



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3020

Introduced 1/28/2026, by Sen. Adriane Johnson

SYNOPSIS AS INTRODUCED:

725 ILCS 5/112A-3	from Ch. 38, par. 112A-3
725 ILCS 5/112A-5.5	
725 ILCS 5/112A-14	from Ch. 38, par. 112A-14
725 ILCS 5/112A-20	from Ch. 38, par. 112A-20
750 ILCS 60/103	from Ch. 40, par. 2311-3
750 ILCS 60/212	from Ch. 40, par. 2312-12
750 ILCS 60/214	from Ch. 40, par. 2312-14
750 ILCS 60/220	from Ch. 40, par. 2312-20

Amends the Protective Orders Article of the Code of Criminal Procedure of 1963. Changes the definition of "harassment". Provides that the court may order the respondent to cease harassment. Establishes procedures for motions to extend plenary protective orders. Provides that the court may order the respondent to stop creating, using, and disseminating; remove; and delete the following harassing conduct: (1) any and all material or statements that constitute harassment, including, but not limited to, doxing, electronically generated or digitally altered content, and sexual private images and digitally altered sexual images; and (2) any and all electronic tracking or monitoring devices, system, or other electronic means, or tracking information. Provides that the court may order the respondent to present sufficient evidence that such compliance has occurred. Amends the Illinois Domestic Violence Act of 1986 to make conforming changes.

LRB104 17995 RLC 31432 b

1 AN ACT concerning domestic violence.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Criminal Procedure of 1963 is
5 amended by changing Sections 112A-3, 112A-5.5, 112A-14, and
6 112A-20 as follows:

7 (725 ILCS 5/112A-3) (from Ch. 38, par. 112A-3)

8 Sec. 112A-3. Definitions.

9 (a) In this Article:

10 "Advocate" means a person whose communications with the
11 victim are privileged under Section 8-802.1 or 8-802.2 of the
12 Code of Civil Procedure or Section 227 of the Illinois
13 Domestic Violence Act of 1986.

14 "Named victim" means the person named as the victim in the
15 delinquency petition or criminal prosecution.

16 "Protective order" means a domestic violence order of
17 protection, a civil no contact order, or a stalking no contact
18 order.

19 (b) For the purposes of domestic violence cases, the
20 following terms shall have the following meanings in this
21 Article:

22 (1) "Abuse" means physical abuse, harassment,
23 intimidation of a dependent, interference with personal

1 liberty or willful deprivation but does not include
2 reasonable direction of a minor child by a parent or
3 person in loco parentis.

4 (2) "Domestic violence" means abuse as described in
5 paragraph (1) of this subsection (b).

6 (3) "Family or household members" include spouses,
7 former spouses, parents, children, stepchildren, and other
8 persons related by blood or by present or prior marriage,
9 persons who share or formerly shared a common dwelling,
10 persons who have or allegedly have a child in common,
11 persons who share or allegedly share a blood relationship
12 through a child, persons who have or have had a dating or
13 engagement relationship, persons with disabilities and
14 their personal assistants, and caregivers as defined in
15 subsection (e) of Section 12-4.4a of the Criminal Code of
16 2012. For purposes of this paragraph (3), neither a casual
17 acquaintanceship nor ordinary fraternization between 2
18 individuals in business or social contexts shall be deemed
19 to constitute a dating relationship.

20 (4) "Harassment" means knowing conduct which is not
21 necessary to accomplish a purpose which is reasonable
22 under the circumstances; would cause a reasonable person
23 emotional distress; and does cause emotional distress to
24 the petitioner. Unless the presumption is rebutted by a
25 preponderance of the evidence, the following types of
26 conduct shall be presumed to cause emotional distress:

1 (i) creating a disturbance at petitioner's place
2 of employment or school;

3 (ii) engaging in doxing as defined in Section 10
4 of the Civil Liability for Doxing Act ~~repeatedly~~
5 ~~telephoning petitioner's place of employment, home or~~
6 ~~residence;~~

7 (iii) repeatedly following the petitioner,
8 including, but not limited to, directly or indirectly
9 through third parties, by using an electronic tracking
10 or monitoring device, system, or other electronic
11 means, or acquiring tracking information to determine
12 the petitioner's location, movement or travel patterns
13 without the petitioner's knowledge or consent
14 ~~repeatedly following petitioner about in a public~~
15 ~~place or places;~~

16 (iv) non-consensual creation, dissemination, or
17 threatening the dissemination of electronically
18 generated or digitally altered content directly or
19 indirectly pertaining to the petitioner or to the
20 likeness of the petitioner, including, but not limited
21 to, images of the petitioner or the petitioner's voice
22 ~~repeatedly keeping petitioner under surveillance by~~
23 ~~remaining present outside his or her home, school,~~
24 ~~place of employment, vehicle or other place occupied~~
25 ~~by petitioner or by peering in petitioner's windows;~~

26 (v) repeatedly surveilling the petitioner directly

1 or indirectly, including, but not limited to, by
2 remaining present at or outside the petitioner's home,
3 school, place of employment, vehicle, or other place
4 occupied by petitioner, by peering in petitioner's
5 windows, through an electronic tracking or monitoring
6 device, system, or other electronic means, or by
7 acquiring tracking information to determine the
8 petitioner's location, movement or travel patterns
9 without the petitioner's knowledge and consent;

10 (vi) non-consensual creation, dissemination or
11 threatening the non-consensual dissemination of
12 private sexual images and digitally altered sexual
13 images as defined in Section 5 of the Civil Remedies
14 for Nonconsensual Dissemination of Private Sexual
15 Images Act;

16 (vii) repeatedly contacting the petitioner
17 directly or indirectly through any means, including,
18 but not limited to, telephonic, electronic or online;

19 (viii) using an electronic tracking or monitoring,
20 device, system, or other electronic means, or
21 acquiring tracking information to determine the
22 petitioner's location, movement or travel patterns
23 without the petitioner's knowledge or consent;

24 (ix) improperly concealing a minor child from
25 petitioner, repeatedly threatening to improperly
26 remove a minor child of petitioner's from the

1 jurisdiction or from the physical care of petitioner,
2 repeatedly threatening to conceal a minor child from
3 petitioner, or making a single such threat following
4 an actual or attempted improper removal or
5 concealment, unless respondent was fleeing from an
6 incident or pattern of domestic violence; or

7 (x) ~~(vi)~~ threatening physical force, confinement
8 or restraint on one or more occasions.

9 (5) "Interference with personal liberty" means
10 committing or threatening physical abuse, harassment,
11 intimidation or willful deprivation so as to compel
12 another to engage in conduct from which she or he has a
13 right to abstain or to refrain from conduct in which she or
14 he has a right to engage.

15 (6) "Intimidation of a dependent" means subjecting a
16 person who is dependent because of age, health, or
17 disability to participation in or the witnessing of:
18 physical force against another or physical confinement or
19 restraint of another which constitutes physical abuse as
20 defined in this Article, regardless of whether the abused
21 person is a family or household member.

22 (7) "Order of protection" or "domestic violence order
23 of protection" means an ex parte or final order, granted
24 pursuant to this Article, which includes any or all of the
25 remedies authorized by Section 112A-14 of this Code.

26 (8) "Petitioner" may mean not only any named

1 petitioner for the domestic violence order of protection
2 and any named victim of abuse on whose behalf the petition
3 is brought, but also any other person protected by this
4 Article.

5 (9) "Physical abuse" includes sexual abuse and means
6 any of the following:

7 (i) knowing or reckless use of physical force,
8 confinement or restraint;

9 (ii) knowing, repeated and unnecessary sleep
10 deprivation; or

11 (iii) knowing or reckless conduct which creates an
12 immediate risk of physical harm.

13 (9.3) "Respondent" in a petition for a domestic
14 violence order of protection means the defendant.

15 (9.5) "Stay away" means for the respondent to refrain
16 from both physical presence and nonphysical contact with
17 the petitioner whether direct, indirect (including, but
18 not limited to, telephone calls, mail, email, faxes, and
19 written notes), or through third parties who may or may
20 not know about the domestic violence order of protection.

21 (10) "Willful deprivation" means wilfully denying a
22 person who because of age, health or disability requires
23 medication, medical care, shelter, accessible shelter or
24 services, food, therapeutic device, or other physical
25 assistance, and thereby exposing that person to the risk
26 of physical, mental or emotional harm, except with regard

1 to medical care and treatment when such dependent person
2 has expressed the intent to forgo such medical care or
3 treatment. This paragraph (10) does not create any new
4 affirmative duty to provide support to dependent persons.

5 (c) For the purposes of cases involving sexual offenses,
6 the following terms shall have the following meanings in this
7 Article:

8 (1) "Civil no contact order" means an ex parte or
9 final order granted under this Article, which includes a
10 remedy authorized by Section 112A-14.5 of this Code.

11 (2) "Family or household members" include spouses,
12 parents, children, stepchildren, and persons who share a
13 common dwelling.

14 (3) "Non-consensual" means a lack of freely given
15 agreement.

16 (4) "Petitioner" means not only any named petitioner
17 for the civil no contact order and any named victim of
18 non-consensual sexual conduct or non-consensual sexual
19 penetration on whose behalf the petition is brought, but
20 includes any other person sought to be protected under
21 this Article.

22 (5) "Respondent" in a petition for a civil no contact
23 order means the defendant.

24 (6) "Sexual conduct" means any intentional or knowing
25 touching or fondling by the petitioner or the respondent,
26 either directly or through clothing, of the sex organs,

1 anus, or breast of the petitioner or the respondent, or
2 any part of the body of a child under 13 years of age, or
3 any transfer or transmission of semen by the respondent
4 upon any part of the clothed or unclothed body of the
5 petitioner, for the purpose of sexual gratification or
6 arousal of the petitioner or the respondent.

7 (7) "Sexual penetration" means any contact, however
8 slight, between the sex organ or anus of one person by an
9 object, the sex organ, mouth or anus of another person, or
10 any intrusion, however slight, of any part of the body of
11 one person or of any animal or object into the sex organ or
12 anus of another person, including, but not limited to,
13 cunnilingus, fellatio, or anal penetration. Evidence of
14 emission of semen is not required to prove sexual
15 penetration.

16 (8) "Stay away" means to refrain from both physical
17 presence and nonphysical contact with the petitioner
18 directly, indirectly, or through third parties who may or
19 may not know of the order. "Nonphysical contact" includes,
20 but is not limited to, telephone calls, mail, e-mail, fax,
21 and written notes.

22 (d) For the purposes of cases involving stalking offenses,
23 the following terms shall have the following meanings in this
24 Article:

25 (1) "Course of conduct" means 2 or more acts,
26 including, but not limited to, acts in which a respondent

1 directly, indirectly, or through third parties, by any
2 action, method, device, or means follows, monitors,
3 observes, surveils, threatens, or communicates to or
4 about, a person, engages in other contact, or interferes
5 with or damages a person's property or pet. A course of
6 conduct may include contact via electronic communications.
7 The incarceration of a person in a penal institution who
8 commits the course of conduct is not a bar to prosecution.

9 (2) "Emotional distress" means significant mental
10 suffering, anxiety, or alarm.

11 (3) "Contact" includes any contact with the victim,
12 that is initiated or continued without the victim's
13 consent, or that is in disregard of the victim's expressed
14 desire that the contact be avoided or discontinued,
15 including, but not limited to, being in the physical
16 presence of the victim; appearing within the sight of the
17 victim; approaching or confronting the victim in a public
18 place or on private property; appearing at the workplace
19 or residence of the victim; entering onto or remaining on
20 property owned, leased, or occupied by the victim; or
21 placing an object on, or delivering an object to, property
22 owned, leased, or occupied by the victim.

23 (4) "Petitioner" means any named petitioner for the
24 stalking no contact order or any named victim of stalking
25 on whose behalf the petition is brought.

26 (5) "Reasonable person" means a person in the

1 petitioner's circumstances with the petitioner's knowledge
2 of the respondent and the respondent's prior acts.

3 (6) "Respondent" in a petition for a civil no contact
4 order means the defendant.

5 (7) "Stalking" means engaging in a course of conduct
6 directed at a specific person, and he or she knows or
7 should know that this course of conduct would cause a
8 reasonable person to fear for his or her safety or the
9 safety of a third person or suffer emotional distress.
10 "Stalking" does not include an exercise of the right to
11 free speech or assembly that is otherwise lawful or
12 picketing occurring at the workplace that is otherwise
13 lawful and arises out of a bona fide labor dispute,
14 including any controversy concerning wages, salaries,
15 hours, working conditions or benefits, including health
16 and welfare, sick leave, insurance, and pension or
17 retirement provisions, the making or maintaining of
18 collective bargaining agreements, and the terms to be
19 included in those agreements.

20 (8) "Stalking no contact order" means an ex parte or
21 final order granted under this Article, which includes a
22 remedy authorized by Section 112A-14.7 of this Code.

23 (Source: P.A. 100-199, eff. 1-1-18; 100-597, eff. 6-29-18.)

24 (725 ILCS 5/112A-5.5)

25 Sec. 112A-5.5. Time for filing petition; service on

1 respondent, hearing on petition, and default orders.

2 (a) A petition for a protective order may be filed at any
3 time, in person or online, after a criminal charge or
4 delinquency petition is filed and before the charge or
5 delinquency petition is dismissed, the defendant or juvenile
6 is acquitted, or the defendant or juvenile completes service
7 of his or her sentence.

8 (b) The request for an ex parte protective order may be
9 considered without notice to the respondent under Section
10 112A-17.5 of this Code.

11 (c) A summons shall be issued and served for a protective
12 order. The summons may be served by delivery to the respondent
13 personally in open court in the criminal or juvenile
14 delinquency proceeding, in the form prescribed by subsection
15 (d) of Supreme Court Rule 101, except that it shall require the
16 respondent to answer or appear within 7 days. Attachments to
17 the summons shall include the petition for protective order,
18 supporting affidavits, if any, and any ex parte protective
19 order that has been issued.

20 (d) The summons shall be served by the sheriff or other law
21 enforcement officer at the earliest time available and shall
22 take precedence over any other summons, except those of a
23 similar emergency nature. Attachments to the summons shall
24 include the petition for protective order, supporting
25 affidavits, if any, and any ex parte protective order that has
26 been issued. Special process servers may be appointed at any

1 time and their designation shall not affect the
2 responsibilities and authority of the sheriff or other
3 official process servers. In a county with a population over
4 3,000,000, a special process server may not be appointed if
5 the protective order grants the surrender of a child, the
6 surrender of a firearm or Firearm Owner's Identification Card,
7 or the exclusive possession of a shared residence.

8 (e) If the respondent is not served within 30 days of the
9 filing of the petition, the court shall schedule a court
10 proceeding on the issue of service. Either the petitioner, the
11 petitioner's counsel, or the State's Attorney shall appear and
12 the court shall either order continued attempts at personal
13 service or shall order service by publication, in accordance
14 with Sections 2-203, 2-206, and 2-207 of the Code of Civil
15 Procedure.

16 (f) The request for a final protective order can be
17 considered at any court proceeding in the delinquency or
18 criminal case after service of the petition. If the petitioner
19 has not been provided notice of the court proceeding at least
20 10 days in advance of the proceeding, the court shall schedule
21 a hearing on the petition and provide notice to the
22 petitioner.

23 (f-5) A court ~~in a county with a population above 250,000~~
24 shall offer the option of a remote hearing to a petitioner for
25 a protective order. The court has the discretion to grant or
26 deny the request for a remote hearing for good cause shown.

1 Each court shall determine the procedure for a remote hearing.
2 The petitioner, applicable witnesses and respondent may appear
3 remotely or in person.

4 The court shall issue and publish a court order, standing
5 order, or local rule detailing information about the process
6 for requesting and participating in a remote court appearance.
7 The court order, standing order, or local rule shall be
8 published on the court's website and posted on signs
9 throughout the courthouse, including in the clerk's office.
10 The sign shall be written in plain language and include
11 information about the availability of remote court appearances
12 and the process for requesting a remote hearing.

13 (g) Default orders.

14 (1) A final domestic violence order of protection may
15 be entered by default:

16 (A) for any of the remedies sought in the
17 petition, if the respondent has been served with
18 documents under subsection (b) or (c) of this Section
19 and if the respondent fails to appear on the specified
20 return date or any subsequent hearing date agreed to
21 by the petitioner and respondent or set by the court;
22 or

23 (B) for any of the remedies provided under
24 paragraph (1), (2), (3), (5), (6), (7), (8), (9),
25 (10), (11), (14), (15), (17), or (18) of subsection
26 (b) of Section 112A-14 of this Code, or if the

1 respondent fails to answer or appear in accordance
2 with the date set in the publication notice or the
3 return date indicated on the service of a household
4 member.

5 (2) A final civil no contact order may be entered by
6 default for any of the remedies provided in Section
7 112A-14.5 of this Code, if the respondent has been served
8 with documents under subsection (b) or (c) of this
9 Section, and if the respondent fails to answer or appear
10 in accordance with the date set in the publication notice
11 or the return date indicated on the service of a household
12 member.

13 (3) A final stalking no contact order may be entered
14 by default for any of the remedies provided by Section
15 112A-14.7 of this Code, if the respondent has been served
16 with documents under subsection (b) or (c) of this Section
17 and if the respondent fails to answer or appear in
18 accordance with the date set in the publication notice or
19 the return date indicated on the service of a household
20 member.

21 (Source: P.A. 102-853, eff. 1-1-23; 103-154, eff. 6-30-23.)

22 (725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)
23 Sec. 112A-14. Domestic violence order of protection;
24 remedies.

25 (a) (Blank).

1 (b) The court may order any of the remedies listed in this
2 subsection (b). The remedies listed in this subsection (b)
3 shall be in addition to other civil or criminal remedies
4 available to petitioner.

5 (1) Prohibition of abuse. Prohibit respondent's
6 harassment, interference with personal liberty,
7 intimidation of a dependent, physical abuse, or willful
8 deprivation, as defined in this Article, if such abuse has
9 occurred or otherwise appears likely to occur if not
10 prohibited.

11 Require the respondent to cease harassment. Require
12 the respondent to

13 (A) stop creating, using, and disseminating;
14 remove; and delete the following harassing conduct:

15 (i) any and all material or statements that
16 constitute harassment under this Act, including,
17 but not limited to, doxing, electronically
18 generated or digitally altered content, and sexual
19 private images and digitally altered sexual
20 images; and

21 (ii) any and all electronic tracking or
22 monitoring devices, system, or other electronic
23 means, or tracking information;

24 (B) present sufficient evidence that such
25 compliance has occurred.

26 (2) Grant of exclusive possession of residence.

1 Prohibit respondent from entering or remaining in any
2 residence, household, or premises of the petitioner,
3 including one owned or leased by respondent, if petitioner
4 has a right to occupancy thereof. The grant of exclusive
5 possession of the residence, household, or premises shall
6 not affect title to real property, nor shall the court be
7 limited by the standard set forth in subsection (c-2) of
8 Section 501 of the Illinois Marriage and Dissolution of
9 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)
22 the 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
22 person protected by the domestic violence order of
23 protection, or prohibit respondent from entering or
24 remaining present at petitioner's school, place of
25 employment, or other specified places at times when
26 petitioner is present, or both, if reasonable, given the

1 balance of hardships. Hardships need not be balanced for
2 the court to enter a stay away order or prohibit entry if
3 respondent has no right to enter the premises.

4 (A) If a domestic violence order of protection
5 grants petitioner exclusive possession of the
6 residence, prohibits respondent from entering the
7 residence, or orders respondent to stay away from
8 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
11 exclusively by respondent, medications, and other
12 items as the court directs. The right to access shall
13 be exercised on only one occasion as the court directs
14 and in the presence of an agreed-upon adult third
15 party or law enforcement 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 a
19 domestic violence order of protection and providing
20 relief shall consider the severity of the act, any
21 continuing physical danger or emotional distress to
22 the petitioner, the educational rights guaranteed to
23 the petitioner and respondent under federal and State
24 law, the availability of a transfer of the respondent
25 to another school, a change of placement or a change of
26 program of the respondent, the expense, difficulty,

1 and educational disruption that would be caused by a
2 transfer of the respondent to another school, and any
3 other relevant facts of the case. The court may order
4 that the respondent not attend the public, private, or
5 non-public elementary, middle, or high school attended
6 by the petitioner, order that the respondent accept a
7 change of placement or change of program, as
8 determined by the school district or private or
9 non-public school, or place restrictions on the
10 respondent's movements within the school attended by
11 the petitioner. The respondent bears the burden of
12 proving by a preponderance of the evidence that a
13 transfer, change of placement, or change of program of
14 the respondent is not available. The respondent also
15 bears the burden of production with respect to the
16 expense, difficulty, and educational disruption that
17 would be caused by a transfer of the respondent to
18 another school. A transfer, change of placement, or
19 change of program is not unavailable to the respondent
20 solely on the ground that the respondent does not
21 agree with the school district's or private or
22 non-public school's transfer, change of placement, or
23 change of program or solely on the ground that the
24 respondent fails or refuses to consent or otherwise
25 does not take an action required to effectuate a
26 transfer, change of placement, or change of program.

1 When a court orders a respondent to stay away from the
2 public, private, or non-public school attended by the
3 petitioner and the respondent requests a transfer to
4 another attendance center within the respondent's
5 school district or private or non-public school, the
6 school district or private or non-public school shall
7 have sole discretion to determine the attendance
8 center to which the respondent is transferred. If the
9 court order results in a transfer of the minor
10 respondent to another attendance center, a change in
11 the respondent's placement, or a change of the
12 respondent's program, the parents, guardian, or legal
13 custodian of the respondent is responsible for
14 transportation and other costs associated with the
15 transfer or change.

16 (C) The court may order the parents, guardian, or
17 legal custodian of a minor respondent to take certain
18 actions or to refrain from taking certain actions to
19 ensure that the respondent complies with the order. If
20 the court orders a transfer of the respondent to
21 another school, the parents, guardian, or legal
22 custodian of the respondent is responsible for
23 transportation and other costs associated with the
24 change of school by the respondent.

25 (4) Counseling. Require or recommend the respondent to
26 undergo counseling for a specified duration with a social

1 worker, psychologist, clinical psychologist,
2 psychiatrist, family service agency, alcohol or substance
3 abuse program, mental health center guidance counselor,
4 agency providing services to elders, program designed for
5 domestic violence abusers, or any other guidance service
6 the court deems appropriate. The court may order the
7 respondent in any intimate partner relationship to report
8 to an Illinois Department of Human Services protocol
9 approved partner abuse intervention program for an
10 assessment and to follow all recommended treatment.

11 (5) Physical care and possession of the minor child.
12 In order to protect the minor child from abuse, neglect,
13 or unwarranted separation from the person who has been the
14 minor child's primary caretaker, or to otherwise protect
15 the well-being of the minor child, the court may do either
16 or both of the following: (i) grant petitioner physical
17 care or possession of the minor child, or both, or (ii)
18 order respondent to return a minor child to, or not remove
19 a minor child from, the physical care of a parent or person
20 in loco parentis.

21 If the respondent is charged with abuse (as defined in
22 Section 112A-3 of this Code) of a minor child, there shall
23 be a rebuttable presumption that awarding physical care to
24 respondent would not be in the minor child's best
25 interest.

26 (6) Temporary allocation of parental responsibilities

1 and significant decision-making responsibilities. Award
2 temporary significant decision-making responsibility to
3 petitioner in accordance with this Section, the Illinois
4 Marriage and Dissolution of Marriage Act, the Illinois
5 Parentage Act of 2015, and this State's Uniform
6 Child-Custody Jurisdiction and Enforcement Act.

7 If the respondent is charged with abuse (as defined in
8 Section 112A-3 of this Code) of a minor child, there shall
9 be a rebuttable presumption that awarding temporary
10 significant decision-making responsibility to respondent
11 would not be in the child's best interest.

12 (7) Parenting time. Determine the parenting time, if
13 any, of respondent in any case in which the court awards
14 physical care or temporary significant decision-making
15 responsibility of a minor child to petitioner. The court
16 shall restrict or deny respondent's parenting time with a
17 minor child if the court finds that respondent has done or
18 is likely to do any of the following:

19 (i) abuse or endanger the minor child during
20 parenting time;

21 (ii) use the parenting time as an opportunity to
22 abuse or harass petitioner or petitioner's family or
23 household members;

24 (iii) improperly conceal or detain the minor
25 child; or

26 (iv) otherwise act in a manner that is not in the

1 best interests of the minor child.

2 The court shall not be limited by the standards set
3 forth in Section 603.10 of the Illinois Marriage and
4 Dissolution of Marriage Act. If the court grants parenting
5 time, the order shall specify dates and times for the
6 parenting time to take place or other specific parameters
7 or conditions that are appropriate. No order for parenting
8 time shall refer merely to the term "reasonable parenting
9 time". Petitioner may deny respondent access to the minor
10 child if, when respondent arrives for parenting time,
11 respondent is under the influence of drugs or alcohol and
12 constitutes a threat to the safety and well-being of
13 petitioner or petitioner's minor children or is behaving
14 in a violent or abusive manner. If necessary to protect
15 any member of petitioner's family or household from future
16 abuse, respondent shall be prohibited from coming to
17 petitioner's residence to meet the minor child for
18 parenting time, and the petitioner and respondent shall
19 submit to the court their recommendations for reasonable
20 alternative arrangements for parenting time. A person may
21 be approved to supervise parenting time only after filing
22 an affidavit accepting that responsibility and
23 acknowledging accountability to the court.

24 (8) Removal or concealment of minor child. Prohibit
25 respondent from removing a minor child from the State or
26 concealing the child within the State.

1 (9) Order to appear. Order the respondent to appear in
2 court, alone or with a minor child, to prevent abuse,
3 neglect, removal or concealment of the child, to return
4 the child to the custody or care of the petitioner, or to
5 permit any court-ordered interview or examination of the
6 child or the respondent.

7 (10) Possession of personal property. Grant petitioner
8 exclusive possession of personal property and, if
9 respondent has possession or control, direct respondent to
10 promptly make it available to petitioner, if:

11 (i) petitioner, but not respondent, owns the
12 property; or

13 (ii) the petitioner and respondent own the
14 property jointly; sharing it would risk abuse of
15 petitioner by respondent or is impracticable; and the
16 balance of hardships favors temporary possession by
17 petitioner.

18 If petitioner's sole claim to ownership of the
19 property is that it is marital property, the court may
20 award petitioner temporary possession thereof under the
21 standards of subparagraph (ii) of this paragraph only if a
22 proper proceeding has been filed under the Illinois
23 Marriage and Dissolution of Marriage Act, as now or
24 hereafter amended.

25 No order under this provision shall affect title to
26 property.

1 (11) Protection of property. Forbid the respondent
2 from taking, transferring, encumbering, concealing,
3 damaging, or otherwise disposing of any real or personal
4 property, except as explicitly authorized by the court,
5 if:

6 (i) petitioner, but not respondent, owns the
7 property; or

8 (ii) the petitioner and respondent own the
9 property jointly, and the balance of hardships favors
10 granting this remedy.

11 If petitioner's sole claim to ownership of the
12 property is that it is marital property, the court may
13 grant petitioner relief under subparagraph (ii) of this
14 paragraph only if a proper proceeding has been filed under
15 the Illinois Marriage and Dissolution of Marriage Act, as
16 now or hereafter amended.

17 The court may further prohibit respondent from
18 improperly using the financial or other resources of an
19 aged member of the family or household for the profit or
20 advantage of respondent or of any other person.

21 (11.5) Protection of animals. Grant the petitioner the
22 exclusive care, custody, or control of any animal owned,
23 possessed, leased, kept, or held by either the petitioner
24 or the respondent or a minor child residing in the
25 residence or household of either the petitioner or the
26 respondent and order the respondent to stay away from the

1 animal and forbid the respondent from taking,
2 transferring, encumbering, concealing, harming, or
3 otherwise disposing of the animal.

4 (12) Order for payment of support. Order respondent to
5 pay temporary support for the petitioner or any child in
6 the petitioner's care or over whom the petitioner has been
7 allocated parental responsibility, when the respondent has
8 a legal obligation to support that person, in accordance
9 with the Illinois Marriage and Dissolution of Marriage
10 Act, which shall govern, among other matters, the amount
11 of support, payment through the clerk and withholding of
12 income to secure payment. An order for child support may
13 be granted to a petitioner with lawful physical care of a
14 child, or an order or agreement for physical care of a
15 child, prior to entry of an order allocating significant
16 decision-making responsibility. Such a support order shall
17 expire upon entry of a valid order allocating parental
18 responsibility differently and vacating petitioner's
19 significant decision-making responsibility unless
20 otherwise provided in the order.

21 (13) Order for payment of losses. Order respondent to
22 pay petitioner for losses suffered as a direct result of
23 the abuse. Such losses shall include, but not be limited
24 to, medical expenses, lost earnings or other support,
25 repair or replacement of property damaged or taken,
26 reasonable attorney's fees, court costs, and moving or

1 other travel expenses, including additional reasonable
2 expenses for temporary shelter and restaurant meals.

3 (i) Losses affecting family needs. If a party is
4 entitled to seek maintenance, child support, or
5 property distribution from the other party under the
6 Illinois Marriage and Dissolution of Marriage Act, as
7 now or hereafter amended, the court may order
8 respondent to reimburse petitioner's actual losses, to
9 the extent that such reimbursement would be
10 "appropriate temporary relief", as authorized by
11 subsection (a) (3) of Section 501 of that Act.

12 (ii) Recovery of expenses. In the case of an
13 improper concealment or removal of a minor child, the
14 court may order respondent to pay the reasonable
15 expenses incurred or to be incurred in the search for
16 and recovery of the minor child, including, but not
17 limited to, legal fees, court costs, private
18 investigator fees, and travel costs.

19 (14) Prohibition of entry. Prohibit the respondent
20 from entering or remaining in the residence or household
21 while the respondent is under the influence of alcohol or
22 drugs and constitutes a threat to the safety and
23 well-being of the petitioner or the petitioner's children.

24 (14.5) Prohibition of possession of firearms and
25 firearm parts; search and seizure of firearms and firearm
26 parts.

1 (A) Subject to the provisions of subparagraph
2 (B-2), if applicable, a person who is subject to an
3 existing domestic violence order of protection issued
4 under this Code may not lawfully possess firearms or
5 firearm parts that could be assembled to make an
6 operable firearm or a Firearm Owner's Identification
7 Card under Section 8.2 of the Firearm Owners
8 Identification 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) and subject to the provisions of
12 subparagraph (B-2), if applicable, shall be ordered by
13 the court to be surrendered to law enforcement for
14 safekeeping. Any firearms or firearm parts on the
15 respondent's person or at the place of service shall
16 be immediately surrendered to the serving officers at
17 the time of service of the order of protection, and any
18 other firearms or firearm parts shall be surrendered
19 to local law enforcement within 24 hours of service of
20 the order of protection. Any Firearm Owner's
21 Identification Card or Concealed Carry License in the
22 possession of the respondent, except as provided in
23 subparagraph (C), shall also be ordered by the court
24 to be turned over to serving officers at the time of
25 service of the order of protection or, if not on the
26 respondent's person or at the location where the

1 respondent is served at the time of service, to local
2 law enforcement within 24 hours of service of the
3 order. The law enforcement agency shall immediately
4 mail the card, as well as any license, to the Illinois
5 State Police Firearm Owner's Identification Card
6 Office for safekeeping.

7 (B-1) Upon request of the petitioner or the
8 State's Attorney on behalf of the petitioner, a law
9 enforcement officer may seek a search warrant based on
10 the allegations in the petition for the Order of
11 Protection.

12 (i) If requested by law enforcement, the court
13 shall issue a search warrant for the seizure of
14 any firearms or firearm parts that could be
15 assembled to make an operable firearm belonging to
16 the respondent at or after entry of an order of
17 protection if the court, based upon sworn
18 testimony and governed by Sections 108-3 and
19 108-4, finds probable cause exists that:

20 (aa) the respondent poses an immediate and
21 present credible threat to the physical safety
22 of the petitioner protected by the order of
23 protection;

24 (bb) the respondent possesses firearms or
25 firearm parts that could be assembled to make
26 an operable firearm; and

1 (cc) the firearms or firearm parts that
2 could be assembled to make an operable firearm
3 are located at the residence, vehicle, or
4 other property of the respondent to be
5 searched.

6 (ii) The search warrant shall specify with
7 particularity the scope of the search, including
8 the property to be searched, and shall direct the
9 law enforcement agency to seize the respondent's
10 firearms and firearm parts that could be assembled
11 to make an operable firearm. Law enforcement shall
12 also be directed to seize into their possession
13 any Firearm Owner's Identification Card and any
14 Concealed Carry License belonging to the
15 respondent.

16 (iii) The law enforcement agency to which the
17 court has directed the warrant shall execute the
18 warrant no later than 96 hours after issuance. The
19 law enforcement agency to which the court has
20 directed the warrant may coordinate with other law
21 enforcement agencies to execute the warrant. A
22 return of the warrant shall be filed by the law
23 enforcement agency within 24 hours of execution,
24 setting forth the time, date, and location where
25 the warrant was executed and what items, if any,
26 were seized. If the court is not in session, the

1 return information shall be returned on the next
2 date the court is in session. Subject to the
3 provisions of this Section, peace officers shall
4 have the same authority to execute a warrant
5 issued under this subsection as a warrant issued
6 under Article 108.

7 (iv) If the property to be searched is in
8 another county, the petitioner or the State's
9 Attorney may seek a search warrant in that county
10 with the law enforcement agency with primary
11 responsibility for responding to service calls at
12 the property to be searched. Regardless of whether
13 the petitioner is working with the State's
14 Attorney under subsection (d) of Section 112A-4.5,
15 the petitioner may request the State's Attorney's
16 assistance to request that the law enforcement
17 agency in the county where the property is located
18 seek a search warrant.

19 (v) Service of an order of protection shall,
20 to the extent possible, be concurrent with any
21 warrant issued under this paragraph.

22 (B-2) Ex parte relief may be granted under this
23 paragraph (14.5) only if the court finds that personal
24 injury to the petitioner is likely to occur if the
25 respondent received prior notice and if the petitioner
26 has otherwise satisfied the requirements of Section

1 112A-17.5 of this Article.

2 (C) If the respondent is a peace officer as
3 defined in Section 2-13 of the Criminal Code of 2012,
4 the court shall order that any firearms used by the
5 respondent in the performance of his or her duties as a
6 peace officer be surrendered to the chief law
7 enforcement executive of the agency in which the
8 respondent is employed, who shall retain the firearms
9 for safekeeping for the duration of the domestic
10 violence order of protection.

11 (D) (i) Any firearms or firearm parts that could be
12 assembled to make an operable firearm that have been
13 seized or surrendered shall be kept by the law
14 enforcement agency that took possession of the items
15 for safekeeping, except as provided in subparagraph
16 (C), (E), or (F). The period of safekeeping shall be
17 for the duration of the order of protection. Except as
18 provided in subparagraph (F), the respondent is
19 prohibited from transferring firearms or firearm parts
20 to another individual in lieu of surrender to law
21 enforcement. The law enforcement agency shall provide
22 an itemized statement of receipt to the respondent and
23 the court describing any seized or surrendered
24 firearms or firearm parts and informing the respondent
25 that the respondent may seek the return of the
26 respondent's items at the end of the order of

1 protection. The law enforcement agency may enter
2 arrangements, as needed, with federally licensed
3 firearm dealers or other law enforcement agencies for
4 the storage of any firearms seized or surrendered
5 under this subsection.

6 (ii) It is the respondent's responsibility to
7 request the return or reinstatement of any Firearm
8 Owner's Identification Card or Concealed Carry License
9 and to notify the Illinois State Police Firearm
10 Owner's Identification Card Office at the end of the
11 Order of Protection.

12 (iii) At the end of the order of protection, a
13 respondent may request the return of any seized or
14 surrendered firearms or firearm parts that could be
15 assembled to make an operable firearm. Seized or
16 surrendered firearms or firearm parts shall be
17 returned within 14 days of the request to the
18 respondent, if the respondent is lawfully eligible to
19 possess firearms, or to a designated third party who
20 is lawfully eligible to possess firearms. If the
21 firearms or firearm parts cannot be returned to
22 respondent because (1) the respondent has not
23 requested the return or transfer of the firearms or
24 firearm parts as set forth in this subparagraph and
25 (2) the respondent cannot be located or fails to
26 respond to more than 3 requests to retrieve the

1 firearms, upon petition from the appropriate law
2 enforcement agency and notice to the respondent at the
3 respondent's last known address, the court may order
4 the law enforcement agency to destroy the firearms or
5 firearm parts; use the firearms or firearm parts for
6 training purposes, or for any other application as
7 deemed appropriate by the law enforcement agency; or
8 turn over the firearms or firearm parts to a third
9 party who is lawfully eligible to possess firearms,
10 and who does not reside with respondent.

11 (E) (i) If a person other than the respondent
12 claims title to any firearms or firearm parts that
13 could be assembled to make an operable firearm seized
14 or surrendered under this subsection, the person may
15 petition the court to have the firearm and firearm
16 parts that could be assembled to make an operable
17 firearm returned to him or her with proper notice to
18 the petitioner and respondent. If, at a hearing on the
19 petition, the court determines the person to be the
20 lawful owner of the firearm and firearm parts that
21 could be assembled to make an operable firearm, the
22 firearm and firearm parts that could be assembled to
23 make an operable firearm shall be returned to the
24 person, provided that:

25 (aa) the firearm and firearm parts that could
26 be assembled to make an operable firearm are

1 removed from the respondent's custody, control, or
2 possession, and the lawful owner agrees to store
3 the firearm and firearm parts that could be
4 assembled to make an operable firearm in a manner
5 such that the respondent does not have access to
6 or control of the firearm and firearm parts that
7 could be assembled to make an operable firearm;
8 and

9 (bb) the firearm and firearm parts that could
10 be assembled to make an operable firearm are not
11 otherwise unlawfully possessed by the owner.

12 (ii) The person petitioning for the return of his
13 or her firearm and firearm parts that could be
14 assembled to make an operable firearm must swear or
15 affirm by affidavit that he or she:

16 (aa) is the lawful owner of the firearm and
17 firearm parts that could be assembled to make an
18 operable firearm;

19 (bb) shall not transfer the firearm and
20 firearm parts that could be assembled to make an
21 operable firearm to the respondent; and

22 (cc) will store the firearm and firearm parts
23 that could be assembled to make an operable
24 firearm in a manner that the respondent does not
25 have access to or control of the firearm and
26 firearm parts that could be assembled to make an

1 operable firearm.

2 (F) (i) The respondent may file a motion to
3 transfer, at the next scheduled hearing, any seized or
4 surrendered firearms or firearm parts to a third
5 party. Notice of the motion shall be provided to the
6 petitioner and the third party must appear at the
7 hearing.

8 (ii) The court may order transfer of the seized or
9 surrendered firearm or firearm parts only if:

10 (aa) the third party transferee affirms by
11 affidavit to the open court that:

12 (I) the third party transferee does not
13 reside with the respondent;

14 (II) the respondent does not have access
15 to the location in which the third party
16 transferee intends to keep the firearms or
17 firearm parts;

18 (III) the third party transferee will not
19 transfer the firearm or firearm parts to the
20 respondent or anyone who resides with the
21 respondent;

22 (IV) the third party transferee will
23 maintain control and possession of the firearm
24 or firearm parts until otherwise ordered by
25 the court; and

26 (V) the third party transferee will be

1 subject to criminal penalties for transferring
2 the firearms or firearm parts to the
3 respondent; and

4 (bb) the court finds that:

5 (I) the respondent holds a valid Firearm
6 Owner's Identification; and

7 (II) the transfer of firearms or firearm
8 parts to the third party transferee does not
9 place the petitioner or any other protected
10 parties at any additional threat or risk of
11 harm.

12 (15) Prohibition of access to records. If a domestic
13 violence order of protection prohibits respondent from
14 having contact with the minor child, or if petitioner's
15 address is omitted under subsection (b) of Section 112A-5
16 of this Code, or if necessary to prevent abuse or wrongful
17 removal or concealment of a minor child, the order shall
18 deny respondent access to, and prohibit respondent from
19 inspecting, obtaining, or attempting to inspect or obtain,
20 school or any other records of the minor child who is in
21 the care of petitioner.

22 (16) Order for payment of shelter services. Order
23 respondent to reimburse a shelter providing temporary
24 housing and counseling services to the petitioner for the
25 cost of the services, as certified by the shelter and
26 deemed reasonable by the court.

1 (17) Order for injunctive relief. Enter injunctive
2 relief necessary or appropriate to prevent further abuse
3 of a family or household member or to effectuate one of the
4 granted remedies, if supported by the balance of
5 hardships. If the harm to be prevented by the injunction
6 is abuse or any other harm that one of the remedies listed
7 in paragraphs (1) through (16) of this subsection is
8 designed to prevent, no further evidence is necessary to
9 establish that the harm is an irreparable injury.

10 (18) Telephone services.

11 (A) Unless a condition described in subparagraph
12 (B) of this paragraph exists, the court may, upon
13 request by the petitioner, order a wireless telephone
14 service provider to transfer to the petitioner the
15 right to continue to use a telephone number or numbers
16 indicated by the petitioner and the financial
17 responsibility associated with the number or numbers,
18 as set forth in subparagraph (C) of this paragraph. In
19 this paragraph (18), the term "wireless telephone
20 service provider" means a provider of commercial
21 mobile service as defined in 47 U.S.C. 332. The
22 petitioner may request the transfer of each telephone
23 number that the petitioner, or a minor child in his or
24 her custody, uses. The clerk of the court shall serve
25 the order on the wireless telephone service provider's
26 agent for service of process provided to the Illinois

1 Commerce Commission. The order shall contain all of
2 the following:

3 (i) The name and billing telephone number of
4 the account holder including the name of the
5 wireless telephone service provider that serves
6 the account.

7 (ii) Each telephone number that will be
8 transferred.

9 (iii) A statement that the provider transfers
10 to the petitioner all financial responsibility for
11 and right to the use of any telephone number
12 transferred under this paragraph.

13 (B) A wireless telephone service provider shall
14 terminate the respondent's use of, and shall transfer
15 to the petitioner use of, the telephone number or
16 numbers indicated in subparagraph (A) of this
17 paragraph unless it notifies the petitioner, within 72
18 hours after it receives the order, that one of the
19 following applies:

20 (i) The account holder named in the order has
21 terminated the account.

22 (ii) A difference in network technology would
23 prevent or impair the functionality of a device on
24 a network if the transfer occurs.

25 (iii) The transfer would cause a geographic or
26 other limitation on network or service provision

1 to the petitioner.

2 (iv) Another technological or operational
3 issue would prevent or impair the use of the
4 telephone number if the transfer occurs.

5 (C) The petitioner assumes all financial
6 responsibility for and right to the use of any
7 telephone number transferred under this paragraph. In
8 this paragraph, "financial responsibility" includes
9 monthly service costs and costs associated with any
10 mobile device associated with the number.

11 (D) A wireless telephone service provider may
12 apply to the petitioner its routine and customary
13 requirements for establishing an account or
14 transferring a number, including requiring the
15 petitioner to provide proof of identification,
16 financial information, and customer preferences.

17 (E) Except for willful or wanton misconduct, a
18 wireless telephone service provider is immune from
19 civil liability for its actions taken in compliance
20 with a court order issued under this paragraph.

21 (F) All wireless service providers that provide
22 services to residential customers shall provide to the
23 Illinois Commerce Commission the name and address of
24 an agent for service of orders entered under this
25 paragraph (18). Any change in status of the registered
26 agent must be reported to the Illinois Commerce

1 Commission within 30 days of such change.

2 (G) The Illinois Commerce Commission shall
3 maintain the list of registered agents for service for
4 each wireless telephone service provider on the
5 Commission's website. The Commission may consult with
6 wireless telephone service providers and the Circuit
7 Court Clerks on the manner in which this information
8 is provided and displayed.

9 (c) Relevant factors; findings.

10 (1) In determining whether to grant a specific remedy,
11 other than payment of support, the court shall consider
12 relevant factors, including, but not limited to, the
13 following:

14 (i) the nature, frequency, severity, pattern, and
15 consequences of the respondent's past abuse of the
16 petitioner or any family or household member,
17 including the concealment of his or her location in
18 order to evade service of process or notice, and the
19 likelihood of danger of future abuse to petitioner or
20 any member of petitioner's or respondent's family or
21 household; and

22 (ii) the danger that any minor child will be
23 abused or neglected or improperly relocated from the
24 jurisdiction, improperly concealed within the State,
25 or improperly separated from the child's primary
26 caretaker.

1 (2) In comparing relative hardships resulting to the
2 parties from loss of possession of the family home, the
3 court shall consider relevant factors, including, but not
4 limited to, the following:

5 (i) availability, accessibility, cost, safety,
6 adequacy, location, and other characteristics of
7 alternate housing for each party and any minor child
8 or dependent adult in the party's care;

9 (ii) the effect on the party's employment; and

10 (iii) the effect on the relationship of the party,
11 and any minor child or dependent adult in the party's
12 care, to family, school, church, and community.

13 (3) Subject to the exceptions set forth in paragraph
14 (4) of this subsection (c), the court shall make its
15 findings in an official record or in writing, and shall at
16 a minimum set forth the following:

17 (i) That the court has considered the applicable
18 relevant factors described in paragraphs (1) and (2)
19 of this subsection (c).

20 (ii) Whether the conduct or actions of respondent,
21 unless prohibited, will likely cause irreparable harm
22 or continued abuse.

23 (iii) Whether it is necessary to grant the
24 requested relief in order to protect petitioner or
25 other alleged abused persons.

26 (4) (Blank).

1 (5) Never married parties. No rights or
2 responsibilities for a minor child born outside of
3 marriage attach to a putative father until a father and
4 child relationship has been established under the Illinois
5 Parentage Act of 1984, the Illinois Parentage Act of 2015,
6 the Illinois Public Aid Code, Section 12 of the Vital
7 Records Act, the Juvenile Court Act of 1987, the Probate
8 Act of 1975, the Uniform Interstate Family Support Act,
9 the Expedited Child Support Act of 1990, any judicial,
10 administrative, or other act of another state or
11 territory, any other statute of this State, or by any
12 foreign nation establishing the father and child
13 relationship, any other proceeding substantially in
14 conformity with the federal Personal Responsibility and
15 Work Opportunity Reconciliation Act of 1996, or when both
16 parties appeared in open court or at an administrative
17 hearing acknowledging under oath or admitting by
18 affirmation the existence of a father and child
19 relationship. Absent such an adjudication, no putative
20 father shall be granted temporary allocation of parental
21 responsibilities, including parenting time with the minor
22 child, or physical care and possession of the minor child,
23 nor shall an order of payment for support of the minor
24 child be entered.

25 (d) Balance of hardships; findings. If the court finds
26 that the balance of hardships does not support the granting of

1 a remedy governed by paragraph (2), (3), (10), (11), or (16) of
2 subsection (b) of this Section, which may require such
3 balancing, the court's findings shall so indicate and shall
4 include a finding as to whether granting the remedy will
5 result in hardship to respondent that would substantially
6 outweigh the hardship to petitioner from denial of the remedy.
7 The findings shall be an official record or in writing.

8 (e) Denial of remedies. Denial of any remedy shall not be
9 based, in whole or in part, on evidence that:

10 (1) respondent has cause for any use of force, unless
11 that cause satisfies the standards for justifiable use of
12 force provided by Article 7 of the Criminal Code of 2012;

13 (2) respondent was voluntarily intoxicated;

14 (3) petitioner acted in self-defense or defense of
15 another, provided that, if petitioner utilized force, such
16 force was justifiable under Article 7 of the Criminal Code
17 of 2012;

18 (4) petitioner did not act in self-defense or defense
19 of another;

20 (5) petitioner left the residence or household to
21 avoid further abuse by respondent;

22 (6) petitioner did not leave the residence or
23 household to avoid further abuse by respondent; or

24 (7) conduct by any family or household member excused
25 the abuse by respondent, unless that same conduct would
26 have excused such abuse if the parties had not been family

1 or household members.

2 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
3 102-813, eff. 5-13-22; 103-1065, eff. 5-11-25.)

4 (725 ILCS 5/112A-20) (from Ch. 38, par. 112A-20)

5 Sec. 112A-20. Duration and extension of final protective
6 orders.

7 (a) (Blank).

8 (b) A final protective order shall remain in effect as
9 follows:

10 (1) if entered during pre-trial release, until
11 disposition, withdrawal, or dismissal of the underlying
12 charge; if, however, the case is continued as an
13 independent cause of action, the order's duration may be
14 for a fixed period of time not to exceed 2 years;

15 (2) if in effect in conjunction with a bond forfeiture
16 warrant, until final disposition or an additional period
17 of time not exceeding 2 years; no domestic violence order
18 of protection, however, shall be terminated by a dismissal
19 that is accompanied by the issuance of a bond forfeiture
20 warrant;

21 (3) until 2 years after the expiration of any
22 supervision, conditional discharge, probation, periodic
23 imprisonment, parole, aftercare release, or mandatory
24 supervised release for domestic violence orders of
25 protection and civil no contact orders;

1 (4) until 2 years after the date set by the court for
2 expiration of any sentence of imprisonment and subsequent
3 parole, aftercare release, or mandatory supervised release
4 for domestic violence orders of protection and civil no
5 contact orders;

6 (5) permanent for a stalking no contact order if a
7 judgment of conviction for stalking is entered; or

8 (6) permanent for a civil no contact order at the
9 victim's request if a judgment of conviction for criminal
10 sexual assault, aggravated criminal sexual assault,
11 criminal sexual abuse, excluding a conviction under
12 subsection (c) of Section 11-1.50 of the Criminal Code of
13 2012, or aggravated criminal sexual abuse is entered.

14 (c) Computation of time. The duration of a domestic
15 violence order of protection shall not be reduced by the
16 duration of any prior domestic violence order of protection.

17 (d) Law enforcement records. When a protective order
18 expires upon the occurrence of a specified event, rather than
19 upon a specified date as provided in subsection (b), no
20 expiration date shall be entered in Illinois State Police
21 records. To remove the protective order from those records,
22 either the petitioner or the respondent shall request the
23 clerk of the court to file a certified copy of an order stating
24 that the specified event has occurred or that the protective
25 order has been vacated or modified with the sheriff, and the
26 sheriff shall direct that law enforcement records shall be

1 promptly corrected in accordance with the filed order.

2 (e) Extension of Orders. Any domestic violence order of
3 protection or civil no contact order that expires 2 years
4 after the expiration of the defendant's sentence under
5 paragraph (2), (3), or (4) of subsection (b) of Section
6 112A-20 of this Article may be extended one or more times, as
7 required. The petitioner, petitioner's counsel, or the State's
8 Attorney on the petitioner's behalf shall file the motion for
9 an extension of the final protective order in the criminal
10 case and serve the motion in accordance with Supreme Court
11 Rules 11 and 12. The court shall transfer the motion to the
12 appropriate court or division for consideration under
13 subsection (e) of Section 220 of the Illinois Domestic
14 Violence Act of 1986, subsection (c) of Section 216 of the
15 Civil No Contact Order Act, or subsection (c) of Section 105 of
16 the Stalking No Contact Order as appropriate.

17 (1) Motion to extend plenary order. Any motion to
18 extend a plenary order must be filed on or before the
19 expiration date. When the motion is filed, the plenary
20 order shall remain in effect until its original expiration
21 date or until the motion is presented or heard, whichever
22 is later. Upon the timely filing of the motion, the Clerk
23 shall transmit to law enforcement the motion and notice of
24 motion with the next court date in accordance with Section
25 112A-22. If the next court date is after the expiration
26 date of the original order, the next court date shall be

1 entered into LEADS as the updated expiration date of the
2 plenary order.

3 (2) A plenary order shall be extended if the court
4 finds that since entry of the plenary order there has been
5 no material change in the relevant circumstances that met
6 the requirements of subsection (a) of Section 112A-14 and
7 Section 112A-19. An extension of a plenary order may be
8 granted for any fixed period of time or indefinitely until
9 the plenary order is vacated or modified.

10 (3) If the motion to extend the plenary order is
11 uncontested, petitioner's motion or affidavit stating that
12 there has been no material change in relevant
13 circumstances since entry of the order and stating the
14 reason for the requested extension shall be sufficient for
15 the court to extend the plenary order for any length of
16 time, including indefinitely.

17 (4) The court may grant a contested request for an
18 extension of the plenary order for more than two years
19 based on good cause shown. Good cause is established by
20 the facts of the original order, and a new finding that a
21 compelling reason related to the physical danger,
22 emotional distress, safety, or well-being of the
23 petitioner or other protected parties exists, or both, for
24 the extension. Good cause shall not be required for
25 uncontested requests for any duration or contested
26 requests for extensions up to 2 years.

1 (5) A violation of the original order or a subsequent
2 incident of abuse is not required to grant the extension
3 or determine the length of the extension. Compliance with
4 the original order does not negate the basis or length of
5 the extension.

6 (6) Any requested modification to the plenary order
7 independent of the length of the extension will be
8 determined in accordance with the requirements of
9 subsection (a) of Section 112A-14 and Section 112A-19.

10 (f) Termination date. Any final protective order which
11 would expire on a court holiday shall instead expire at the
12 close of the next court business day.

13 (g) Statement of purpose. The practice of dismissing or
14 suspending a criminal prosecution in exchange for issuing a
15 protective order undermines the purposes of this Article. This
16 Section shall not be construed as encouraging that practice.

17 (Source: P.A. 102-184, eff. 1-1-22; 102-538, eff. 8-20-21;
18 102-813, eff. 5-13-22.)

19 Section 10. The Illinois Domestic Violence Act of 1986 is
20 amended by changing Sections 103, 212, 214, and 220 as
21 follows:

22 (750 ILCS 60/103) (from Ch. 40, par. 2311-3)

23 Sec. 103. Definitions. For the purposes of this Act, the
24 following terms shall have the following meanings:

1 (1) "Abuse" means physical abuse, harassment, intimidation
2 of a dependent, interference with personal liberty or willful
3 deprivation but does not include reasonable direction of a
4 minor child by a parent or person in loco parentis.

5 (2) "Adult with disabilities" means an elder adult with
6 disabilities or a high-risk adult with disabilities. A person
7 may be an adult with disabilities for purposes of this Act even
8 though he or she has never been adjudicated an incompetent
9 adult. However, no court proceeding may be initiated or
10 continued on behalf of an adult with disabilities over that
11 adult's objection, unless such proceeding is approved by his
12 or her legal guardian, if any.

13 (3) "Domestic violence" means abuse as defined in
14 paragraph (1).

15 (4) "Elder adult with disabilities" means an adult
16 prevented by advanced age from taking appropriate action to
17 protect himself or herself from abuse by a family or household
18 member.

19 (5) "Exploitation" means the illegal, including tortious,
20 use of a high-risk adult with disabilities or of the assets or
21 resources of a high-risk adult with disabilities. Exploitation
22 includes, but is not limited to, the misappropriation of
23 assets or resources of a high-risk adult with disabilities by
24 undue influence, by breach of a fiduciary relationship, by
25 fraud, deception, or extortion, or the use of such assets or
26 resources in a manner contrary to law.

1 (6) "Family or household members" include spouses, former
2 spouses, parents, children, stepchildren and other persons
3 related by blood or by present or prior marriage, persons who
4 share or formerly shared a common dwelling, persons who have
5 or allegedly have a child in common, persons who share or
6 allegedly share a blood relationship through a child, persons
7 who have or have had a dating or engagement relationship,
8 persons with disabilities and their personal assistants, and
9 caregivers as defined in Section 12-4.4a of the Criminal Code
10 of 2012. For purposes of this paragraph, neither a casual
11 acquaintanceship nor ordinary fraternization between 2
12 individuals in business or social contexts shall be deemed to
13 constitute a dating relationship. In the case of a high-risk
14 adult with disabilities, "family or household members"
15 includes any person who has the responsibility for a high-risk
16 adult as a result of a family relationship or who has assumed
17 responsibility for all or a portion of the care of a high-risk
18 adult with disabilities voluntarily, or by express or implied
19 contract, or by court order.

20 (7) "Harassment" means knowing conduct which is not
21 necessary to accomplish a purpose that is reasonable under the
22 circumstances; would cause a reasonable person emotional
23 distress; and does cause emotional distress to the petitioner.
24 Unless the presumption is rebutted by a preponderance of the
25 evidence, the following types of conduct shall be presumed to
26 cause emotional distress:

1 (i) creating a disturbance at petitioner's place of
2 employment or school;

3 (ii) engaging in doxing as defined in Section 10 of
4 the Civil Liability for Doxing Act ~~repeatedly telephoning~~
5 ~~petitioner's place of employment, home or residence;~~

6 (iii) repeatedly following the petitioner including,
7 but not limited to, directly or indirectly through third
8 parties, by using an electronic tracking or monitoring
9 device, system, or other electronic means, or acquiring
10 tracking information to determine the petitioner's
11 location, movement or travel patterns without the
12 petitioner's knowledge or consent ~~about in a public place~~
13 ~~or places;~~

14 (iv) non-consensual creation, dissemination, or
15 threatening the dissemination of electronically generated
16 or digitally altered content directly or indirectly
17 pertaining to the petitioner or to the likeness of the
18 petitioner, including, but not limited to, images of the
19 petitioner or the petitioner's voice ~~repeatedly keeping~~
20 ~~petitioner under surveillance by remaining present outside~~
21 ~~his or her home, school, place of employment, vehicle or~~
22 ~~other place occupied by petitioner or by peering in~~
23 ~~petitioner's windows;~~

24 (v) repeatedly surveilling the petitioner directly or
25 indirectly, including, but not limited to, by remaining
26 present at or outside the petitioner's home, school, place

1 of employment, vehicle or other place occupied by
2 petitioner, by peering in petitioner's windows, through an
3 electronic tracking or monitoring device, system, or other
4 electronic means, or by acquiring tracking information to
5 determine the petitioner's location, movement or travel
6 patterns without the petitioner's knowledge and consent;

7 (vi) non-consensual creation, dissemination, or
8 threatening the non-consensual dissemination of private
9 sexual images and digitally altered sexual images as
10 defined in Section 5 of the Civil Remedies for
11 Nonconsensual Dissemination of Private Sexual Images Act.

12 (vii) repeatedly contacting the petitioner directly or
13 indirectly through any means including but not limited to
14 telephonic, electronic or online;

15 (viii) using an electronic tracking or monitoring,
16 device, system, or other electronic means, or acquiring
17 tracking information to determine the petitioner's
18 location, movement or travel patterns without the
19 petitioner's knowledge or consent;

20 (ix) improperly concealing a minor child from
21 petitioner, repeatedly threatening to improperly remove a
22 minor child of petitioner's from the jurisdiction or from
23 the physical care of petitioner, repeatedly threatening to
24 conceal a minor child from petitioner, or making a single
25 such threat following an actual or attempted improper
26 removal or concealment, unless respondent was fleeing an

1 incident or pattern of domestic violence; or

2 (x) ~~(vi)~~ threatening physical force, confinement or
3 restraint on one or more occasions.

4 (8) "High-risk adult with disabilities" means a person
5 aged 18 or over whose physical or mental disability impairs
6 his or her ability to seek or obtain protection from abuse,
7 neglect, or exploitation.

8 (9) "Interference with personal liberty" means committing
9 or threatening physical abuse, harassment, intimidation or
10 willful deprivation so as to compel another to engage in
11 conduct from which she or he has a right to abstain or to
12 refrain from conduct in which she or he has a right to engage.

13 (10) "Intimidation of a dependent" means subjecting a
14 person who is dependent because of age, health or disability
15 to participation in or the witnessing of: physical force
16 against another or physical confinement or restraint of
17 another which constitutes physical abuse as defined in this
18 Act, regardless of whether the abused person is a family or
19 household member.

20 (11) (A) "Neglect" means the failure to exercise that
21 degree of care toward a high-risk adult with disabilities
22 which a reasonable person would exercise under the
23 circumstances and includes but is not limited to:

24 (i) the failure to take reasonable steps to protect a
25 high-risk adult with disabilities from acts of abuse;

26 (ii) the repeated, careless imposition of unreasonable

1 confinement;

2 (iii) the failure to provide food, shelter, clothing,
3 and personal hygiene to a high-risk adult with
4 disabilities who requires such assistance;

5 (iv) the failure to provide medical and rehabilitative
6 care for the physical and mental health needs of a
7 high-risk adult with disabilities; or

8 (v) the failure to protect a high-risk adult with
9 disabilities from health and safety hazards.

10 (B) Nothing in this subsection (10) shall be construed to
11 impose a requirement that assistance be provided to a
12 high-risk adult with disabilities over his or her objection in
13 the absence of a court order, nor to create any new affirmative
14 duty to provide support to a high-risk adult with
15 disabilities.

16 (12) "Order of protection" means an emergency order,
17 interim order or plenary order, granted pursuant to this Act,
18 which includes any or all of the remedies authorized by
19 Section 214 of this Act.

20 (13) "Petitioner" may mean not only any named petitioner
21 for the order of protection and any named victim of abuse on
22 whose behalf the petition is brought, but also any other
23 person protected by this Act.

24 (14) "Physical abuse" includes sexual abuse and means any
25 of the following:

26 (i) knowing or reckless use of physical force,

1 confinement or restraint;

2 (ii) knowing, repeated and unnecessary sleep
3 deprivation; or

4 (iii) knowing or reckless conduct which creates an
5 immediate risk of physical harm.

6 (14.5) "Stay away" means for the respondent to refrain
7 from both physical presence and nonphysical contact with the
8 petitioner whether direct, indirect (including, but not
9 limited to, telephone calls, mail, email, faxes, and written
10 notes), or through third parties who may or may not know about
11 the order of protection.

12 (15) "Willful deprivation" means wilfully denying a person
13 who because of age, health or disability requires medication,
14 medical care, shelter, accessible shelter or services, food,
15 therapeutic device, or other physical assistance, and thereby
16 exposing that person to the risk of physical, mental or
17 emotional harm, except with regard to medical care or
18 treatment when the dependent person has expressed an intent to
19 forgo such medical care or treatment. This paragraph does not
20 create any new affirmative duty to provide support to
21 dependent persons.

22 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

23 (750 ILCS 60/212) (from Ch. 40, par. 2312-12)

24 Sec. 212. Hearings.

25 (a) A petition for an order of protection shall be treated

1 as an expedited proceeding, and no court shall transfer or
2 otherwise decline to decide all or part of such petition
3 except as otherwise provided herein. Nothing in this Section
4 shall prevent the court from reserving issues when
5 jurisdiction or notice requirements are not met.

6 (b) Any court or a division thereof which ordinarily does
7 not decide matters of child custody and family support may
8 decline to decide contested issues of physical care, custody,
9 visitation, or family support unless a decision on one or more
10 of those contested issues is necessary to avoid the risk of
11 abuse, neglect, removal from the State or concealment within
12 the State of the child or of separation of the child from the
13 primary caretaker. If the court or division thereof has
14 declined to decide any or all of these issues, then it shall
15 transfer all undecided issues to the appropriate court or
16 division. In the event of such a transfer, a government
17 attorney involved in the criminal prosecution may, but need
18 not, continue to offer counsel to the petitioner on
19 transferred matters.

20 (c) If the court transfers or otherwise declines to decide
21 any issue, judgment on that issue shall be expressly reserved
22 and ruling on other issues shall not be delayed or declined.

23 (d) A court ~~in a county with a population above 250,000~~
24 shall offer the option of a remote hearing to a petitioner for
25 an order of protection. The court has the discretion to grant
26 or deny the request for a remote hearing for good cause shown.

1 Each court shall determine the procedure for a remote hearing.
2 The petitioner, applicable witnesses and respondent may appear
3 remotely or in person.

4 The court shall issue and publish a court order, standing
5 order, or local rule detailing information about the process
6 for requesting and participating in a remote court appearance.
7 The court order, standing order, or local rule shall be
8 published on the court's website and posted on signs
9 throughout the courthouse, including in the clerk's office.
10 The sign shall be written in plain language and include
11 information about the availability of remote court appearances
12 and the process for requesting a remote hearing.

13 (Source: P.A. 102-853, eff. 1-1-23; 103-154, eff. 6-30-23.)

14 (750 ILCS 60/214) (from Ch. 40, par. 2312-14)

15 Sec. 214. Order of protection; remedies.

16 (a) Issuance of order. If the court finds that petitioner
17 has been abused by a family or household member or that
18 petitioner is a high-risk adult who has been abused,
19 neglected, or exploited, as defined in this Act, an order of
20 protection prohibiting the abuse, neglect, or exploitation
21 shall issue; provided that petitioner must also satisfy the
22 requirements of one of the following Sections, as appropriate:
23 Section 217 on emergency orders, Section 218 on interim
24 orders, or Section 219 on plenary orders. Petitioner shall not
25 be denied an order of protection because petitioner or

1 respondent is a minor. The court, when determining whether or
2 not to issue an order of protection, shall not require
3 physical manifestations of abuse on the person of the victim.
4 Modification and extension of prior orders of protection shall
5 be in accordance with this Act.

6 (b) Remedies and standards. The remedies to be included in
7 an order of protection shall be determined in accordance with
8 this Section and one of the following Sections, as
9 appropriate: Section 217 on emergency orders, Section 218 on
10 interim orders, and Section 219 on plenary orders. The
11 remedies listed in this subsection shall be in addition to
12 other civil or criminal remedies available to petitioner.

13 (1) Prohibition of abuse, neglect, or exploitation.
14 Prohibit respondent's harassment, interference with
15 personal liberty, intimidation of a dependent, physical
16 abuse, or willful deprivation, neglect or exploitation, as
17 defined in this Act, or stalking of the petitioner, as
18 defined in Section 12-7.3 of the Criminal Code of 2012, if
19 such abuse, neglect, exploitation, or stalking has
20 occurred or otherwise appears likely to occur if not
21 prohibited.

22 Require the respondent to cease harassment. Require
23 the respondent to:

24 (A) stop creating, using, and disseminating;
25 remove; and delete the following harassing conduct:

26 (i) any and all material or statements that

1 constitute harassment under this Act, including,
2 but not limited to, doxing, electronically
3 generated or digitally altered content, and sexual
4 private images and digitally altered sexual
5 images; and

6 (ii) any and all electronic tracking or
7 monitoring devices, system, or other electronic
8 means, or tracking information; and

9 (B) present sufficient evidence that such
10 compliance has occurred.

11 (2) Grant of exclusive possession of residence.
12 Prohibit respondent from entering or remaining in any
13 residence, household, or premises of the petitioner,
14 including one owned or leased by respondent, if petitioner
15 has a right to occupancy thereof. The grant of exclusive
16 possession of the residence, household, or premises shall
17 not affect title to real property, nor shall the court be
18 limited by the standard set forth in subsection (c-2) of
19 Section 501 of the Illinois Marriage and Dissolution of
20 Marriage Act.

21 (A) Right to occupancy. A party has a right to
22 occupancy of a residence or household if it is solely
23 or jointly owned or leased by that party, that party's
24 spouse, a person with a legal duty to support that
25 party or a minor child in that party's care, or by any
26 person or entity other than the opposing party that

1 authorizes that party's occupancy (e.g., a domestic
2 violence shelter). Standards set forth in subparagraph
3 (B) shall not preclude equitable relief.

4 (B) Presumption of hardships. If petitioner and
5 respondent each has the right to occupancy of a
6 residence or household, the court shall balance (i)
7 the hardships to respondent and any minor child or
8 dependent adult in respondent's care resulting from
9 entry of this remedy with (ii) the hardships to
10 petitioner and any minor child or dependent adult in
11 petitioner's care resulting from continued exposure to
12 the risk of abuse (should petitioner remain at the
13 residence or household) or from loss of possession of
14 the residence or household (should petitioner leave to
15 avoid the risk of abuse). When determining the balance
16 of hardships, the court shall also take into account
17 the accessibility of the residence or household.
18 Hardships need not be balanced if respondent does not
19 have a right to occupancy.

20 The balance of hardships is presumed to favor
21 possession by petitioner unless the presumption is
22 rebutted by a preponderance of the evidence, showing
23 that the hardships to respondent substantially
24 outweigh the hardships to petitioner and any minor
25 child or dependent adult in petitioner's care. The
26 court, on the request of petitioner or on its own

1 motion, may order respondent to provide suitable,
2 accessible, alternate housing for petitioner instead
3 of excluding respondent from a mutual residence or
4 household.

5 (3) Stay away order and additional prohibitions. Order
6 respondent to stay away from petitioner or any other
7 person protected by the order of protection, or prohibit
8 respondent from entering or remaining present at
9 petitioner's school, place of employment, or other
10 specified places at times when petitioner is present, or
11 both, if reasonable, given the balance of hardships.
12 Hardships need not be balanced for the court to enter a
13 stay away order or prohibit entry if respondent has no
14 right to enter the premises.

15 (A) If an order of protection grants petitioner
16 exclusive possession of the residence, or prohibits
17 respondent from entering the residence, or orders
18 respondent to stay away from petitioner or other
19 protected persons, then the court may allow respondent
20 access to the residence to remove items of clothing
21 and personal adornment used exclusively by respondent,
22 medications, and other items as the court directs. The
23 right to access shall be exercised on only one
24 occasion as the court directs and in the presence of an
25 agreed-upon adult third party or law enforcement
26 officer.

1 (B) When the petitioner and the respondent attend
2 the same public, private, or non-public elementary,
3 middle, or high school, the court when issuing an
4 order of protection and providing relief shall
5 consider the severity of the act, any continuing
6 physical danger or emotional distress to the
7 petitioner, the educational rights guaranteed to the
8 petitioner and respondent under federal and State law,
9 the availability of a transfer of the respondent to
10 another school, a change of placement or a change of
11 program of the respondent, the expense, difficulty,
12 and educational disruption that would be caused by a
13 transfer of the respondent to another school, and any
14 other relevant facts of the case. The court may order
15 that the respondent not attend the public, private, or
16 non-public elementary, middle, or high school attended
17 by the petitioner, order that the respondent accept a
18 change of placement or change of program, as
19 determined by the school district or private or
20 non-public school, or place restrictions on the
21 respondent's movements within the school attended by
22 the petitioner. The respondent bears the burden of
23 proving by a preponderance of the evidence that a
24 transfer, change of placement, or change of program of
25 the respondent is not available. The respondent also
26 bears the burden of production with respect to the

1 expense, difficulty, and educational disruption that
2 would be caused by a transfer of the respondent to
3 another school. A transfer, change of placement, or
4 change of program is not unavailable to the respondent
5 solely on the ground that the respondent does not
6 agree with the school district's or private or
7 non-public school's transfer, change of placement, or
8 change of program or solely on the ground that the
9 respondent fails or refuses to consent or otherwise
10 does not take an action required to effectuate a
11 transfer, change of placement, or change of program.
12 When a court orders a respondent to stay away from the
13 public, private, or non-public school attended by the
14 petitioner and the respondent requests a transfer to
15 another attendance center within the respondent's
16 school district or private or non-public school, the
17 school district or private or non-public school shall
18 have sole discretion to determine the attendance
19 center to which the respondent is transferred. In the
20 event the court order results in a transfer of the
21 minor respondent to another attendance center, a
22 change in the respondent's placement, or a change of
23 the respondent's program, the parents, guardian, or
24 legal custodian of the respondent is responsible for
25 transportation and other costs associated with the
26 transfer or change.

1 (C) The court may order the parents, guardian, or
2 legal custodian of a minor respondent to take certain
3 actions or to refrain from taking certain actions to
4 ensure that the respondent complies with the order. In
5 the event the court orders a transfer of the
6 respondent to another school, the parents, guardian,
7 or legal custodian of the respondent is responsible
8 for transportation and other costs associated with the
9 change of school by the respondent.

10 (4) Counseling. Require or recommend the respondent to
11 undergo counseling for a specified duration with a social
12 worker, psychologist, clinical psychologist,
13 psychiatrist, family service agency, alcohol or substance
14 abuse program, mental health center guidance counselor,
15 agency providing services to elders, program designed for
16 domestic violence abusers or any other guidance service
17 the court deems appropriate. The Court may order the
18 respondent in any intimate partner relationship to report
19 to an Illinois Department of Human Services protocol
20 approved partner abuse intervention program for an
21 assessment and to follow all recommended treatment.

22 (5) Physical care and possession of the minor child.
23 In order to protect the minor child from abuse, neglect,
24 or unwarranted separation from the person who has been the
25 minor child's primary caretaker, or to otherwise protect
26 the well-being of the minor child, the court may do either

1 or both of the following: (i) grant petitioner physical
2 care or possession of the minor child, or both, or (ii)
3 order respondent to return a minor child to, or not remove
4 a minor child from, the physical care of a parent or person
5 in loco parentis.

6 If a court finds, after a hearing, that respondent has
7 committed abuse (as defined in Section 103) of a minor
8 child, there shall be a rebuttable presumption that
9 awarding physical care to respondent would not be in the
10 minor child's best interest.

11 (6) Temporary allocation of parental responsibilities:
12 significant decision-making. Award temporary
13 decision-making responsibility to petitioner in accordance
14 with this Section, the Illinois Marriage and Dissolution
15 of Marriage Act, the Illinois Parentage Act of 2015, and
16 this State's Uniform Child-Custody Jurisdiction and
17 Enforcement Act.

18 If a court finds, after a hearing, that respondent has
19 committed abuse (as defined in Section 103) of a minor
20 child, there shall be a rebuttable presumption that
21 awarding temporary significant decision-making
22 responsibility to respondent would not be in the child's
23 best interest.

24 (7) Parenting time. Determine the parenting time, if
25 any, of respondent in any case in which the court awards
26 physical care or allocates temporary significant

1 decision-making responsibility of a minor child to
2 petitioner. The court shall restrict or deny respondent's
3 parenting time with a minor child if the court finds that
4 respondent has done or is likely to do any of the
5 following: (i) abuse or endanger the minor child during
6 parenting time; (ii) use the parenting time as an
7 opportunity to abuse or harass petitioner or petitioner's
8 family or household members; (iii) improperly conceal or
9 detain the minor child; or (iv) otherwise act in a manner
10 that is not in the best interests of the minor child. The
11 court shall not be limited by the standards set forth in
12 Section 603.10 of the Illinois Marriage and Dissolution of
13 Marriage Act. If the court grants parenting time, the
14 order shall specify dates and times for the parenting time
15 to take place or other specific parameters or conditions
16 that are appropriate. No order for parenting time shall
17 refer merely to the term "reasonable parenting time".

18 Petitioner may deny respondent access to the minor
19 child if, when respondent arrives for parenting time,
20 respondent is under the influence of drugs or alcohol and
21 constitutes a threat to the safety and well-being of
22 petitioner or petitioner's minor children or is behaving
23 in a violent or abusive manner.

24 If necessary to protect any member of petitioner's
25 family or household from future abuse, respondent shall be
26 prohibited from coming to petitioner's residence to meet

1 the minor child for parenting time, and the parties shall
2 submit to the court their recommendations for reasonable
3 alternative arrangements for parenting time. A person may
4 be approved to supervise parenting time only after filing
5 an affidavit accepting that responsibility and
6 acknowledging accountability to the court.

7 (8) Removal or concealment of minor child. Prohibit
8 respondent from removing a minor child from the State or
9 concealing the child within the State.

10 (9) Order to appear. Order the respondent to appear in
11 court, alone or with a minor child, to prevent abuse,
12 neglect, removal or concealment of the child, to return
13 the child to the custody or care of the petitioner or to
14 permit any court-ordered interview or examination of the
15 child or the respondent.

16 (10) Possession of personal property. Grant petitioner
17 exclusive possession of personal property and, if
18 respondent has possession or control, direct respondent to
19 promptly make it available to petitioner, if:

20 (i) petitioner, but not respondent, owns the
21 property; or

22 (ii) the parties own the property jointly; sharing
23 it would risk abuse of petitioner by respondent or is
24 impracticable; and the balance of hardships favors
25 temporary possession by petitioner.

26 If petitioner's sole claim to ownership of the

1 property is that it is marital property, the court may
2 award petitioner temporary possession thereof under the
3 standards of subparagraph (ii) of this paragraph only if a
4 proper proceeding has been filed under the Illinois
5 Marriage and Dissolution of Marriage Act, as now or
6 hereafter amended.

7 No order under this provision shall affect title to
8 property.

9 (11) Protection of property. Forbid the respondent
10 from taking, transferring, encumbering, concealing,
11 damaging or otherwise disposing of any real or personal
12 property, except as explicitly authorized by the court,
13 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
19 property is that it is marital property, the court may
20 grant 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 over whom the petitioner has been
14 allocated parental responsibility, when the respondent has
15 a legal obligation to support that person, in accordance
16 with the Illinois Marriage and Dissolution of Marriage
17 Act, which shall govern, among other matters, the amount
18 of support, payment through the clerk and withholding of
19 income to secure payment. An order for child support may
20 be granted to a petitioner with lawful physical care of a
21 child, or an order or agreement for physical care of a
22 child, prior to entry of an order allocating significant
23 decision-making responsibility. Such a support order shall
24 expire upon entry of a valid order allocating parental
25 responsibility differently and vacating the petitioner's
26 significant decision-making authority, unless otherwise

1 provided in the order.

2 (13) Order for payment of losses. Order respondent to
3 pay petitioner for losses suffered as a direct result of
4 the abuse, neglect, or exploitation. Such losses shall
5 include, but not be limited to, medical expenses, lost
6 earnings or other support, repair or replacement of
7 property damaged or taken, reasonable attorney's fees,
8 court costs and moving or other travel expenses, including
9 additional reasonable expenses for temporary shelter and
10 restaurant meals.

11 (i) Losses affecting family needs. If a party is
12 entitled to seek maintenance, child support or
13 property distribution from the other party under the
14 Illinois Marriage and Dissolution of Marriage Act, as
15 now or hereafter amended, the court may order
16 respondent to reimburse petitioner's actual losses, to
17 the extent that such reimbursement would be
18 "appropriate temporary relief", as authorized by
19 subsection (a) (3) of Section 501 of that Act.

20 (ii) Recovery of expenses. In the case of an
21 improper concealment or removal of a minor child, the
22 court may order respondent to pay the reasonable
23 expenses incurred or to be incurred in the search for
24 and recovery of the minor child, including but not
25 limited to legal fees, court costs, private
26 investigator fees, and travel costs.

1 (14) Prohibition of entry. Prohibit the respondent
2 from entering or remaining in the residence or household
3 while the respondent is under the influence of alcohol or
4 drugs and constitutes a threat to the safety and
5 well-being of the petitioner or the petitioner's children.

6 (14.5) Prohibition of possession of firearms and
7 firearm parts; search and seizure of firearms and firearms
8 parts.

9 (A) (i) Prohibit a respondent against whom an
10 emergency, interim, or plenary order of protection was
11 issued from possessing, during the duration of the
12 order, any firearms or firearm parts that could be
13 assembled into an operable firearm if a search warrant
14 is issued under (A-1) or the order:

15 (aa) was issued after a hearing of which such
16 person received actual notice, and at which such
17 person had an opportunity to participate, or the
18 petitioner has satisfied the requirements of
19 Section 217;

20 (bb) restrains such person from using physical
21 force; harassing, stalking, or threatening an
22 intimate partner of such person or child of such
23 intimate partner or person; or engaging in other
24 conduct that would place an intimate partner in
25 reasonable fear of bodily injury to the partner or
26 child; and

1 (cc) includes a finding that such person
2 represents a credible threat to the physical
3 safety of such intimate partner or child.

4 (ii) The court shall order any respondent
5 prohibited from possessing firearms under item (i) of
6 subparagraph (A) to surrender any firearms or firearm
7 parts that could be assembled to make an operable
8 firearm. Any firearms or firearm parts on the
9 respondent's person or at the place of service shall
10 be surrendered to the serving officers at the time of
11 service of the order of protection, and any other
12 firearms or firearm parts shall be surrendered to
13 local law enforcement within 24 hours of service of
14 the order of protection. Any Firearm Owner's
15 Identification Card or Concealed Carry License in the
16 possession of the respondent, except as provided in
17 subparagraph (B), shall also be ordered by the court
18 to be turned over to the officer serving the order of
19 protection at the time of service or, if not on the
20 respondent's person or at the location where the
21 respondent is served at the time of service, to local
22 law enforcement within 24 hours of service of the
23 order of protection. The law enforcement agency shall
24 immediately mail the card, as well as any license, to
25 the Illinois State Police Firearm Owner's
26 Identification Card Office for safekeeping.

1 (A-1)(i) Upon issuance of an emergency, interim,
2 or plenary order of protection and subject to the
3 provisions of item (ii) of this subparagraph (A-1),
4 the court shall issue a search warrant for the seizure
5 of any firearms or firearm parts that could be
6 assembled to make an operable firearm belonging to the
7 respondent if the court, based upon sworn testimony,
8 finds that:

9 (aa) the respondent poses a credible threat to
10 the physical safety of the petitioner protected by
11 the order of protection; and

12 (bb) probable cause exists to believe that:

13 (I) the respondent possesses firearms or
14 firearm parts that could be assembled to make
15 an operable firearm;

16 (II) the firearms or firearm parts that
17 could be assembled to make an operable firearm
18 are located at the residence, vehicle, or
19 other property of the respondent to be
20 searched; and

21 (III) the credible threat to the physical
22 safety of the petitioner protected by the
23 order of protection is immediate and present.

24 The record shall reflect the court's findings in
25 determining whether the search warrant shall be
26 issued.

1 (ii) If the petitioner does not seek a warrant
2 under this subparagraph (A-1) or the court determines
3 that the requirements of this subparagraph (A-1) have
4 not been met, relief under subparagraph (A) alone may
5 be granted.

6 (iii) An ex parte search warrant shall be granted
7 under this subparagraph (A-1) only if the court finds
8 that:

9 (aa) the elements of item (i) of subparagraph
10 (A-1) have been met;

11 (bb) personal injury to the petitioner is
12 likely to occur if the respondent received prior
13 notice; and

14 (cc) the petitioner has otherwise satisfied
15 the requirements of Section 217 of this Act.

16 (iv) Oral testimony is sufficient in lieu of an
17 affidavit to support a finding of probable cause.

18 (v) A search warrant issued under this
19 subparagraph (A-1) shall be directed by the court for
20 enforcement to the law enforcement agency with primary
21 responsibility for responding to calls for service at
22 the location to be searched or to another appropriate
23 law enforcement agency if justified by the
24 circumstances. The search warrant shall specify with
25 particularity the scope of the search, including the
26 property to be searched, and shall direct the law

1 enforcement agency to seize the respondent's firearms
2 and firearm parts that could be assembled to make an
3 operable firearm. Law enforcement shall also be
4 directed to seize any Firearm Owner's Identification
5 Card and any Concealed Carry License belonging to the
6 respondent.

7 (vi) The petitioner shall prepare an information
8 sheet, reviewed by the court, for law enforcement at
9 the time the warrant is granted. The information sheet
10 shall include:

11 (aa) contact information for the petitioner,
12 the petitioner's attorney, or both, including a
13 telephone number and email, if available;

14 (bb) a physical description of the respondent,
15 including the respondent's date of birth, if
16 known, or approximate age, height, weight, race,
17 and hair color;

18 (cc) days and times that the respondent is
19 likely to be at the property to be searched, if
20 known; and

21 (dd) whether people other than the respondent
22 are likely to be present at the property to be
23 searched and when, if known.

24 (vii) The information sheet shall be transmitted
25 to the law enforcement agency to which the search
26 warrant is directed in the same manner as the warrant

1 is transmitted under Section 222 of this Act.

2 (viii) If the court, after determining a search
3 warrant should issue, finds that the petitioner has
4 made a credible report of domestic violence to the
5 local law enforcement agency within the previous 90
6 days, law enforcement shall execute the warrant no
7 later than 96 hours after receipt of the warrant. If
8 the court finds that petitioner has not made such a
9 report, the law enforcement agency to which the court
10 has directed the warrant shall, within 48 hours of
11 receipt, evaluate the warrant and seek any corrections
12 to the warrant, and, if applicable, add to or negate
13 the warrant. The record shall reflect the court's
14 findings in determining whether to correct, add, or
15 negate the warrant. If a change is made regarding the
16 search warrant, law enforcement shall execute the
17 warrant no later than 96 hours after the correction is
18 issued. The law enforcement agency shall notify the
19 petitioner of any changes to the warrant or if the
20 warrant has been negated. The law enforcement agency
21 to which the court has directed the warrant may
22 coordinate with other law enforcement agencies to
23 execute the warrant. A return of the warrant shall be
24 filed by the law enforcement agency within 24 hours of
25 execution, setting forth the time, date, and location
26 where the warrant was executed and what items, if any,

1 were seized. If the court is not in session, the return
2 information shall be returned on the next date the
3 court is in session. Subject to the provisions of this
4 Section, peace officers shall have the same authority
5 to execute a warrant issued pursuant to this
6 subsection as a warrant issued under Article 108 of
7 the Code of Criminal Procedure of 1963.

8 (ix) Upon discovering a defect in the search
9 warrant, the appropriate law enforcement agency may
10 petition the court to correct the warrant. The law
11 enforcement agency shall notify the petitioner of any
12 such correction.

13 (x) Upon petition by the appropriate law
14 enforcement agency, the court may modify the search
15 warrant or extend the time to execute the search
16 warrant for a period of no more than 96 hours. In
17 determining whether to modify or extend the warrant,
18 the court shall consider:

19 (aa) any increased risk to the petitioner's
20 safety that may result from a modification or
21 extension of the warrant;

22 (bb) any unnecessary risk to law enforcement
23 that would be mitigated by a modification or
24 extension of the warrant;

25 (cc) any risks to third parties at the
26 location to be searched that would be mitigated by

1 a modification or extension of the warrant; and
2 (dd) the likelihood of successful execution of
3 warrant.

4 The record shall reflect the court's findings in
5 determining whether to extend or modify the warrant.
6 The law enforcement agency shall notify the petitioner
7 of any modification or extension of the warrant.

8 (xi) Service of any order of protection shall, to
9 the extent possible, be concurrent with the execution
10 of any search warrant under this paragraph.

11 (B) If the respondent is a peace officer as
12 defined in Section 2-13 of the Criminal Code of 2012,
13 the court shall order that any firearms used by the
14 respondent in the performance of his or her duties as a
15 peace officer be surrendered to the chief law
16 enforcement executive of the agency in which the
17 respondent is employed, who shall retain the firearms
18 for safekeeping for the duration of the order of
19 protection.

20 (C) (i) Any firearms or firearm parts that could be
21 assembled to make an operable firearm shall be kept by
22 the law enforcement agency that took possession of the
23 items for safekeeping, except as provided in
24 subparagraph (B). The period of safekeeping shall be
25 for the duration of the order of protection. Except as
26 provided in subparagraph (E), the respondent is

1 prohibited from transferring firearms or firearm parts
2 to another individual in lieu of surrender to law
3 enforcement. The law enforcement agency shall provide
4 an itemized statement of receipt to the respondent and
5 the court describing any seized or surrendered
6 firearms or firearm parts and informing the respondent
7 that the respondent may seek the return of the
8 respondent's items at the end of the order of
9 protection. The law enforcement agency may enter
10 arrangements, as needed, with federally licensed
11 firearm dealers or other law enforcement agencies for
12 the storage of any firearms seized or surrendered
13 under this subsection.

14 (ii) It is the respondent's responsibility to
15 request the return or reinstatement of any Firearm
16 Owner's Identification Card or Concealed Carry License
17 and notify the Illinois State Police Firearm Owner's
18 Identification Card Office at the end of the Order of
19 Protection.

20 (iii) At the end of the order of protection, a
21 respondent may request the return of any seized or
22 surrendered firearms or firearm parts that could be
23 assembled to make an operable firearm. Such firearms
24 or firearm parts shall be returned within 14 days of
25 the request to the respondent, if the respondent is
26 lawfully eligible to possess firearms, or to a

1 designated third party who is lawfully eligible to
2 possess firearms. If the firearms or firearm parts
3 cannot be returned to respondent because (1) the
4 respondent has not requested the return or transfer of
5 the firearms or firearm parts as set forth in this
6 subparagraph, and (2) the respondent cannot be located
7 or fails to respond to more than 3 requests to retrieve
8 the firearms or firearm parts the court may, or is not
9 lawfully eligible to possess a firearm, upon petition
10 from the appropriate law enforcement agency and notice
11 to the respondent at the respondent's last known
12 address, order the law enforcement agency to destroy
13 the firearms or firearm parts; use the firearms or
14 firearm parts for training purposes or for any other
15 application as deemed appropriate by the law
16 enforcement agency; or turn over the firearm or
17 firearm parts to a third party who is lawfully
18 eligible to possess firearms, and who does not reside
19 with respondent.

20 (D) (i) If a person other than the respondent
21 claims title to any firearms and firearm parts that
22 could be assembled to make an operable firearm seized
23 or surrendered under this subsection, the person may
24 petition the court to have the firearm and firearm
25 parts that could be assembled to make an operable
26 firearm returned to him or her with proper notice to

1 the petitioner and respondent. If, at a hearing on the
2 petition, the court determines the person to be the
3 lawful owner of the firearm and firearm parts that
4 could be assembled to make an operable firearm, the
5 firearm and firearm parts that could be assembled to
6 make an operable firearm shall be returned to the
7 person, provided that:

8 (aa) the firearm and firearm parts that could
9 be assembled to make an operable firearm are
10 removed from the respondent's custody, control, or
11 possession and the lawful owner agrees to store
12 the firearm and firearm parts that could be
13 assembled to make an operable firearm in a manner
14 such that the respondent does not have access to
15 or control of the firearm and firearm parts that
16 could be assembled to make an operable firearm;
17 and

18 (bb) the firearm and firearm parts that could
19 be assembled to make an operable firearm are not
20 otherwise unlawfully possessed by the owner.

21 (ii) The person petitioning for the return of his
22 or her firearm and firearm parts that could be
23 assembled to make an operable firearm must swear or
24 affirm by affidavit that he or she:

25 (aa) is the lawful owner of the firearm and
26 firearm parts that could be assembled to make an

1 operable firearm;

2 (bb) shall not transfer the firearm and
3 firearm parts that could be assembled to make an
4 operable firearm to the respondent; and

5 (cc) will store the firearm and firearm parts
6 that could be assembled to make an operable
7 firearm in a manner that the respondent does not
8 have access to or control of the firearm and
9 firearm parts that could be assembled to make an
10 operable firearm.

11 (E) (i) The respondent may file a motion to
12 transfer, at the next scheduled hearing, any seized or
13 surrendered firearms or firearm parts to a third
14 party. Notice of the motion shall be provided to the
15 petitioner and the third party must appear at the
16 hearing.

17 (ii) The court may order transfer of the seized or
18 surrendered firearm or firearm parts only if:

19 (aa) the third party transferee affirms by
20 affidavit to the open court that:

21 (I) the third party transferee does not
22 reside with the respondent;

23 (II) the respondent does not have access
24 to the location in which the third party
25 transferee intends to keep the firearms or
26 firearm parts;

1 (III) the third party transferee will not
2 transfer the firearm or firearm parts to the
3 respondent or anyone who resides with the
4 respondent;

5 (IV) the third party transferee will
6 maintain control and possession of the firearm
7 or firearm parts until otherwise ordered by
8 the court; and

9 (V) the third party transferee will be
10 subject to criminal penalties for transferring
11 the firearms or firearm parts to the
12 respondent; and

13 (bb) the court finds that:

14 (I) the respondent holds a valid Firearm
15 Owner's Identification; and

16 (II) the transfer of firearms or firearm
17 parts to the third party transferee does not
18 place the petitioner or any other protected
19 parties at any additional threat or risk of
20 harm.

21 (15) Prohibition of access to records. If an order of
22 protection prohibits respondent from having contact with
23 the minor child, or if petitioner's address is omitted
24 under subsection (b) of Section 203, or if necessary to
25 prevent abuse or wrongful removal or concealment of a
26 minor child, the order shall deny respondent access to,

1 and prohibit respondent from inspecting, obtaining, or
2 attempting to inspect or obtain, school or any other
3 records of the minor child who is in the care of
4 petitioner.

5 (16) Order for payment of shelter services. Order
6 respondent to reimburse a shelter providing temporary
7 housing and counseling services to the petitioner for the
8 cost of the services, as certified by the shelter and
9 deemed reasonable by the court.

10 (17) Order for injunctive relief. Enter injunctive
11 relief necessary or appropriate to prevent further abuse
12 of a family or household member or further abuse, neglect,
13 or exploitation of a high-risk adult with disabilities or
14 to effectuate one of the granted remedies, if supported by
15 the balance of hardships. If the harm to be prevented by
16 the injunction is abuse or any other harm that one of the
17 remedies listed in paragraphs (1) through (16) of this
18 subsection is designed to prevent, no further evidence is
19 necessary that the harm is an irreparable injury.

20 (18) Telephone services.

21 (A) Unless a condition described in subparagraph
22 (B) of this paragraph exists, the court may, upon
23 request by the petitioner, order a wireless telephone
24 service provider to transfer to the petitioner the
25 right to continue to use a telephone number or numbers
26 indicated by the petitioner and the financial

1 responsibility associated with the number or numbers,
2 as set forth in subparagraph (C) of this paragraph.
3 For purposes of this paragraph (18), the term
4 "wireless telephone service provider" means a provider
5 of commercial mobile service as defined in 47 U.S.C.
6 332. The petitioner may request the transfer of each
7 telephone number that the petitioner, or a minor child
8 in his or her custody, uses. The clerk of the court
9 shall serve the order on the wireless telephone
10 service provider's agent for service of process
11 provided to the Illinois Commerce Commission. The
12 order shall contain all of the following:

13 (i) The name and billing telephone number of
14 the account holder including the name of the
15 wireless telephone service provider that serves
16 the account.

17 (ii) Each telephone number that will be
18 transferred.

19 (iii) A statement that the provider transfers
20 to the petitioner all financial responsibility for
21 and right to the use of any telephone number
22 transferred under this paragraph.

23 (B) A wireless telephone service provider shall
24 terminate the respondent's use of, and shall transfer
25 to the petitioner use of, the telephone number or
26 numbers indicated in subparagraph (A) of this

1 paragraph unless it notifies the petitioner, within 72
2 hours after it receives the order, that one of the
3 following applies:

4 (i) The account holder named in the order has
5 terminated the account.

6 (ii) A difference in network technology would
7 prevent or impair the functionality of a device on
8 a network if the transfer occurs.

9 (iii) The transfer would cause a geographic or
10 other limitation on network or service provision
11 to the petitioner.

12 (iv) Another technological or operational
13 issue would prevent or impair the use of the
14 telephone number if the transfer occurs.

15 (C) The petitioner assumes all financial
16 responsibility for and right to the use of any
17 telephone number transferred under this paragraph. In
18 this paragraph, "financial responsibility" includes
19 monthly service costs and costs associated with any
20 mobile device associated with the number.

21 (D) A wireless telephone service provider may
22 apply to the petitioner its routine and customary
23 requirements for establishing an account or
24 transferring a number, including requiring the
25 petitioner to provide proof of identification,
26 financial information, and customer preferences.

1 (E) Except for willful or wanton misconduct, a
2 wireless telephone service provider is immune from
3 civil liability for its actions taken in compliance
4 with a court order issued under this paragraph.

5 (F) All wireless service providers that provide
6 services to residential customers shall provide to the
7 Illinois Commerce Commission the name and address of
8 an agent for service of orders entered under this
9 paragraph (18). Any change in status of the registered
10 agent must be reported to the Illinois Commerce
11 Commission within 30 days of such change.

12 (G) The Illinois Commerce Commission shall
13 maintain the list of registered agents for service for
14 each wireless telephone service provider on the
15 Commission's website. The Commission may consult with
16 wireless telephone service providers and the Circuit
17 Court Clerks on the manner in which this information
18 is provided and displayed.

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
5 of petitioner's or respondent's family or household;
6 and

7 (ii) the danger that any minor child will be
8 abused or neglected or improperly relocated from the
9 jurisdiction, improperly concealed within the State or
10 improperly separated from the child's primary
11 caretaker.

12 (2) In comparing relative hardships resulting to the
13 parties from loss of possession of the family home, the
14 court shall consider relevant factors, including but not
15 limited to the following:

16 (i) availability, accessibility, cost, safety,
17 adequacy, location and other characteristics of
18 alternate housing for each party and any minor child
19 or dependent adult in the party's care;

20 (ii) the effect on the party's employment; and

21 (iii) the effect on the relationship of the party,
22 and any minor child or dependent adult in the party's
23 care, to family, school, church and community.

24 (3) Subject to the exceptions set forth in paragraph
25 (4) of this subsection, the court shall make its findings
26 in an official record or in writing, and shall at a minimum

1 set forth the following:

2 (i) That the court has considered the applicable
3 relevant factors described in paragraphs (1) and (2)
4 of this subsection.

5 (ii) Whether the conduct or actions of respondent,
6 unless prohibited, will likely cause irreparable harm
7 or continued abuse.

8 (iii) Whether it is necessary to grant the
9 requested relief in order to protect petitioner or
10 other alleged abused persons.

11 (4) For purposes of issuing an ex parte emergency
12 order of protection, the court, as an alternative to or as
13 a supplement to making the findings described in
14 paragraphs (c)(3)(i) through (c)(3)(iii) of this
15 subsection, may use the following procedure:

16 When a verified petition for an emergency order of
17 protection in accordance with the requirements of Sections
18 203 and 217 is presented to the court, the court shall
19 examine petitioner on oath or affirmation. An emergency
20 order of protection shall be issued by the court if it
21 appears from the contents of the petition and the
22 examination of petitioner that the averments are
23 sufficient to indicate abuse by respondent and to support
24 the granting of relief under the issuance of the emergency
25 order of protection.

26 (5) Never married parties. No rights or

1 responsibilities for a minor child born outside of
2 marriage attach to a putative father until a father and
3 child relationship has been established under the Illinois
4 Parentage Act of 1984, the Illinois Parentage Act of 2015,
5 the Illinois Public Aid Code, Section 12 of the Vital
6 Records Act, the Juvenile Court Act of 1987, the Probate
7 Act of 1975, the Revised Uniform Reciprocal Enforcement of
8 Support Act, the Uniform Interstate Family Support Act,
9 the Expedited Child Support Act of 1990, any judicial,
10 administrative, or other act of another state or
11 territory, any other Illinois statute, or by any foreign
12 nation establishing the father and child relationship, any
13 other proceeding substantially in conformity with the
14 Personal Responsibility and Work Opportunity
15 Reconciliation Act of 1996 (Pub. L. 104-193), or where
16 both parties appeared in open court or at an
17 administrative hearing acknowledging under oath or
18 admitting by affirmation the existence of a father and
19 child relationship. Absent such an adjudication, finding,
20 or acknowledgment, no putative father shall be granted
21 temporary allocation of parental responsibilities,
22 including parenting time with the minor child, or physical
23 care and possession of the minor child, nor shall an order
24 of payment for support of the minor child be entered.

25 (d) Balance of hardships; findings. If the court finds
26 that the balance of hardships does not support the granting of

1 a remedy governed by paragraph (2), (3), (10), (11), or (16) of
2 subsection (b) of this Section, which may require such
3 balancing, the court's findings shall so indicate and shall
4 include a finding as to whether granting the remedy will
5 result in hardship to respondent that would substantially
6 outweigh the hardship to petitioner from denial of the remedy.
7 The findings shall be an official record or in writing.

8 (e) Denial of remedies. Denial of any remedy shall not be
9 based, in whole or in part, on evidence that:

10 (1) Respondent has cause for any use of force, unless
11 that cause satisfies the standards for justifiable use of
12 force provided by Article 7 of the Criminal Code of 2012;

13 (2) Respondent was voluntarily intoxicated;

14 (3) Petitioner acted in self-defense or defense of
15 another, provided that, if petitioner utilized force, such
16 force was justifiable under Article 7 of the Criminal Code
17 of 2012;

18 (4) Petitioner did not act in self-defense or defense
19 of another;

20 (5) Petitioner left the residence or household to
21 avoid further abuse, neglect, or exploitation by
22 respondent;

23 (6) Petitioner did not leave the residence or
24 household to avoid further abuse, neglect, or exploitation
25 by respondent;

26 (7) Conduct by any family or household member excused

1 the abuse, neglect, or exploitation by respondent, unless
2 that same conduct would have excused such abuse, neglect,
3 or exploitation if the parties had not been family or
4 household members.

5 (Source: P.A. 102-538, eff. 8-20-21; 103-1065, eff. 5-11-25.)

6 (750 ILCS 60/220) (from Ch. 40, par. 2312-20)

7 Sec. 220. Duration and extension of orders.

8 (a) Duration of emergency and interim orders. Unless
9 re-opened or extended or voided by entry of an order of greater
10 duration:

11 (1) Emergency orders issued under Section 217 shall be
12 effective for not less than 14 nor more than 21 days;

13 (2) Interim orders shall be effective for up to 30
14 days.

15 (b) Duration of plenary orders.

16 (0.05) A plenary order of protection entered under
17 this Act shall be valid for a fixed period of time, not to
18 exceed two years.

19 (1) A plenary order of protection entered in
20 conjunction with another civil proceeding shall remain in
21 effect as follows:

22 (i) if entered as preliminary relief in that other
23 proceeding, until entry of final judgment in that
24 other proceeding;

25 (ii) if incorporated into the final judgment in

1 that other proceeding, until the order of protection
2 is vacated or modified; or

3 (iii) if incorporated in an order for involuntary
4 commitment, until termination of both the involuntary
5 commitment and any voluntary commitment, or for a
6 fixed period of time not exceeding 2 years.

7 (2) Duration of an order of protection entered in
8 conjunction with a criminal prosecution or delinquency
9 petition shall remain in effect as provided in Section
10 112A-20 of the Code of Criminal Procedure of 1963.

11 (c) Computation of time. The duration of an order of
12 protection shall not be reduced by the duration of any prior
13 order of protection.

14 (d) Law enforcement records. When a plenary order of
15 protection expires upon the occurrence of a specified event,
16 rather than upon a specified date as provided in subsection
17 (b), no expiration date shall be entered in Illinois State
18 Police records. To remove the plenary order from those
19 records, either party shall request the clerk of the court to
20 file a certified copy of an order stating that the specified
21 event has occurred or that the plenary order has been vacated
22 or modified with the Sheriff, and the Sheriff shall direct
23 that law enforcement records shall be promptly corrected in
24 accordance with the filed order.

25 (e) Extension of orders. Any emergency, interim or plenary
26 order may be extended one or more times, as required, provided

1 that the requirements of Section 217, 218 or 219, as
2 appropriate, are satisfied. If the motion for extension is
3 uncontested and petitioner seeks no modification of the order,
4 the order may be extended on the basis of petitioner's motion
5 or affidavit stating that there has been no material change in
6 relevant circumstances since entry of the order and stating
7 the reason for the requested extension. An extension of a
8 plenary order of protection may be granted, upon good cause
9 shown, to remain in effect until the order of protection is
10 vacated or modified. Extensions may be granted only in open
11 court and not under the provisions of subsection (c) of
12 Section 217, which applies only when the court is unavailable
13 at the close of business or on a court holiday.

14 (1) Motion to extend plenary order. Any motion to
15 extend a plenary order must be filed on or before the
16 expiration date. When the motion is filed, the plenary
17 order shall remain in effect until its original expiration
18 date or until the motion is presented or heard, whichever
19 is later. Upon the timely filing of the motion, the Clerk
20 shall transmit to law enforcement the motion and notice of
21 motion with the next court date in accordance with
22 subsection (b) of Section 222. If the next court date is
23 after the expiration date of the original order, the next
24 court date shall be entered into LEADS as the updated
25 expiration date of the plenary order.

26 (2) A plenary order shall be extended if the court

1 finds that since entry of the plenary order there has been
2 no material change in the relevant circumstances that met
3 the requirements of Section 214. An extension of a plenary
4 order may be granted for any fixed period of time or
5 indefinitely until the plenary order is vacated or
6 modified.

7 (3) If the motion to extend the plenary order is
8 uncontested, petitioner's motion or affidavit stating that
9 there has been no material change in relevant
10 circumstances since entry of the order and stating the
11 reason for the requested extension shall be sufficient for
12 the court to extend the plenary order for any length of
13 time, including indefinitely.

14 (4) The court may grant a contested request for an
15 extension of the plenary order for more than two years
16 based on good cause shown. Good cause is established by
17 the facts of the original order, and a new finding that a
18 compelling reason related to the physical danger,
19 emotional distress, safety, or well-being of the
20 petitioner or other protected parties, or both, exists for
21 the extension. Good cause shall not be required for
22 uncontested requests for any duration or contested
23 requests for extensions up to 2 years.

24 (5) A violation of the original order or a subsequent
25 incident of abuse is not required to grant the extension
26 or determine the length of the extension. Compliance with

1 the original order does not negate the basis or length of
2 the extension.

3 (6) Any requested modification to the plenary order
4 independent of the length of the extension will be
5 determined in accordance with the requirements of Section
6 224.

7 (f) Termination date. Any order of protection which would
8 expire on a court holiday shall instead expire at the close of
9 the next court business day.

10 (g) Statement of purpose. The practice of dismissing or
11 suspending a criminal prosecution in exchange for the issuance
12 of an order of protection undermines the purposes of this Act.
13 This Section shall not be construed as encouraging that
14 practice.

15 (Source: P.A. 102-538, eff. 8-20-21.)