  
6 Sums for the purchase of controlled substances, professional  
7 services, and equipment necessary for enforcement activities  
8 and other activities as set forth in this Section shall be  
9 advanced to the agent who is to make the purchase from the  
10 Professional Regulation Evidence Fund on vouchers signed by the  
11 Director. The Director and those agents are authorized to  
12 maintain one or more commercial checking accounts with any  
13 State banking corporation or corporations organized under or  
14 subject to the Illinois Banking Act for the deposit and  
15 withdrawal of moneys to be used for the purposes set forth in  
16 this Section; provided, that no check may be written nor any  
17 withdrawal made from any such account except upon the written  
18 signatures of 2 persons designated by the Director to write  
19 those checks and make those withdrawals. Vouchers for those  
20 expenditures must be signed by the Director. All such  
21 expenditures shall be audited by the Director, and the audit  
22 shall be submitted to the Department of Central Management  
23 Services for approval.

24 (d) Whenever the Department is authorized or required by  
25 law to consider some aspect of criminal history record  
26 information for the purpose of carrying out its statutory

1 powers and responsibilities, then, upon request and payment of  
2 fees in conformance with the requirements of Section 2605-400  
3 of the Department of State Police Law (20 ILCS 2605/2605-400),  
4 the Department of State Police is authorized to furnish,  
5 pursuant to positive identification, the information contained  
6 in State files that is necessary to fulfill the request.

7 (e) The provisions of this Section do not apply to private  
8 business and vocational schools as defined by Section 15 of the  
9 Private Business and Vocational Schools Act of 2012.

10 (f) Beginning July 1, 1995, this Section does not apply to  
11 those professions, trades, and occupations licensed under the  
12 Real Estate License Act of 2000, nor does it apply to any  
13 permits, certificates, or other authorizations to do business  
14 provided for in the Land Sales Registration Act of 1989 or the  
15 Illinois Real Estate Time-Share Act.

16 (g) Notwithstanding anything that may appear in any  
17 individual licensing statute or administrative rule, the  
18 Department shall deny any license application or renewal  
19 authorized under any licensing Act administered by the  
20 Department to any person who has failed to file a return, or to  
21 pay the tax, penalty, or interest shown in a filed return, or  
22 to pay any final assessment of tax, penalty, or interest, as  
23 required by any tax Act administered by the Illinois Department  
24 of Revenue, until such time as the requirement of any such tax  
25 Act are satisfied; however, the Department may issue a license  
26 or renewal if the person has established a satisfactory

1 repayment record as determined by the Illinois Department of  
2 Revenue. For the purpose of this Section, "satisfactory  
3 repayment record" shall be defined by rule.

4 In addition, a complaint filed with the Department by the  
5 Illinois Department of Revenue that includes a certification,  
6 signed by its Director or designee, attesting to the amount of  
7 the unpaid tax liability or the years for which a return was  
8 not filed, or both, is prima facie evidence of the licensee's  
9 failure to comply with the tax laws administered by the  
10 Illinois Department of Revenue. Upon receipt of that  
11 certification, the Department shall, without a hearing,  
12 immediately suspend all licenses held by the licensee.  
13 Enforcement of the Department's order shall be stayed for 60  
14 days. The Department shall provide notice of the suspension to  
15 the licensee by mailing a copy of the Department's order by  
16 certified and regular mail to the licensee's last known address  
17 as registered with the Department. The notice shall advise the  
18 licensee that the suspension shall be effective 60 days after  
19 the issuance of the Department's order unless the Department  
20 receives, from the licensee, a request for a hearing before the  
21 Department to dispute the matters contained in the order.

22 Any suspension imposed under this subsection (g) shall be  
23 terminated by the Department upon notification from the  
24 Illinois Department of Revenue that the licensee is in  
25 compliance with all tax laws administered by the Illinois  
26 Department of Revenue.

1           The Department shall promulgate rules for the  
2 administration of this subsection (g).

3           (h) The Department may grant the title "Retired", to be  
4 used immediately adjacent to the title of a profession  
5 regulated by the Department, to eligible retirees. The use of  
6 the title "Retired" shall not constitute representation of  
7 current licensure, registration, or certification. Any person  
8 without an active license, registration, or certificate in a  
9 profession that requires licensure, registration, or  
10 certification shall not be permitted to practice that  
11 profession.

12           (i) Within 180 days after December 23, 2009 (the effective  
13 date of Public Act 96-852), the Department shall promulgate  
14 rules which permit a person with a criminal record, who seeks a  
15 license or certificate in an occupation for which a criminal  
16 record is not expressly a per se bar, to apply to the  
17 Department for a non-binding, advisory opinion to be provided  
18 by the Board or body with the authority to issue the license or  
19 certificate as to whether his or her criminal record would bar  
20 the individual from the licensure or certification sought,  
21 should the individual meet all other licensure requirements  
22 including, but not limited to, the successful completion of the  
23 relevant examinations.

24           (Source: P.A. 97-650, eff. 2-1-12; 98-756, eff. 7-16-14;  
25 98-850, eff. 1-1-15.)



1           Section 953. The Department of Revenue Law of the Civil  
2           Administrative Code of Illinois is amended by changing Section  
3           2505-65 as follows:

4           (20 ILCS 2505/2505-65) (was 20 ILCS 2505/39b12)

5           Sec. 2505-65. Exchange of information.

6           (a) The Department has the power to exchange with any  
7           state, with any local subdivisions of any state, or with the  
8           federal government, except when specifically prohibited by  
9           law, any information that may be necessary to efficient tax  
10          administration and that may be acquired as a result of the  
11          administration of the laws set forth in the Sections following  
12          Section 95-10 and preceding Section 2505-60.

13          (b) The Department has the power to exchange with the  
14          Department of Healthcare and Family Services information that  
15          may be necessary for the enforcement of child support orders  
16          entered pursuant to the Illinois Public Aid Code, the Illinois  
17          Marriage and Dissolution of Marriage Act, the Non-Support of  
18          Spouse and Children Act, the Non-Support Punishment Act, the  
19          Revised Uniform Reciprocal Enforcement of Support Act, the  
20          Uniform Interstate Family Support Act, ~~or~~ the Illinois  
21          Parentage Act of 1984, or the Illinois Parentage Act of 2015.  
22          Notwithstanding any provisions in this Code to the contrary,  
23          the Department of Revenue shall not be liable to any person for  
24          any disclosure of information to the Department of Healthcare  
25          and Family Services (formerly Illinois Department of Public

1 Aid) under this subsection (b) or for any other action taken in  
2 good faith to comply with the requirements of this subsection  
3 (b).

4 (Source: P.A. 95-331, eff. 8-21-07.)

5 Section 954. The Counties Code is amended by changing  
6 Section 3-5036.5 as follows:

7 (55 ILCS 5/3-5036.5)

8 Sec. 3-5036.5. Exchange of information for child support  
9 enforcement.

10 (a) The Recorder shall exchange with the Department of  
11 Healthcare and Family Services information that may be  
12 necessary for the enforcement of child support orders entered  
13 pursuant to the Illinois Public Aid Code, the Illinois Marriage  
14 and Dissolution of Marriage Act, the Non-Support of Spouse and  
15 Children Act, the Non-Support Punishment Act, the Revised  
16 Uniform Reciprocal Enforcement of Support Act, the Uniform  
17 Interstate Family Support Act, ~~or~~ the Illinois Parentage Act of  
18 1984, or the Illinois Parentage Act of 2015.

19 (b) Notwithstanding any provisions in this Code to the  
20 contrary, the Recorder shall not be liable to any person for  
21 any disclosure of information to the Department of Healthcare  
22 and Family Services (formerly Illinois Department of Public  
23 Aid) under subsection (a) or for any other action taken in good  
24 faith to comply with the requirements of subsection (a).

1 (Source: P.A. 95-331, eff. 8-21-07.)

2 Section 955. The Collection Agency Act is amended by  
3 changing Section 2.04 as follows:

4 (225 ILCS 425/2.04) (from Ch. 111, par. 2005.1)

5 (Section scheduled to be repealed on January 1, 2016)

6 Sec. 2.04. Child support indebtedness.

7 (a) Persons, associations, partnerships, corporations, or  
8 other legal entities engaged in the business of collecting  
9 child support indebtedness owing under a court order as  
10 provided under the Illinois Public Aid Code, the Illinois  
11 Marriage and Dissolution of Marriage Act, the Non-Support of  
12 Spouse and Children Act, the Non-Support Punishment Act, the  
13 Illinois Parentage Act of 1984, the Illinois Parentage Act of  
14 2015, or similar laws of other states are not restricted (i) in  
15 the frequency of contact with an obligor who is in arrears,  
16 whether by phone, mail, or other means, (ii) from contacting  
17 the employer of an obligor who is in arrears, (iii) from  
18 publishing or threatening to publish a list of obligors in  
19 arrears, (iv) from disclosing or threatening to disclose an  
20 arrearage that the obligor disputes, but for which a verified  
21 notice of delinquency has been served under the Income  
22 Withholding for Support Act (or any of its predecessors,  
23 Section 10-16.2 of the Illinois Public Aid Code, Section 706.1  
24 of the Illinois Marriage and Dissolution of Marriage Act,

1 Section 4.1 of the Non-Support of Spouse and Children Act,  
2 Section 26.1 of the Revised Uniform Reciprocal Enforcement of  
3 Support Act, or Section 20 of the Illinois Parentage Act of  
4 1984), or (v) from engaging in conduct that would not cause a  
5 reasonable person mental or physical illness. For purposes of  
6 this subsection, "obligor" means an individual who owes a duty  
7 to make periodic payments, under a court order, for the support  
8 of a child. "Arrearage" means the total amount of an obligor's  
9 unpaid child support obligations.

10 (a-5) A collection agency may not impose a fee or charge,  
11 including costs, for any child support payments collected  
12 through the efforts of a federal, State, or local government  
13 agency, including but not limited to child support collected  
14 from federal or State tax refunds, unemployment benefits, or  
15 Social Security benefits.

16 No collection agency that collects child support payments  
17 shall (i) impose a charge or fee, including costs, for  
18 collection of a current child support payment, (ii) fail to  
19 apply collections to current support as specified in the order  
20 for support before applying collection to arrears or other  
21 amounts, or (iii) designate a current child support payment as  
22 arrears or other amount owed. In all circumstances, the  
23 collection agency shall turn over to the obligee all support  
24 collected in a month up to the amount of current support  
25 required to be paid for that month.

26 As to any fees or charges, including costs, retained by the

1 collection agency, that agency shall provide documentation to  
2 the obligee demonstrating that the child support payments  
3 resulted from the actions of the agency.

4 After collection of the total amount or arrearage,  
5 including statutory interest, due as of the date of execution  
6 of the collection contract, no further fees may be charged.

7 (a-10) The Department of Professional Regulation shall  
8 determine a fee rate of not less than 25% but not greater than  
9 35%, based upon presentation by the licensees as to costs to  
10 provide the service and a fair rate of return. This rate shall  
11 be established by administrative rule.

12 Without prejudice to the determination by the Department of  
13 the appropriate rate through administrative rule, a collection  
14 agency shall impose a fee of not more than 29% of the amount of  
15 child support actually collected by the collection agency  
16 subject to the provisions of subsection (a-5). This interim  
17 rate is based upon the March 2002 General Account Office report  
18 "Child Support Enforcement", GAO-02-349. This rate shall apply  
19 until a fee rate is established by administrative rule.

20 (b) The Department shall adopt rules necessary to  
21 administer and enforce the provisions of this Section.

22 (Source: P.A. 93-896, eff. 8-10-04; 94-414, eff. 12-31-05.)

23 Section 956. The Illinois Public Aid Code is amended by  
24 changing Sections 10-3.1, 10-16.7, 10-17, 10-17.7, 10-19,  
25 10-25, 10-25.5, 10-27, and 12-4.7c as follows:

1 (305 ILCS 5/10-3.1) (from Ch. 23, par. 10-3.1)

2 Sec. 10-3.1. Child and Spouse Support Unit. The Illinois  
3 Department shall establish within its administrative staff a  
4 Child and Spouse Support Unit to search for and locate absent  
5 parents and spouses liable for the support of persons resident  
6 in this State and to exercise the support enforcement powers  
7 and responsibilities assigned the Department by this Article.  
8 The unit shall cooperate with all law enforcement officials in  
9 this State and with the authorities of other States in locating  
10 persons responsible for the support of persons resident in  
11 other States and shall invite the cooperation of these  
12 authorities in the performance of its duties.

13 In addition to other duties assigned the Child and Spouse  
14 Support Unit by this Article, the Unit may refer to the  
15 Attorney General or units of local government with the approval  
16 of the Attorney General, any actions under Sections 10-10 and  
17 10-15 for judicial enforcement of the support liability. The  
18 Child and Spouse Support Unit shall act for the Department in  
19 referring to the Attorney General support matters requiring  
20 judicial enforcement under other laws. If requested by the  
21 Attorney General to so act, as provided in Section 12-16,  
22 attorneys of the Unit may assist the Attorney General or  
23 themselves institute actions on ~~in~~ behalf of the Illinois  
24 Department under the Revised Uniform Reciprocal Enforcement of  
25 Support Act; under the Illinois Parentage Act of 1984 or under

1 the Illinois Parentage Act of 2015; under the Non-Support of  
2 Spouse and Children Act; under the Non-Support Punishment Act;  
3 or under any other law, State or Federal, providing for support  
4 of a spouse or dependent child.

5 The Illinois Department shall also have the authority to  
6 enter into agreements with local governmental units or  
7 individuals, with the approval of the Attorney General, for the  
8 collection of moneys owing because of the failure of a parent  
9 to make child support payments for any child receiving services  
10 under this Article. Such agreements may be on a contingent fee  
11 basis, but such contingent fee shall not exceed 25% of the  
12 total amount collected.

13 An attorney who provides representation pursuant to this  
14 Section shall represent the Illinois Department exclusively.  
15 Regardless of the designation of the plaintiff in an action  
16 brought pursuant to this Section, an attorney-client  
17 relationship does not exist for purposes of that action between  
18 that attorney and (i) an applicant for or recipient of child  
19 support enforcement services or (ii) any other party to the  
20 action other than the Illinois Department. Nothing in this  
21 Section shall be construed to modify any power or duty  
22 (including a duty to maintain confidentiality) of the Child and  
23 Spouse Support Unit or the Illinois Department otherwise  
24 provided by law.

25 The Illinois Department may also enter into agreements with  
26 local governmental units for the Child and Spouse Support Unit

1 to exercise the investigative and enforcement powers  
2 designated in this Article, including the issuance of  
3 administrative orders under Section 10-11, in locating  
4 responsible relatives and obtaining support for persons  
5 applying for or receiving aid under Article VI. Payments for  
6 defrayment of administrative costs and support payments  
7 obtained shall be deposited into the DHS Recoveries Trust Fund.  
8 Support payments shall be paid over to the General Assistance  
9 Fund of the local governmental unit at such time or times as  
10 the agreement may specify.

11 With respect to those cases in which it has support  
12 enforcement powers and responsibilities under this Article,  
13 the Illinois Department may provide by rule for periodic or  
14 other review of each administrative and court order for support  
15 to determine whether a modification of the order should be  
16 sought. The Illinois Department shall provide for and conduct  
17 such review in accordance with any applicable federal law and  
18 regulation.

19 As part of its process for review of orders for support,  
20 the Illinois Department, through written notice, may require  
21 the responsible relative to disclose his or her Social Security  
22 Number and past and present information concerning the  
23 relative's address, employment, gross wages, deductions from  
24 gross wages, net wages, bonuses, commissions, number of  
25 dependent exemptions claimed, individual and dependent health  
26 insurance coverage, and any other information necessary to



1 determine the relative's ability to provide support in a case  
2 receiving child support enforcement services under this  
3 Article X.

4 The Illinois Department may send a written request for the  
5 same information to the relative's employer. The employer shall  
6 respond to the request for information within 15 days after the  
7 date the employer receives the request. If the employer  
8 willfully fails to fully respond within the 15-day period, the  
9 employer shall pay a penalty of \$100 for each day that the  
10 response is not provided to the Illinois Department after the  
11 15-day period has expired. The penalty may be collected in a  
12 civil action which may be brought against the employer in favor  
13 of the Illinois Department.

14 A written request for information sent to an employer  
15 pursuant to this Section shall consist of (i) a citation of  
16 this Section as the statutory authority for the request and for  
17 the employer's obligation to provide the requested  
18 information, (ii) a returnable form setting forth the  
19 employer's name and address and listing the name of the  
20 employee with respect to whom information is requested, and  
21 (iii) a citation of this Section as the statutory authority  
22 authorizing the employer to withhold a fee of up to \$20 from  
23 the wages or income to be paid to each responsible relative for  
24 providing the information to the Illinois Department within the  
25 15-day period. If the employer is withholding support payments  
26 from the responsible relative's income pursuant to an order for

1 withholding, the employer may withhold the fee provided for in  
2 this Section only after withholding support as required under  
3 the order. Any amounts withheld from the responsible relative's  
4 income for payment of support and the fee provided for in this  
5 Section shall not be in excess of the amounts permitted under  
6 the federal Consumer Credit Protection Act.

7 In a case receiving child support enforcement services, the  
8 Illinois Department may request and obtain information from a  
9 particular employer under this Section no more than once in any  
10 12-month period, unless the information is necessary to conduct  
11 a review of a court or administrative order for support at the  
12 request of the person receiving child support enforcement  
13 services.

14 The Illinois Department shall establish and maintain an  
15 administrative unit to receive and transmit to the Child and  
16 Spouse Support Unit information supplied by persons applying  
17 for or receiving child support enforcement services under  
18 Section 10-1. In addition, the Illinois Department shall  
19 address and respond to any alleged deficiencies that persons  
20 receiving or applying for services from the Child and Spouse  
21 Support Unit may identify concerning the Child and Spouse  
22 Support Unit's provision of child support enforcement  
23 services. Within 60 days after an action or failure to act by  
24 the Child and Spouse Support Unit that affects his or her case,  
25 a recipient of or applicant for child support enforcement  
26 services under Article X of this Code may request an

1 explanation of the Unit's handling of the case. At the  
2 requestor's option, the explanation may be provided either  
3 orally in an interview, in writing, or both. If the Illinois  
4 Department fails to respond to the request for an explanation  
5 or fails to respond in a manner satisfactory to the applicant  
6 or recipient within 30 days from the date of the request for an  
7 explanation, the applicant or recipient may request a  
8 conference for further review of the matter by the Office of  
9 the Administrator of the Child and Spouse Support Unit. A  
10 request for a conference may be submitted at any time within 60  
11 days after the explanation has been provided by the Child and  
12 Spouse Support Unit or within 60 days after the time for  
13 providing the explanation has expired.

14 The applicant or recipient may request a conference  
15 concerning any decision denying or terminating child support  
16 enforcement services under Article X of this Code, and the  
17 applicant or recipient may also request a conference concerning  
18 the Unit's failure to provide services or the provision of  
19 services in an amount or manner that is considered inadequate.  
20 For purposes of this Section, the Child and Spouse Support Unit  
21 includes all local governmental units or individuals with whom  
22 the Illinois Department has contracted under Section 10-3.1.

23 Upon receipt of a timely request for a conference, the  
24 Office of the Administrator shall review the case. The  
25 applicant or recipient requesting the conference shall be  
26 entitled, at his or her option, to appear in person or to

1 participate in the conference by telephone. The applicant or  
2 recipient requesting the conference shall be entitled to be  
3 represented and to be afforded a reasonable opportunity to  
4 review the Illinois Department's file before or at the  
5 conference. At the conference, the applicant or recipient  
6 requesting the conference shall be afforded an opportunity to  
7 present all relevant matters in support of his or her claim.  
8 Conferences shall be without cost to the applicant or recipient  
9 requesting the conference and shall be conducted by a  
10 representative of the Child or Spouse Support Unit who did not  
11 participate in the action or inaction being reviewed.

12 The Office of the Administrator shall conduct a conference  
13 and inform all interested parties, in writing, of the results  
14 of the conference within 60 days from the date of filing of the  
15 request for a conference.

16 In addition to its other powers and responsibilities  
17 established by this Article, the Child and Spouse Support Unit  
18 shall conduct an annual assessment of each institution's  
19 program for institution based paternity establishment under  
20 Section 12 of the Vital Records Act.

21 (Source: P.A. 91-24, eff. 7-1-99; 91-613, eff. 10-1-99; 92-16,  
22 eff. 6-28-01; 92-590, eff. 7-1-02.)

23 (305 ILCS 5/10-16.7)

24 Sec. 10-16.7. Child support enforcement debit  
25 authorization.

1 (a) For purposes of this Section:

2 "Financial institution" and "account" are defined as set  
3 forth in Section 10-24.

4 "Payor" is defined as set forth in Section 15 of the Income  
5 Withholding for Support Act.

6 "Order for support" means any order for periodic payment of  
7 funds to the State Disbursement Unit for the support of a child  
8 or, where applicable, for support of a child and a parent with  
9 whom the child resides, that is entered or modified under this  
10 Code or under the Illinois Marriage and Dissolution of Marriage  
11 Act, the Non-Support of Spouse and Children Act, the  
12 Non-Support Punishment Act, ~~or~~ the Illinois Parentage Act of  
13 1984, or the Illinois Parentage Act of 2015, or that is entered  
14 or registered for modification or enforcement under the Uniform  
15 Interstate Family Support Act.

16 "Obligor" means an individual who owes a duty to make  
17 payments under an order for support in a case in which child  
18 support enforcement services are being provided under this  
19 Article X.

20 (b) The Department of Public Aid (now Healthcare and Family  
21 Services) shall adopt a child support enforcement debit  
22 authorization form that, upon being signed by an obligor,  
23 authorizes a financial institution holding an account on the  
24 obligor's behalf to debit the obligor's account periodically in  
25 an amount equal to the amount of child support that the obligor  
26 is required to pay periodically and transfer that amount to the

1 State Disbursement Unit. The form shall include instructions to  
2 the financial institution concerning the debiting of accounts  
3 held on behalf of obligors and the transfer of the debited  
4 amounts to the State Disbursement Unit. In adopting the form,  
5 the Department may consult with the Office of Banks and Real  
6 Estate and the Department of Financial Institutions. The  
7 Department must adopt the form within 6 months after the  
8 effective date of this amendatory Act of the 93rd General  
9 Assembly. Promptly after adopting the form, the Department must  
10 notify each financial institution conducting business in this  
11 State that the form has been adopted and is ready for use.

12 (c) An obligor who does not have a payor may sign a child  
13 support debit authorization form adopted by the Department  
14 under this Section. The obligor may sign a form in relation to  
15 any or all of the financial institutions holding an account on  
16 the obligor's behalf. Promptly after an obligor signs a child  
17 support debit authorization form, the Department shall send the  
18 original signed form to the appropriate financial institution.  
19 Subject to subsection (e), upon receiving the form, the  
20 financial institution shall debit the account and transfer the  
21 debited amounts to the State Disbursement Unit according to the  
22 instructions in the form. A financial institution that complies  
23 with a child support debit authorization form signed by an  
24 obligor and issued under this Section shall not be subject to  
25 civil liability with respect to any individual or any agency.

26 (d) The signing and issuance of a child support debit

1 authorization form under this Section does not relieve the  
2 obligor from responsibility for compliance with any  
3 requirement under the order for support.

4 (e) A financial institution is obligated to debit the  
5 account of an obligor pursuant to this Section only if or to  
6 the extent:

7 (1) the financial institution reasonably believes the  
8 debit authorization form is a true and authentic original  
9 document;

10 (2) there are finally collected funds in the account;  
11 and

12 (3) the account is not subject to offsetting claims of  
13 the financial institution, whether due at the time of  
14 receipt of the debit authorization form or thereafter to  
15 become due and whether liquidated or unliquidated.

16 To the extent the account of the obligor is pledged or held  
17 by the financial institution as security for a loan or other  
18 obligation, or that the financial institution has any other  
19 claim or lien against the account, the financial institution is  
20 entitled to retain the account.

21 (Source: P.A. 95-331, eff. 8-21-07.)

22 (305 ILCS 5/10-17) (from Ch. 23, par. 10-17)

23 Sec. 10-17. Other Actions and Remedies for Support. The  
24 procedures, actions and remedies provided in this Article shall  
25 in no way be exclusive, but shall be available in addition to

1 other actions and remedies of support, including, but not by  
2 way of limitation, the remedies provided in (a) the Illinois  
3 Parentage Act of 2015 ~~"Paternity Act", approved July 5, 1957,~~  
4 ~~as amended~~; (b) the "Non-Support of Spouse and Children Act",  
5 approved June 24, 1915, as amended; (b-5) the Non-Support  
6 Punishment Act; and (c) the "Revised Uniform Reciprocal  
7 Enforcement of Support Act", approved August 28, 1969, as  
8 amended.

9 (Source: P.A. 91-613, eff. 10-1-99.)

10 (305 ILCS 5/10-17.7)

11 Sec. 10-17.7. Administrative determination of paternity.  
12 The Illinois Department may provide by rule for the  
13 administrative determination of paternity by the Child and  
14 Spouse Support Unit in cases involving applicants for or  
15 recipients of financial aid under Article IV of this Act and  
16 other persons who are given access to the child support  
17 enforcement services of this Article as provided in Section  
18 10-1, including persons similarly situated and receiving  
19 similar services in other states. The rules shall extend to  
20 cases in which the mother and alleged father voluntarily  
21 acknowledge paternity in the form required by the Illinois  
22 Department or agree to be bound by the results of genetic  
23 testing or in which the alleged father has failed to respond to  
24 a notification of support obligation issued under Section 10-4  
25 and to cases of contested paternity. The Illinois Department's



1 form for voluntary acknowledgement of paternity shall be the  
2 same form prepared by the Illinois Department for use under the  
3 requirements of Section 12 of the Vital Records Act. Any  
4 presumption provided for under the Illinois Parentage Act of  
5 1984 or under the Illinois Parentage Act of 2015 on and after  
6 the effective date of that Act shall apply to cases in which  
7 paternity is determined under the rules of the Illinois  
8 Department. The rules shall provide for notice and an  
9 opportunity to be heard by the responsible relative and the  
10 person receiving child support enforcement services under this  
11 Article if paternity is not voluntarily acknowledged, and any  
12 final administrative decision rendered by the Illinois  
13 Department shall be reviewed only under and in accordance with  
14 the Administrative Review Law. Determinations of paternity  
15 made by the Illinois Department under the rules authorized by  
16 this Section shall have the full force and effect of a court  
17 judgment of paternity entered under the Illinois Parentage Act  
18 of 1984 or under the Illinois Parentage Act of 2015.

19 In determining paternity in contested cases, the Illinois  
20 Department shall conduct the evidentiary hearing in accordance  
21 with Article 4 of the Illinois Parentage Act of 2015 ~~Section 11~~  
22 ~~of the Parentage Act of 1984~~, except that references in that  
23 Article ~~Section~~ to "the court" shall be deemed to mean the  
24 Illinois Department's hearing officer in cases in which  
25 paternity is determined administratively by the Illinois  
26 Department.

1           Notwithstanding any other provision of this Article, a  
2           default determination of paternity may be made if service of  
3           the notice under Section 10-4 was made by publication under the  
4           rules for administrative paternity determination authorized by  
5           this Section. The rules as they pertain to service by  
6           publication shall (i) be based on the provisions of Section  
7           2-206 and 2-207 of the Code of Civil Procedure, (ii) provide  
8           for service by publication in cases in which the whereabouts of  
9           the alleged father are unknown after diligent location efforts  
10          by the Child and Spouse Support Unit, and (iii) provide for  
11          publication of a notice of default paternity determination in  
12          the same manner that the notice under Section 10-4 was  
13          published.

14          The Illinois Department may implement this Section through  
15          the use of emergency rules in accordance with Section 5-45 of  
16          the Illinois Administrative Procedure Act. For purposes of the  
17          Illinois Administrative Procedure Act, the adoption of rules to  
18          implement this Section shall be considered an emergency and  
19          necessary for the public interest, safety, and welfare.

20          (Source: P.A. 96-333, eff. 8-11-09; 96-474, eff. 8-14-09.)

21                 (305 ILCS 5/10-19) (from Ch. 23, par. 10-19)

22                 Sec. 10-19. Support Payments Ordered Under Other Laws;  
23                 where deposited. The Illinois Department and local  
24                 governmental units are authorized to receive payments directed  
25                 by court order for the support of recipients, as provided in

1 the following Acts:

2 1. "Non-Support of Spouse and Children Act", approved June  
3 24, 1915, as amended,

4 1.5. The Non-Support Punishment Act,

5 2. "Illinois Marriage and Dissolution of Marriage Act", as  
6 now or hereafter amended,

7 3. The Illinois Parentage Act, as amended,

8 3.5. The Illinois Parentage Act of 2015,

9 4. "Revised Uniform Reciprocal Enforcement of Support  
10 Act", approved August 28, 1969, as amended,

11 5. The Juvenile Court Act or the Juvenile Court Act of  
12 1987, as amended,

13 6. The "Unified Code of Corrections", approved July 26,  
14 1972, as amended,

15 7. Part 7 of Article XII of the Code of Civil Procedure, as  
16 amended,

17 8. Part 8 of Article XII of the Code of Civil Procedure, as  
18 amended, and

19 9. Other laws which may provide by judicial order for  
20 direct payment of support moneys.

21 Payments under this Section to the Illinois Department  
22 pursuant to the Child Support Enforcement Program established  
23 by Title IV-D of the Social Security Act shall be paid into the  
24 Child Support Enforcement Trust Fund. All payments under this  
25 Section to the Illinois Department of Human Services shall be  
26 deposited in the DHS Recoveries Trust Fund. Disbursements from

1 these funds shall be as provided in Sections 12-9.1 and 12-10.2  
2 of this Code. Payments received by a local governmental unit  
3 shall be deposited in that unit's General Assistance Fund.

4 To the extent the provisions of this Section are  
5 inconsistent with the requirements pertaining to the State  
6 Disbursement Unit under Sections 10-10.4 and 10-26 of this  
7 Code, the requirements pertaining to the State Disbursement  
8 Unit shall apply.

9 (Source: P.A. 91-24, eff. 7-1-99; 91-212, eff. 7-20-99; 91-613,  
10 eff. 10-1-99; 92-16, eff. 6-28-01.)

11 (305 ILCS 5/10-25)

12 Sec. 10-25. Administrative liens and levies on real  
13 property for past-due child support.

14 (a) Notwithstanding any other State or local law to the  
15 contrary, the State shall have a lien on all legal and  
16 equitable interests of responsible relatives in their real  
17 property in the amount of past-due child support owing pursuant  
18 to an order for child support entered under Sections 10-10 and  
19 10-11 of this Code, or under the Illinois Marriage and  
20 Dissolution of Marriage Act, the Non-Support of Spouse and  
21 Children Act, the Non-Support Punishment Act, the Uniform  
22 Interstate Family Support Act, ~~or~~ the Illinois Parentage Act of  
23 1984, or the Illinois Parentage Act of 2015.

24 (b) The Illinois Department shall provide by rule for  
25 notice to and an opportunity to be heard by each responsible

1 relative affected, and any final administrative decision  
2 rendered by the Illinois Department shall be reviewed only  
3 under and in accordance with the Administrative Review Law.

4 (c) When enforcing a lien under subsection (a) of this  
5 Section, the Illinois Department shall have the authority to  
6 execute notices of administrative liens and levies, which shall  
7 contain the name and address of the responsible relative, a  
8 legal description of the real property to be levied, the fact  
9 that a lien is being claimed for past-due child support, and  
10 such other information as the Illinois Department may by rule  
11 prescribe. The Illinois Department shall record the notice of  
12 lien with the recorder or registrar of titles of the county or  
13 counties in which the real estate is located.

14 (d) The State's lien under subsection (a) shall be  
15 enforceable upon the recording or filing of a notice of lien  
16 with the recorder or registrar of titles of the county or  
17 counties in which the real estate is located. The lien shall be  
18 prior to any lien thereafter recorded or filed and shall be  
19 notice to a subsequent purchaser, assignor, or encumbrancer of  
20 the existence and nature of the lien. The lien shall be  
21 inferior to the lien of general taxes, special assessment, and  
22 special taxes heretofore or hereafter levied by any political  
23 subdivision or municipal corporation of the State.

24 In the event that title to the land to be affected by the  
25 notice of lien is registered under the Registered Titles  
26 (Torrens) Act, the notice shall be filed in the office of the

1 registrar of titles as a memorial or charge upon each folium of  
2 the register of titles affected by the notice; but the State  
3 shall not have a preference over the rights of any bona fide  
4 purchaser, mortgagee, judgment creditor, or other lien holders  
5 registered prior to the registration of the notice.

6 (e) The recorder or registrar of titles of each county  
7 shall procure a file labeled "Child Support Lien Notices" and  
8 an index book labeled "Child Support Lien Notices". When notice  
9 of any lien is presented to the recorder or registrar of titles  
10 for filing, the recorder or registrar of titles shall file it  
11 in numerical order in the file and shall enter it  
12 alphabetically in the index. The entry shall show the name and  
13 last known address of the person named in the notice, the  
14 serial number of the notice, the date and hour of filing, and  
15 the amount of child support due at the time when the lien is  
16 filed.

17 (f) The Illinois Department shall not be required to  
18 furnish bond or make a deposit for or pay any costs or fees of  
19 any court or officer thereof in any legal proceeding involving  
20 the lien.

21 (g) To protect the lien of the State for past-due child  
22 support, the Illinois Department may, from funds that are  
23 available for that purpose, pay or provide for the payment of  
24 necessary or essential repairs, purchase tax certificates, pay  
25 balances due on land contracts, or pay or cause to be satisfied  
26 any prior liens on the property to which the lien hereunder

1 applies.

2 (h) A lien on real property under this Section shall be  
3 released pursuant to Section 12-101 of the Code of Civil  
4 Procedure.

5 (i) The Illinois Department, acting in behalf of the State,  
6 may foreclose the lien in a judicial proceeding to the same  
7 extent and in the same manner as in the enforcement of other  
8 liens. The process, practice, and procedure for the foreclosure  
9 shall be the same as provided in the Code of Civil Procedure.

10 (Source: P.A. 97-186, eff. 7-22-11.)

11 (305 ILCS 5/10-25.5)

12 Sec. 10-25.5. Administrative liens and levies on personal  
13 property for past-due child support.

14 (a) Notwithstanding any other State or local law to the  
15 contrary, the State shall have a lien on all legal and  
16 equitable interests of responsible relatives in their personal  
17 property, including any account in a financial institution as  
18 defined in Section 10-24, or in the case of an insurance  
19 company or benefit association only in accounts as defined in  
20 Section 10-24, in the amount of past-due child support owing  
21 pursuant to an order for child support entered under Sections  
22 10-10 and 10-11 of this Code, or under the Illinois Marriage  
23 and Dissolution of Marriage Act, the Non-Support of Spouse and  
24 Children Act, the Non-Support Punishment Act, the Uniform  
25 Interstate Family Support Act, ~~or~~ the Illinois Parentage Act of

1 1984, or the Illinois Parentage Act of 2015.

2 (b) The Illinois Department shall provide by rule for  
3 notice to and an opportunity to be heard by each responsible  
4 relative affected, and any final administrative decision  
5 rendered by the Illinois Department shall be reviewed only  
6 under and in accordance with the Administrative Review Law.

7 (c) When enforcing a lien under subsection (a) of this  
8 Section, the Illinois Department shall have the authority to  
9 execute notices of administrative liens and levies, which shall  
10 contain the name and address of the responsible relative, a  
11 description of the property to be levied, the fact that a lien  
12 is being claimed for past-due child support, and such other  
13 information as the Illinois Department may by rule prescribe.  
14 The Illinois Department may serve the notice of lien or levy  
15 upon any financial institution where the accounts as defined in  
16 Section 10-24 of the responsible relative may be held, for  
17 encumbrance or surrender of the accounts as defined in Section  
18 10-24 by the financial institution.

19 (d) The Illinois Department shall enforce its lien against  
20 the responsible relative's personal property, other than  
21 accounts as defined in Section 10-24 in financial institutions,  
22 and levy upon such personal property in the manner provided for  
23 enforcement of judgments contained in Article XII of the Code  
24 of Civil Procedure.

25 (e) The Illinois Department shall not be required to  
26 furnish bond or make a deposit for or pay any costs or fees of



1 any court or officer thereof in any legal proceeding involving  
2 the lien.

3 (f) To protect the lien of the State for past-due child  
4 support, the Illinois Department may, from funds that are  
5 available for that purpose, pay or provide for the payment of  
6 necessary or essential repairs, purchase tax certificates, or  
7 pay or cause to be satisfied any prior liens on the property to  
8 which the lien hereunder applies.

9 (g) A lien on personal property under this Section shall be  
10 released in the manner provided under Article XII of the Code  
11 of Civil Procedure. Notwithstanding the foregoing, a lien under  
12 this Section on accounts as defined in Section 10-24 shall  
13 expire upon the passage of 120 days from the date of issuance  
14 of the Notice of Lien or Levy by the Illinois Department.  
15 However, the lien shall remain in effect during the pendency of  
16 any appeal or protest.

17 (h) A lien created under this Section is subordinate to any  
18 prior lien of the financial institution or any prior lien  
19 holder or any prior right of set-off that the financial  
20 institution may have against the assets, or in the case of an  
21 insurance company or benefit association only in the accounts  
22 as defined in Section 10-24.

23 (i) A financial institution has no obligation under this  
24 Section to hold, encumber, or surrender the assets, or in the  
25 case of an insurance company or benefit association only the  
26 accounts as defined in Section 10-24, until the financial

1 institution has been properly served with a subpoena, summons,  
2 warrant, court or administrative order, or administrative lien  
3 and levy requiring that action.

4 (Source: P.A. 97-186, eff. 7-22-11.)

5 (305 ILCS 5/10-27)

6 Sec. 10-27. State Case Registry.

7 (a) The Illinois Department shall establish an automated  
8 State Case Registry to contain records concerning child support  
9 orders for parties receiving child support enforcement  
10 services under this Article X, and for all child support orders  
11 entered or modified on or after October 1, 1998. The State Case  
12 Registry shall include (i) the information filed with the  
13 Illinois Department, or filed with the clerk of the circuit  
14 court and provided to the Illinois Department, under the  
15 provisions of Sections 10-10.5 and 10-11.2 of this Code,  
16 Section 505.3 of the Illinois Marriage and Dissolution of  
17 Marriage Act, Section 30 of the Non-Support Punishment Act, ~~and~~  
18 Section 803 of the Illinois Parentage Act of 2015, and Section  
19 14.1 of the Illinois Parentage Act of 1984, and (ii) any other  
20 information required under Title IV, Part D of the Social  
21 Security Act or by the federal Department of Health and Human  
22 Services.

23 (b) (Blank).

24 (c) The Illinois Department shall maintain the following  
25 payment information on child support orders for parties

1 receiving child support enforcement services under this  
2 Article X:

3 (1) the amount of monthly or other periodic support  
4 owed under the order and other amounts, including  
5 arrearages, interest or late payment penalties, and fees,  
6 due or overdue under the order;

7 (2) any amounts described in subdivision (1) of  
8 subsection (d) that have been collected;

9 (3) the distribution of the collected amounts; and

10 (4) the amount of any lien imposed with respect to the  
11 order pursuant to Section 10-25 or Section 10-25.5 of this  
12 Code.

13 (d) The Illinois Department shall establish, update,  
14 maintain, and monitor case records in the Registry of parties  
15 receiving child support enforcement services under this  
16 Article X, on the bases of:

17 (1) information on administrative actions and  
18 administrative and judicial proceedings and orders  
19 relating to paternity and support;

20 (2) information obtained from comparison with federal,  
21 State, and local sources of information;

22 (3) information on support collections and  
23 distribution; and

24 (4) any other relevant information.

25 (e) The Illinois Department shall use the automated State  
26 Case Registry to share and compare information with, and

1 receive information from, other data bases and information  
2 comparison services in order to obtain (or provide) information  
3 necessary to enable the Illinois Department (or the federal  
4 Department of Health and Human Services or other State or  
5 federal agencies) to carry out the requirements of the child  
6 support enforcement program established under Title IV, Part D  
7 of the Social Security Act. Such information comparison  
8 activities shall include the following:

9 (1) Furnishing to the Federal Case Registry of Child  
10 Support Orders (and updating as necessary, with  
11 information including notice of expiration of orders) the  
12 information specified by the federal Department of Health  
13 and Human Services in regulations.

14 (2) Exchanging information with the Federal Parent  
15 Locator Service for the purposes specified in Section 453  
16 of the Social Security Act.

17 (3) Exchanging information with State agencies (of  
18 this State and of other states) administering programs  
19 funded under Title IV, Part A and Title XIX of the Social  
20 Security Act and other programs designated by the federal  
21 Department of Health and Human Services, as necessary to  
22 perform responsibilities under Title IV, Part D of the  
23 Social Security Act and under such other programs.

24 (4) Exchanging information with other agencies of this  
25 State, agencies of other states, and interstate  
26 information networks, as necessary and appropriate to

1 carry out (or assist other states to carry out) the  
2 purposes of Title IV, Part D of the Social Security Act.

3 (5) Disclosing information to any other entities as  
4 required under Title IV, Part D of the Social Security Act.

5 (f) The Illinois Department shall adopt rules establishing  
6 safeguards, applicable to all confidential information  
7 included in the State Case Registry, that are designed to  
8 protect the privacy rights of persons concerning whom  
9 information is on record in the State Case Registry. Such  
10 safeguards shall include, but not be limited to the following:

11 (1) Prohibitions against the release of information on  
12 the whereabouts of one party or the child to another party  
13 against whom a protective order with respect to the former  
14 party or the child has been entered.

15 (2) Prohibitions against the release of information on  
16 the whereabouts of one party or the child to another party  
17 if the Illinois Department has reasonable evidence of  
18 domestic violence or child abuse (that is, allegations of  
19 domestic violence or child abuse, unless the Illinois  
20 Department has an independent, reasonable basis to find the  
21 person making the allegation not credible) to the former  
22 party or child by the party requesting information.

23 (3) Prohibitions against the release of information on  
24 the whereabouts of one party or the child to another person  
25 if the Illinois Department has reason to believe the  
26 release of information to that person may result in

1 physical or emotional harm to the party or child.

2 (Source: P.A. 92-463, eff. 8-22-01.)

3 (305 ILCS 5/12-4.7c)

4 Sec. 12-4.7c. Exchange of information after July 1, 1997.

5 (a) The Department of Human Services shall exchange with  
6 the Department of Healthcare and Family Services information  
7 that may be necessary for the enforcement of child support  
8 orders entered pursuant to Sections 10-10 and 10-11 of this  
9 Code or pursuant to the Illinois Marriage and Dissolution of  
10 Marriage Act, the Non-Support of Spouse and Children Act, the  
11 Non-Support Punishment Act, the Revised Uniform Reciprocal  
12 Enforcement of Support Act, the Uniform Interstate Family  
13 Support Act, ~~or~~ the Illinois Parentage Act of 1984, or the  
14 Illinois Parentage Act of 2015.

15 (b) Notwithstanding any provisions in this Code to the  
16 contrary, the Department of Human Services shall not be liable  
17 to any person for any disclosure of information to the  
18 Department of Healthcare and Family Services (formerly  
19 Illinois Department of Public Aid) under subsection (a) or for  
20 any other action taken in good faith to comply with the  
21 requirements of subsection (a).

22 (Source: P.A. 95-331, eff. 8-21-07.)

23 Section 957. The Genetic Information Privacy Act is amended  
24 by changing Sections 22 and 30 as follows:

1 (410 ILCS 513/22)

2 Sec. 22. Tests to determine inherited characteristics in  
3 paternity proceedings. Nothing in this Act shall be construed  
4 to affect or restrict in any way the ordering of or use of  
5 results from deoxyribonucleic acid (DNA) testing or other tests  
6 to determine inherited characteristics by the court in a  
7 judicial proceeding under the Illinois Parentage Act of 1984 or  
8 under the Illinois Parentage Act of 2015 on and after the  
9 effective date of that Act or by the Department of Healthcare  
10 and Family Services in an administrative paternity proceeding  
11 under Article X of the Illinois Public Aid Code and rules  
12 promulgated under that Article.

13 (Source: P.A. 95-331, eff. 8-21-07.)

14 (410 ILCS 513/30)

15 Sec. 30. Disclosure of person tested and test results.

16 (a) No person may disclose or be compelled to disclose the  
17 identity of any person upon whom a genetic test is performed or  
18 the results of a genetic test in a manner that permits  
19 identification of the subject of the test, except to the  
20 following persons:

21 (1) The subject of the test or the subject's legally  
22 authorized representative. This paragraph does not create  
23 a duty or obligation under which a health care provider  
24 must notify the subject's spouse or legal guardian of the

1 test results, and no such duty or obligation shall be  
2 implied. No civil liability or criminal sanction under this  
3 Act shall be imposed for any disclosure or nondisclosure of  
4 a test result to a spouse by a physician acting in good  
5 faith under this paragraph. For the purpose of any  
6 proceedings, civil or criminal, the good faith of any  
7 physician acting under this paragraph shall be presumed.

8 (2) Any person designated in a specific written legally  
9 effective authorization for release of the test results  
10 executed by the subject of the test or the subject's  
11 legally authorized representative.

12 (3) An authorized agent or employee of a health  
13 facility or health care provider if the health facility or  
14 health care provider itself is authorized to obtain the  
15 test results, the agent or employee provides patient care,  
16 and the agent or employee has a need to know the  
17 information in order to conduct the tests or provide care  
18 or treatment.

19 (4) A health facility, health care provider, or health  
20 care professional that procures, processes, distributes,  
21 or uses:

22 (A) a human body part from a deceased person with  
23 respect to medical information regarding that person;  
24 or

25 (B) semen provided prior to the effective date of  
26 this Act for the purpose of artificial insemination.



1           (5) Health facility staff committees for the purposes  
2 of conducting program monitoring, program evaluation, or  
3 service reviews.

4           (6) In the case of a minor under 18 years of age, the  
5 health care provider, health care professional, or health  
6 facility who ordered the test shall make a reasonable  
7 effort to notify the minor's parent or legal guardian if,  
8 in the professional judgment of the health care provider,  
9 health care professional, or health facility, notification  
10 would be in the best interest of the minor and the health  
11 care provider, health care professional, or health  
12 facility has first sought unsuccessfully to persuade the  
13 minor to notify the parent or legal guardian or after a  
14 reasonable time after the minor has agreed to notify the  
15 parent or legal guardian, the health care provider, health  
16 care professional, or health facility has reason to believe  
17 that the minor has not made the notification. This  
18 paragraph shall not create a duty or obligation under which  
19 a health care provider, health care professional, or health  
20 facility must notify the minor's parent or legal guardian  
21 of the test results, nor shall a duty or obligation be  
22 implied. No civil liability or criminal sanction under this  
23 Act shall be imposed for any notification or  
24 non-notification of a minor's test result by a health care  
25 provider, health care professional, or health facility  
26 acting in good faith under this paragraph. For the purpose

1 of any proceeding, civil or criminal, the good faith of any  
2 health care provider, health care professional, or health  
3 facility acting under this paragraph shall be presumed.

4 (b) All information and records held by a State agency,  
5 local health authority, or health oversight agency pertaining  
6 to genetic information shall be strictly confidential and  
7 exempt from copying and inspection under the Freedom of  
8 Information Act. The information and records shall not be  
9 released or made public by the State agency, local health  
10 authority, or health oversight agency and shall not be  
11 admissible as evidence nor discoverable in any action of any  
12 kind in any court or before any tribunal, board, agency, or  
13 person and shall be treated in the same manner as the  
14 information and those records subject to the provisions of Part  
15 21 of Article VIII of the Code of Civil Procedure except under  
16 the following circumstances:

17 (A) when made with the written consent of all  
18 persons to whom the information pertains;

19 (B) when authorized by Section 5-4-3 of the Unified  
20 Code of Corrections;

21 (C) when made for the sole purpose of implementing  
22 the Newborn Metabolic Screening Act and rules; or

23 (D) when made under the authorization of the  
24 Illinois Parentage Act of 2015 ~~1984~~.

25 Disclosure shall be limited to those who have a need to  
26 know the information, and no additional disclosures may be

1 made.

2 (c) Disclosure by an insurer in accordance with the  
3 requirements of the Article XL of the Illinois Insurance Code  
4 shall be deemed compliance with this Section.

5 (Source: P.A. 98-1046, eff. 1-1-15.)

6 Section 958. The Vital Records Act is amended by changing  
7 Sections 12 and 24 as follows:

8 (410 ILCS 535/12)

9 Sec. 12. Live births; place of registration.

10 (1) Each live birth which occurs in this State shall be  
11 registered with the local or subregistrar of the district in  
12 which the birth occurred as provided in this Section, within 7  
13 days after the birth. When a birth occurs on a moving  
14 conveyance, the city, village, township, or road district in  
15 which the child is first removed from the conveyance shall be  
16 considered the place of birth and a birth certificate shall be  
17 filed in the registration district in which the place is  
18 located.

19 (2) When a birth occurs in an institution, the person in  
20 charge of the institution or his designated representative  
21 shall obtain and record all the personal and statistical  
22 particulars relative to the parents of the child that are  
23 required to properly complete the live birth certificate; shall  
24 secure the required personal signatures on the hospital

1 worksheet; shall prepare the certificate from this worksheet;  
2 and shall file the certificate with the local registrar. The  
3 institution shall retain the hospital worksheet permanently or  
4 as otherwise specified by rule. The physician in attendance  
5 shall verify or provide the date of birth and medical  
6 information required by the certificate, within 24 hours after  
7 the birth occurs.

8 (3) When a birth occurs outside an institution, the  
9 certificate shall be prepared and filed by one of the following  
10 in the indicated order of priority:

11 (a) The physician in attendance at or immediately after  
12 the birth, or in the absence of such a person,

13 (b) Any other person in attendance at or immediately  
14 after the birth, or in the absence of such a person,

15 (c) The father, the mother, or in the absence of the  
16 father and the inability of the mother, the person in  
17 charge of the premises where the birth occurred.

18 (4) Unless otherwise provided in this Act, if the mother  
19 was not married to the father of the child at either the time  
20 of conception or the time of birth, the name of the father  
21 shall be entered on the child's birth certificate only if the  
22 mother and the person to be named as the father have signed an  
23 acknowledgment of parentage in accordance with subsection (5).

24 Unless otherwise provided in this Act, if the mother was  
25 married at the time of conception or birth and the presumed  
26 father (that is, the mother's husband) is not the biological

1 father of the child, the name of the biological father shall be  
2 entered on the child's birth certificate only if, in accordance  
3 with subsection (5), (i) the mother and the person to be named  
4 as the father have signed an acknowledgment of parentage and  
5 (ii) the mother and presumed father have signed a denial of  
6 paternity.

7 (5) Upon the birth of a child to an unmarried woman, or  
8 upon the birth of a child to a woman who was married at the time  
9 of conception or birth and whose husband is not the biological  
10 father of the child, the institution at the time of birth and  
11 the local registrar or county clerk after the birth shall do  
12 the following:

13 (a) Provide (i) an opportunity for the child's mother  
14 and father to sign an acknowledgment of parentage and (ii)  
15 if the presumed father is not the biological father, an  
16 opportunity for the mother and presumed father to sign a  
17 denial of paternity. The signing and witnessing of the  
18 acknowledgment of parentage or, if the presumed father of  
19 the child is not the biological father, the acknowledgment  
20 of parentage and denial of paternity conclusively  
21 establishes a parent and child relationship in accordance  
22 with Sections 5 and 6 of the Illinois Parentage Act of 1984  
23 and with the Illinois Parentage Act of 2015 on and after  
24 the effective date of that Act.

25 The Department of Healthcare and Family Services shall  
26 furnish the acknowledgment of parentage and denial of

1 paternity form to institutions, county clerks, and State  
2 and local registrars' offices. The form shall include  
3 instructions to send the original signed and witnessed  
4 acknowledgment of parentage and denial of paternity to the  
5 Department of Healthcare and Family Services. The  
6 acknowledgement of paternity and denial of paternity form  
7 shall also include a statement informing the mother, the  
8 alleged father, and the presumed father, if any, that they  
9 have the right to request deoxyribonucleic acid (DNA) tests  
10 regarding the issue of the child's paternity and that by  
11 signing the form, they expressly waive such tests. The  
12 statement shall be set forth in bold-face capital letters  
13 not less than 0.25 inches in height.

14 (b) Provide the following documents, furnished by the  
15 Department of Healthcare and Family Services, to the  
16 child's mother, biological father, and (if the person  
17 presumed to be the child's father is not the biological  
18 father) presumed father for their review at the time the  
19 opportunity is provided to establish a parent and child  
20 relationship:

21 (i) An explanation of the implications of,  
22 alternatives to, legal consequences of, and the rights  
23 and responsibilities that arise from signing an  
24 acknowledgment of parentage and, if necessary, a  
25 denial of paternity, including an explanation of the  
26 parental rights and responsibilities of child support,

1 visitation, custody, retroactive support, health  
2 insurance coverage, and payment of birth expenses.

3 (ii) An explanation of the benefits of having a  
4 child's parentage established and the availability of  
5 parentage establishment and child support enforcement  
6 services.

7 (iii) A request for an application for child  
8 support enforcement services from the Department of  
9 Healthcare and Family Services.

10 (iv) Instructions concerning the opportunity to  
11 speak, either by telephone or in person, with staff of  
12 the Department of Healthcare and Family Services who  
13 are trained to clarify information and answer  
14 questions about paternity establishment.

15 (v) Instructions for completing and signing the  
16 acknowledgment of parentage and denial of paternity.

17 (c) Provide an oral explanation of the documents and  
18 instructions set forth in subdivision (5) (b), including an  
19 explanation of the implications of, alternatives to, legal  
20 consequences of, and the rights and responsibilities that  
21 arise from signing an acknowledgment of parentage and, if  
22 necessary, a denial of paternity. The oral explanation may  
23 be given in person or through the use of video or audio  
24 equipment.

25 (6) The institution, State or local registrar, or county  
26 clerk shall provide an opportunity for the child's father or

1 mother to sign a rescission of parentage. The signing and  
2 witnessing of the rescission of parentage voids the  
3 acknowledgment of parentage and nullifies the presumption of  
4 paternity if executed and filed with the Department of  
5 Healthcare and Family Services (formerly Illinois Department  
6 of Public Aid) within the time frame contained in Section 5 of  
7 the Illinois Parentage Act of 1984 or Section 307 of the  
8 Illinois Parentage Act of 2015 on and after the effective date  
9 of that Act. The Department of Healthcare and Family Services  
10 shall furnish the rescission of parentage form to institutions,  
11 county clerks, and State and local registrars' offices. The  
12 form shall include instructions to send the original signed and  
13 witnessed rescission of parentage to the Department of  
14 Healthcare and Family Services.

15 (7) An acknowledgment of paternity signed pursuant to  
16 Section 6 of the Illinois Parentage Act of 1984 or Section 302  
17 of the Illinois Parentage Act of 2015 on and after the  
18 effective date of that Act may be challenged in court only on  
19 the basis of fraud, duress, or material mistake of fact, with  
20 the burden of proof upon the challenging party. Pending outcome  
21 of a challenge to the acknowledgment of paternity, the legal  
22 responsibilities of the signatories shall remain in full force  
23 and effect, except upon order of the court upon a showing of  
24 good cause.

25 (8) When the process for acknowledgment of parentage as  
26 provided for under subsection (5) establishes the paternity of



1 a child whose certificate of birth is on file in another state,  
2 the Department of Healthcare and Family Services shall forward  
3 a copy of the acknowledgment of parentage, the denial of  
4 paternity, if applicable, and the rescission of parentage, if  
5 applicable, to the birth record agency of the state where the  
6 child's certificate of birth is on file.

7 (9) In the event the parent-child relationship has been  
8 established in accordance with subdivision (a)(1) of Section 6  
9 of the Parentage Act of 1984, the names of the biological  
10 mother and biological father so established shall be entered on  
11 the child's birth certificate, and the names of the surrogate  
12 mother and surrogate mother's husband, if any, shall not be on  
13 the birth certificate.

14 (Source: P.A. 95-331, eff. 8-21-07; 96-333, eff. 8-11-09;  
15 96-474, eff. 8-14-09; 96-1000, eff. 7-2-10.)

16 (410 ILCS 535/24) (from Ch. 111 1/2, par. 73-24)

17 Sec. 24. (1) To protect the integrity of vital records, to  
18 insure their proper use, and to insure the efficient and proper  
19 administration of the vital records system, access to vital  
20 records, and indexes thereof, including vital records in the  
21 custody of local registrars and county clerks originating prior  
22 to January 1, 1916, is limited to the custodian and his  
23 employees, and then only for administrative purposes, except  
24 that the indexes of those records in the custody of local  
25 registrars and county clerks, originating prior to January 1,

1 1916, shall be made available to persons for the purpose of  
2 genealogical research. Original, photographic or  
3 microphotographic reproductions of original records of births  
4 100 years old and older and deaths 50 years old and older, and  
5 marriage records 75 years old and older on file in the State  
6 Office of Vital Records and in the custody of the county clerks  
7 may be made available for inspection in the Illinois State  
8 Archives reference area, Illinois Regional Archives  
9 Depositories, and other libraries approved by the Illinois  
10 State Registrar and the Director of the Illinois State  
11 Archives, provided that the photographic or microphotographic  
12 copies are made at no cost to the county or to the State of  
13 Illinois. It is unlawful for any custodian to permit inspection  
14 of, or to disclose information contained in, vital records, or  
15 to copy or permit to be copied, all or part of any such record  
16 except as authorized by this Act or regulations adopted  
17 pursuant thereto.

18 (2) The State Registrar of Vital Records, or his agent, and  
19 any municipal, county, multi-county, public health district,  
20 or regional health officer recognized by the Department may  
21 examine vital records for the purpose only of carrying out the  
22 public health programs and responsibilities under his  
23 jurisdiction.

24 (3) The State Registrar of Vital Records, may disclose, or  
25 authorize the disclosure of, data contained in the vital  
26 records when deemed essential for bona fide research purposes

1 which are not for private gain.

2 This amendatory Act of 1973 does not apply to any home rule  
3 unit.

4 (4) The State Registrar shall exchange with the Department  
5 of Healthcare and Family Services information that may be  
6 necessary for the establishment of paternity and the  
7 establishment, modification, and enforcement of child support  
8 orders entered pursuant to the Illinois Public Aid Code, the  
9 Illinois Marriage and Dissolution of Marriage Act, the  
10 Non-Support of Spouse and Children Act, the Non-Support  
11 Punishment Act, the Revised Uniform Reciprocal Enforcement of  
12 Support Act, the Uniform Interstate Family Support Act, ~~or~~ the  
13 Illinois Parentage Act of 1984, or the Illinois Parentage Act  
14 of 2015. Notwithstanding any provisions in this Act to the  
15 contrary, the State Registrar shall not be liable to any person  
16 for any disclosure of information to the Department of  
17 Healthcare and Family Services (formerly Illinois Department  
18 of Public Aid) under this subsection or for any other action  
19 taken in good faith to comply with the requirements of this  
20 subsection.

21 (Source: P.A. 95-331, eff. 8-21-07.)

22 Section 959. The Illinois Vehicle Code is amended by  
23 changing Sections 2-109.1 and 7-703 as follows:

24 (625 ILCS 5/2-109.1)

1           Sec. 2-109.1. Exchange of information.

2           (a) The Secretary of State shall exchange information with  
3 the Department of Healthcare and Family Services which may be  
4 necessary for the establishment of paternity and the  
5 establishment, modification, and enforcement of child support  
6 orders pursuant to the Illinois Public Aid Code, the Illinois  
7 Marriage and Dissolution of Marriage Act, the Non-Support of  
8 Spouse and Children Act, the Non-Support Punishment Act, the  
9 Revised Uniform Reciprocal Enforcement of Support Act, the  
10 Uniform Interstate Family Support Act, ~~or~~ the Illinois  
11 Parentage Act of 1984, or the Illinois Parentage Act of 2015.

12           (b) Notwithstanding any provisions in this Code to the  
13 contrary, the Secretary of State shall not be liable to any  
14 person for any disclosure of information to the Department of  
15 Healthcare and Family Services (formerly Illinois Department  
16 of Public Aid) under subsection (a) or for any other action  
17 taken in good faith to comply with the requirements of  
18 subsection (a).

19           (Source: P.A. 95-331, eff. 8-21-07.)

20           (625 ILCS 5/7-703)

21           Sec. 7-703. Courts to report non-payment of court ordered  
22 support or orders concerning driving privileges.

23           (a) The clerk of the circuit court, as provided in  
24 subsection (b) of Section 505 of the Illinois Marriage and  
25 Dissolution of Marriage Act or as provided in Section 15 of the

1 Illinois Parentage Act of 2015 ~~1984~~, shall forward to the  
2 Secretary of State, on a form prescribed by the Secretary, an  
3 authenticated document certifying the court's order suspending  
4 the driving privileges of the obligor. For any such  
5 certification, the clerk of the court shall charge the obligor  
6 a fee of \$5 as provided in the Clerks of Courts Act.

7 (b) If an obligor has been adjudicated in arrears in court  
8 ordered child support payments in an amount equal to 90 days  
9 obligation or more but has not been held in contempt of court,  
10 the circuit court may order that the obligor's driving  
11 privileges be suspended. If the circuit court orders that the  
12 obligor's driving privileges be suspended, it shall forward to  
13 the Secretary of State, on a form prescribed by the Secretary,  
14 an authenticated document certifying the court's order  
15 suspending the driving privileges of the obligor. The  
16 authenticated document shall be forwarded to the Secretary of  
17 State by the court no later than 45 days after entry of the  
18 order suspending the obligor's driving privileges.

19 (c) The clerk of the circuit court, as provided in  
20 subsection (c-1) of Section 607.1 of the Illinois Marriage and  
21 Dissolution of Marriage Act, shall forward to the Secretary of  
22 State, on a form prescribed by the Secretary, an authenticated  
23 document certifying the court's order suspending the driving  
24 privileges of the party. For any such certification, the clerk  
25 of the court shall charge the party a fee of \$5 as provided in  
26 the Clerks of Courts Act.

1 (d) If a party has been adjudicated to have engaged in  
2 visitation abuse, the circuit court may order that the party's  
3 driving privileges be suspended. If the circuit court orders  
4 that the party's driving privileges be suspended, it shall  
5 forward to the Secretary of State, on a form prescribed by the  
6 Secretary, an authenticated document certifying the court's  
7 order suspending the driving privileges of the party. The  
8 authenticated document shall be forwarded to the Secretary of  
9 State by the court no later than 45 days after entry of the  
10 order suspending the party's driving privileges.

11 (Source: P.A. 97-1047, eff. 8-21-12.)

12 Section 960. The Clerks of Courts Act is amended by  
13 changing Section 27.1a as follows:

14 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

15 Sec. 27.1a. The fees of the clerks of the circuit court in  
16 all counties having a population of not more than 500,000  
17 inhabitants in the instances described in this Section shall be  
18 as provided in this Section. In those instances where a minimum  
19 and maximum fee is stated, the clerk of the circuit court must  
20 charge the minimum fee listed and may charge up to the maximum  
21 fee if the county board has by resolution increased the fee.  
22 The fees shall be paid in advance and shall be as follows:

23 (a) Civil Cases.

24 The fee for filing a complaint, petition, or other

1 pleading initiating a civil action, with the following  
2 exceptions, shall be a minimum of \$40 and a maximum of  
3 \$160.

4 (A) When the amount of money or damages or the  
5 value of personal property claimed does not exceed  
6 \$250, \$10.

7 (B) When that amount exceeds \$250 but does not  
8 exceed \$500, a minimum of \$10 and a maximum of \$20.

9 (C) When that amount exceeds \$500 but does not  
10 exceed \$2500, a minimum of \$25 and a maximum of \$40.

11 (D) When that amount exceeds \$2500 but does not  
12 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

13 (E) For the exercise of eminent domain, a minimum  
14 of \$45 and a maximum of \$150. For each additional lot  
15 or tract of land or right or interest therein subject  
16 to be condemned, the damages in respect to which shall  
17 require separate assessment by a jury, a minimum of \$45  
18 and a maximum of \$150.

19 (a-1) Family.

20 For filing a petition under the Juvenile Court Act of  
21 1987, \$25.

22 For filing a petition for a marriage license, \$10.

23 For performing a marriage in court, \$10.

24 For filing a petition under the Illinois Parentage Act  
25 of 2015 ~~1984~~, \$40.

26 (b) Forcible Entry and Detainer.

1           In each forcible entry and detainer case when the  
2           plaintiff seeks possession only or unites with his or her  
3           claim for possession of the property a claim for rent or  
4           damages or both in the amount of \$15,000 or less, a minimum  
5           of \$10 and a maximum of \$50. When the plaintiff unites his  
6           or her claim for possession with a claim for rent or  
7           damages or both exceeding \$15,000, a minimum of \$40 and a  
8           maximum of \$160.

9           (c) Counterclaim or Joining Third Party Defendant.

10           When any defendant files a counterclaim as part of his  
11           or her answer or otherwise or joins another party as a  
12           third party defendant, or both, the defendant shall pay a  
13           fee for each counterclaim or third party action in an  
14           amount equal to the fee he or she would have had to pay had  
15           he or she brought a separate action for the relief sought  
16           in the counterclaim or against the third party defendant,  
17           less the amount of the appearance fee, if that has been  
18           paid.

19           (d) Confession of Judgment.

20           In a confession of judgment when the amount does not  
21           exceed \$1500, a minimum of \$20 and a maximum of \$50. When  
22           the amount exceeds \$1500, but does not exceed \$15,000, a  
23           minimum of \$40 and a maximum of \$115. When the amount  
24           exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

25           (e) Appearance.

26           The fee for filing an appearance in each civil case



1 shall be a minimum of \$15 and a maximum of \$60, except as  
2 follows:

3 (A) When the plaintiff in a forcible entry and  
4 detainer case seeks possession only, a minimum of \$10  
5 and a maximum of \$50.

6 (B) When the amount in the case does not exceed  
7 \$1500, a minimum of \$10 and a maximum of \$30.

8 (C) When that amount exceeds \$1500 but does not  
9 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

10 (f) Garnishment, Wage Deduction, and Citation.

11 In garnishment affidavit, wage deduction affidavit,  
12 and citation petition when the amount does not exceed  
13 \$1,000, a minimum of \$5 and a maximum of \$15; when the  
14 amount exceeds \$1,000 but does not exceed \$5,000, a minimum  
15 of \$5 and a maximum of \$30; and when the amount exceeds  
16 \$5,000, a minimum of \$5 and a maximum of \$50.

17 (g) Petition to Vacate or Modify.

18 (1) Petition to vacate or modify any final judgment or  
19 order of court, except in forcible entry and detainer cases  
20 and small claims cases or a petition to reopen an estate,  
21 to modify, terminate, or enforce a judgment or order for  
22 child or spousal support, or to modify, suspend, or  
23 terminate an order for withholding, if filed before 30 days  
24 after the entry of the judgment or order, a minimum of \$20  
25 and a maximum of \$50.

26 (2) Petition to vacate or modify any final judgment or

1 order of court, except a petition to modify, terminate, or  
2 enforce a judgment or order for child or spousal support or  
3 to modify, suspend, or terminate an order for withholding,  
4 if filed later than 30 days after the entry of the judgment  
5 or order, a minimum of \$20 and a maximum of \$75.

6 (3) Petition to vacate order of bond forfeiture, a  
7 minimum of \$10 and a maximum of \$40.

8 (h) Mailing.

9 When the clerk is required to mail, the fee will be a  
10 minimum of \$2 and a maximum of \$10, plus the cost of  
11 postage.

12 (i) Certified Copies.

13 Each certified copy of a judgment after the first,  
14 except in small claims and forcible entry and detainer  
15 cases, a minimum of \$2 and a maximum of \$10.

16 (j) Habeas Corpus.

17 For filing a petition for relief by habeas corpus, a  
18 minimum of \$60 and a maximum of \$100.

19 (k) Certification, Authentication, and Reproduction.

20 (1) Each certification or authentication for taking  
21 the acknowledgment of a deed or other instrument in writing  
22 with the seal of office, a minimum of \$2 and a maximum of  
23 \$6.

24 (2) Court appeals when original documents are  
25 forwarded, under 100 pages, plus delivery and costs, a  
26 minimum of \$20 and a maximum of \$60.

1           (3) Court appeals when original documents are  
2 forwarded, over 100 pages, plus delivery and costs, a  
3 minimum of \$50 and a maximum of \$150.

4           (4) Court appeals when original documents are  
5 forwarded, over 200 pages, an additional fee of a minimum  
6 of 20 cents and a maximum of 25 cents per page.

7           (5) For reproduction of any document contained in the  
8 clerk's files:

9                   (A) First page, a minimum of \$1 and a maximum of  
10                   \$2.

11                   (B) Next 19 pages, 50 cents per page.

12                   (C) All remaining pages, 25 cents per page.

13 (l) Remands.

14           In any cases remanded to the Circuit Court from the  
15 Supreme Court or the Appellate Court for a new trial, the  
16 clerk shall file the remanding order and reinstate the case  
17 with either its original number or a new number. The Clerk  
18 shall not charge any new or additional fee for the  
19 reinstatement. Upon reinstatement the Clerk shall advise  
20 the parties of the reinstatement. A party shall have the  
21 same right to a jury trial on remand and reinstatement as  
22 he or she had before the appeal, and no additional or new  
23 fee or charge shall be made for a jury trial after remand.

24 (m) Record Search.

25           For each record search, within a division or municipal  
26 district, the clerk shall be entitled to a search fee of a

1 minimum of \$4 and a maximum of \$6 for each year searched.

2 (n) Hard Copy.

3 For each page of hard copy print output, when case  
4 records are maintained on an automated medium, the clerk  
5 shall be entitled to a fee of a minimum of \$4 and a maximum  
6 of \$6.

7 (o) Index Inquiry and Other Records.

8 No fee shall be charged for a single  
9 plaintiff/defendant index inquiry or single case record  
10 inquiry when this request is made in person and the records  
11 are maintained in a current automated medium, and when no  
12 hard copy print output is requested. The fees to be charged  
13 for management records, multiple case records, and  
14 multiple journal records may be specified by the Chief  
15 Judge pursuant to the guidelines for access and  
16 dissemination of information approved by the Supreme  
17 Court.

18 (p) (Blank).

19 (q) Alias Summons.

20 For each alias summons or citation issued by the clerk,  
21 a minimum of \$2 and a maximum of \$5.

22 (r) Other Fees.

23 Any fees not covered in this Section shall be set by  
24 rule or administrative order of the Circuit Court with the  
25 approval of the Administrative Office of the Illinois  
26 Courts.

1           The clerk of the circuit court may provide additional  
2 services for which there is no fee specified by statute in  
3 connection with the operation of the clerk's office as may  
4 be requested by the public and agreed to by the clerk and  
5 approved by the chief judge of the circuit court. Any  
6 charges for additional services shall be as agreed to  
7 between the clerk and the party making the request and  
8 approved by the chief judge of the circuit court. Nothing  
9 in this subsection shall be construed to require any clerk  
10 to provide any service not otherwise required by law.

11 (s) Jury Services.

12           The clerk shall be entitled to receive, in addition to  
13 other fees allowed by law, the sum of a minimum of \$62.50  
14 and a maximum of \$212.50, as a fee for the services of a  
15 jury in every civil action not quasi-criminal in its nature  
16 and not a proceeding for the exercise of the right of  
17 eminent domain and in every other action wherein the right  
18 of trial by jury is or may be given by law. The jury fee  
19 shall be paid by the party demanding a jury at the time of  
20 filing the jury demand. If the fee is not paid by either  
21 party, no jury shall be called in the action or proceeding,  
22 and the same shall be tried by the court without a jury.

23 (t) Voluntary Assignment.

24           For filing each deed of voluntary assignment, a minimum  
25 of \$10 and a maximum of \$20; for recording the same, a  
26 minimum of 25 cents and a maximum of 50 cents for each 100

1 words. Exceptions filed to claims presented to an assignee  
2 of a debtor who has made a voluntary assignment for the  
3 benefit of creditors shall be considered and treated, for  
4 the purpose of taxing costs therein, as actions in which  
5 the party or parties filing the exceptions shall be  
6 considered as party or parties plaintiff, and the claimant  
7 or claimants as party or parties defendant, and those  
8 parties respectively shall pay to the clerk the same fees  
9 as provided by this Section to be paid in other actions.

10 (u) Expungement Petition.

11 The clerk shall be entitled to receive a fee of a  
12 minimum of \$15 and a maximum of \$60 for each expungement  
13 petition filed and an additional fee of a minimum of \$2 and  
14 a maximum of \$4 for each certified copy of an order to  
15 expunge arrest records.

16 (v) Probate.

17 The clerk is entitled to receive the fees specified in  
18 this subsection (v), which shall be paid in advance, except  
19 that, for good cause shown, the court may suspend, reduce,  
20 or release the costs payable under this subsection:

21 (1) For administration of the estate of a decedent  
22 (whether testate or intestate) or of a missing person, a  
23 minimum of \$50 and a maximum of \$150, plus the fees  
24 specified in subsection (v) (3), except:

25 (A) When the value of the real and personal  
26 property does not exceed \$15,000, the fee shall be a

1 minimum of \$25 and a maximum of \$40.

2 (B) When (i) proof of heirship alone is made, (ii)  
3 a domestic or foreign will is admitted to probate  
4 without administration (including proof of heirship),  
5 or (iii) letters of office are issued for a particular  
6 purpose without administration of the estate, the fee  
7 shall be a minimum of \$10 and a maximum of \$40.

8 (C) For filing a petition to sell Real Estate, \$50.

9 (2) For administration of the estate of a ward, a  
10 minimum of \$50 and a maximum of \$75, plus the fees  
11 specified in subsection (v) (3), except:

12 (A) When the value of the real and personal  
13 property does not exceed \$15,000, the fee shall be a  
14 minimum of \$25 and a maximum of \$40.

15 (B) When (i) letters of office are issued to a  
16 guardian of the person or persons, but not of the  
17 estate or (ii) letters of office are issued in the  
18 estate of a ward without administration of the estate,  
19 including filing or joining in the filing of a tax  
20 return or releasing a mortgage or consenting to the  
21 marriage of the ward, the fee shall be a minimum of \$10  
22 and a maximum of \$20.

23 (C) For filing a Petition to sell Real Estate, \$50.

24 (3) In addition to the fees payable under subsection  
25 (v) (1) or (v) (2) of this Section, the following fees are  
26 payable:

1 (A) For each account (other than one final account)  
2 filed in the estate of a decedent, or ward, a minimum  
3 of \$10 and a maximum of \$25.

4 (B) For filing a claim in an estate when the amount  
5 claimed is \$150 or more but less than \$500, a minimum  
6 of \$10 and a maximum of \$25; when the amount claimed is  
7 \$500 or more but less than \$10,000, a minimum of \$10  
8 and a maximum of \$40; when the amount claimed is  
9 \$10,000 or more, a minimum of \$10 and a maximum of \$60;  
10 provided that the court in allowing a claim may add to  
11 the amount allowed the filing fee paid by the claimant.

12 (C) For filing in an estate a claim, petition, or  
13 supplemental proceeding based upon an action seeking  
14 equitable relief including the construction or contest  
15 of a will, enforcement of a contract to make a will,  
16 and proceedings involving testamentary trusts or the  
17 appointment of testamentary trustees, a minimum of \$40  
18 and a maximum of \$60.

19 (D) For filing in an estate (i) the appearance of  
20 any person for the purpose of consent or (ii) the  
21 appearance of an executor, administrator,  
22 administrator to collect, guardian, guardian ad litem,  
23 or special administrator, no fee.

24 (E) Except as provided in subsection (v) (3) (D),  
25 for filing the appearance of any person or persons, a  
26 minimum of \$10 and a maximum of \$30.



1 (F) For each jury demand, a minimum of \$62.50 and a  
2 maximum of \$137.50.

3 (G) For disposition of the collection of a judgment  
4 or settlement of an action or claim for wrongful death  
5 of a decedent or of any cause of action of a ward, when  
6 there is no other administration of the estate, a  
7 minimum of \$30 and a maximum of \$50, less any amount  
8 paid under subsection (v) (1) (B) or (v) (2) (B) except  
9 that if the amount involved does not exceed \$5,000, the  
10 fee, including any amount paid under subsection  
11 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a  
12 maximum of \$20.

13 (H) For each certified copy of letters of office,  
14 of court order or other certification, a minimum of \$1  
15 and a maximum of \$2, plus a minimum of 50 cents and a  
16 maximum of \$1 per page in excess of 3 pages for the  
17 document certified.

18 (I) For each exemplification, a minimum of \$1 and a  
19 maximum of \$2, plus the fee for certification.

20 (4) The executor, administrator, guardian, petitioner,  
21 or other interested person or his or her attorney shall pay  
22 the cost of publication by the clerk directly to the  
23 newspaper.

24 (5) The person on whose behalf a charge is incurred for  
25 witness, court reporter, appraiser, or other miscellaneous  
26 fee shall pay the same directly to the person entitled

1 thereto.

2 (6) The executor, administrator, guardian, petitioner,  
3 or other interested person or his or her attorney shall pay  
4 to the clerk all postage charges incurred by the clerk in  
5 mailing petitions, orders, notices, or other documents  
6 pursuant to the provisions of the Probate Act of 1975.

7 (w) Criminal and Quasi-Criminal Costs and Fees.

8 (1) The clerk shall be entitled to costs in all  
9 criminal and quasi-criminal cases from each person  
10 convicted or sentenced to supervision therein as follows:

11 (A) Felony complaints, a minimum of \$40 and a  
12 maximum of \$100.

13 (B) Misdemeanor complaints, a minimum of \$25 and a  
14 maximum of \$75.

15 (C) Business offense complaints, a minimum of \$25  
16 and a maximum of \$75.

17 (D) Petty offense complaints, a minimum of \$25 and  
18 a maximum of \$75.

19 (E) Minor traffic or ordinance violations, \$10.

20 (F) When court appearance required, \$15.

21 (G) Motions to vacate or amend final orders, a  
22 minimum of \$20 and a maximum of \$40.

23 (H) Motions to vacate bond forfeiture orders, a  
24 minimum of \$20 and a maximum of \$40.

25 (I) Motions to vacate ex parte judgments, whenever  
26 filed, a minimum of \$20 and a maximum of \$40.

1 (J) Motions to vacate judgment on forfeitures,  
2 whenever filed, a minimum of \$20 and a maximum of \$40.

3 (K) Motions to vacate "failure to appear" or  
4 "failure to comply" notices sent to the Secretary of  
5 State, a minimum of \$20 and a maximum of \$40.

6 (2) In counties having a population of not more than  
7 500,000 inhabitants, when the violation complaint is  
8 issued by a municipal police department, the clerk shall be  
9 entitled to costs from each person convicted therein as  
10 follows:

11 (A) Minor traffic or ordinance violations, \$10.

12 (B) When court appearance required, \$15.

13 (3) In ordinance violation cases punishable by fine  
14 only, the clerk of the circuit court shall be entitled to  
15 receive, unless the fee is excused upon a finding by the  
16 court that the defendant is indigent, in addition to other  
17 fees or costs allowed or imposed by law, the sum of a  
18 minimum of \$62.50 and a maximum of \$137.50 as a fee for the  
19 services of a jury. The jury fee shall be paid by the  
20 defendant at the time of filing his or her jury demand. If  
21 the fee is not so paid by the defendant, no jury shall be  
22 called, and the case shall be tried by the court without a  
23 jury.

24 (x) Transcripts of Judgment.

25 For the filing of a transcript of judgment, the clerk  
26 shall be entitled to the same fee as if it were the

1 commencement of a new suit.

2 (y) Change of Venue.

3 (1) For the filing of a change of case on a change of  
4 venue, the clerk shall be entitled to the same fee as if it  
5 were the commencement of a new suit.

6 (2) The fee for the preparation and certification of a  
7 record on a change of venue to another jurisdiction, when  
8 original documents are forwarded, a minimum of \$10 and a  
9 maximum of \$40.

10 (z) Tax objection complaints.

11 For each tax objection complaint containing one or more  
12 tax objections, regardless of the number of parcels  
13 involved or the number of taxpayers joining on the  
14 complaint, a minimum of \$10 and a maximum of \$50.

15 (aa) Tax Deeds.

16 (1) Petition for tax deed, if only one parcel is  
17 involved, a minimum of \$45 and a maximum of \$200.

18 (2) For each additional parcel, add a fee of a minimum  
19 of \$10 and a maximum of \$60.

20 (bb) Collections.

21 (1) For all collections made of others, except the  
22 State and county and except in maintenance or child support  
23 cases, a sum equal to a minimum of 2% and a maximum of 2.5%  
24 of the amount collected and turned over.

25 (2) Interest earned on any funds held by the clerk  
26 shall be turned over to the county general fund as an

1           earning of the office.

2           (3) For any check, draft, or other bank instrument  
3           returned to the clerk for non-sufficient funds, account  
4           closed, or payment stopped, \$25.

5           (4) In child support and maintenance cases, the clerk,  
6           if authorized by an ordinance of the county board, may  
7           collect an annual fee of up to \$36 from the person making  
8           payment for maintaining child support records and the  
9           processing of support orders to the State of Illinois KIDS  
10          system and the recording of payments issued by the State  
11          Disbursement Unit for the official record of the Court.  
12          This fee shall be in addition to and separate from amounts  
13          ordered to be paid as maintenance or child support and  
14          shall be deposited into a Separate Maintenance and Child  
15          Support Collection Fund, of which the clerk shall be the  
16          custodian, ex-officio, to be used by the clerk to maintain  
17          child support orders and record all payments issued by the  
18          State Disbursement Unit for the official record of the  
19          Court. The clerk may recover from the person making the  
20          maintenance or child support payment any additional cost  
21          incurred in the collection of this annual fee.

22          The clerk shall also be entitled to a fee of \$5 for  
23          certifications made to the Secretary of State as provided  
24          in Section 7-703 of the Family Financial Responsibility Law  
25          and these fees shall also be deposited into the Separate  
26          Maintenance and Child Support Collection Fund.

1 (cc) Corrections of Numbers.

2 For correction of the case number, case title, or  
3 attorney computer identification number, if required by  
4 rule of court, on any document filed in the clerk's office,  
5 to be charged against the party that filed the document, a  
6 minimum of \$10 and a maximum of \$25.

7 (dd) Exceptions.

8 (1) The fee requirements of this Section shall not  
9 apply to police departments or other law enforcement  
10 agencies. In this Section, "law enforcement agency" means  
11 an agency of the State or a unit of local government which  
12 is vested by law or ordinance with the duty to maintain  
13 public order and to enforce criminal laws or ordinances.  
14 "Law enforcement agency" also means the Attorney General or  
15 any state's attorney.

16 (2) No fee provided herein shall be charged to any unit  
17 of local government or school district.

18 (3) The fee requirements of this Section shall not  
19 apply to any action instituted under subsection (b) of  
20 Section 11-31-1 of the Illinois Municipal Code by a private  
21 owner or tenant of real property within 1200 feet of a  
22 dangerous or unsafe building seeking an order compelling  
23 the owner or owners of the building to take any of the  
24 actions authorized under that subsection.

25 (4) The fee requirements of this Section shall not  
26 apply to the filing of any commitment petition or petition

1 for an order authorizing the administration of  
2 psychotropic medication or electroconvulsive therapy under  
3 the Mental Health and Developmental Disabilities Code.

4 (ee) Adoptions.

5 (1) For an adoption ..... \$65

6 (2) Upon good cause shown, the court may waive the  
7 adoption filing fee in a special needs adoption. The term  
8 "special needs adoption" shall have the meaning ascribed to  
9 it by the Illinois Department of Children and Family  
10 Services.

11 (ff) Adoption exemptions.

12 No fee other than that set forth in subsection (ee)  
13 shall be charged to any person in connection with an  
14 adoption proceeding nor may any fee be charged for  
15 proceedings for the appointment of a confidential  
16 intermediary under the Adoption Act.

17 (Source: P.A. 95-172, eff. 8-14-07; 95-331, eff. 8-21-07.)

18 Section 961. The Juvenile Court Act of 1987 is amended by  
19 changing Sections 1-3 and 6-9 as follows:

20 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

21 Sec. 1-3. Definitions. Terms used in this Act, unless the  
22 context otherwise requires, have the following meanings  
23 ascribed to them:

24 (1) "Adjudicatory hearing" means a hearing to determine

1 whether the allegations of a petition under Section 2-13, 3-15  
2 or 4-12 that a minor under 18 years of age is abused, neglected  
3 or dependent, or requires authoritative intervention, or  
4 addicted, respectively, are supported by a preponderance of the  
5 evidence or whether the allegations of a petition under Section  
6 5-520 that a minor is delinquent are proved beyond a reasonable  
7 doubt.

8 (2) "Adult" means a person 21 years of age or older.

9 (3) "Agency" means a public or private child care facility  
10 legally authorized or licensed by this State for placement or  
11 institutional care or for both placement and institutional  
12 care.

13 (4) "Association" means any organization, public or  
14 private, engaged in welfare functions which include services to  
15 or on behalf of children but does not include "agency" as  
16 herein defined.

17 (4.05) Whenever a "best interest" determination is  
18 required, the following factors shall be considered in the  
19 context of the child's age and developmental needs:

20 (a) the physical safety and welfare of the child,  
21 including food, shelter, health, and clothing;

22 (b) the development of the child's identity;

23 (c) the child's background and ties, including  
24 familial, cultural, and religious;

25 (d) the child's sense of attachments, including:

26 (i) where the child actually feels love,



1 attachment, and a sense of being valued (as opposed to  
2 where adults believe the child should feel such love,  
3 attachment, and a sense of being valued);

4 (ii) the child's sense of security;

5 (iii) the child's sense of familiarity;

6 (iv) continuity of affection for the child;

7 (v) the least disruptive placement alternative for  
8 the child;

9 (e) the child's wishes and long-term goals;

10 (f) the child's community ties, including church,  
11 school, and friends;

12 (g) the child's need for permanence which includes the  
13 child's need for stability and continuity of relationships  
14 with parent figures and with siblings and other relatives;

15 (h) the uniqueness of every family and child;

16 (i) the risks attendant to entering and being in  
17 substitute care; and

18 (j) the preferences of the persons available to care  
19 for the child.

20 (4.1) "Chronic truant" shall have the definition ascribed  
21 to it in Section 26-2a of the School Code.

22 (5) "Court" means the circuit court in a session or  
23 division assigned to hear proceedings under this Act.

24 (6) "Dispositional hearing" means a hearing to determine  
25 whether a minor should be adjudged to be a ward of the court,  
26 and to determine what order of disposition should be made in

1 respect to a minor adjudged to be a ward of the court.

2 (7) "Emancipated minor" means any minor 16 years of age or  
3 over who has been completely or partially emancipated under the  
4 Emancipation of Minors Act or under this Act.

5 (7.05) "Foster parent" includes a relative caregiver  
6 selected by the Department of Children and Family Services to  
7 provide care for the minor.

8 (8) "Guardianship of the person" of a minor means the duty  
9 and authority to act in the best interests of the minor,  
10 subject to residual parental rights and responsibilities, to  
11 make important decisions in matters having a permanent effect  
12 on the life and development of the minor and to be concerned  
13 with his or her general welfare. It includes but is not  
14 necessarily limited to:

15 (a) the authority to consent to marriage, to enlistment  
16 in the armed forces of the United States, or to a major  
17 medical, psychiatric, and surgical treatment; to represent  
18 the minor in legal actions; and to make other decisions of  
19 substantial legal significance concerning the minor;

20 (b) the authority and duty of reasonable visitation,  
21 except to the extent that these have been limited in the  
22 best interests of the minor by court order;

23 (c) the rights and responsibilities of legal custody  
24 except where legal custody has been vested in another  
25 person or agency; and

26 (d) the power to consent to the adoption of the minor,

1 but only if expressly conferred on the guardian in  
2 accordance with Section 2-29, 3-30, or 4-27.

3 (9) "Legal custody" means the relationship created by an  
4 order of court in the best interests of the minor which imposes  
5 on the custodian the responsibility of physical possession of a  
6 minor and the duty to protect, train and discipline him and to  
7 provide him with food, shelter, education and ordinary medical  
8 care, except as these are limited by residual parental rights  
9 and responsibilities and the rights and responsibilities of the  
10 guardian of the person, if any.

11 (9.1) "Mentally capable adult relative" means a person 21  
12 years of age or older who is not suffering from a mental  
13 illness that prevents him or her from providing the care  
14 necessary to safeguard the physical safety and welfare of a  
15 minor who is left in that person's care by the parent or  
16 parents or other person responsible for the minor's welfare.

17 (10) "Minor" means a person under the age of 21 years  
18 subject to this Act.

19 (11) "Parent" means a ~~the~~ father or mother of a child and  
20 includes any adoptive parent. It also includes a person ~~man~~ (i)  
21 whose parentage ~~paternity~~ is presumed or has been established  
22 under the law of this or another jurisdiction or (ii) who has  
23 registered with the Putative Father Registry in accordance with  
24 Section 12.1 of the Adoption Act and whose paternity has not  
25 been ruled out under the law of this or another jurisdiction.  
26 It does not include a parent whose rights in respect to the

1 minor have been terminated in any manner provided by law. It  
2 does not include a person who has been or could be determined  
3 to be a parent under the Illinois Parentage Act of 1984 or the  
4 Illinois Parentage Act of 2015, or similar parentage law in any  
5 other state, if that person has been convicted of or pled nolo  
6 contendere to a crime that resulted in the conception of the  
7 child under Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13,  
8 12-14, 12-14.1, subsection (a) or (b) (but not subsection (c))  
9 of Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e),  
10 or (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of  
11 the Criminal Code of 1961 or the Criminal Code of 2012, or  
12 similar statute in another jurisdiction unless upon motion of  
13 any party, other than the offender, to the juvenile court  
14 proceedings the court finds it is in the child's best interest  
15 to deem the offender a parent for purposes of the juvenile  
16 court proceedings.

17 (11.1) "Permanency goal" means a goal set by the court as  
18 defined in subdivision (2) of Section 2-28.

19 (11.2) "Permanency hearing" means a hearing to set the  
20 permanency goal and to review and determine (i) the  
21 appropriateness of the services contained in the plan and  
22 whether those services have been provided, (ii) whether  
23 reasonable efforts have been made by all the parties to the  
24 service plan to achieve the goal, and (iii) whether the plan  
25 and goal have been achieved.

26 (12) "Petition" means the petition provided for in Section

1 2-13, 3-15, 4-12 or 5-520, including any supplemental petitions  
2 thereunder in Section 3-15, 4-12 or 5-520.

3 (12.1) "Physically capable adult relative" means a person  
4 21 years of age or older who does not have a severe physical  
5 disability or medical condition, or is not suffering from  
6 alcoholism or drug addiction, that prevents him or her from  
7 providing the care necessary to safeguard the physical safety  
8 and welfare of a minor who is left in that person's care by the  
9 parent or parents or other person responsible for the minor's  
10 welfare.

11 (12.2) "Post Permanency Sibling Contact Agreement" has the  
12 meaning ascribed to the term in Section 7.4 of the Children and  
13 Family Services Act.

14 (13) "Residual parental rights and responsibilities" means  
15 those rights and responsibilities remaining with the parent  
16 after the transfer of legal custody or guardianship of the  
17 person, including, but not necessarily limited to, the right to  
18 reasonable visitation (which may be limited by the court in the  
19 best interests of the minor as provided in subsection (8)(b) of  
20 this Section), the right to consent to adoption, the right to  
21 determine the minor's religious affiliation, and the  
22 responsibility for his support.

23 (14) "Shelter" means the temporary care of a minor in  
24 physically unrestricting facilities pending court disposition  
25 or execution of court order for placement.

26 (14.1) "Sibling Contact Support Plan" has the meaning

1 ascribed to the term in Section 7.4 of the Children and Family  
2 Services Act.

3 (15) "Station adjustment" means the informal handling of an  
4 alleged offender by a juvenile police officer.

5 (16) "Ward of the court" means a minor who is so adjudged  
6 under Section 2-22, 3-23, 4-20 or 5-705, after a finding of the  
7 requisite jurisdictional facts, and thus is subject to the  
8 dispositional powers of the court under this Act.

9 (17) "Juvenile police officer" means a sworn police officer  
10 who has completed a Basic Recruit Training Course, has been  
11 assigned to the position of juvenile police officer by his or  
12 her chief law enforcement officer and has completed the  
13 necessary juvenile officers training as prescribed by the  
14 Illinois Law Enforcement Training Standards Board, or in the  
15 case of a State police officer, juvenile officer training  
16 approved by the Director of the Department of State Police.

17 (18) "Secure child care facility" means any child care  
18 facility licensed by the Department of Children and Family  
19 Services to provide secure living arrangements for children  
20 under 18 years of age who are subject to placement in  
21 facilities under the Children and Family Services Act and who  
22 are not subject to placement in facilities for whom standards  
23 are established by the Department of Corrections under Section  
24 3-15-2 of the Unified Code of Corrections. "Secure child care  
25 facility" also means a facility that is designed and operated  
26 to ensure that all entrances and exits from the facility, a

1 building, or a distinct part of the building are under the  
2 exclusive control of the staff of the facility, whether or not  
3 the child has the freedom of movement within the perimeter of  
4 the facility, building, or distinct part of the building.

5 (Source: P.A. 97-568, eff. 8-25-11; 97-1076, eff. 8-24-12;  
6 97-1150, eff. 1-25-13; 98-249, eff. 1-1-14.)

7 (705 ILCS 405/6-9) (from Ch. 37, par. 806-9)

8 Sec. 6-9. Enforcement of liability of parents and others.

9 (1) If parentage is at issue in any proceeding under this  
10 Act, other than cases involving those exceptions to the  
11 definition of parent set out in item (11) in Section 1-3, then  
12 the Illinois Parentage Act of 2015 ~~1984~~ shall apply and the  
13 court shall enter orders consistent with that Act. If it  
14 appears at any hearing that a parent or any other person named  
15 in the petition, liable under the law for the support of the  
16 minor, is able to contribute to his or her support, the court  
17 shall enter an order requiring that parent or other person to  
18 pay the clerk of the court, or to the guardian or custodian  
19 appointed under Sections 2-27, 3-28, 4-25 or 5-740, a  
20 reasonable sum from time to time for the care, support and  
21 necessary special care or treatment, of the minor. If the court  
22 determines at any hearing that a parent or any other person  
23 named in the petition, liable under the law for the support of  
24 the minor, is able to contribute to help defray the costs  
25 associated with the minor's detention in a county or regional

1 detention center, the court shall enter an order requiring that  
2 parent or other person to pay the clerk of the court a  
3 reasonable sum for the care and support of the minor. The court  
4 may require reasonable security for the payments. Upon failure  
5 to pay, the court may enforce obedience to the order by a  
6 proceeding as for contempt of court.

7 If it appears that the person liable for the support of the  
8 minor is able to contribute to legal fees for representation of  
9 the minor, the court shall enter an order requiring that person  
10 to pay a reasonable sum for the representation, to the attorney  
11 providing the representation or to the clerk of the court for  
12 deposit in the appropriate account or fund. The sum may be paid  
13 as the court directs, and the payment thereof secured and  
14 enforced as provided in this Section for support.

15 If it appears at the detention or shelter care hearing of a  
16 minor before the court under Section 5-501 that a parent or any  
17 other person liable for support of the minor is able to  
18 contribute to his or her support, that parent or other person  
19 shall be required to pay a fee for room and board at a rate not  
20 to exceed \$10 per day established, with the concurrence of the  
21 chief judge of the judicial circuit, by the county board of the  
22 county in which the minor is detained unless the court  
23 determines that it is in the best interest and welfare of the  
24 minor to waive the fee. The concurrence of the chief judge  
25 shall be in the form of an administrative order. Each week, on  
26 a day designated by the clerk of the circuit court, that parent



1 or other person shall pay the clerk for the minor's room and  
2 board. All fees for room and board collected by the circuit  
3 court clerk shall be disbursed into the separate county fund  
4 under Section 6-7.

5 Upon application, the court shall waive liability for  
6 support or legal fees under this Section if the parent or other  
7 person establishes that he or she is indigent and unable to pay  
8 the incurred liability, and the court may reduce or waive  
9 liability if the parent or other person establishes  
10 circumstances showing that full payment of support or legal  
11 fees would result in financial hardship to the person or his or  
12 her family.

13 (2) When a person so ordered to pay for the care and  
14 support of a minor is employed for wages, salary or commission,  
15 the court may order him to make the support payments for which  
16 he is liable under this Act out of his wages, salary or  
17 commission and to assign so much thereof as will pay the  
18 support. The court may also order him to make discovery to the  
19 court as to his place of employment and the amounts earned by  
20 him. Upon his failure to obey the orders of court he may be  
21 punished as for contempt of court.

22 (3) If the minor is a recipient of public aid under the  
23 Illinois Public Aid Code, the court shall order that payments  
24 made by a parent or through assignment of his wages, salary or  
25 commission be made directly to (a) the Department of Healthcare  
26 and Family Services if the minor is a recipient of aid under

1 Article V of the Code, (b) the Department of Human Services if  
2 the minor is a recipient of aid under Article IV of the Code,  
3 or (c) the local governmental unit responsible for the support  
4 of the minor if he is a recipient under Articles VI or VII of  
5 the Code. The order shall permit the Department of Healthcare  
6 and Family Services, the Department of Human Services, or the  
7 local governmental unit, as the case may be, to direct that  
8 subsequent payments be made directly to the guardian or  
9 custodian of the minor, or to some other person or agency in  
10 the minor's behalf, upon removal of the minor from the public  
11 aid rolls; and upon such direction and removal of the minor  
12 from the public aid rolls, the Department of Healthcare and  
13 Family Services, Department of Human Services, or local  
14 governmental unit, as the case requires, shall give written  
15 notice of such action to the court. Payments received by the  
16 Department of Healthcare and Family Services, Department of  
17 Human Services, or local governmental unit are to be covered,  
18 respectively, into the General Revenue Fund of the State  
19 Treasury or General Assistance Fund of the governmental unit,  
20 as provided in Section 10-19 of the Illinois Public Aid Code.  
21 (Source: P.A. 97-568, eff. 8-25-11.)

22 Section 962. The Code of Criminal Procedure of 1963 is  
23 amended by changing Section 112A-14 as follows:

24 (725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)

1           Sec. 112A-14. Order of protection; remedies.

2           (a) Issuance of order. If the court finds that petitioner  
3 has been abused by a family or household member, as defined in  
4 this Article, an order of protection prohibiting such abuse  
5 shall issue; provided that petitioner must also satisfy the  
6 requirements of one of the following Sections, as appropriate:  
7 Section 112A-17 on emergency orders, Section 112A-18 on interim  
8 orders, or Section 112A-19 on plenary orders. Petitioner shall  
9 not be denied an order of protection because petitioner or  
10 respondent is a minor. The court, when determining whether or  
11 not to issue an order of protection, shall not require physical  
12 manifestations of abuse on the person of the victim.  
13 Modification and extension of prior orders of protection shall  
14 be in accordance with this Article.

15           (b) Remedies and standards. The remedies to be included in  
16 an order of protection shall be determined in accordance with  
17 this Section and one of the following Sections, as appropriate:  
18 Section 112A-17 on emergency orders, Section 112A-18 on interim  
19 orders, and Section 112A-19 on plenary orders. The remedies  
20 listed in this subsection shall be in addition to other civil  
21 or criminal remedies available to petitioner.

22           (1) Prohibition of abuse. Prohibit respondent's  
23 harassment, interference with personal liberty,  
24 intimidation of a dependent, physical abuse or willful  
25 deprivation, as defined in this Article, if such abuse has  
26 occurred or otherwise appears likely to occur if not

1 prohibited.

2 (2) Grant of exclusive possession of residence.  
3 Prohibit respondent from entering or remaining in any  
4 residence, household, or premises of the petitioner,  
5 including one owned or leased by respondent, if petitioner  
6 has a right to occupancy thereof. The grant of exclusive  
7 possession of the residence, household, or premises shall  
8 not affect title to real property, nor shall the court be  
9 limited by the standard set forth in Section 701 of the  
10 Illinois Marriage and Dissolution of Marriage Act.

11 (A) Right to occupancy. A party has a right to  
12 occupancy of a residence or household if it is solely  
13 or jointly owned or leased by that party, that party's  
14 spouse, a person with a legal duty to support that  
15 party or a minor child in that party's care, or by any  
16 person or entity other than the opposing party that  
17 authorizes that party's occupancy (e.g., a domestic  
18 violence shelter). Standards set forth in subparagraph  
19 (B) shall not preclude equitable relief.

20 (B) Presumption of hardships. If petitioner and  
21 respondent each has the right to occupancy of a  
22 residence or household, the court shall balance (i) the  
23 hardships to respondent and any minor child or  
24 dependent adult in respondent's care resulting from  
25 entry of this remedy with (ii) the hardships to  
26 petitioner and any minor child or dependent adult in

1 petitioner's care resulting from continued exposure to  
2 the risk of abuse (should petitioner remain at the  
3 residence or household) or from loss of possession of  
4 the residence or household (should petitioner leave to  
5 avoid the risk of abuse). When determining the balance  
6 of hardships, the court shall also take into account  
7 the accessibility of the residence or household.  
8 Hardships need not be balanced if respondent does not  
9 have a right to occupancy.

10 The balance of hardships is presumed to favor  
11 possession by petitioner unless the presumption is  
12 rebutted by a preponderance of the evidence, showing  
13 that the hardships to respondent substantially  
14 outweigh the hardships to petitioner and any minor  
15 child or dependent adult in petitioner's care. The  
16 court, on the request of petitioner or on its own  
17 motion, may order respondent to provide suitable,  
18 accessible, alternate housing for petitioner instead  
19 of excluding respondent from a mutual residence or  
20 household.

21 (3) Stay away order and additional prohibitions. Order  
22 respondent to stay away from petitioner or any other person  
23 protected by the order of protection, or prohibit  
24 respondent from entering or remaining present at  
25 petitioner's school, place of employment, or other  
26 specified places at times when petitioner is present, or

1 both, if reasonable, given the balance of hardships.  
2 Hardships need not be balanced for the court to enter a  
3 stay away order or prohibit entry if respondent has no  
4 right to enter the premises.

5 If an order of protection grants petitioner exclusive  
6 possession of the residence, or prohibits respondent from  
7 entering the residence, or orders respondent to stay away  
8 from petitioner or other protected persons, then the court  
9 may allow respondent access to the residence to remove  
10 items of clothing and personal adornment used exclusively  
11 by respondent, medications, and other items as the court  
12 directs. The right to access shall be exercised on only one  
13 occasion as the court directs and in the presence of an  
14 agreed-upon adult third party or law enforcement officer.

15 (4) Counseling. Require or recommend the respondent to  
16 undergo counseling for a specified duration with a social  
17 worker, psychologist, clinical psychologist, psychiatrist,  
18 family service agency, alcohol or substance abuse program,  
19 mental health center guidance counselor, agency providing  
20 services to elders, program designed for domestic violence  
21 abusers or any other guidance service the court deems  
22 appropriate. The court may order the respondent in any  
23 intimate partner relationship to report to an Illinois  
24 Department of Human Services protocol approved partner  
25 abuse intervention program for an assessment and to follow  
26 all recommended treatment.

1           (5) Physical care and possession of the minor child. In  
2 order to protect the minor child from abuse, neglect, or  
3 unwarranted separation from the person who has been the  
4 minor child's primary caretaker, or to otherwise protect  
5 the well-being of the minor child, the court may do either  
6 or both of the following: (i) grant petitioner physical  
7 care or possession of the minor child, or both, or (ii)  
8 order respondent to return a minor child to, or not remove  
9 a minor child from, the physical care of a parent or person  
10 in loco parentis.

11           If a court finds, after a hearing, that respondent has  
12 committed abuse (as defined in Section 112A-3) of a minor  
13 child, there shall be a rebuttable presumption that  
14 awarding physical care to respondent would not be in the  
15 minor child's best interest.

16           (6) Temporary legal custody. Award temporary legal  
17 custody to petitioner in accordance with this Section, the  
18 Illinois Marriage and Dissolution of Marriage Act, the  
19 Illinois Parentage Act of 2015 ~~1984~~, and this State's  
20 Uniform Child-Custody Jurisdiction and Enforcement Act.

21           If a court finds, after a hearing, that respondent has  
22 committed abuse (as defined in Section 112A-3) of a minor  
23 child, there shall be a rebuttable presumption that  
24 awarding temporary legal custody to respondent would not be  
25 in the child's best interest.

26           (7) Visitation. Determine the visitation rights, if

1 any, of respondent in any case in which the court awards  
2 physical care or temporary legal custody of a minor child  
3 to petitioner. The court shall restrict or deny  
4 respondent's visitation with a minor child if the court  
5 finds that respondent has done or is likely to do any of  
6 the following: (i) abuse or endanger the minor child during  
7 visitation; (ii) use the visitation as an opportunity to  
8 abuse or harass petitioner or petitioner's family or  
9 household members; (iii) improperly conceal or detain the  
10 minor child; or (iv) otherwise act in a manner that is not  
11 in the best interests of the minor child. The court shall  
12 not be limited by the standards set forth in Section 607.1  
13 of the Illinois Marriage and Dissolution of Marriage Act.  
14 If the court grants visitation, the order shall specify  
15 dates and times for the visitation to take place or other  
16 specific parameters or conditions that are appropriate. No  
17 order for visitation shall refer merely to the term  
18 "reasonable visitation".

19 Petitioner may deny respondent access to the minor  
20 child if, when respondent arrives for visitation,  
21 respondent is under the influence of drugs or alcohol and  
22 constitutes a threat to the safety and well-being of  
23 petitioner or petitioner's minor children or is behaving in  
24 a violent or abusive manner.

25 If necessary to protect any member of petitioner's  
26 family or household from future abuse, respondent shall be



1 prohibited from coming to petitioner's residence to meet  
2 the minor child for visitation, and the parties shall  
3 submit to the court their recommendations for reasonable  
4 alternative arrangements for visitation. A person may be  
5 approved to supervise visitation only after filing an  
6 affidavit accepting that responsibility and acknowledging  
7 accountability to the court.

8 (8) Removal or concealment of minor child. Prohibit  
9 respondent from removing a minor child from the State or  
10 concealing the child within the State.

11 (9) Order to appear. Order the respondent to appear in  
12 court, alone or with a minor child, to prevent abuse,  
13 neglect, removal or concealment of the child, to return the  
14 child to the custody or care of the petitioner or to permit  
15 any court-ordered interview or examination of the child or  
16 the respondent.

17 (10) Possession of personal property. Grant petitioner  
18 exclusive possession of personal property and, if  
19 respondent has possession or control, direct respondent to  
20 promptly make it available to petitioner, if:

21 (i) petitioner, but not respondent, owns the  
22 property; or

23 (ii) the parties own the property jointly; sharing  
24 it would risk abuse of petitioner by respondent or is  
25 impracticable; and the balance of hardships favors  
26 temporary possession by petitioner.

1           If petitioner's sole claim to ownership of the property  
2           is that it is marital property, the court may award  
3           petitioner temporary possession thereof under the  
4           standards of subparagraph (ii) of this paragraph only if a  
5           proper proceeding has been filed under the Illinois  
6           Marriage and Dissolution of Marriage Act, as now or  
7           hereafter amended.

8           No order under this provision shall affect title to  
9           property.

10          (11) Protection of property. Forbid the respondent  
11          from taking, transferring, encumbering, concealing,  
12          damaging or otherwise disposing of any real or personal  
13          property, except as explicitly authorized by the court, if:

14               (i) petitioner, but not respondent, owns the  
15               property; or

16               (ii) the parties own the property jointly, and the  
17               balance of hardships favors granting this remedy.

18          If petitioner's sole claim to ownership of the property  
19          is that it is marital property, the court may grant  
20          petitioner relief under subparagraph (ii) of this  
21          paragraph only if a proper proceeding has been filed under  
22          the Illinois Marriage and Dissolution of Marriage Act, as  
23          now or hereafter amended.

24          The court may further prohibit respondent from  
25          improperly using the financial or other resources of an  
26          aged member of the family or household for the profit or

1 advantage of respondent or of any other person.

2 (11.5) Protection of animals. Grant the petitioner the  
3 exclusive care, custody, or control of any animal owned,  
4 possessed, leased, kept, or held by either the petitioner  
5 or the respondent or a minor child residing in the  
6 residence or household of either the petitioner or the  
7 respondent and order the respondent to stay away from the  
8 animal and forbid the respondent from taking,  
9 transferring, encumbering, concealing, harming, or  
10 otherwise disposing of the animal.

11 (12) Order for payment of support. Order respondent to  
12 pay temporary support for the petitioner or any child in  
13 the petitioner's care or custody, when the respondent has a  
14 legal obligation to support that person, in accordance with  
15 the Illinois Marriage and Dissolution of Marriage Act,  
16 which shall govern, among other matters, the amount of  
17 support, payment through the clerk and withholding of  
18 income to secure payment. An order for child support may be  
19 granted to a petitioner with lawful physical care or  
20 custody of a child, or an order or agreement for physical  
21 care or custody, prior to entry of an order for legal  
22 custody. Such a support order shall expire upon entry of a  
23 valid order granting legal custody to another, unless  
24 otherwise provided in the custody order.

25 (13) Order for payment of losses. Order respondent to  
26 pay petitioner for losses suffered as a direct result of

1 the abuse. Such losses shall include, but not be limited  
2 to, medical expenses, lost earnings or other support,  
3 repair or replacement of property damaged or taken,  
4 reasonable attorney's fees, court costs and moving or other  
5 travel expenses, including additional reasonable expenses  
6 for temporary shelter and restaurant meals.

7 (i) Losses affecting family needs. If a party is  
8 entitled to seek maintenance, child support or  
9 property distribution from the other party under the  
10 Illinois Marriage and Dissolution of Marriage Act, as  
11 now or hereafter amended, the court may order  
12 respondent to reimburse petitioner's actual losses, to  
13 the extent that such reimbursement would be  
14 "appropriate temporary relief", as authorized by  
15 subsection (a)(3) of Section 501 of that Act.

16 (ii) Recovery of expenses. In the case of an  
17 improper concealment or removal of a minor child, the  
18 court may order respondent to pay the reasonable  
19 expenses incurred or to be incurred in the search for  
20 and recovery of the minor child, including but not  
21 limited to legal fees, court costs, private  
22 investigator fees, and travel costs.

23 (14) Prohibition of entry. Prohibit the respondent  
24 from entering or remaining in the residence or household  
25 while the respondent is under the influence of alcohol or  
26 drugs and constitutes a threat to the safety and well-being

1 of the petitioner or the petitioner's children.

2 (14.5) Prohibition of firearm possession.

3 (A) A person who is subject to an existing order of  
4 protection, interim order of protection, emergency  
5 order of protection, or plenary order of protection,  
6 issued under this Code may not lawfully possess weapons  
7 under Section 8.2 of the Firearm Owners Identification  
8 Card Act.

9 (B) Any firearms in the possession of the  
10 respondent, except as provided in subparagraph (C) of  
11 this paragraph (14.5), shall be ordered by the court to  
12 be turned over to a person with a valid Firearm Owner's  
13 Identification Card for safekeeping. The court shall  
14 issue an order that the respondent's Firearm Owner's  
15 Identification Card be turned over to the local law  
16 enforcement agency, which in turn shall immediately  
17 mail the card to the Department of State Police Firearm  
18 Owner's Identification Card Office for safekeeping.  
19 The period of safekeeping shall be for the duration of  
20 the order of protection. The firearm or firearms and  
21 Firearm Owner's Identification Card, if unexpired,  
22 shall at the respondent's request be returned to the  
23 respondent at expiration of the order of protection.

24 (C) If the respondent is a peace officer as defined  
25 in Section 2-13 of the Criminal Code of 2012, the court  
26 shall order that any firearms used by the respondent in

1 the performance of his or her duties as a peace officer  
2 be surrendered to the chief law enforcement executive  
3 of the agency in which the respondent is employed, who  
4 shall retain the firearms for safekeeping for the  
5 duration of the order of protection.

6 (D) Upon expiration of the period of safekeeping,  
7 if the firearms or Firearm Owner's Identification Card  
8 cannot be returned to respondent because respondent  
9 cannot be located, fails to respond to requests to  
10 retrieve the firearms, or is not lawfully eligible to  
11 possess a firearm, upon petition from the local law  
12 enforcement agency, the court may order the local law  
13 enforcement agency to destroy the firearms, use the  
14 firearms for training purposes, or for any other  
15 application as deemed appropriate by the local law  
16 enforcement agency; or that the firearms be turned over  
17 to a third party who is lawfully eligible to possess  
18 firearms, and who does not reside with respondent.

19 (15) Prohibition of access to records. If an order of  
20 protection prohibits respondent from having contact with  
21 the minor child, or if petitioner's address is omitted  
22 under subsection (b) of Section 112A-5, or if necessary to  
23 prevent abuse or wrongful removal or concealment of a minor  
24 child, the order shall deny respondent access to, and  
25 prohibit respondent from inspecting, obtaining, or  
26 attempting to inspect or obtain, school or any other

1 records of the minor child who is in the care of  
2 petitioner.

3 (16) Order for payment of shelter services. Order  
4 respondent to reimburse a shelter providing temporary  
5 housing and counseling services to the petitioner for the  
6 cost of the services, as certified by the shelter and  
7 deemed reasonable by the court.

8 (17) Order for injunctive relief. Enter injunctive  
9 relief necessary or appropriate to prevent further abuse of  
10 a family or household member or to effectuate one of the  
11 granted remedies, if supported by the balance of hardships.  
12 If the harm to be prevented by the injunction is abuse or  
13 any other harm that one of the remedies listed in  
14 paragraphs (1) through (16) of this subsection is designed  
15 to prevent, no further evidence is necessary to establish  
16 that the harm is an irreparable injury.

17 (c) Relevant factors; findings.

18 (1) In determining whether to grant a specific remedy,  
19 other than payment of support, the court shall consider  
20 relevant factors, including but not limited to the  
21 following:

22 (i) the nature, frequency, severity, pattern and  
23 consequences of the respondent's past abuse of the  
24 petitioner or any family or household member,  
25 including the concealment of his or her location in  
26 order to evade service of process or notice, and the

1           likelihood of danger of future abuse to petitioner or  
2           any member of petitioner's or respondent's family or  
3           household; and

4                   (ii) the danger that any minor child will be abused  
5           or neglected or improperly removed from the  
6           jurisdiction, improperly concealed within the State or  
7           improperly separated from the child's primary  
8           caretaker.

9           (2) In comparing relative hardships resulting to the  
10          parties from loss of possession of the family home, the  
11          court shall consider relevant factors, including but not  
12          limited to the following:

13                   (i) availability, accessibility, cost, safety,  
14          adequacy, location and other characteristics of  
15          alternate housing for each party and any minor child or  
16          dependent adult in the party's care;

17                   (ii) the effect on the party's employment; and

18                   (iii) the effect on the relationship of the party,  
19          and any minor child or dependent adult in the party's  
20          care, to family, school, church and community.

21          (3) Subject to the exceptions set forth in paragraph  
22          (4) of this subsection, the court shall make its findings  
23          in an official record or in writing, and shall at a minimum  
24          set forth the following:

25                   (i) That the court has considered the applicable  
26          relevant factors described in paragraphs (1) and (2) of



1           this subsection.

2           (ii) Whether the conduct or actions of respondent,  
3           unless prohibited, will likely cause irreparable harm  
4           or continued abuse.

5           (iii) Whether it is necessary to grant the  
6           requested relief in order to protect petitioner or  
7           other alleged abused persons.

8           (4) For purposes of issuing an ex parte emergency order  
9           of protection, the court, as an alternative to or as a  
10          supplement to making the findings described in paragraphs  
11          (c) (3) (i) through (c) (3) (iii) of this subsection, may use  
12          the following procedure:

13          When a verified petition for an emergency order of  
14          protection in accordance with the requirements of Sections  
15          112A-5 and 112A-17 is presented to the court, the court  
16          shall examine petitioner on oath or affirmation. An  
17          emergency order of protection shall be issued by the court  
18          if it appears from the contents of the petition and the  
19          examination of petitioner that the averments are  
20          sufficient to indicate abuse by respondent and to support  
21          the granting of relief under the issuance of the emergency  
22          order of protection.

23          (5) Never married parties. No rights or  
24          responsibilities for a minor child born outside of marriage  
25          attach to a putative father until a father and child  
26          relationship has been established under the Illinois

1 Parentage Act of 1984 or under the Illinois Parentage Act  
2 of 2015 on and after the effective date of that Act. Absent  
3 such an adjudication, no putative father shall be granted  
4 temporary custody of the minor child, visitation with the  
5 minor child, or physical care and possession of the minor  
6 child, nor shall an order of payment for support of the  
7 minor child be entered.

8 (d) Balance of hardships; findings. If the court finds that  
9 the balance of hardships does not support the granting of a  
10 remedy governed by paragraph (2), (3), (10), (11), or (16) of  
11 subsection (b) of this Section, which may require such  
12 balancing, the court's findings shall so indicate and shall  
13 include a finding as to whether granting the remedy will result  
14 in hardship to respondent that would substantially outweigh the  
15 hardship to petitioner from denial of the remedy. The findings  
16 shall be an official record or in writing.

17 (e) Denial of remedies. Denial of any remedy shall not be  
18 based, in whole or in part, on evidence that:

19 (1) Respondent has cause for any use of force, unless  
20 that cause satisfies the standards for justifiable use of  
21 force provided by Article 7 of the Criminal Code of 2012;

22 (2) Respondent was voluntarily intoxicated;

23 (3) Petitioner acted in self-defense or defense of  
24 another, provided that, if petitioner utilized force, such  
25 force was justifiable under Article 7 of the Criminal Code  
26 of 2012;

1           (4) Petitioner did not act in self-defense or defense  
2           of another;

3           (5) Petitioner left the residence or household to avoid  
4           further abuse by respondent;

5           (6) Petitioner did not leave the residence or household  
6           to avoid further abuse by respondent;

7           (7) Conduct by any family or household member excused  
8           the abuse by respondent, unless that same conduct would  
9           have excused such abuse if the parties had not been family  
10          or household members.

11          (Source: P.A. 97-158, eff. 1-1-12; 97-1131, eff. 1-1-13;  
12          97-1150, eff. 1-25-13; 98-63, eff. 7-9-13.)

13          Section 963. The Unified Code of Corrections is amended by  
14          changing Section 3-5-4 as follows:

15                 (730 ILCS 5/3-5-4)

16          Sec. 3-5-4. Exchange of information for child support  
17          enforcement.

18                 (a) The Department shall exchange with the Department of  
19          Healthcare and Family Services information that may be  
20          necessary for the enforcement of child support orders entered  
21          pursuant to the Illinois Public Aid Code, the Illinois Marriage  
22          and Dissolution of Marriage Act, the Non-Support of Spouse and  
23          Children Act, the Non-Support Punishment Act, the Revised  
24          Uniform Reciprocal Enforcement of Support Act, the Uniform

1 Interstate Family Support Act, ~~or~~ the Illinois Parentage Act of  
2 1984, or the Illinois Parentage Act of 2015.

3 (b) Notwithstanding any provisions in this Code to the  
4 contrary, the Department shall not be liable to any person for  
5 any disclosure of information to the Department of Healthcare  
6 and Family Services (formerly Illinois Department of Public  
7 Aid) under subsection (a) or for any other action taken in good  
8 faith to comply with the requirements of subsection (a).

9 (Source: P.A. 95-331, eff. 8-21-07.)

10 Section 964. The Code of Civil Procedure is amended by  
11 changing Sections 2-209, 2-1401, 12-112, and 12-819 as follows:

12 (735 ILCS 5/2-209) (from Ch. 110, par. 2-209)

13 Sec. 2-209. Act submitting to jurisdiction - Process.

14 (a) Any person, whether or not a citizen or resident of  
15 this State, who in person or through an agent does any of the  
16 acts hereinafter enumerated, thereby submits such person, and,  
17 if an individual, his or her personal representative, to the  
18 jurisdiction of the courts of this State as to any cause of  
19 action arising from the doing of any of such acts:

20 (1) The transaction of any business within this State;

21 (2) The commission of a tortious act within this State;

22 (3) The ownership, use, or possession of any real  
23 estate situated in this State;

24 (4) Contracting to insure any person, property or risk

1 located within this State at the time of contracting;

2 (5) With respect to actions of dissolution of marriage,  
3 declaration of invalidity of marriage and legal  
4 separation, the maintenance in this State of a matrimonial  
5 domicile at the time this cause of action arose or the  
6 commission in this State of any act giving rise to the  
7 cause of action;

8 (6) With respect to actions brought under the Illinois  
9 Parentage Act of 1984, as now or hereafter amended, or  
10 under the Illinois Parentage Act of 2015 on and after the  
11 effective date of that Act, the performance of an act of  
12 sexual intercourse within this State during the possible  
13 period of conception;

14 (7) The making or performance of any contract or  
15 promise substantially connected with this State;

16 (8) The performance of sexual intercourse within this  
17 State which is claimed to have resulted in the conception  
18 of a child who resides in this State;

19 (9) The failure to support a child, spouse or former  
20 spouse who has continued to reside in this State since the  
21 person either formerly resided with them in this State or  
22 directed them to reside in this State;

23 (10) The acquisition of ownership, possession or  
24 control of any asset or thing of value present within this  
25 State when ownership, possession or control was acquired;

26 (11) The breach of any fiduciary duty within this

1 State;

2 (12) The performance of duties as a director or officer  
3 of a corporation organized under the laws of this State or  
4 having its principal place of business within this State;

5 (13) The ownership of an interest in any trust  
6 administered within this State; or

7 (14) The exercise of powers granted under the authority  
8 of this State as a fiduciary.

9 (b) A court may exercise jurisdiction in any action arising  
10 within or without this State against any person who:

11 (1) Is a natural person present within this State when  
12 served;

13 (2) Is a natural person domiciled or resident within  
14 this State when the cause of action arose, the action was  
15 commenced, or process was served;

16 (3) Is a corporation organized under the laws of this  
17 State; or

18 (4) Is a natural person or corporation doing business  
19 within this State.

20 (b-5) Foreign defamation judgment. The courts of this State  
21 shall have personal jurisdiction over any person who obtains a  
22 judgment in a defamation proceeding outside the United States  
23 against any person who is a resident of Illinois or, if not a  
24 natural person, has its principal place of business in  
25 Illinois, for the purposes of rendering declaratory relief with  
26 respect to that resident's liability for the judgment, or for

1 the purpose of determining whether said judgment should be  
2 deemed non-recognizable pursuant to this Code, to the fullest  
3 extent permitted by the United States Constitution, provided:

4 (1) the publication at issue was published in Illinois,  
5 and

6 (2) that resident (i) has assets in Illinois which  
7 might be used to satisfy the foreign defamation judgment,  
8 or (ii) may have to take actions in Illinois to comply with  
9 the foreign defamation judgment.

10 The provisions of this subsection (b-5) shall apply to  
11 persons who obtained judgments in defamation proceedings  
12 outside the United States prior to, on, or after the effective  
13 date of this amendatory Act of the 95th General Assembly.

14 (c) A court may also exercise jurisdiction on any other  
15 basis now or hereafter permitted by the Illinois Constitution  
16 and the Constitution of the United States.

17 (d) Service of process upon any person who is subject to  
18 the jurisdiction of the courts of this State, as provided in  
19 this Section, may be made by personally serving the summons  
20 upon the defendant outside this State, as provided in this Act,  
21 with the same force and effect as though summons had been  
22 personally served within this State.

23 (e) Service of process upon any person who resides or whose  
24 business address is outside the United States and who is  
25 subject to the jurisdiction of the courts of this State, as  
26 provided in this Section, in any action based upon product

1 liability may be made by serving a copy of the summons with a  
2 copy of the complaint attached upon the Secretary of State. The  
3 summons shall be accompanied by a \$5 fee payable to the  
4 Secretary of State. The plaintiff shall forthwith mail a copy  
5 of the summons, upon which the date of service upon the  
6 Secretary is clearly shown, together with a copy of the  
7 complaint to the defendant at his or her last known place of  
8 residence or business address. Plaintiff shall file with the  
9 circuit clerk an affidavit of the plaintiff or his or her  
10 attorney stating the last known place of residence or the last  
11 known business address of the defendant and a certificate of  
12 mailing a copy of the summons and complaint to the defendant at  
13 such address as required by this subsection (e). The  
14 certificate of mailing shall be prima facie evidence that the  
15 plaintiff or his or her attorney mailed a copy of the summons  
16 and complaint to the defendant as required. Service of the  
17 summons shall be deemed to have been made upon the defendant on  
18 the date it is served upon the Secretary and shall have the  
19 same force and effect as though summons had been personally  
20 served upon the defendant within this State.

21 (f) Only causes of action arising from acts enumerated  
22 herein may be asserted against a defendant in an action in  
23 which jurisdiction over him or her is based upon subsection  
24 (a).

25 (g) Nothing herein contained limits or affects the right to  
26 serve any process in any other manner now or hereafter provided



1 by law.

2 (Source: P.A. 95-865, eff. 8-19-08.)

3 (735 ILCS 5/2-1401) (from Ch. 110, par. 2-1401)

4 Sec. 2-1401. Relief from judgments.

5 (a) Relief from final orders and judgments, after 30 days  
6 from the entry thereof, may be had upon petition as provided in  
7 this Section. Writs of error coram nobis and coram vobis, bills  
8 of review and bills in the nature of bills of review are  
9 abolished. All relief heretofore obtainable and the grounds for  
10 such relief heretofore available, whether by any of the  
11 foregoing remedies or otherwise, shall be available in every  
12 case, by proceedings hereunder, regardless of the nature of the  
13 order or judgment from which relief is sought or of the  
14 proceedings in which it was entered. Except as provided in  
15 ~~Section 6 of~~ the Illinois Parentage Act of 2015 ~~1984~~, there  
16 shall be no distinction between actions and other proceedings,  
17 statutory or otherwise, as to availability of relief, grounds  
18 for relief or the relief obtainable.

19 (b) The petition must be filed in the same proceeding in  
20 which the order or judgment was entered but is not a  
21 continuation thereof. The petition must be supported by  
22 affidavit or other appropriate showing as to matters not of  
23 record. All parties to the petition shall be notified as  
24 provided by rule.

25 (c) Except as provided in Section 20b of the Adoption Act

1 and Section 2-32 of the Juvenile Court Act of 1987 or in a  
2 petition based upon Section 116-3 of the Code of Criminal  
3 Procedure of 1963, the petition must be filed not later than 2  
4 years after the entry of the order or judgment. Time during  
5 which the person seeking relief is under legal disability or  
6 duress or the ground for relief is fraudulently concealed shall  
7 be excluded in computing the period of 2 years.

8 (d) The filing of a petition under this Section does not  
9 affect the order or judgment, or suspend its operation.

10 (e) Unless lack of jurisdiction affirmatively appears from  
11 the record proper, the vacation or modification of an order or  
12 judgment pursuant to the provisions of this Section does not  
13 affect the right, title or interest in or to any real or  
14 personal property of any person, not a party to the original  
15 action, acquired for value after the entry of the order or  
16 judgment but before the filing of the petition, nor affect any  
17 right of any person not a party to the original action under  
18 any certificate of sale issued before the filing of the  
19 petition, pursuant to a sale based on the order or judgment.

20 (f) Nothing contained in this Section affects any existing  
21 right to relief from a void order or judgment, or to employ any  
22 existing method to procure that relief.

23 (Source: P.A. 95-331, eff. 8-21-07.)

24 (735 ILCS 5/12-112) (from Ch. 110, par. 12-112)

25 Sec. 12-112. What liable to enforcement. All the lands,

1 tenements, real estate, goods and chattels (except such as is  
2 by law declared to be exempt) of every person against whom any  
3 judgment has been or shall be hereafter entered in any court,  
4 for any debt, damages, costs, or other sum of money, shall be  
5 liable to be sold upon such judgment. Any real property, any  
6 beneficial interest in a land trust, or any interest in real  
7 property held in a revocable inter vivos trust or revocable  
8 inter vivos trusts created for estate planning purposes, held  
9 in tenancy by the entirety shall not be liable to be sold upon  
10 judgment entered on or after October 1, 1990 against only one  
11 of the tenants, except if the property was transferred into  
12 tenancy by the entirety with the sole intent to avoid the  
13 payment of debts existing at the time of the transfer beyond  
14 the transferor's ability to pay those debts as they become due.  
15 However, any income from such property shall be subject to  
16 garnishment as provided in Part 7 of this Article XII, whether  
17 judgment has been entered against one or both of the tenants.

18 If the court authorizes the piercing of the ownership veil  
19 pursuant to Section 505 of the Illinois Marriage and  
20 Dissolution of Marriage Act or Section 805 ~~15~~ of the Illinois  
21 Parentage Act of 2015 ~~1984~~, any assets determined to be those  
22 of the non-custodial parent, although not held in name of the  
23 non-custodial parent, shall be subject to attachment or other  
24 provisional remedy in accordance with the procedure prescribed  
25 by this Code. The court may not authorize attachment of  
26 property or any other provisional remedy under this paragraph

1 unless it has obtained jurisdiction over the entity holding  
2 title to the property by proper service on that entity. With  
3 respect to assets which are real property, no order entered as  
4 described in this paragraph shall affect the rights of bona  
5 fide purchasers, mortgagees, judgment creditors, or other lien  
6 holders who acquire their interests in the property prior to  
7 the time a notice of lis pendens pursuant to this Code or a  
8 copy of the order is placed of record in the office of the  
9 recorder of deeds for the county in which the real property is  
10 located.

11 This amendatory Act of 1995 (P.A. 89-438) is declarative of  
12 existing law.

13 This amendatory Act of 1997 (P.A. 90-514) is intended as a  
14 clarification of existing law and not as a new enactment.

15 (Source: P.A. 96-1145, eff. 1-1-11.)

16 (735 ILCS 5/12-819) (from Ch. 110, par. 12-819)

17 Sec. 12-819. Limitations on part 8 of Article XII. The  
18 provisions of this Part 8 of Article XII of this Act do not  
19 apply to orders for withholding of income entered by the court  
20 under provisions of The Illinois Public Aid Code, the Illinois  
21 Marriage and Dissolution of Marriage Act, the Non-Support of  
22 Spouse and Children Act, the Non-Support Punishment Act, the  
23 Revised Uniform Reciprocal Enforcement of Support Act, the  
24 Illinois Parentage Act of 1984, and the Illinois Parentage Act  
25 of 2015 ~~and the Paternity Act~~ for support of a child or

1 maintenance of a spouse.

2 (Source: P.A. 91-613, eff. 10-1-99.)

3 Section 965. The Illinois Wage Assignment Act is amended by  
4 changing Section 11 as follows:

5 (740 ILCS 170/11) (from Ch. 48, par. 39.12)

6 Sec. 11. The provisions of this Act do not apply to orders  
7 for withholding of income entered by the court under provisions  
8 of The Illinois Public Aid Code, the Illinois Marriage and  
9 Dissolution of Marriage Act, the Non-Support of Spouse and  
10 Children Act, the Non-Support Punishment Act, the Revised  
11 Uniform Reciprocal Enforcement of Support Act, the Illinois  
12 Parentage Act of 1984, and the Illinois Parentage Act of 2015  
13 ~~and the Paternity Act~~ for support of a child or maintenance of  
14 a spouse.

15 (Source: P.A. 91-613, eff. 10-1-99.)

16 Section 966. The Illinois Marriage and Dissolution of  
17 Marriage Act is amended by changing Section 713 as follows:

18 (750 ILCS 5/713) (from Ch. 40, par. 713)

19 Sec. 713. Attachment of the Body. As used in this Section,  
20 "obligor" has the same meaning ascribed to such term in the  
21 Income Withholding for Support Act.

22 (a) In any proceeding to enforce an order for support,

1 where the obligor has failed to appear in court pursuant to  
2 order of court and after due notice thereof, the court may  
3 enter an order for the attachment of the body of the obligor.  
4 Notices under this Section shall be served upon the obligor by  
5 any means authorized under subsection (a-5) of Section 505. The  
6 attachment order shall fix an amount of escrow which is equal  
7 to a minimum of 20% of the total child support arrearage  
8 alleged by the obligee in sworn testimony to be due and owing.  
9 The attachment order shall direct the Sheriff of any county in  
10 Illinois to take the obligor into custody and shall set the  
11 number of days following release from custody for a hearing to  
12 be held at which the obligor must appear, if he is released  
13 under subsection (b) of this Section.

14 (b) If the obligor is taken into custody, the Sheriff shall  
15 take the obligor before the court which entered the attachment  
16 order. However, the Sheriff may release the person after he or  
17 she has deposited the amount of escrow ordered by the court  
18 pursuant to local procedures for the posting of bond. The  
19 Sheriff shall advise the obligor of the hearing date at which  
20 the obligor is required to appear.

21 (c) Any escrow deposited pursuant to this Section shall be  
22 transmitted to the Clerk of the Circuit Court for the county in  
23 which the order for attachment of the body of the obligor was  
24 entered. Any Clerk who receives money deposited into escrow  
25 pursuant to this Section shall notify the obligee, public  
26 office or legal counsel whose name appears on the attachment

1 order of the court date at which the obligor is required to  
2 appear and the amount deposited into escrow. The Clerk shall  
3 disburse such money to the obligee only under an order from the  
4 court that entered the attachment order pursuant to this  
5 Section.

6 (d) Whenever an obligor is taken before the court by the  
7 Sheriff, or appears in court after the court has ordered the  
8 attachment of his body, the court shall:

9 (1) hold a hearing on the complaint or petition that  
10 gave rise to the attachment order. For purposes of  
11 determining arrearages that are due and owing by the  
12 obligor, the court shall accept the previous sworn  
13 testimony of the obligee as true and the appearance of the  
14 obligee shall not be required. The court shall require  
15 sworn testimony of the obligor as to the last 4 digits of  
16 his or her Social Security number, income, employment, bank  
17 accounts, property and any other assets. If there is a  
18 dispute as to the total amount of arrearages, the court  
19 shall proceed as in any other case as to the undisputed  
20 amounts; and

21 (2) order the Clerk of the Circuit Court to disburse to  
22 the obligee or public office money held in escrow pursuant  
23 to this Section if the court finds that the amount of  
24 arrearages exceeds the amount of the escrow. Amounts  
25 received by the obligee or public office shall be deducted  
26 from the amount of the arrearages.

1 (e) If the obligor fails to appear in court after being  
2 notified of the court date by the Sheriff upon release from  
3 custody, the court shall order any monies deposited into escrow  
4 to be immediately released to the obligee or public office and  
5 shall proceed under subsection (a) of this Section by entering  
6 another order for the attachment of the body of the obligor.

7 (f) This Section shall apply to any order for support  
8 issued under the "Illinois Marriage and Dissolution of Marriage  
9 Act", approved September 22, 1977, as amended; the Illinois  
10 Parentage Act of 2015; the "Illinois Parentage Act of 1984",  
11 effective July 1, 1985, as amended; the "Revised Uniform  
12 Reciprocal Enforcement of Support Act", approved August 28,  
13 1969, as amended; "The Illinois Public Aid Code", approved  
14 April 11, 1967, as amended; the Non-Support Punishment Act; and  
15 the "Non-support of Spouse and Children Act", approved June 8,  
16 1953, as amended.

17 (g) Any escrow established pursuant to this Section for the  
18 purpose of providing support shall not be subject to fees  
19 collected by the Clerk of the Circuit Court for any other  
20 escrow.

21 (Source: P.A. 91-113, eff. 7-15-99; 91-613, eff. 10-1-99;  
22 92-16, eff. 6-28-01.)

23 Section 967. The Non-Support Punishment Act is amended by  
24 changing Section 50 as follows:



1 (750 ILCS 16/50)

2 Sec. 50. Community service; work alternative program.

3 (a) In addition to any other penalties imposed against an  
4 offender under this Act, the court may order the offender to  
5 perform community service for not less than 30 and not more  
6 than 120 hours per month, if community service is available in  
7 the jurisdiction and is funded and approved by the county board  
8 of the county where the offense was committed. In addition,  
9 whenever any person is placed on supervision for committing an  
10 offense under this Act, the supervision shall be conditioned on  
11 the performance of the community service.

12 (b) In addition to any other penalties imposed against an  
13 offender under this Act, the court may sentence the offender to  
14 service in a work alternative program administered by the  
15 sheriff. The conditions of the program are that the offender  
16 obtain or retain employment and participate in a work  
17 alternative program administered by the sheriff during  
18 non-working hours. A person may not be required to participate  
19 in a work alternative program under this subsection if the  
20 person is currently participating in a work program pursuant to  
21 another provision of this Act, Section 10-11.1 of the Illinois  
22 Public Aid Code, Section 505.1 of the Illinois Marriage and  
23 Dissolution of Marriage Act, or Section 806 ~~15.1~~ of the  
24 Illinois Parentage Act of 2015 ~~1984~~.

25 (c) In addition to any other penalties imposed against an  
26 offender under this Act, the court may order, in cases where

1 the offender has been in violation of this Act for 90 days or  
2 more, that the offender's Illinois driving privileges be  
3 suspended until the court determines that the offender is in  
4 compliance with this Act.

5 The court may determine that the offender is in compliance  
6 with this Act if the offender has agreed (i) to pay all  
7 required amounts of support and maintenance as determined by  
8 the court or (ii) to the garnishment of his or her income for  
9 the purpose of paying those amounts.

10 The court may also order that the offender be issued a  
11 family financial responsibility driving permit that would  
12 allow limited driving privileges for employment and medical  
13 purposes in accordance with Section 7-702.1 of the Illinois  
14 Vehicle Code. The clerk of the circuit court shall certify the  
15 order suspending the driving privileges of the offender or  
16 granting the issuance of a family financial responsibility  
17 driving permit to the Secretary of State on forms prescribed by  
18 the Secretary. Upon receipt of the authenticated documents, the  
19 Secretary of State shall suspend the offender's driving  
20 privileges until further order of the court and shall, if  
21 ordered by the court, subject to the provisions of Section  
22 7-702.1 of the Illinois Vehicle Code, issue a family financial  
23 responsibility driving permit to the offender.

24 (d) If the court determines that the offender has been in  
25 violation of this Act for more than 60 days, the court may  
26 determine whether the offender has applied for or been issued a

1 professional license by the Department of Professional  
2 Regulation or another licensing agency. If the court determines  
3 that the offender has applied for or been issued such a  
4 license, the court may certify to the Department of  
5 Professional Regulation or other licensing agency that the  
6 offender has been in violation of this Act for more than 60  
7 days so that the Department or other agency may take  
8 appropriate steps with respect to the license or application as  
9 provided in Section 10-65 of the Illinois Administrative  
10 Procedure Act and Section 2105-15 of the Department of  
11 Professional Regulation Law of the Civil Administrative Code of  
12 Illinois. The court may take the actions required under this  
13 subsection in addition to imposing any other penalty authorized  
14 under this Act.

15 (Source: P.A. 91-613, eff. 10-1-99; 92-651, eff. 7-11-02.)

16 Section 968. The Uniform Interstate Family Support Act is  
17 amended by changing Section 102 as follows:

18 (750 ILCS 22/102) (was 750 ILCS 22/101)

19 Sec. 102. Definitions. In this Act:

20 "Child" means an individual, whether over or under the age  
21 of 18, who is or is alleged to be owed a duty of support by the  
22 individual's parent or who is or is alleged to be the  
23 beneficiary of a support order directed to the parent.

24 "Child-support order" means a support order for a child,

1 including a child who has attained the age of 18.

2 "Duty of support" means an obligation imposed or imposable  
3 by law to provide support for a child, spouse, or former spouse  
4 including an unsatisfied obligation to provide support.

5 "Home state" means the state in which a child lived with a  
6 parent or a person acting as parent for at least 6 consecutive  
7 months immediately preceding the time of filing of a petition  
8 or comparable pleading for support, and if a child is less than  
9 6 months old, the state in which the child lived from birth  
10 with any of them. A period of temporary absence of any of them  
11 is counted as part of the 6-month or other period.

12 "Income" includes earnings or other periodic entitlements  
13 to money from any source and any other property subject to  
14 withholding for support under the law of this State.

15 "Income-withholding order" means an order or other legal  
16 process directed to an obligor's employer or other debtor, as  
17 defined by the Illinois Marriage and Dissolution of Marriage  
18 Act, the Non-Support of Spouse and Children Act, the  
19 Non-Support Punishment Act, the Illinois Public Aid Code, and  
20 the Illinois Parentage Act of 2015 ~~1984~~, to withhold support  
21 from the income of the obligor.

22 "Initiating state" means a state from which a proceeding is  
23 forwarded or in which a proceeding is filed for forwarding to a  
24 responding state under this Act or a law or procedure  
25 substantially similar to this Act.

26 "Initiating tribunal" means the authorized tribunal in an

1 initiating state.

2 "Issuing state" means the state in which a tribunal issues  
3 a support order or renders a judgment determining parentage.

4 "Issuing tribunal" means the tribunal that issues a support  
5 order or renders a judgment determining parentage.

6 "Obligee" means:

7 (A) an individual to whom a duty of support is or is  
8 alleged to be owed or in whose favor a support order has  
9 been issued or a judgment determining parentage has been  
10 rendered;

11 (B) a state or political subdivision to which the  
12 rights under a duty of support or support order have been  
13 assigned or which has independent claims based on financial  
14 assistance provided to an individual obligee; or

15 (C) an individual seeking a judgment determining  
16 parentage of the individual's child.

17 "Obligor" means an individual, or the estate of a decedent:

18 (i) who owes or is alleged to owe a duty of  
19 support;

20 (ii) who is alleged but has not been adjudicated to  
21 be a parent of a child; or

22 (iii) who is liable under a support order.

23 "Person means an individual, corporation, business trust,  
24 estate, trust, partnership, limited liability company,  
25 association, joint venture, government, governmental  
26 subdivision, agency, instrumentality, public corporation, or

1 any other legal or commercial entity.

2 "Record" means information that is inscribed on a tangible  
3 medium or that is stored in an electronic or other medium and  
4 is retrievable in perceivable form.

5 "Register" means to record a support order or judgment  
6 determining parentage in the appropriate Registry of Foreign  
7 Support Orders.

8 "Registering tribunal" means a tribunal in which a support  
9 order is registered.

10 "Responding state" means a state in which a proceeding is  
11 filed or to which a proceeding is forwarded for filing from an  
12 initiating state under this Act or a law or procedure  
13 substantially similar to this Act.

14 "Responding tribunal" means the authorized tribunal in a  
15 responding state.

16 "Spousal-support order" means a support order for a spouse  
17 or former spouse of the obligor.

18 "State" means a state of the United States, the District of  
19 Columbia, Puerto Rico, the United States Virgin Islands, or any  
20 territory or insular possession subject to the jurisdiction of  
21 the United States. The term includes:

22 (A) an Indian tribe; and

23 (B) a foreign country or political subdivision that:

24 (i) has been declared to be a foreign reciprocating  
25 country or political subdivision under federal law;

26 (ii) has established a reciprocal arrangement for

1 child support with this State as provided in Section  
2 308; or

3 (iii) has enacted a law or established procedures  
4 for issuance and enforcement of support orders which  
5 are substantially similar to the procedures under this  
6 Act.

7 "Support enforcement agency" means a public official or  
8 agency authorized to seek:

9 (A) enforcement of support orders or laws relating to  
10 the duty of support;

11 (B) establishment or modification of child support;

12 (C) determination of parentage;

13 (D) to locate obligors or their assets; or

14 (E) determination of the controlling child support  
15 order.

16 "Support order" means a judgment, decree, order, or  
17 directive, whether temporary, final, or subject to  
18 modification, issued by a tribunal for the benefit of a child,  
19 a spouse, or a former spouse, which provides for monetary  
20 support, health care, arrearages, or reimbursement, and may  
21 include related costs and fees, interest, income withholding,  
22 attorney's fees, and other relief.

23 "Tribunal" means a court, administrative agency, or  
24 quasi-judicial entity authorized to establish, enforce, or  
25 modify support orders or to determine parentage.

26 (Source: P.A. 93-479, eff. 1-1-04, operative 7-1-04; revised

1 11-26-14.)

2 Section 969. The Expedited Child Support Act of 1990 is  
3 amended by changing Section 6 as follows:

4 (750 ILCS 25/6) (from Ch. 40, par. 2706)

5 Sec. 6. Authority of hearing officers.

6 (a) With the exception of judicial functions exclusively  
7 retained by the court in Section 8 of this Act and in  
8 accordance with Supreme Court rules promulgated pursuant to  
9 this Act, Administrative Hearing Officers shall be authorized  
10 to:

11 (1) Accept voluntary agreements reached by the parties  
12 setting the amount of child support to be paid and medical  
13 support liability and recommend the entry of orders  
14 incorporating such agreements.

15 (2) Accept voluntary acknowledgments of parentage and  
16 recommend entry of an order establishing parentage based on  
17 such acknowledgement. Prior to accepting such  
18 acknowledgment, the Administrative Hearing Officer shall  
19 advise the putative father of his rights and obligations in  
20 accordance with Supreme Court rules promulgated pursuant  
21 to this Act.

22 (3) Manage all stages of discovery, including setting  
23 deadlines by which discovery must be completed; and  
24 directing the parties to submit to appropriate tests



1           pursuant to ~~Section 11 of~~ the Illinois Parentage Act of  
2           2015 ~~1984~~.

3           (4) Cause notices to be issued requiring the Obligor to  
4           appear either before the Administrative Hearing Officer or  
5           in court.

6           (5) Administer the oath or affirmation and take  
7           testimony under oath or affirmation.

8           (6) Analyze the evidence and prepare written  
9           recommendations based on such evidence, including but not  
10          limited to: (i) proposed findings as to the amount of the  
11          Obligor's income; (ii) proposed findings as to the amount  
12          and nature of appropriate deductions from the Obligor's  
13          income to determine the Obligor's net income; (iii)  
14          proposed findings as to the existence of relevant factors  
15          as set forth in subsection (a)(2) of Section 505 of the  
16          Illinois Marriage and Dissolution of Marriage Act, which  
17          justify setting child support payment levels above or below  
18          the guidelines; (iv) recommended orders for temporary  
19          child support; (v) recommended orders setting the amount of  
20          current child support to be paid; (vi) proposed findings as  
21          to the existence and amount of any arrearages; (vii)  
22          recommended orders reducing any arrearages to judgement  
23          and for the payment of amounts towards such arrearages;  
24          (viii) proposed findings as to whether there has been a  
25          substantial change of circumstances since the entry of the  
26          last child support order, or other circumstances

1           justifying a modification of the child support order; and  
2           (ix) proposed findings as to whether the Obligor is  
3           employed.

4           (7) With respect to any unemployed Obligor who is not  
5           making child support payments or is otherwise unable to  
6           provide support, recommend that the Obligor be ordered to  
7           seek employment and report periodically of his or her  
8           efforts in accordance with such order. Additionally, the  
9           Administrative Hearing Officer may recommend that the  
10          Obligor be ordered to report to the Department of  
11          Employment Security for job search services or to make  
12          application with the local Job Training Partnership Act  
13          provider for participation in job search, training or work  
14          programs and, where the duty of support is owed to a child  
15          receiving child support enforcement services under Article  
16          X of the Illinois Public Aid Code, the Administrative  
17          Hearing Officer may recommend that the Obligor be ordered  
18          to report to the Department of Healthcare and Family  
19          Services for participation in the job search, training or  
20          work programs established under Section 9-6 of the Illinois  
21          Public Aid Code.

22          (8) Recommend the registration of any foreign support  
23          judgments or orders as the judgments or orders of Illinois.

24          (b) In any case in which the Obligee is not participating  
25          in the IV-D program or has not applied to participate in the  
26          IV-D program, the Administrative Hearing Officer shall:

1           (1) inform the Obligee of the existence of the IV-D  
2 program and provide applications on request; and

3           (2) inform the Obligee and the Obligor of the option of  
4 requesting payment to be made through the Clerk of the  
5 Circuit Court.

6           If a request for payment through the Clerk is made, the  
7 Administrative Hearing Officer shall note this fact in the  
8 recommendations to the court.

9           (c) The Administrative Hearing Officer may make  
10 recommendations in addition to the proposed findings of fact  
11 and recommended order to which the parties have agreed.

12           (Source: P.A. 95-331, eff. 8-21-07.)

13           Section 970. The Income Withholding for Support Act is  
14 amended by changing Section 15 as follows:

15           (750 ILCS 28/15)

16           Sec. 15. Definitions.

17           (a) "Order for support" means any order of the court which  
18 provides for periodic payment of funds for the support of a  
19 child or maintenance of a spouse, whether temporary or final,  
20 and includes any such order which provides for:

21           (1) modification or resumption of, or payment of  
22 arrearage, including interest, accrued under, a previously  
23 existing order;

24           (2) reimbursement of support;

1           (3) payment or reimbursement of the expenses of  
2 pregnancy and delivery (for orders for support entered  
3 under the Illinois Parentage Act of 1984 or its predecessor  
4 the Paternity Act or under the Illinois Parentage Act of  
5 2015); or

6           (4) enrollment in a health insurance plan that is  
7 available to the obligor through an employer or labor union  
8 or trade union.

9           (b) "Arrearage" means the total amount of unpaid support  
10 obligations, including interest, as determined by the court and  
11 incorporated into an order for support.

12           (b-5) "Business day" means a day on which State offices are  
13 open for regular business.

14           (c) "Delinquency" means any payment, including a payment of  
15 interest, under an order for support which becomes due and  
16 remains unpaid after entry of the order for support.

17           (d) "Income" means any form of periodic payment to an  
18 individual, regardless of source, including, but not limited  
19 to: wages, salary, commission, compensation as an independent  
20 contractor, workers' compensation, disability, annuity,  
21 pension, and retirement benefits, lottery prize awards,  
22 insurance proceeds, vacation pay, bonuses, profit-sharing  
23 payments, severance pay, interest, and any other payments, made  
24 by any person, private entity, federal or state government, any  
25 unit of local government, school district or any entity created  
26 by Public Act; however, "income" excludes:

1           (1) any amounts required by law to be withheld, other  
2           than creditor claims, including, but not limited to,  
3           federal, State and local taxes, Social Security and other  
4           retirement and disability contributions;

5           (2) union dues;

6           (3) any amounts exempted by the federal Consumer Credit  
7           Protection Act;

8           (4) public assistance payments; and

9           (5) unemployment insurance benefits except as provided  
10          by law.

11          Any other State or local laws which limit or exempt income  
12          or the amount or percentage of income that can be withheld  
13          shall not apply.

14          (e) "Obligor" means the individual who owes a duty to make  
15          payments under an order for support.

16          (f) "Obligee" means the individual to whom a duty of  
17          support is owed or the individual's legal representative.

18          (g) "Payor" means any payor of income to an obligor.

19          (h) "Public office" means any elected official or any State  
20          or local agency which is or may become responsible by law for  
21          enforcement of, or which is or may become authorized to  
22          enforce, an order for support, including, but not limited to:  
23          the Attorney General, the Illinois Department of Healthcare and  
24          Family Services, the Illinois Department of Human Services, the  
25          Illinois Department of Children and Family Services, and the  
26          various State's Attorneys, Clerks of the Circuit Court and

1 supervisors of general assistance.

2 (i) "Premium" means the dollar amount for which the obligor  
3 is liable to his employer or labor union or trade union and  
4 which must be paid to enroll or maintain a child in a health  
5 insurance plan that is available to the obligor through an  
6 employer or labor union or trade union.

7 (j) "State Disbursement Unit" means the unit established to  
8 collect and disburse support payments in accordance with the  
9 provisions of Section 10-26 of the Illinois Public Aid Code.

10 (k) "Title IV-D Agency" means the agency of this State  
11 charged by law with the duty to administer the child support  
12 enforcement program established under Title IV, Part D of the  
13 Social Security Act and Article X of the Illinois Public Aid  
14 Code.

15 (l) "Title IV-D case" means a case in which an obligee or  
16 obligor is receiving child support enforcement services under  
17 Title IV, Part D of the Social Security Act and Article X of  
18 the Illinois Public Aid Code.

19 (m) "National Medical Support Notice" means the notice  
20 required for enforcement of orders for support providing for  
21 health insurance coverage of a child under Title IV, Part D of  
22 the Social Security Act, the Employee Retirement Income  
23 Security Act of 1974, and federal regulations promulgated under  
24 those Acts.

25 (n) "Employer" means a payor or labor union or trade union  
26 with an employee group health insurance plan and, for purposes

1 of the National Medical Support Notice, also includes but is  
2 not limited to:

3 (1) any State or local governmental agency with a group  
4 health plan; and

5 (2) any payor with a group health plan or "church plan"  
6 covered under the Employee Retirement Income Security Act  
7 of 1974.

8 (Source: P.A. 94-90, eff. 1-1-06; 95-331, eff. 8-21-07; 95-685,  
9 eff. 10-23-07.)

10 Section 971. The Gestational Surrogacy Act is amended by  
11 changing Section 35 as follows:

12 (750 ILCS 47/35)

13 Sec. 35. Establishment of the parent-child relationship.

14 (a) For purposes of the Illinois Parentage Act of 2015  
15 ~~1984~~, a parent-child relationship shall be established prior to  
16 the birth of a child born through gestational surrogacy if, in  
17 addition to satisfying the requirements of Articles 2 and 3  
18 ~~Sections 5 and 6~~ of the Illinois Parentage Act of 2015 ~~1984~~,  
19 the attorneys representing both the gestational surrogate and  
20 the intended parent or parents certify that the parties entered  
21 into a gestational surrogacy contract intended to satisfy the  
22 requirements of Section 25 of this Act with respect to the  
23 child.

24 (b) The attorneys' certifications required by subsection

1 (a) of this Section shall be filed on forms prescribed by the  
2 Illinois Department of Public Health and in a manner consistent  
3 with the requirement of the Illinois Parentage Act of 2015  
4 ~~1984~~.

5 (Source: P.A. 93-921, eff. 1-1-05.)

6 Section 972. The Adoption Act is amended by changing  
7 Sections 1, 8, 12a, and 18.06 as follows:

8 (750 ILCS 50/1) (from Ch. 40, par. 1501)

9 Sec. 1. Definitions. When used in this Act, unless the  
10 context otherwise requires:

11 A. "Child" means a person under legal age subject to  
12 adoption under this Act.

13 B. "Related child" means a child subject to adoption where  
14 either or both of the adopting parents stands in any of the  
15 following relationships to the child by blood, marriage,  
16 adoption, or civil union: parent, grand-parent,  
17 great-grandparent, brother, sister, step-parent,  
18 step-grandparent, step-brother, step-sister, uncle, aunt,  
19 great-uncle, great-aunt, first cousin, or second cousin. A  
20 person is related to the child as a first cousin or second  
21 cousin if they are both related to the same ancestor as either  
22 grandchild or great-grandchild. A child whose parent has  
23 executed a consent to adoption, a surrender, or a waiver  
24 pursuant to Section 10 of this Act or whose parent has signed a



1 denial of paternity pursuant to Section 12 of the Vital Records  
2 Act or Section 12a of this Act, or whose parent has had his or  
3 her parental rights terminated, is not a related child to that  
4 person, unless (1) the consent is determined to be void or is  
5 void pursuant to subsection O of Section 10 of this Act; or (2)  
6 the parent of the child executed a consent to adoption by a  
7 specified person or persons pursuant to subsection A-1 of  
8 Section 10 of this Act and a court of competent jurisdiction  
9 finds that such consent is void; or (3) the order terminating  
10 the parental rights of the parent is vacated by a court of  
11 competent jurisdiction.

12 C. "Agency" for the purpose of this Act means a public  
13 child welfare agency or a licensed child welfare agency.

14 D. "Unfit person" means any person whom the court shall  
15 find to be unfit to have a child, without regard to the  
16 likelihood that the child will be placed for adoption. The  
17 grounds of unfitness are any one or more of the following,  
18 except that a person shall not be considered an unfit person  
19 for the sole reason that the person has relinquished a child in  
20 accordance with the Abandoned Newborn Infant Protection Act:

21 (a) Abandonment of the child.

22 (a-1) Abandonment of a newborn infant in a hospital.

23 (a-2) Abandonment of a newborn infant in any setting  
24 where the evidence suggests that the parent intended to  
25 relinquish his or her parental rights.

26 (b) Failure to maintain a reasonable degree of

1 interest, concern or responsibility as to the child's  
2 welfare.

3 (c) Desertion of the child for more than 3 months next  
4 preceding the commencement of the Adoption proceeding.

5 (d) Substantial neglect of the child if continuous or  
6 repeated.

7 (d-1) Substantial neglect, if continuous or repeated,  
8 of any child residing in the household which resulted in  
9 the death of that child.

10 (e) Extreme or repeated cruelty to the child.

11 (f) There is a rebuttable presumption, which can be  
12 overcome only by clear and convincing evidence, that a  
13 parent is unfit if:

14 (1) Two or more findings of physical abuse have  
15 been entered regarding any children under Section 2-21  
16 of the Juvenile Court Act of 1987, the most recent of  
17 which was determined by the juvenile court hearing the  
18 matter to be supported by clear and convincing  
19 evidence; or

20 (2) The parent has been convicted or found not  
21 guilty by reason of insanity and the conviction or  
22 finding resulted from the death of any child by  
23 physical abuse; or

24 (3) There is a finding of physical child abuse  
25 resulting from the death of any child under Section  
26 2-21 of the Juvenile Court Act of 1987.

1           No conviction or finding of delinquency pursuant  
2           to Article V of the Juvenile Court Act of 1987 shall be  
3           considered a criminal conviction for the purpose of  
4           applying any presumption under this item (f).

5           (g) Failure to protect the child from conditions within  
6           his environment injurious to the child's welfare.

7           (h) Other neglect of, or misconduct toward the child;  
8           provided that in making a finding of unfitness the court  
9           hearing the adoption proceeding shall not be bound by any  
10          previous finding, order or judgment affecting or  
11          determining the rights of the parents toward the child  
12          sought to be adopted in any other proceeding except such  
13          proceedings terminating parental rights as shall be had  
14          under either this Act, the Juvenile Court Act or the  
15          Juvenile Court Act of 1987.

16          (i) Depravity. Conviction of any one of the following  
17          crimes shall create a presumption that a parent is deprived  
18          which can be overcome only by clear and convincing  
19          evidence: (1) first degree murder in violation of paragraph  
20          1 or 2 of subsection (a) of Section 9-1 of the Criminal  
21          Code of 1961 or the Criminal Code of 2012 or conviction of  
22          second degree murder in violation of subsection (a) of  
23          Section 9-2 of the Criminal Code of 1961 or the Criminal  
24          Code of 2012 of a parent of the child to be adopted; (2)  
25          first degree murder or second degree murder of any child in  
26          violation of the Criminal Code of 1961 or the Criminal Code

1 of 2012; (3) attempt or conspiracy to commit first degree  
2 murder or second degree murder of any child in violation of  
3 the Criminal Code of 1961 or the Criminal Code of 2012; (4)  
4 solicitation to commit murder of any child, solicitation to  
5 commit murder of any child for hire, or solicitation to  
6 commit second degree murder of any child in violation of  
7 the Criminal Code of 1961 or the Criminal Code of 2012; (5)  
8 predatory criminal sexual assault of a child in violation  
9 of Section 11-1.40 or 12-14.1 of the Criminal Code of 1961  
10 or the Criminal Code of 2012; (6) heinous battery of any  
11 child in violation of the Criminal Code of 1961; or (7)  
12 aggravated battery of any child in violation of the  
13 Criminal Code of 1961 or the Criminal Code of 2012.

14 There is a rebuttable presumption that a parent is  
15 deprived if the parent has been criminally convicted of at  
16 least 3 felonies under the laws of this State or any other  
17 state, or under federal law, or the criminal laws of any  
18 United States territory; and at least one of these  
19 convictions took place within 5 years of the filing of the  
20 petition or motion seeking termination of parental rights.

21 There is a rebuttable presumption that a parent is  
22 deprived if that parent has been criminally convicted of  
23 either first or second degree murder of any person as  
24 defined in the Criminal Code of 1961 or the Criminal Code  
25 of 2012 within 10 years of the filing date of the petition  
26 or motion to terminate parental rights.

1           No conviction or finding of delinquency pursuant to  
2 Article 5 of the Juvenile Court Act of 1987 shall be  
3 considered a criminal conviction for the purpose of  
4 applying any presumption under this item (i).

5           (j) Open and notorious adultery or fornication.

6           (j-1) (Blank).

7           (k) Habitual drunkenness or addiction to drugs, other  
8 than those prescribed by a physician, for at least one year  
9 immediately prior to the commencement of the unfitness  
10 proceeding.

11           There is a rebuttable presumption that a parent is  
12 unfit under this subsection with respect to any child to  
13 which that parent gives birth where there is a confirmed  
14 test result that at birth the child's blood, urine, or  
15 meconium contained any amount of a controlled substance as  
16 defined in subsection (f) of Section 102 of the Illinois  
17 Controlled Substances Act or metabolites of such  
18 substances, the presence of which in the newborn infant was  
19 not the result of medical treatment administered to the  
20 mother or the newborn infant; and the biological mother of  
21 this child is the biological mother of at least one other  
22 child who was adjudicated a neglected minor under  
23 subsection (c) of Section 2-3 of the Juvenile Court Act of  
24 1987.

25           (l) Failure to demonstrate a reasonable degree of  
26 interest, concern or responsibility as to the welfare of a

1 new born child during the first 30 days after its birth.

2 (m) Failure by a parent (i) to make reasonable efforts  
3 to correct the conditions that were the basis for the  
4 removal of the child from the parent during any 9-month  
5 period following the adjudication of neglected or abused  
6 minor under Section 2-3 of the Juvenile Court Act of 1987  
7 or dependent minor under Section 2-4 of that Act, or (ii)  
8 to make reasonable progress toward the return of the child  
9 to the parent during any 9-month period following the  
10 adjudication of neglected or abused minor under Section 2-3  
11 of the Juvenile Court Act of 1987 or dependent minor under  
12 Section 2-4 of that Act. If a service plan has been  
13 established as required under Section 8.2 of the Abused and  
14 Neglected Child Reporting Act to correct the conditions  
15 that were the basis for the removal of the child from the  
16 parent and if those services were available, then, for  
17 purposes of this Act, "failure to make reasonable progress  
18 toward the return of the child to the parent" includes the  
19 parent's failure to substantially fulfill his or her  
20 obligations under the service plan and correct the  
21 conditions that brought the child into care during any  
22 9-month period following the adjudication under Section  
23 2-3 or 2-4 of the Juvenile Court Act of 1987.  
24 Notwithstanding any other provision, when a petition or  
25 motion seeks to terminate parental rights on the basis of  
26 item (ii) of this subsection (m), the petitioner shall file

1 with the court and serve on the parties a pleading that  
2 specifies the 9-month period or periods relied on. The  
3 pleading shall be filed and served on the parties no later  
4 than 3 weeks before the date set by the court for closure  
5 of discovery, and the allegations in the pleading shall be  
6 treated as incorporated into the petition or motion.  
7 Failure of a respondent to file a written denial of the  
8 allegations in the pleading shall not be treated as an  
9 admission that the allegations are true.

10 (m-1) Pursuant to the Juvenile Court Act of 1987, a  
11 child has been in foster care for 15 months out of any 22  
12 month period which begins on or after the effective date of  
13 this amendatory Act of 1998 unless the child's parent can  
14 prove by a preponderance of the evidence that it is more  
15 likely than not that it will be in the best interests of  
16 the child to be returned to the parent within 6 months of  
17 the date on which a petition for termination of parental  
18 rights is filed under the Juvenile Court Act of 1987. The  
19 15 month time limit is tolled during any period for which  
20 there is a court finding that the appointed custodian or  
21 guardian failed to make reasonable efforts to reunify the  
22 child with his or her family, provided that (i) the finding  
23 of no reasonable efforts is made within 60 days of the  
24 period when reasonable efforts were not made or (ii) the  
25 parent filed a motion requesting a finding of no reasonable  
26 efforts within 60 days of the period when reasonable

1 efforts were not made. For purposes of this subdivision  
2 (m-1), the date of entering foster care is the earlier of:  
3 (i) the date of a judicial finding at an adjudicatory  
4 hearing that the child is an abused, neglected, or  
5 dependent minor; or (ii) 60 days after the date on which  
6 the child is removed from his or her parent, guardian, or  
7 legal custodian.

8 (n) Evidence of intent to forgo his or her parental  
9 rights, whether or not the child is a ward of the court,  
10 (1) as manifested by his or her failure for a period of 12  
11 months: (i) to visit the child, (ii) to communicate with  
12 the child or agency, although able to do so and not  
13 prevented from doing so by an agency or by court order, or  
14 (iii) to maintain contact with or plan for the future of  
15 the child, although physically able to do so, or (2) as  
16 manifested by the father's failure, where he and the mother  
17 of the child were unmarried to each other at the time of  
18 the child's birth, (i) to commence legal proceedings to  
19 establish his paternity under the Illinois Parentage Act of  
20 1984, the Illinois Parentage Act of 2015, or the law of the  
21 jurisdiction of the child's birth within 30 days of being  
22 informed, pursuant to Section 12a of this Act, that he is  
23 the father or the likely father of the child or, after  
24 being so informed where the child is not yet born, within  
25 30 days of the child's birth, or (ii) to make a good faith  
26 effort to pay a reasonable amount of the expenses related



1 to the birth of the child and to provide a reasonable  
2 amount for the financial support of the child, the court to  
3 consider in its determination all relevant circumstances,  
4 including the financial condition of both parents;  
5 provided that the ground for termination provided in this  
6 subparagraph (n)(2)(ii) shall only be available where the  
7 petition is brought by the mother or the husband of the  
8 mother.

9 Contact or communication by a parent with his or her  
10 child that does not demonstrate affection and concern does  
11 not constitute reasonable contact and planning under  
12 subdivision (n). In the absence of evidence to the  
13 contrary, the ability to visit, communicate, maintain  
14 contact, pay expenses and plan for the future shall be  
15 presumed. The subjective intent of the parent, whether  
16 expressed or otherwise, unsupported by evidence of the  
17 foregoing parental acts manifesting that intent, shall not  
18 preclude a determination that the parent has intended to  
19 forgo his or her parental rights. In making this  
20 determination, the court may consider but shall not require  
21 a showing of diligent efforts by an authorized agency to  
22 encourage the parent to perform the acts specified in  
23 subdivision (n).

24 It shall be an affirmative defense to any allegation  
25 under paragraph (2) of this subsection that the father's  
26 failure was due to circumstances beyond his control or to

1           impediments created by the mother or any other person  
2           having legal custody. Proof of that fact need only be by a  
3           preponderance of the evidence.

4           (o) Repeated or continuous failure by the parents,  
5           although physically and financially able, to provide the  
6           child with adequate food, clothing, or shelter.

7           (p) Inability to discharge parental responsibilities  
8           supported by competent evidence from a psychiatrist,  
9           licensed clinical social worker, or clinical psychologist  
10          of mental impairment, mental illness or an intellectual  
11          disability as defined in Section 1-116 of the Mental Health  
12          and Developmental Disabilities Code, or developmental  
13          disability as defined in Section 1-106 of that Code, and  
14          there is sufficient justification to believe that the  
15          inability to discharge parental responsibilities shall  
16          extend beyond a reasonable time period. However, this  
17          subdivision (p) shall not be construed so as to permit a  
18          licensed clinical social worker to conduct any medical  
19          diagnosis to determine mental illness or mental  
20          impairment.

21          (q) (Blank).

22          (r) The child is in the temporary custody or  
23          guardianship of the Department of Children and Family  
24          Services, the parent is incarcerated as a result of  
25          criminal conviction at the time the petition or motion for  
26          termination of parental rights is filed, prior to

1 incarceration the parent had little or no contact with the  
2 child or provided little or no support for the child, and  
3 the parent's incarceration will prevent the parent from  
4 discharging his or her parental responsibilities for the  
5 child for a period in excess of 2 years after the filing of  
6 the petition or motion for termination of parental rights.

7 (s) The child is in the temporary custody or  
8 guardianship of the Department of Children and Family  
9 Services, the parent is incarcerated at the time the  
10 petition or motion for termination of parental rights is  
11 filed, the parent has been repeatedly incarcerated as a  
12 result of criminal convictions, and the parent's repeated  
13 incarceration has prevented the parent from discharging  
14 his or her parental responsibilities for the child.

15 (t) A finding that at birth the child's blood, urine,  
16 or meconium contained any amount of a controlled substance  
17 as defined in subsection (f) of Section 102 of the Illinois  
18 Controlled Substances Act, or a metabolite of a controlled  
19 substance, with the exception of controlled substances or  
20 metabolites of such substances, the presence of which in  
21 the newborn infant was the result of medical treatment  
22 administered to the mother or the newborn infant, and that  
23 the biological mother of this child is the biological  
24 mother of at least one other child who was adjudicated a  
25 neglected minor under subsection (c) of Section 2-3 of the  
26 Juvenile Court Act of 1987, after which the biological

1 mother had the opportunity to enroll in and participate in  
2 a clinically appropriate substance abuse counseling,  
3 treatment, and rehabilitation program.

4 E. "Parent" means a person who is the legal mother or legal  
5 father of the child as defined in subsection X or Y of this  
6 Section. For the purpose of this Act, a parent who has executed  
7 a consent to adoption, a surrender, or a waiver pursuant to  
8 Section 10 of this Act, who has signed a Denial of Paternity  
9 pursuant to Section 12 of the Vital Records Act or Section 12a  
10 of this Act, or whose parental rights have been terminated by a  
11 court, is not a parent of the child who was the subject of the  
12 consent, surrender, waiver, or denial unless (1) the consent is  
13 void pursuant to subsection O of Section 10 of this Act; or (2)  
14 the person executed a consent to adoption by a specified person  
15 or persons pursuant to subsection A-1 of Section 10 of this Act  
16 and a court of competent jurisdiction finds that the consent is  
17 void; or (3) the order terminating the parental rights of the  
18 person is vacated by a court of competent jurisdiction.

19 F. A person is available for adoption when the person is:

20 (a) a child who has been surrendered for adoption to an  
21 agency and to whose adoption the agency has thereafter  
22 consented;

23 (b) a child to whose adoption a person authorized by  
24 law, other than his parents, has consented, or to whose  
25 adoption no consent is required pursuant to Section 8 of  
26 this Act;

1 (c) a child who is in the custody of persons who intend  
2 to adopt him through placement made by his parents;

3 (c-1) a child for whom a parent has signed a specific  
4 consent pursuant to subsection 0 of Section 10;

5 (d) an adult who meets the conditions set forth in  
6 Section 3 of this Act; or

7 (e) a child who has been relinquished as defined in  
8 Section 10 of the Abandoned Newborn Infant Protection Act.

9 A person who would otherwise be available for adoption  
10 shall not be deemed unavailable for adoption solely by reason  
11 of his or her death.

12 G. The singular includes the plural and the plural includes  
13 the singular and the "male" includes the "female", as the  
14 context of this Act may require.

15 H. "Adoption disruption" occurs when an adoptive placement  
16 does not prove successful and it becomes necessary for the  
17 child to be removed from placement before the adoption is  
18 finalized.

19 I. "Habitual residence" has the meaning ascribed to it in  
20 the federal Intercountry Adoption Act of 2000 and regulations  
21 promulgated thereunder.

22 J. "Immediate relatives" means the biological parents, the  
23 parents of the biological parents and siblings of the  
24 biological parents.

25 K. "Intercountry adoption" is a process by which a child  
26 from a country other than the United States is adopted by

1 persons who are habitual residents of the United States, or the  
2 child is a habitual resident of the United States who is  
3 adopted by persons who are habitual residents of a country  
4 other than the United States.

5 L. "Intercountry Adoption Coordinator" means a staff  
6 person of the Department of Children and Family Services  
7 appointed by the Director to coordinate the provision of  
8 services related to an intercountry adoption.

9 M. "Interstate Compact on the Placement of Children" is a  
10 law enacted by all states and certain territories for the  
11 purpose of establishing uniform procedures for handling the  
12 interstate placement of children in foster homes, adoptive  
13 homes, or other child care facilities.

14 N. (Blank).

15 O. "Preadoption requirements" means any conditions or  
16 standards established by the laws or administrative rules of  
17 this State that must be met by a prospective adoptive parent  
18 prior to the placement of a child in an adoptive home.

19 P. "Abused child" means a child whose parent or immediate  
20 family member, or any person responsible for the child's  
21 welfare, or any individual residing in the same home as the  
22 child, or a paramour of the child's parent:

23 (a) inflicts, causes to be inflicted, or allows to be  
24 inflicted upon the child physical injury, by other than  
25 accidental means, that causes death, disfigurement,  
26 impairment of physical or emotional health, or loss or

1           impairment of any bodily function;

2           (b) creates a substantial risk of physical injury to  
3           the child by other than accidental means which would be  
4           likely to cause death, disfigurement, impairment of  
5           physical or emotional health, or loss or impairment of any  
6           bodily function;

7           (c) commits or allows to be committed any sex offense  
8           against the child, as sex offenses are defined in the  
9           Criminal Code of 2012 and extending those definitions of  
10          sex offenses to include children under 18 years of age;

11          (d) commits or allows to be committed an act or acts of  
12          torture upon the child; or

13          (e) inflicts excessive corporal punishment.

14          Q. "Neglected child" means any child whose parent or other  
15          person responsible for the child's welfare withholds or denies  
16          nourishment or medically indicated treatment including food or  
17          care denied solely on the basis of the present or anticipated  
18          mental or physical impairment as determined by a physician  
19          acting alone or in consultation with other physicians or  
20          otherwise does not provide the proper or necessary support,  
21          education as required by law, or medical or other remedial care  
22          recognized under State law as necessary for a child's  
23          well-being, or other care necessary for his or her well-being,  
24          including adequate food, clothing and shelter; or who is  
25          abandoned by his or her parents or other person responsible for  
26          the child's welfare.

1           A child shall not be considered neglected or abused for the  
2 sole reason that the child's parent or other person responsible  
3 for his or her welfare depends upon spiritual means through  
4 prayer alone for the treatment or cure of disease or remedial  
5 care as provided under Section 4 of the Abused and Neglected  
6 Child Reporting Act. A child shall not be considered neglected  
7 or abused for the sole reason that the child's parent or other  
8 person responsible for the child's welfare failed to vaccinate,  
9 delayed vaccination, or refused vaccination for the child due  
10 to a waiver on religious or medical grounds as permitted by  
11 law.

12           R. "Putative father" means a man who may be a child's  
13 father, but who (1) is not married to the child's mother on or  
14 before the date that the child was or is to be born and (2) has  
15 not established paternity of the child in a court proceeding  
16 before the filing of a petition for the adoption of the child.  
17 The term includes a male who is less than 18 years of age.  
18 "Putative father" does not mean a man who is the child's father  
19 as a result of criminal sexual abuse or assault as defined  
20 under Article 11 of the Criminal Code of 2012.

21           S. "Standby adoption" means an adoption in which a parent  
22 consents to custody and termination of parental rights to  
23 become effective upon the occurrence of a future event, which  
24 is either the death of the parent or the request of the parent  
25 for the entry of a final judgment of adoption.

26           T. (Blank).



1 T-5. "Biological parent", "birth parent", or "natural  
2 parent" of a child are interchangeable terms that mean a person  
3 who is biologically or genetically related to that child as a  
4 parent.

5 U. "Interstate adoption" means the placement of a minor  
6 child with a prospective adoptive parent for the purpose of  
7 pursuing an adoption for that child that is subject to the  
8 provisions of the Interstate Compact on Placement of Children.

9 V. "Endorsement letter" means the letter issued by the  
10 Department of Children and Family Services to document that a  
11 prospective adoptive parent has met preadoption requirements  
12 and has been deemed suitable by the Department to adopt a child  
13 who is the subject of an intercountry adoption.

14 W. "Denial letter" means the letter issued by the  
15 Department of Children and Family Services to document that a  
16 prospective adoptive parent has not met preadoption  
17 requirements and has not been deemed suitable by the Department  
18 to adopt a child who is the subject of an intercountry  
19 adoption.

20 X. "Legal father" of a child means a man who is recognized  
21 as or presumed to be that child's father:

22 (1) because of his marriage to or civil union with the  
23 child's parent at the time of the child's birth or within  
24 300 days prior to that child's birth, unless he signed a  
25 denial of paternity pursuant to Section 12 of the Vital  
26 Records Act or a waiver pursuant to Section 10 of this Act;

1 or

2 (2) because his paternity of the child has been  
3 established pursuant to the Illinois Parentage Act, the  
4 Illinois Parentage Act of 1984, or the Gestational  
5 Surrogacy Act; or

6 (3) because he is listed as the child's father or  
7 parent on the child's birth certificate, unless he is  
8 otherwise determined by an administrative or judicial  
9 proceeding not to be the parent of the child or unless he  
10 rescinds his acknowledgment of paternity pursuant to the  
11 Illinois Parentage Act of 1984; or

12 (4) because his paternity or adoption of the child has  
13 been established by a court of competent jurisdiction.

14 The definition in this subsection X shall not be construed  
15 to provide greater or lesser rights as to the number of parents  
16 who can be named on a final judgment order of adoption or  
17 Illinois birth certificate that otherwise exist under Illinois  
18 law.

19 Y. "Legal mother" of a child means a woman who is  
20 recognized as or presumed to be that child's mother:

21 (1) because she gave birth to the child except as  
22 provided in the Gestational Surrogacy Act; or

23 (2) because her maternity of the child has been  
24 established pursuant to the Illinois Parentage Act of 1984  
25 or the Gestational Surrogacy Act; or

26 (3) because her maternity or adoption of the child has

1           been established by a court of competent jurisdiction; or

2           (4) because of her marriage to or civil union with the  
3           child's other parent at the time of the child's birth or  
4           within 300 days prior to the time of birth; or

5           (5) because she is listed as the child's mother or  
6           parent on the child's birth certificate unless she is  
7           otherwise determined by an administrative or judicial  
8           proceeding not to be the parent of the child.

9           The definition in this subsection Y shall not be construed  
10          to provide greater or lesser rights as to the number of parents  
11          who can be named on a final judgment order of adoption or  
12          Illinois birth certificate that otherwise exist under Illinois  
13          law.

14          (Source: P.A. 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13;  
15          97-1150, eff. 1-25-13; 98-455, eff. 1-1-14; 98-532, eff.  
16          1-1-14; 98-804, eff. 1-1-15.)

17           (750 ILCS 50/8) (from Ch. 40, par. 1510)

18          Sec. 8. Consents to adoption and surrenders for purposes of  
19          adoption.

20          (a) Except as hereinafter provided in this Section consents  
21          or surrenders shall be required in all cases, unless the person  
22          whose consent or surrender would otherwise be required shall be  
23          found by the court:

24           (1) to be an unfit person as defined in Section 1 of  
25          this Act, by clear and convincing evidence; or

1           (2) not to be the biological or adoptive father of the  
2 child; or

3           (3) to have waived his parental rights to the child  
4 under Section 12a or 12.1 or subsection S of Section 10 of  
5 this Act; or

6           (4) to be the parent of an adult sought to be adopted;  
7 or

8           (5) to be the father of the child as a result of  
9 criminal sexual abuse or assault as defined under Article  
10 11 of the Criminal Code of 2012; or

11           (6) to be the father of a child who:

12                 (i) is a family member of the mother of the child,  
13 and the mother is under the age of 18 at the time of  
14 the child's conception; for purposes of this  
15 subsection, a "family member" is a parent,  
16 step-parent, grandparent, step-grandparent, sibling,  
17 or cousin of the first degree, whether by whole blood,  
18 half-blood, or adoption, as well as a person age 18 or  
19 over at the time of the child's conception who has  
20 resided in the household with the mother continuously  
21 for at least one year; or

22                 (ii) is at least 5 years older than the child's  
23 mother, and the mother was under the age of 17 at the  
24 time of the child's conception, unless the mother and  
25 father voluntarily acknowledge the father's paternity  
26 of the child by marrying or by establishing the

1 father's paternity by consent of the parties pursuant  
2 to the Illinois Parentage Act of 2015 ~~1984~~ or pursuant  
3 to a substantially similar statute in another state.

4 A criminal conviction of any offense pursuant to  
5 Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,  
6 11-1.70, 12C-5, 12C-10, 12C-35, 12C-40, 12C-45, 18-6,  
7 19-6, or Article 12 of the Criminal Code of 1961 or the  
8 Criminal Code of 2012 is not required.

9 (b) Where consents are required in the case of an adoption  
10 of a minor child, the consents of the following persons shall  
11 be sufficient:

12 (1) (A) The mother of the minor child; and

13 (B) The father of the minor child, if the father:

14 (i) was married to the mother on the date of  
15 birth of the child or within 300 days before the  
16 birth of the child, except for a husband or former  
17 husband who has been found by a court of competent  
18 jurisdiction not to be the biological father of the  
19 child; or

20 (ii) is the father of the child under a  
21 judgment for adoption, an order of parentage, or an  
22 acknowledgment of parentage or paternity pursuant  
23 to subsection (a) of Section 5 of the Illinois  
24 Parentage Act of 1984 or pursuant to Article 3 of  
25 the Illinois Parentage Act of 2015; or

26 (iii) in the case of a child placed with the

1           adopting parents less than 6 months after birth,  
2           openly lived with the child, the child's  
3           biological mother, or both, and held himself out to  
4           be the child's biological father during the first  
5           30 days following the birth of the child; or

6           (iv) in the case of a child placed with the  
7           adopting parents less than 6 months after birth,  
8           made a good faith effort to pay a reasonable amount  
9           of the expenses related to the birth of the child  
10          and to provide a reasonable amount for the  
11          financial support of the child before the  
12          expiration of 30 days following the birth of the  
13          child, provided that the court may consider in its  
14          determination all relevant circumstances,  
15          including the financial condition of both  
16          biological parents; or

17          (v) in the case of a child placed with the  
18          adopting parents more than 6 months after birth,  
19          has maintained substantial and continuous or  
20          repeated contact with the child as manifested by:  
21          (I) the payment by the father toward the support of  
22          the child of a fair and reasonable sum, according  
23          to the father's means, and either (II) the father's  
24          visiting the child at least monthly when  
25          physically and financially able to do so and not  
26          prevented from doing so by the person or authorized

1 agency having lawful custody of the child, or (III)  
2 the father's regular communication with the child  
3 or with the person or agency having the care or  
4 custody of the child, when physically and  
5 financially unable to visit the child or prevented  
6 from doing so by the person or authorized agency  
7 having lawful custody of the child. The subjective  
8 intent of the father, whether expressed or  
9 otherwise unsupported by evidence of acts  
10 specified in this sub-paragraph as manifesting  
11 such intent, shall not preclude a determination  
12 that the father failed to maintain substantial and  
13 continuous or repeated contact with the child; or

14 (vi) in the case of a child placed with the  
15 adopting parents more than six months after birth,  
16 openly lived with the child for a period of six  
17 months within the one year period immediately  
18 preceding the placement of the child for adoption  
19 and openly held himself out to be the father of the  
20 child; or

21 (vii) has timely registered with Putative  
22 Father Registry, as provided in Section 12.1 of  
23 this Act, and prior to the expiration of 30 days  
24 from the date of such registration, commenced  
25 legal proceedings to establish paternity under the  
26 Illinois Parentage Act of 1984, under the Illinois

1                   Parentage Act of 2015, or under the law of the  
2                   jurisdiction of the child's birth; or

3                   (2) The legal guardian of the person of the child, if  
4                   there is no surviving parent; or

5                   (3) An agency, if the child has been surrendered for  
6                   adoption to such agency; or

7                   (4) Any person or agency having legal custody of a  
8                   child by court order if the parental rights of the parents  
9                   have been judicially terminated, and the court having  
10                  jurisdiction of the guardianship of the child has  
11                  authorized the consent to the adoption; or

12                  (5) The execution and verification of the petition by  
13                  any petitioner who is also a parent of the child sought to  
14                  be adopted shall be sufficient evidence of such parent's  
15                  consent to the adoption.

16                  (c) Where surrenders to an agency are required in the case  
17                  of a placement for adoption of a minor child by an agency, the  
18                  surrenders of the following persons shall be sufficient:

19                   (1) (A) The mother of the minor child; and

20                   (B) The father of the minor child, if the father:

21                   (i) was married to the mother on the date of  
22                   birth of the child or within 300 days before the  
23                   birth of the child, except for a husband or former  
24                   husband who has been found by a court of competent  
25                   jurisdiction not to be the biological father of the  
26                   child; or



1           (ii) is the father of the child under a  
2 judgment for adoption, an order of parentage, or an  
3 acknowledgment of parentage or paternity pursuant  
4 to subsection (a) of Section 5 of the Illinois  
5 Parentage Act of 1984 or pursuant to Article 3 of  
6 the Illinois Parentage Act of 2015; or

7           (iii) in the case of a child placed with the  
8 adopting parents less than 6 months after birth,  
9 openly lived with the child, the child's  
10 biological mother, or both, and held himself out to  
11 be the child's biological father during the first  
12 30 days following the birth of a child; or

13           (iv) in the case of a child placed with the  
14 adopting parents less than 6 months after birth,  
15 made a good faith effort to pay a reasonable amount  
16 of the expenses related to the birth of the child  
17 and to provide a reasonable amount for the  
18 financial support of the child before the  
19 expiration of 30 days following the birth of the  
20 child, provided that the court may consider in its  
21 determination all relevant circumstances,  
22 including the financial condition of both  
23 biological parents; or

24           (v) in the case of a child placed with the  
25 adopting parents more than six months after birth,  
26 has maintained substantial and continuous or

1 repeated contact with the child as manifested by:  
2 (I) the payment by the father toward the support of  
3 the child of a fair and reasonable sum, according  
4 to the father's means, and either (II) the father's  
5 visiting the child at least monthly when  
6 physically and financially able to do so and not  
7 prevented from doing so by the person or authorized  
8 agency having lawful custody of the child or (III)  
9 the father's regular communication with the child  
10 or with the person or agency having the care or  
11 custody of the child, when physically and  
12 financially unable to visit the child or prevented  
13 from doing so by the person or authorized agency  
14 having lawful custody of the child. The subjective  
15 intent of the father, whether expressed or  
16 otherwise, unsupported by evidence of acts  
17 specified in this sub-paragraph as manifesting  
18 such intent, shall not preclude a determination  
19 that the father failed to maintain substantial and  
20 continuous or repeated contact with the child; or

21 (vi) in the case of a child placed with the  
22 adopting parents more than six months after birth,  
23 openly lived with the child for a period of six  
24 months within the one year period immediately  
25 preceding the placement of the child for adoption  
26 and openly held himself out to be the father of the

1 child; or

2 (vii) has timely registered with the Putative  
3 Father Registry, as provided in Section 12.1 of  
4 this Act, and prior to the expiration of 30 days  
5 from the date of such registration, commenced  
6 legal proceedings to establish paternity under the  
7 Illinois Parentage Act of 1984, under the Illinois  
8 Parentage Act of 2015, or under the law of the  
9 jurisdiction of the child's birth.

10 (d) In making a determination under subparagraphs (b) (1)  
11 and (c) (1), no showing shall be required of diligent efforts by  
12 a person or agency to encourage the father to perform the acts  
13 specified therein.

14 (e) In the case of the adoption of an adult, only the  
15 consent of such adult shall be required.

16 (Source: P.A. 97-493, eff. 8-22-11; 97-1150, eff. 1-25-13.)

17 (750 ILCS 50/12a) (from Ch. 40, par. 1515)

18 Sec. 12a. Notice to putative father.

19 1. Upon the written request to any Clerk of any Circuit  
20 Court, and upon the payment of a filing fee of \$10.00, by any  
21 interested party, including persons intending to adopt a child,  
22 a child welfare agency with whom the mother has placed or has  
23 given written notice of her intention to place a child for  
24 adoption, the mother of a child, or any attorney representing  
25 an interested party, a notice, the declaration of paternity and

1 the disclaimer of paternity may be served on a putative father  
2 in the same manner as Summons is served in other civil  
3 proceedings, or, in lieu of personal service, service may be  
4 made as follows:

5 (a) The person requesting notice shall pay to the Clerk  
6 of the Court a mailing fee of \$2 plus the cost of U. S.  
7 postage for certified or registered mail and furnish to the  
8 Clerk an original and one copy of a notice, the declaration  
9 of paternity and the disclaimer of paternity together with  
10 an Affidavit setting forth the putative father's last known  
11 address. The original notice, the declaration of paternity  
12 and the disclaimer of paternity shall be retained by the  
13 Clerk.

14 (b) The Clerk shall forthwith mail to the putative  
15 father, at the address appearing in the Affidavit, the copy  
16 of the notice, the declaration of paternity and the  
17 disclaimer of paternity, by certified mail, return receipt  
18 requested; the envelope and return receipt shall bear the  
19 return address of the Clerk. The receipt for certified mail  
20 shall state the name and address of the addressee, and the  
21 date of mailing, and shall be attached to the original  
22 notice.

23 (c) The return receipt, when returned to the Clerk,  
24 shall be attached to the original notice, the declaration  
25 of paternity and the disclaimer of paternity, and shall  
26 constitute proof of service.

1           (d) The Clerk shall note the fact of service in a  
2 permanent record.

3           2. The notice shall be signed by the Clerk, and may be  
4 served on the putative father at any time after conception, and  
5 shall read as follows:

6           "IN THE MATTER OF NOTICE TO ....., PUTATIVE FATHER.

7           You have been identified as the father of a child born or  
8 expected to be born on or about (insert date).

9           The mother of the child is.....

10          The mother has indicated that she intends to place the  
11 child for adoption.

12          As the alleged father of the child, you have certain legal  
13 rights with respect to the child, including the right to notice  
14 of the filing of proceedings instituted for the adoption of the  
15 child. If you wish to retain your rights with respect to the  
16 child, you must file with the Clerk of this Circuit Court of  
17 .... County, Illinois, whose address is ....., Illinois, within  
18 30 days after the date of receipt of this notice, the  
19 declaration of paternity enclosed herewith stating that you  
20 are, in fact, the father of the child and that you intend to  
21 retain your legal rights with respect to the child, or request  
22 to be notified of any further proceedings with respect to  
23 custody or adoption of the child.

24          If you do not file such a declaration of paternity, or a  
25 request for notice, then whatever legal rights you have with  
26 respect to the child, including the right to notice of any

1 future proceedings for the adoption of the child, may be  
 2 terminated without any further notice to you. When your legal  
 3 rights with respect to the child are so terminated, you will  
 4 not be entitled to notice of any proceeding instituted for the  
 5 adoption of the child.

6 If you are not the father of the child, you may file with  
 7 the Clerk of this Court the disclaimer of paternity enclosed  
 8 herewith which will be noted in the Clerk's file and you will  
 9 receive no further notice with respect to the child."

10 The declaration of paternity shall be substantially as  
 11 follows:

12 "IN THE CIRCUIT COURT OF THE  
 13 ..... JUDICIAL CIRCUIT, ILLINOIS  
 14 ..... County

15 )  
 16 )  
 17 ) No. )  
 18 )

19 DECLARATION OF PATERNITY WITH ENTRY OF APPEARANCE

20 I, ....., state as follows:

21 (1) That I am ..... years of age; and I reside at  
 22 ..... in the County of ....., State of .....

23 (2) That I have been advised that ..... is the mother of  
 24 a ...male child with the initials ~~named~~ ..... born or  
 25 expected to be born on or about ..... and that such mother  
 26 has stated that I am the father of this child.

1 (3) I declare that I am the father of this child.

2 (4) I understand that the mother of this child wishes to  
3 consent to the adoption of this child. I do not consent to the  
4 adoption of this child, and I understand that I must return  
5 this initial declaration of parentage form to the Clerk of the  
6 Circuit Court of ..... County, located at ....., within  
7 30 days of receipt of this notice.

8 (5) I further understand that I am also obligated to  
9 establish my paternity pursuant to the Illinois Parentage Act  
10 of 2015 ~~1984~~ within 30 days of my receiving this notice or, if  
11 the child is not yet born, within 30 days after the birth of  
12 the child. This proceeding is separate and distinct from the  
13 above mailing of initial declaration of paternity; in this  
14 second notice, I must state that I am, in fact, the father of  
15 said child, and that I intend to retain my legal rights with  
16 respect to said child, and request to be notified of any  
17 further proceedings with respect to custody or adoption of the  
18 child.

19 (6) I hereby enter my appearance in the above entitled  
20 cause.

21 OATH

22 I have been duly sworn and I say under oath that I have  
23 read and understand this Declaration of Paternity With Entry of  
24 Appearance. The facts that it contains are true and correct to  
25 the best of my knowledge, and I understand that by signing this  
26 document I admit my paternity. I have signed this document as

1 my free and voluntary act.

2 .....

3 (signature)

4 Dated (insert date).

5 Signed and sworn before me on (insert date).

6 .....

7 (notary public)".

8

9 The disclaimer of paternity shall be substantially as  
10 follows:

11 "IN THE CIRCUIT COURT OF THE  
12 ..... JUDICIAL CIRCUIT, ILLINOIS  
13 ..... County  
14 )  
15 )  
16 ) No. )  
17 )

18 DENIAL OF PATERNITY WITH ENTRY OF APPEARANCE  
19 AND CONSENT TO ADOPTION

20 I, ....., state as follows:

21 (1) That I am ..... years of age; and I reside at  
22 ..... in the County of ....., State of .....

23 (2) That I have been advised that ..... is the mother  
24 of a .....male child with the initials ~~named~~ ..... born or  
25 expected to be born on or about ..... and that such mother has



1 stated that I am the father of this child.

2 (3) I deny that I am the father of this child.

3 (4) I further understand that the mother of this child  
4 wishes to consent to the adoption of the child. I hereby  
5 consent to the adoption of this child, and waive any rights,  
6 remedies and defenses that I may now or in the future have as a  
7 result of the mother's allegation of the paternity of this  
8 child. This consent is being given in order to facilitate the  
9 adoption of the child and so that the court may terminate what  
10 rights I may have to the child as a result of being named the  
11 father by the mother. This consent is not in any manner an  
12 admission of paternity.

13 (5) I hereby enter my appearance in the above entitled  
14 cause and waive service of summons and other pleading.

15 OATH

16 I have been duly sworn and I say under oath that I have  
17 read and understood this Denial of Paternity With Entry of  
18 Appearance and Consent to Adoption. The facts it contains are  
19 true and correct to the best of my knowledge, and I understand  
20 that by signing this document I have not admitted paternity. I  
21 have signed this document as my free and voluntary act in order  
22 to facilitate the adoption of the child.

23 .....

24 (signature)

25 Dated (insert date).

26 Signed and sworn before me on (insert date).

1 .....  
 2 (notary public)".

3  
 4 The names of adoptive parents shall not be included in the  
 5 notice.

6 3. If the putative father files a disclaimer of paternity,  
 7 he shall be deemed not to be the father of the child with  
 8 respect to any adoption or other proceeding held to terminate  
 9 the rights of parents as respects such child.

10 4. In the event the putative father does not file a  
 11 declaration of paternity of the child or request for notice  
 12 within 30 days of service of the above notice, he need not be  
 13 made a party to or given notice of any proceeding brought for  
 14 the adoption of the child. An Order or judgment may be entered  
 15 in such proceeding terminating all of his rights with respect  
 16 to the child without further notice to him.

17 5. If the putative father files a declaration of paternity  
 18 or a request for notice in accordance with subsection 2, with  
 19 respect to the child, he shall be given notice in event any  
 20 proceeding is brought for the adoption of the child.

21 6. The Clerk shall maintain separate numbered files and  
 22 records of requests and proofs of service and all other  
 23 documents filed pursuant to this article. All such records  
 24 shall be impounded.

25 (Source: P.A. 91-357, eff. 7-29-99.)

1 (750 ILCS 50/18.06)

2 Sec. 18.06. Definitions. When used in Sections 18.05  
3 through Section 18.6, for the purposes of the Registry:

4 "Adopted person" means a person who was adopted pursuant to  
5 the laws in effect at the time of the adoption.

6 "Adoptive parent" means a person who has become a parent  
7 through the legal process of adoption.

8 "Adult child" means the biological child 21 years of age or  
9 over of a deceased adopted or surrendered person.

10 "Adult grandchild" means the biological grandchild 21  
11 years of age or over of a deceased adopted or surrendered  
12 person.

13 "Adult adopted or surrendered person" means an adopted or  
14 surrendered person 21 years of age or over.

15 "Agency" means a public child welfare agency or a licensed  
16 child welfare agency.

17 "Birth aunt" means the adult full or half sister of a  
18 deceased birth parent.

19 "Birth father" means the biological father of an adopted or  
20 surrendered person who is named on the original certificate of  
21 live birth or on a consent or surrender document, or a  
22 biological father whose paternity has been established by a  
23 judgment or order of the court, pursuant to the Illinois  
24 Parentage Act of 1984 or the Illinois Parentage Act of 2015.

25 "Birth mother" means the biological mother of an adopted or

1 surrendered person.

2 "Birth parent" means a birth mother or birth father of an  
3 adopted or surrendered person.

4 "Birth Parent Preference Form" means the form prepared by  
5 the Department of Public Health pursuant to Section 18.2  
6 completed by a birth parent registrant and filed with the  
7 Registry that indicates the birth parent's preferences  
8 regarding contact and, if applicable, the release of his or her  
9 identifying information on the non-certified copy of the  
10 original birth certificate released to an adult adopted or  
11 surrendered person or to the surviving adult child or surviving  
12 spouse of a deceased adopted or surrendered person who has  
13 filed a Request for a Non-Certified Copy of an Original Birth  
14 Certificate.

15 "Birth relative" means a birth mother, birth father, birth  
16 sibling, birth aunt, or birth uncle.

17 "Birth sibling" means the adult full or half sibling of an  
18 adopted or surrendered person.

19 "Birth uncle" means the adult full or half brother of a  
20 deceased birth parent.

21 "Confidential intermediary" means an individual certified  
22 by the Department of Children and Family Services pursuant to  
23 Section 18.3a(e).

24 "Denial of Information Exchange" means an affidavit  
25 completed by a registrant with the Illinois Adoption Registry  
26 and Medical Information Exchange denying the release of

1 identifying information which has been filed with the Registry.

2 "Information Exchange Authorization" means an affidavit  
3 completed by a registrant with the Illinois Adoption Registry  
4 and Medical Information Exchange authorizing the release of  
5 identifying information which has been filed with the Registry.

6 "Medical Information Exchange Questionnaire" means the  
7 medical history questionnaire completed by a registrant of the  
8 Illinois Adoption Registry and Medical Information Exchange.

9 "Non-certified Copy of the Original Birth Certificate"  
10 means a non-certified copy of the original certificate of live  
11 birth of an adult adopted or surrendered person who was born in  
12 Illinois.

13 "Proof of death" means a death certificate.

14 "Registrant" or "Registered Party" means a birth parent,  
15 birth sibling, birth aunt, birth uncle, adopted or surrendered  
16 person 21 years of age or over, adoptive parent or legal  
17 guardian of an adopted or surrendered person under the age of  
18 21, or adoptive parent, surviving spouse, or adult child of a  
19 deceased adopted or surrendered person who has filed an  
20 Illinois Adoption Registry Application or Registration  
21 Identification Form with the Registry.

22 "Registry" means the Illinois Adoption Registry and  
23 Medical Information Exchange.

24 "Request for a Non-Certified Copy of an Original Birth  
25 Certificate" means an affidavit completed by an adult adopted  
26 or surrendered person or by the surviving adult child or

1 surviving spouse of a deceased adopted or surrendered person  
2 and filed with the Registry requesting a non-certified copy of  
3 an adult adopted or surrendered person's original certificate  
4 of live birth in Illinois.

5 "Surrendered person" means a person whose parents' rights  
6 have been surrendered or terminated but who has not been  
7 adopted.

8 "Surviving spouse" means the wife or husband, 21 years of  
9 age or older, of a deceased adopted or surrendered person who  
10 would be 21 years of age or older if still alive and who has one  
11 or more surviving biological children who are under the age of  
12 21.

13 "18.3 statement" means a statement regarding the  
14 disclosure of identifying information signed by a birth parent  
15 under Section 18.3 of this Act as it existed immediately prior  
16 to the effective date of this amendatory Act of the 96th  
17 General Assembly.

18 (Source: P.A. 97-110, eff. 7-14-11; 98-704, eff. 1-1-15.)

19 Section 973. The Illinois Domestic Violence Act of 1986 is  
20 amended by changing Sections 202 and 214 as follows:

21 (750 ILCS 60/202) (from Ch. 40, par. 2312-2)

22 Sec. 202. Commencement of action; filing fees; dismissal.

23 (a) How to commence action. Actions for orders of  
24 protection are commenced:

1           (1) Independently: By filing a petition for an order of  
2 protection in any civil court, unless specific courts are  
3 designated by local rule or order.

4           (2) In conjunction with another civil proceeding: By  
5 filing a petition for an order of protection under the same  
6 case number as another civil proceeding involving the  
7 parties, including but not limited to: (i) any proceeding  
8 under the Illinois Marriage and Dissolution of Marriage  
9 Act, Illinois Parentage Act of 2015 ~~1984~~, Nonsupport of  
10 Spouse and Children Act, Revised Uniform Reciprocal  
11 Enforcement of Support Act or an action for nonsupport  
12 brought under Article 10 of the Illinois Public Aid Code,  
13 provided that a petitioner and the respondent are a party  
14 to or the subject of that proceeding or (ii) a guardianship  
15 proceeding under the Probate Act of 1975, or a proceeding  
16 for involuntary commitment under the Mental Health and  
17 Developmental Disabilities Code, or any proceeding, other  
18 than a delinquency petition, under the Juvenile Court Act  
19 of 1987, provided that a petitioner or the respondent is a  
20 party to or the subject of such proceeding.

21           (3) In conjunction with a delinquency petition or a  
22 criminal prosecution: By filing a petition for an order of  
23 protection, under the same case number as the delinquency  
24 petition or criminal prosecution, to be granted during  
25 pre-trial release of a defendant, with any dispositional  
26 order issued under Section 5-710 of the Juvenile Court Act

1 of 1987 or as a condition of release, supervision,  
2 conditional discharge, probation, periodic imprisonment,  
3 parole, aftercare release, or mandatory supervised  
4 release, or in conjunction with imprisonment or a bond  
5 forfeiture warrant; provided that:

6 (i) the violation is alleged in an information,  
7 complaint, indictment or delinquency petition on file,  
8 and the alleged offender and victim are family or  
9 household members or persons protected by this Act; and

10 (ii) the petition, which is filed by the State's  
11 Attorney, names a victim of the alleged crime as a  
12 petitioner.

13 (b) Filing, certification, and service fees. No fee shall  
14 be charged by the clerk for filing, amending, vacating,  
15 certifying, or photocopying petitions or orders; or for issuing  
16 alias summons; or for any related filing service. No fee shall  
17 be charged by the sheriff for service by the sheriff of a  
18 petition, rule, motion, or order in an action commenced under  
19 this Section.

20 (c) Dismissal and consolidation. Withdrawal or dismissal  
21 of any petition for an order of protection prior to  
22 adjudication where the petitioner is represented by the State  
23 shall operate as a dismissal without prejudice. No action for  
24 an order of protection shall be dismissed because the  
25 respondent is being prosecuted for a crime against the  
26 petitioner. An independent action may be consolidated with



1 another civil proceeding, as provided by paragraph (2) of  
2 subsection (a) of this Section. For any action commenced under  
3 paragraph (2) or (3) of subsection (a) of this Section,  
4 dismissal of the conjoined case (or a finding of not guilty)  
5 shall not require dismissal of the action for the order of  
6 protection; instead, it may be treated as an independent action  
7 and, if necessary and appropriate, transferred to a different  
8 court or division. Dismissal of any conjoined case shall not  
9 affect the validity of any previously issued order of  
10 protection, and thereafter subsections (b)(1) and (b)(2) of  
11 Section 220 shall be inapplicable to such order.

12 (d) Pro se petitions. The court shall provide, through the  
13 office of the clerk of the court, simplified forms and clerical  
14 assistance to help with the writing and filing of a petition  
15 under this Section by any person not represented by counsel. In  
16 addition, that assistance may be provided by the state's  
17 attorney.

18 (Source: P.A. 98-558, eff. 1-1-14.)

19 (750 ILCS 60/214) (from Ch. 40, par. 2312-14)

20 Sec. 214. Order of protection; remedies.

21 (a) Issuance of order. If the court finds that petitioner  
22 has been abused by a family or household member or that  
23 petitioner is a high-risk adult who has been abused, neglected,  
24 or exploited, as defined in this Act, an order of protection  
25 prohibiting the abuse, neglect, or exploitation shall issue;

1 provided that petitioner must also satisfy the requirements of  
2 one of the following Sections, as appropriate: Section 217 on  
3 emergency orders, Section 218 on interim orders, or Section 219  
4 on plenary orders. Petitioner shall not be denied an order of  
5 protection because petitioner or respondent is a minor. The  
6 court, when determining whether or not to issue an order of  
7 protection, shall not require physical manifestations of abuse  
8 on the person of the victim. Modification and extension of  
9 prior orders of protection shall be in accordance with this  
10 Act.

11 (b) Remedies and standards. The remedies to be included in  
12 an order of protection shall be determined in accordance with  
13 this Section and one of the following Sections, as appropriate:  
14 Section 217 on emergency orders, Section 218 on interim orders,  
15 and Section 219 on plenary orders. The remedies listed in this  
16 subsection shall be in addition to other civil or criminal  
17 remedies available to petitioner.

18 (1) Prohibition of abuse, neglect, or exploitation.  
19 Prohibit respondent's harassment, interference with  
20 personal liberty, intimidation of a dependent, physical  
21 abuse, or willful deprivation, neglect or exploitation, as  
22 defined in this Act, or stalking of the petitioner, as  
23 defined in Section 12-7.3 of the Criminal Code of 2012, if  
24 such abuse, neglect, exploitation, or stalking has  
25 occurred or otherwise appears likely to occur if not  
26 prohibited.

1           (2) Grant of exclusive possession of residence.  
2 Prohibit respondent from entering or remaining in any  
3 residence, household, or premises of the petitioner,  
4 including one owned or leased by respondent, if petitioner  
5 has a right to occupancy thereof. The grant of exclusive  
6 possession of the residence, household, or premises shall  
7 not affect title to real property, nor shall the court be  
8 limited by the standard set forth in Section 701 of the  
9 Illinois Marriage and Dissolution of Marriage Act.

10           (A) Right to occupancy. A party has a right to  
11 occupancy of a residence or household if it is solely  
12 or jointly owned or leased by that party, that party's  
13 spouse, a person with a legal duty to support that  
14 party or a minor child in that party's care, or by any  
15 person or entity other than the opposing party that  
16 authorizes that party's occupancy (e.g., a domestic  
17 violence shelter). Standards set forth in subparagraph  
18 (B) shall not preclude equitable relief.

19           (B) Presumption of hardships. If petitioner and  
20 respondent each has the right to occupancy of a  
21 residence or household, the court shall balance (i) the  
22 hardships to respondent and any minor child or  
23 dependent adult in respondent's care resulting from  
24 entry of this remedy with (ii) the hardships to  
25 petitioner and any minor child or dependent adult in  
26 petitioner's care resulting from continued exposure to

1 the risk of abuse (should petitioner remain at the  
2 residence or household) or from loss of possession of  
3 the residence or household (should petitioner leave to  
4 avoid the risk of abuse). When determining the balance  
5 of hardships, the court shall also take into account  
6 the accessibility of the residence or household.  
7 Hardships need not be balanced if respondent does not  
8 have a right to occupancy.

9 The balance of hardships is presumed to favor  
10 possession by petitioner unless the presumption is  
11 rebutted by a preponderance of the evidence, showing  
12 that the hardships to respondent substantially  
13 outweigh the hardships to petitioner and any minor  
14 child or dependent adult in petitioner's care. The  
15 court, on the request of petitioner or on its own  
16 motion, may order respondent to provide suitable,  
17 accessible, alternate housing for petitioner instead  
18 of excluding respondent from a mutual residence or  
19 household.

20 (3) Stay away order and additional prohibitions. Order  
21 respondent to stay away from petitioner or any other person  
22 protected by the order of protection, or prohibit  
23 respondent from entering or remaining present at  
24 petitioner's school, place of employment, or other  
25 specified places at times when petitioner is present, or  
26 both, if reasonable, given the balance of hardships.

1 Hardships need not be balanced for the court to enter a  
2 stay away order or prohibit entry if respondent has no  
3 right to enter the premises.

4 (A) If an order of protection grants petitioner  
5 exclusive possession of the residence, or prohibits  
6 respondent from entering the residence, or orders  
7 respondent to stay away from petitioner or other  
8 protected persons, then the court may allow respondent  
9 access to the residence to remove items of clothing and  
10 personal adornment used exclusively by respondent,  
11 medications, and other items as the court directs. The  
12 right to access shall be exercised on only one occasion  
13 as the court directs and in the presence of an  
14 agreed-upon adult third party or law enforcement  
15 officer.

16 (B) When the petitioner and the respondent attend  
17 the same public, private, or non-public elementary,  
18 middle, or high school, the court when issuing an order  
19 of protection and providing relief shall consider the  
20 severity of the act, any continuing physical danger or  
21 emotional distress to the petitioner, the educational  
22 rights guaranteed to the petitioner and respondent  
23 under federal and State law, the availability of a  
24 transfer of the respondent to another school, a change  
25 of placement or a change of program of the respondent,  
26 the expense, difficulty, and educational disruption

1 that would be caused by a transfer of the respondent to  
2 another school, and any other relevant facts of the  
3 case. The court may order that the respondent not  
4 attend the public, private, or non-public elementary,  
5 middle, or high school attended by the petitioner,  
6 order that the respondent accept a change of placement  
7 or change of program, as determined by the school  
8 district or private or non-public school, or place  
9 restrictions on the respondent's movements within the  
10 school attended by the petitioner. The respondent  
11 bears the burden of proving by a preponderance of the  
12 evidence that a transfer, change of placement, or  
13 change of program of the respondent is not available.  
14 The respondent also bears the burden of production with  
15 respect to the expense, difficulty, and educational  
16 disruption that would be caused by a transfer of the  
17 respondent to another school. A transfer, change of  
18 placement, or change of program is not unavailable to  
19 the respondent solely on the ground that the respondent  
20 does not agree with the school district's or private or  
21 non-public school's transfer, change of placement, or  
22 change of program or solely on the ground that the  
23 respondent fails or refuses to consent or otherwise  
24 does not take an action required to effectuate a  
25 transfer, change of placement, or change of program.  
26 When a court orders a respondent to stay away from the

1 public, private, or non-public school attended by the  
2 petitioner and the respondent requests a transfer to  
3 another attendance center within the respondent's  
4 school district or private or non-public school, the  
5 school district or private or non-public school shall  
6 have sole discretion to determine the attendance  
7 center to which the respondent is transferred. In the  
8 event the court order results in a transfer of the  
9 minor respondent to another attendance center, a  
10 change in the respondent's placement, or a change of  
11 the respondent's program, the parents, guardian, or  
12 legal custodian of the respondent is responsible for  
13 transportation and other costs associated with the  
14 transfer or change.

15 (C) The court may order the parents, guardian, or  
16 legal custodian of a minor respondent to take certain  
17 actions or to refrain from taking certain actions to  
18 ensure that the respondent complies with the order. In  
19 the event the court orders a transfer of the respondent  
20 to another school, the parents, guardian, or legal  
21 custodian of the respondent is responsible for  
22 transportation and other costs associated with the  
23 change of school by the respondent.

24 (4) Counseling. Require or recommend the respondent to  
25 undergo counseling for a specified duration with a social  
26 worker, psychologist, clinical psychologist, psychiatrist,

1 family service agency, alcohol or substance abuse program,  
2 mental health center guidance counselor, agency providing  
3 services to elders, program designed for domestic violence  
4 abusers or any other guidance service the court deems  
5 appropriate. The Court may order the respondent in any  
6 intimate partner relationship to report to an Illinois  
7 Department of Human Services protocol approved partner  
8 abuse intervention program for an assessment and to follow  
9 all recommended treatment.

10 (5) Physical care and possession of the minor child. In  
11 order to protect the minor child from abuse, neglect, or  
12 unwarranted separation from the person who has been the  
13 minor child's primary caretaker, or to otherwise protect  
14 the well-being of the minor child, the court may do either  
15 or both of the following: (i) grant petitioner physical  
16 care or possession of the minor child, or both, or (ii)  
17 order respondent to return a minor child to, or not remove  
18 a minor child from, the physical care of a parent or person  
19 in loco parentis.

20 If a court finds, after a hearing, that respondent has  
21 committed abuse (as defined in Section 103) of a minor  
22 child, there shall be a rebuttable presumption that  
23 awarding physical care to respondent would not be in the  
24 minor child's best interest.

25 (6) Temporary legal custody. Award temporary legal  
26 custody to petitioner in accordance with this Section, the



1 Illinois Marriage and Dissolution of Marriage Act, the  
2 Illinois Parentage Act of 2015 ~~1984~~, and this State's  
3 Uniform Child-Custody Jurisdiction and Enforcement Act.

4 If a court finds, after a hearing, that respondent has  
5 committed abuse (as defined in Section 103) of a minor  
6 child, there shall be a rebuttable presumption that  
7 awarding temporary legal custody to respondent would not be  
8 in the child's best interest.

9 (7) Visitation. Determine the visitation rights, if  
10 any, of respondent in any case in which the court awards  
11 physical care or temporary legal custody of a minor child  
12 to petitioner. The court shall restrict or deny  
13 respondent's visitation with a minor child if the court  
14 finds that respondent has done or is likely to do any of  
15 the following: (i) abuse or endanger the minor child during  
16 visitation; (ii) use the visitation as an opportunity to  
17 abuse or harass petitioner or petitioner's family or  
18 household members; (iii) improperly conceal or detain the  
19 minor child; or (iv) otherwise act in a manner that is not  
20 in the best interests of the minor child. The court shall  
21 not be limited by the standards set forth in Section 607.1  
22 of the Illinois Marriage and Dissolution of Marriage Act.  
23 If the court grants visitation, the order shall specify  
24 dates and times for the visitation to take place or other  
25 specific parameters or conditions that are appropriate. No  
26 order for visitation shall refer merely to the term

1 "reasonable visitation".

2 Petitioner may deny respondent access to the minor  
3 child if, when respondent arrives for visitation,  
4 respondent is under the influence of drugs or alcohol and  
5 constitutes a threat to the safety and well-being of  
6 petitioner or petitioner's minor children or is behaving in  
7 a violent or abusive manner.

8 If necessary to protect any member of petitioner's  
9 family or household from future abuse, respondent shall be  
10 prohibited from coming to petitioner's residence to meet  
11 the minor child for visitation, and the parties shall  
12 submit to the court their recommendations for reasonable  
13 alternative arrangements for visitation. A person may be  
14 approved to supervise visitation only after filing an  
15 affidavit accepting that responsibility and acknowledging  
16 accountability to the court.

17 (8) Removal or concealment of minor child. Prohibit  
18 respondent from removing a minor child from the State or  
19 concealing the child within the State.

20 (9) Order to appear. Order the respondent to appear in  
21 court, alone or with a minor child, to prevent abuse,  
22 neglect, removal or concealment of the child, to return the  
23 child to the custody or care of the petitioner or to permit  
24 any court-ordered interview or examination of the child or  
25 the respondent.

26 (10) Possession of personal property. Grant petitioner

1 exclusive possession of personal property and, if  
2 respondent has possession or control, direct respondent to  
3 promptly make it available to petitioner, if:

4 (i) petitioner, but not respondent, owns the  
5 property; or

6 (ii) the parties own the property jointly; sharing  
7 it would risk abuse of petitioner by respondent or is  
8 impracticable; and the balance of hardships favors  
9 temporary possession by petitioner.

10 If petitioner's sole claim to ownership of the property  
11 is that it is marital property, the court may award  
12 petitioner temporary possession thereof under the  
13 standards of subparagraph (ii) of this paragraph only if a  
14 proper proceeding has been filed under the Illinois  
15 Marriage and Dissolution of Marriage Act, as now or  
16 hereafter amended.

17 No order under this provision shall affect title to  
18 property.

19 (11) Protection of property. Forbid the respondent  
20 from taking, transferring, encumbering, concealing,  
21 damaging or otherwise disposing of any real or personal  
22 property, except as explicitly authorized by the court, if:

23 (i) petitioner, but not respondent, owns the  
24 property; or

25 (ii) the parties own the property jointly, and the  
26 balance of hardships favors granting this remedy.

1           If petitioner's sole claim to ownership of the property  
2           is that it is marital property, the court may grant  
3           petitioner relief under subparagraph (ii) of this  
4           paragraph only if a proper proceeding has been filed under  
5           the Illinois Marriage and Dissolution of Marriage Act, as  
6           now or hereafter amended.

7           The court may further prohibit respondent from  
8           improperly using the financial or other resources of an  
9           aged member of the family or household for the profit or  
10          advantage of respondent or of any other person.

11          (11.5) Protection of animals. Grant the petitioner the  
12          exclusive care, custody, or control of any animal owned,  
13          possessed, leased, kept, or held by either the petitioner  
14          or the respondent or a minor child residing in the  
15          residence or household of either the petitioner or the  
16          respondent and order the respondent to stay away from the  
17          animal and forbid the respondent from taking,  
18          transferring, encumbering, concealing, harming, or  
19          otherwise disposing of the animal.

20          (12) Order for payment of support. Order respondent to  
21          pay temporary support for the petitioner or any child in  
22          the petitioner's care or custody, when the respondent has a  
23          legal obligation to support that person, in accordance with  
24          the Illinois Marriage and Dissolution of Marriage Act,  
25          which shall govern, among other matters, the amount of  
26          support, payment through the clerk and withholding of

1 income to secure payment. An order for child support may be  
2 granted to a petitioner with lawful physical care or  
3 custody of a child, or an order or agreement for physical  
4 care or custody, prior to entry of an order for legal  
5 custody. Such a support order shall expire upon entry of a  
6 valid order granting legal custody to another, unless  
7 otherwise provided in the custody order.

8 (13) Order for payment of losses. Order respondent to  
9 pay petitioner for losses suffered as a direct result of  
10 the abuse, neglect, or exploitation. Such losses shall  
11 include, but not be limited to, medical expenses, lost  
12 earnings or other support, repair or replacement of  
13 property damaged or taken, reasonable attorney's fees,  
14 court costs and moving or other travel expenses, including  
15 additional reasonable expenses for temporary shelter and  
16 restaurant meals.

17 (i) Losses affecting family needs. If a party is  
18 entitled to seek maintenance, child support or  
19 property distribution from the other party under the  
20 Illinois Marriage and Dissolution of Marriage Act, as  
21 now or hereafter amended, the court may order  
22 respondent to reimburse petitioner's actual losses, to  
23 the extent that such reimbursement would be  
24 "appropriate temporary relief", as authorized by  
25 subsection (a) (3) of Section 501 of that Act.

26 (ii) Recovery of expenses. In the case of an

1           improper concealment or removal of a minor child, the  
2           court may order respondent to pay the reasonable  
3           expenses incurred or to be incurred in the search for  
4           and recovery of the minor child, including but not  
5           limited to legal fees, court costs, private  
6           investigator fees, and travel costs.

7           (14) Prohibition of entry. Prohibit the respondent  
8           from entering or remaining in the residence or household  
9           while the respondent is under the influence of alcohol or  
10          drugs and constitutes a threat to the safety and well-being  
11          of the petitioner or the petitioner's children.

12          (14.5) Prohibition of firearm possession.

13               (a) Prohibit a respondent against whom an order of  
14               protection was issued from possessing any firearms  
15               during the duration of the order if the order:

16                       (1) was issued after a hearing of which such  
17                       person received actual notice, and at which such  
18                       person had an opportunity to participate;

19                       (2) restrains such person from harassing,  
20                       stalking, or threatening an intimate partner of  
21                       such person or child of such intimate partner or  
22                       person, or engaging in other conduct that would  
23                       place an intimate partner in reasonable fear of  
24                       bodily injury to the partner or child; and

25                       (3) (i) includes a finding that such person  
26                       represents a credible threat to the physical

1 safety of such intimate partner or child; or (ii)  
2 by its terms explicitly prohibits the use,  
3 attempted use, or threatened use of physical force  
4 against such intimate partner or child that would  
5 reasonably be expected to cause bodily injury.

6 Any Firearm Owner's Identification Card in the  
7 possession of the respondent, except as provided in  
8 subsection (b), shall be ordered by the court to be  
9 turned over to the local law enforcement agency. The  
10 local law enforcement agency shall immediately mail  
11 the card to the Department of State Police Firearm  
12 Owner's Identification Card Office for safekeeping.  
13 The court shall issue a warrant for seizure of any  
14 firearm in the possession of the respondent, to be kept  
15 by the local law enforcement agency for safekeeping,  
16 except as provided in subsection (b). The period of  
17 safekeeping shall be for the duration of the order of  
18 protection. The firearm or firearms and Firearm  
19 Owner's Identification Card, if unexpired, shall at  
20 the respondent's request, be returned to the  
21 respondent at the end of the order of protection. It is  
22 the respondent's responsibility to notify the  
23 Department of State Police Firearm Owner's  
24 Identification Card Office.

25 (b) If the respondent is a peace officer as defined  
26 in Section 2-13 of the Criminal Code of 2012, the court

1 shall order that any firearms used by the respondent in  
2 the performance of his or her duties as a peace officer  
3 be surrendered to the chief law enforcement executive  
4 of the agency in which the respondent is employed, who  
5 shall retain the firearms for safekeeping for the  
6 duration of the order of protection.

7 (c) Upon expiration of the period of safekeeping,  
8 if the firearms or Firearm Owner's Identification Card  
9 cannot be returned to respondent because respondent  
10 cannot be located, fails to respond to requests to  
11 retrieve the firearms, or is not lawfully eligible to  
12 possess a firearm, upon petition from the local law  
13 enforcement agency, the court may order the local law  
14 enforcement agency to destroy the firearms, use the  
15 firearms for training purposes, or for any other  
16 application as deemed appropriate by the local law  
17 enforcement agency; or that the firearms be turned over  
18 to a third party who is lawfully eligible to possess  
19 firearms, and who does not reside with respondent.

20 (15) Prohibition of access to records. If an order of  
21 protection prohibits respondent from having contact with  
22 the minor child, or if petitioner's address is omitted  
23 under subsection (b) of Section 203, or if necessary to  
24 prevent abuse or wrongful removal or concealment of a minor  
25 child, the order shall deny respondent access to, and  
26 prohibit respondent from inspecting, obtaining, or



1 attempting to inspect or obtain, school or any other  
2 records of the minor child who is in the care of  
3 petitioner.

4 (16) Order for payment of shelter services. Order  
5 respondent to reimburse a shelter providing temporary  
6 housing and counseling services to the petitioner for the  
7 cost of the services, as certified by the shelter and  
8 deemed reasonable by the court.

9 (17) Order for injunctive relief. Enter injunctive  
10 relief necessary or appropriate to prevent further abuse of  
11 a family or household member or further abuse, neglect, or  
12 exploitation of a high-risk adult with disabilities or to  
13 effectuate one of the granted remedies, if supported by the  
14 balance of hardships. If the harm to be prevented by the  
15 injunction is abuse or any other harm that one of the  
16 remedies listed in paragraphs (1) through (16) of this  
17 subsection is designed to prevent, no further evidence is  
18 necessary that the harm is an irreparable injury.

19 (c) Relevant factors; findings.

20 (1) In determining whether to grant a specific remedy,  
21 other than payment of support, the court shall consider  
22 relevant factors, including but not limited to the  
23 following:

24 (i) the nature, frequency, severity, pattern and  
25 consequences of the respondent's past abuse, neglect  
26 or exploitation of the petitioner or any family or

1 household member, including the concealment of his or  
2 her location in order to evade service of process or  
3 notice, and the likelihood of danger of future abuse,  
4 neglect, or exploitation to petitioner or any member of  
5 petitioner's or respondent's family or household; and

6 (ii) the danger that any minor child will be abused  
7 or neglected or improperly removed from the  
8 jurisdiction, improperly concealed within the State or  
9 improperly separated from the child's primary  
10 caretaker.

11 (2) In comparing relative hardships resulting to the  
12 parties from loss of possession of the family home, the  
13 court shall consider relevant factors, including but not  
14 limited to the following:

15 (i) availability, accessibility, cost, safety,  
16 adequacy, location and other characteristics of  
17 alternate housing for each party and any minor child or  
18 dependent adult in the party's care;

19 (ii) the effect on the party's employment; and

20 (iii) the effect on the relationship of the party,  
21 and any minor child or dependent adult in the party's  
22 care, to family, school, church and community.

23 (3) Subject to the exceptions set forth in paragraph  
24 (4) of this subsection, the court shall make its findings  
25 in an official record or in writing, and shall at a minimum  
26 set forth the following:

1 (i) That the court has considered the applicable  
2 relevant factors described in paragraphs (1) and (2) of  
3 this subsection.

4 (ii) Whether the conduct or actions of respondent,  
5 unless prohibited, will likely cause irreparable harm  
6 or continued abuse.

7 (iii) Whether it is necessary to grant the  
8 requested relief in order to protect petitioner or  
9 other alleged abused persons.

10 (4) For purposes of issuing an ex parte emergency order  
11 of protection, the court, as an alternative to or as a  
12 supplement to making the findings described in paragraphs  
13 (c) (3) (i) through (c) (3) (iii) of this subsection, may use  
14 the following procedure:

15 When a verified petition for an emergency order of  
16 protection in accordance with the requirements of Sections  
17 203 and 217 is presented to the court, the court shall  
18 examine petitioner on oath or affirmation. An emergency  
19 order of protection shall be issued by the court if it  
20 appears from the contents of the petition and the  
21 examination of petitioner that the averments are  
22 sufficient to indicate abuse by respondent and to support  
23 the granting of relief under the issuance of the emergency  
24 order of protection.

25 (5) Never married parties. No rights or  
26 responsibilities for a minor child born outside of marriage

1 attach to a putative father until a father and child  
2 relationship has been established under the Illinois  
3 Parentage Act of 1984, the Illinois Parentage Act of 2015,  
4 the Illinois Public Aid Code, Section 12 of the Vital  
5 Records Act, the Juvenile Court Act of 1987, the Probate  
6 Act of 1985, the Revised Uniform Reciprocal Enforcement of  
7 Support Act, the Uniform Interstate Family Support Act, the  
8 Expedited Child Support Act of 1990, any judicial,  
9 administrative, or other act of another state or territory,  
10 any other Illinois statute, or by any foreign nation  
11 establishing the father and child relationship, any other  
12 proceeding substantially in conformity with the Personal  
13 Responsibility and Work Opportunity Reconciliation Act of  
14 1996 (Pub. L. 104-193), or where both parties appeared in  
15 open court or at an administrative hearing acknowledging  
16 under oath or admitting by affirmation the existence of a  
17 father and child relationship. Absent such an  
18 adjudication, finding, or acknowledgement, no putative  
19 father shall be granted temporary custody of the minor  
20 child, visitation with the minor child, or physical care  
21 and possession of the minor child, nor shall an order of  
22 payment for support of the minor child be entered.

23 (d) Balance of hardships; findings. If the court finds that  
24 the balance of hardships does not support the granting of a  
25 remedy governed by paragraph (2), (3), (10), (11), or (16) of  
26 subsection (b) of this Section, which may require such

1 balancing, the court's findings shall so indicate and shall  
2 include a finding as to whether granting the remedy will result  
3 in hardship to respondent that would substantially outweigh the  
4 hardship to petitioner from denial of the remedy. The findings  
5 shall be an official record or in writing.

6 (e) Denial of remedies. Denial of any remedy shall not be  
7 based, in whole or in part, on evidence that:

8 (1) Respondent has cause for any use of force, unless  
9 that cause satisfies the standards for justifiable use of  
10 force provided by Article 7 of the Criminal Code of 2012;

11 (2) Respondent was voluntarily intoxicated;

12 (3) Petitioner acted in self-defense or defense of  
13 another, provided that, if petitioner utilized force, such  
14 force was justifiable under Article 7 of the Criminal Code  
15 of 2012;

16 (4) Petitioner did not act in self-defense or defense  
17 of another;

18 (5) Petitioner left the residence or household to avoid  
19 further abuse, neglect, or exploitation by respondent;

20 (6) Petitioner did not leave the residence or household  
21 to avoid further abuse, neglect, or exploitation by  
22 respondent;

23 (7) Conduct by any family or household member excused  
24 the abuse, neglect, or exploitation by respondent, unless  
25 that same conduct would have excused such abuse, neglect,  
26 or exploitation if the parties had not been family or

1 household members.

2 (Source: P.A. 96-701, eff. 1-1-10; 96-1239, eff. 1-1-11;  
3 97-158, eff. 1-1-12; 97-294, eff. 1-1-12; 97-813, eff. 7-13-12;  
4 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13.)

5 Section 974. The Business Corporation Act of 1983 is  
6 amended by changing Section 1.25 as follows:

7 (805 ILCS 5/1.25) (from Ch. 32, par. 1.25)

8 Sec. 1.25. List of corporations; exchange of information.

9 (a) The Secretary of State shall publish each year a list  
10 of corporations filing an annual report for the preceding year  
11 in accordance with the provisions of this Act, which report  
12 shall state the name of the corporation and the respective  
13 names and addresses of the president, secretary, and registered  
14 agent thereof and the address of the registered office in this  
15 State of each such corporation. The Secretary of State shall  
16 furnish without charge a copy of such report to each recorder  
17 of this State, and to each member of the General Assembly and  
18 to each State agency or department requesting the same. The  
19 Secretary of State shall, upon receipt of a written request and  
20 a fee as determined by the Secretary, furnish such report to  
21 anyone else.

22 (b) (1) The Secretary of State shall publish daily a list  
23 of all newly formed corporations, business and not for profit,  
24 chartered by him on that day issued after receipt of the

1 application. The daily list shall contain the same information  
2 as to each corporation as is provided for the corporation list  
3 published under subsection (a) of this Section. The daily list  
4 may be obtained at the Secretary's office by any person,  
5 newspaper, State department or agency, or local government for  
6 a reasonable charge to be determined by the Secretary.  
7 Inspection of the daily list may be made at the Secretary's  
8 office during normal business hours without charge by any  
9 person, newspaper, State department or agency, or local  
10 government.

11 (2) The Secretary shall compile the daily list mentioned in  
12 paragraph (1) of subsection (b) of this Section monthly, or  
13 more often at the Secretary's discretion. The compilation shall  
14 be immediately mailed free of charge to all local governments  
15 requesting in writing receipt of such publication, or shall be  
16 automatically mailed by the Secretary without charge to local  
17 governments as determined by the Secretary. The Secretary shall  
18 mail a copy of the compilations free of charge to all State  
19 departments or agencies making a written request. A request for  
20 a compilation of the daily list once made by a local government  
21 or State department or agency need not be renewed. However, the  
22 Secretary may request from time to time whether the local  
23 governments or State departments or agencies desire to continue  
24 receiving the compilation.

25 (3) The compilations of the daily list mentioned in  
26 paragraph (2) of subsection (b) of this Section shall be mailed

1 to newspapers, or any other person not included as a recipient  
2 in paragraph (2) of subsection (b) of this Section, upon  
3 receipt of a written application signed by the applicant and  
4 accompanied by the payment of a fee as determined by the  
5 Secretary.

6 (c) If a domestic or foreign corporation has filed with the  
7 Secretary of State an annual report for the preceding year or  
8 has been newly formed or is otherwise and in any manner  
9 registered with the Secretary of State, the Secretary of State  
10 shall exchange with the Department of Healthcare and Family  
11 Services any information concerning that corporation that may  
12 be necessary for the enforcement of child support orders  
13 entered pursuant to the Illinois Public Aid Code, the Illinois  
14 Marriage and Dissolution of Marriage Act, the Non-Support of  
15 Spouse and Children Act, the Non-Support Punishment Act, the  
16 Revised Uniform Reciprocal Enforcement of Support Act, the  
17 Uniform Interstate Family Support Act, ~~or~~ the Illinois  
18 Parentage Act of 1984, or the Illinois Parentage Act of 2015.

19 Notwithstanding any provisions in this Act to the contrary,  
20 the Secretary of State shall not be liable to any person for  
21 any disclosure of information to the Department of Healthcare  
22 and Family Services (formerly Illinois Department of Public  
23 Aid) under this subsection or for any other action taken in  
24 good faith to comply with the requirements of this subsection.

25 (Source: P.A. 95-331, eff. 8-21-07.)



1           Section 975. The Limited Liability Company Act is amended  
2 by changing Section 50-5 as follows:

3           (805 ILCS 180/50-5)

4           Sec. 50-5. List of limited liability companies; exchange of  
5 information.

6           (a) The Secretary of State may publish a list or lists of  
7 limited liability companies and foreign limited liability  
8 companies, as often, in the format, and for the fees as the  
9 Secretary of State may in his or her discretion provide by  
10 rule. The Secretary of State may disseminate information  
11 concerning limited liability companies and foreign limited  
12 liability companies by computer network in the format and for  
13 the fees as may be determined by rule.

14           (b) Upon written request, any list published under  
15 subsection (a) shall be free to each member of the General  
16 Assembly, to each State agency or department, and to each  
17 recorder in this State. An appropriate fee established by rule  
18 to cover the cost of producing the list shall be charged to all  
19 others.

20           (c) If a domestic or foreign limited liability company has  
21 filed with the Secretary of State an annual report for the  
22 preceding year or has been newly formed or is otherwise and in  
23 any manner registered with the Secretary of State, the  
24 Secretary of State shall exchange with the Department of  
25 Healthcare and Family Services any information concerning that

1 limited liability company that may be necessary for the  
2 enforcement of child support orders entered pursuant to the  
3 Illinois Public Aid Code, the Illinois Marriage and Dissolution  
4 of Marriage Act, the Non-Support of Spouse and Children Act,  
5 the Non-Support Punishment Act, the Revised Uniform Reciprocal  
6 Enforcement of Support Act, the Uniform Interstate Family  
7 Support Act, ~~or~~ the Illinois Parentage Act of 1984, or the  
8 Illinois Parentage Act of 2015.

9 Notwithstanding any provisions in this Act to the contrary,  
10 the Secretary of State shall not be liable to any person for  
11 any disclosure of information to the Department of Healthcare  
12 and Family Services (formerly Illinois Department of Public  
13 Aid) under this subsection or for any other action taken in  
14 good faith to comply with the requirements of this subsection.  
15 (Source: P.A. 95-331, eff. 8-21-07.)

16 (750 ILCS 40/Act rep.)

17 Section 976. The Illinois Parentage Act is repealed.

18 (750 ILCS 45/Act rep.)

19 Section 977. The Illinois Parentage Act of 1984 is  
20 repealed.

1 INDEX  
2 Statutes amended in order of appearance

3 New Act

4	20 ILCS 1005/1005-130	was 20 ILCS 1005/43a.14
5	20 ILCS 2105/2105-15	
6	20 ILCS 2505/2505-65	was 20 ILCS 2505/39b12
7	55 ILCS 5/3-5036.5	
8	225 ILCS 425/2.04	from Ch. 111, par. 2005.1
9	305 ILCS 5/10-3.1	from Ch. 23, par. 10-3.1
10	305 ILCS 5/10-16.7	
11	305 ILCS 5/10-17	from Ch. 23, par. 10-17
12	305 ILCS 5/10-17.7	
13	305 ILCS 5/10-19	from Ch. 23, par. 10-19
14	305 ILCS 5/10-25	
15	305 ILCS 5/10-25.5	
16	305 ILCS 5/10-27	
17	305 ILCS 5/12-4.7c	
18	410 ILCS 513/22	
19	410 ILCS 513/30	
20	410 ILCS 535/12	
21	410 ILCS 535/24	from Ch. 111 1/2, par. 73-24
22	625 ILCS 5/2-109.1	
23	625 ILCS 5/7-703	
24	705 ILCS 105/27.1a	from Ch. 25, par. 27.1a
25	705 ILCS 405/1-3	from Ch. 37, par. 801-3

1	705 ILCS 405/6-9	from Ch. 37, par. 806-9
2	725 ILCS 5/112A-14	from Ch. 38, par. 112A-14
3	730 ILCS 5/3-5-4	
4	735 ILCS 5/2-209	from Ch. 110, par. 2-209
5	735 ILCS 5/2-1401	from Ch. 110, par. 2-1401
6	735 ILCS 5/12-112	from Ch. 110, par. 12-112
7	735 ILCS 5/12-819	from Ch. 110, par. 12-819
8	740 ILCS 170/11	from Ch. 48, par. 39.12
9	750 ILCS 5/713	from Ch. 40, par. 713
10	750 ILCS 16/50	
11	750 ILCS 22/102	was 750 ILCS 22/101
12	750 ILCS 25/6	from Ch. 40, par. 2706
13	750 ILCS 28/15	
14	750 ILCS 47/35	
15	750 ILCS 50/1	from Ch. 40, par. 1501
16	750 ILCS 50/8	from Ch. 40, par. 1510
17	750 ILCS 50/12a	from Ch. 40, par. 1515
18	750 ILCS 50/18.06	
19	750 ILCS 60/202	from Ch. 40, par. 2312-2
20	750 ILCS 60/214	from Ch. 40, par. 2312-14
21	805 ILCS 5/1.25	from Ch. 32, par. 1.25
22	805 ILCS 180/50-5	
23	750 ILCS 40/Act rep.	
24	750 ILCS 45/Act rep.	