



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5178

Introduced 2/10/2026, by Rep. Anne Stava

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Supervised Parenting Safety and Fairness Act. Makes legislative findings. Requires that before a court may order supervised parenting time, it must determine whether qualified supervisors are reasonably available within the child's geographic area and shall document the inquiry. Requires that if supervision is warranted, the court may not order or permit unsupervised parenting time solely because no qualified supervisor is available. Provides that if no qualified supervisor is available, the court shall maintain the restriction on unsupervised parenting time and order one or more statutorily authorized alternatives, including temporary suspension of in-person parenting time, virtual contact, therapeutic supervised contact, or other protective measures necessary to ensure safety. Provides a rebuttable presumption of supervised parenting time: (1) in any case in which that parent has committed abuse against the child or the other parent based on a preponderance of the evidence; (2) when the other parent has an active order of protection against the parent in question which has been upheld or extended after a hearing. Provides that evidence of abuse may not be given weight if it appears more probable than not to be manufactured or the product of coaching or fabricated, unless and until it can be independently corroborated.

LRB104 20289 JRC 33740 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 Section 1. Short title. This Act may be cited as the  
5 Supervised Parenting Safety and Fairness Act.

6 Section 5. Findings and purpose.

7 (a) The General Assembly makes the following findings:

8 (1) supervised parenting time is a critical safety  
9 measure when a parent poses a risk to a child or the other  
10 parent;

11 (2) courts sometimes order supervision without  
12 verifying the actual availability of qualified supervisors  
13 resulting in unsafe defaults to unsupervised parenting  
14 time;

15 (3) courts often require a safe or protective parent  
16 to pay for supervision or programs necessitated solely by  
17 the conduct of the other parent; and

18 (4) process and evidentiary rules should protect  
19 children and protective parents from being re-victimized  
20 by litigation tactics.

21 (b) The purpose of this Act is to ensure that supervision  
22 is not bypassed because of a lack of available supervisors to  
23 ensure that determinations of safety and conflict are made

1 using trauma-informed and evidence-based standards and to  
2 protect protective parents and children from misclassification  
3 and procedural misuse.

4 Section 10. Definitions. As used in this Act:

5 "Abuse" for the purposes of this Act, means conduct  
6 including, but not limited to, domestic violence, sexual  
7 violence, limitation of freedom, coercive control, imposed  
8 isolation, psychological or emotional abuse, stalking or  
9 harassment, or persistent and vexatious misuse of court or  
10 legal procedure to continue abuse after separation.

11 "Qualified supervisor" means a court-approved individual  
12 or program meeting established standards for supervised  
13 parenting time.

14 "Supervised parenting time" means parenting time conducted  
15 in the presence of a qualified supervisor.

16 "Court-appointed officers" means guardians ad litem,  
17 parenting coordinators, court evaluators, and other persons  
18 appointed by the court to assess parenting, safety, or risk  
19 and to advocate for the best interests of the child.

20 Section 15. Verification of supervisor availability.

21 (a) Before ordering supervised parenting time, the court  
22 must determine whether qualified supervisors are reasonably  
23 available within the child's geographic area and document the  
24 inquiry.

1 (b) If supervision is warranted, the court may not order  
2 or permit unsupervised parenting time solely because no  
3 qualified supervisor is available.

4 (c) If no qualified supervisor is available, the court  
5 must maintain the restriction on unsupervised parenting time  
6 and order one or more statutorily authorized alternatives,  
7 including temporary suspension of in-person parenting time,  
8 virtual contact, therapeutic supervised contact, or other  
9 protective measures necessary to ensure safety.

10 Section 20. Necessity of supervision.

11 (a) There is a rebuttable presumption of supervised  
12 parenting time:

13 (1) in any case in which that parent has committed  
14 abuse against the child or the other parent based on a  
15 preponderance of the evidence;

16 (2) if the other parent has an active order of  
17 protection against the parent that has been upheld or  
18 extended after a hearing.

19 (b) Nothing in this Section may be interpreted to prohibit  
20 a court from deeming supervision to be necessary in other  
21 circumstances.

22 (c) Evidence of abuse may not be given weight if it appears  
23 more probable than not to be manufactured or the product of  
24 coaching or fabricated, unless it can be independently  
25 corroborated.