



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5310

Introduced 1/31/2022, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

725 ILCS 5/112A-32 new
750 ILCS 5/506 from Ch. 40, par. 506
750 ILCS 5/602.7
750 ILCS 5/603.10
750 ILCS 5/603.12 new
750 ILCS 5/715 new
750 ILCS 60/228 new

Provides that the Act may be referred to as Kayden's Law. Amends the Illinois Marriage and Dissolution of Marriage Act. Requires a court, when appointing a guardian ad litem to represent a child, shall make efforts to appoint a guardian ad litem who received evidence-based education and training relating to child abuse. Includes additional factors for the court to consider when determining the allocation of parenting time. Provides that if the court finds that there is a history of abuse of the child or a household member by a party or a present risk of harm to the child or an abused party and awards any form of parenting time to a party who committed the abuse or who has a household member who committed the abuse, the court shall include in the parenting plan safety conditions, restrictions, or safeguards as reasonably necessary to protect the child or the abused party. Creates various rebuttable presumptions related to a finding of child abuse. Allows the Administrative Office of the Illinois Courts to develop and implement an ongoing education and training program for judges and relevant court personnel regarding child abuse. Makes other changes. Amends the Code of Criminal Procedure of 1963 and the Domestic Violence Act of 1986. Restricts a court from sealing a court file related to a domestic violence order of protection.

LRB102 25490 LNS 34778 b

1 AN ACT concerning civil law.

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

4 Section 1. References to Act. This Act may be referred to
5 as Kayden's Law.

6 Section 5. The Code of Criminal Procedure of 1963 is
7 amended by adding Section 112A-32 as follows:

8 (725 ILCS 5/112A-32 new)

9 Sec. 112A-32. Sealing of court file prohibited. No court
10 shall seal a court file related to a domestic violence order of
11 protection granted under this Article.

12 Section 10. The Illinois Marriage and Dissolution of
13 Marriage Act is amended by changing Sections 506, 602.7, and
14 603.10 and by adding Sections 603.12 and 715 as follows:

15 (750 ILCS 5/506) (from Ch. 40, par. 506)

16 Sec. 506. Representation of child.

17 (a) Duties. In any proceedings involving the support,
18 custody, visitation, allocation of parental responsibilities,
19 education, parentage, property interest, or general welfare of
20 a minor or dependent child, the court may, on its own motion or

1 that of any party, appoint an attorney to serve in one of the
2 following capacities to address the issues the court
3 delineates:

4 (1) Attorney. The attorney shall provide independent
5 legal counsel for the child and shall owe the same duties
6 of undivided loyalty, confidentiality, and competent
7 representation as are due an adult client.

8 (2) Guardian ad litem. The guardian ad litem shall
9 testify or submit a written report to the court regarding
10 his or her recommendations in accordance with the best
11 interest of the child. The report shall be made available
12 to all parties. The guardian ad litem may be called as a
13 witness for purposes of cross-examination regarding the
14 guardian ad litem's report or recommendations. The
15 guardian ad litem shall investigate the facts of the case
16 and interview the child and the parties.

17 The court appointing a guardian ad litem under this
18 paragraph shall make reasonable efforts to appoint a
19 guardian ad litem who has received evidence-based
20 education and training relating to child abuse, including
21 child sexual abuse, domestic abuse education, and the
22 effect of child sexual abuse and domestic abuse on
23 children.

24 (3) Child representative. The child representative
25 shall advocate what the child representative finds to be
26 in the best interests of the child after reviewing the

1 facts and circumstances of the case. The child
2 representative shall meet with the child and the parties,
3 investigate the facts of the case, and encourage
4 settlement and the use of alternative forms of dispute
5 resolution. The child representative shall have the same
6 authority and obligation to participate in the litigation
7 as does an attorney for a party and shall possess all the
8 powers of investigation as does a guardian ad litem. The
9 child representative shall consider, but not be bound by,
10 the expressed wishes of the child. A child representative
11 shall have received training in child advocacy or shall
12 possess such experience as determined to be equivalent to
13 such training by the chief judge of the circuit where the
14 child representative has been appointed. The child
15 representative shall not disclose confidential
16 communications made by the child, except as required by
17 law or by the Rules of Professional Conduct. The child
18 representative shall not render an opinion,
19 recommendation, or report to the court and shall not be
20 called as a witness, but shall offer evidence-based legal
21 arguments. The child representative shall disclose the
22 position as to what the child representative intends to
23 advocate in a pre-trial memorandum that shall be served
24 upon all counsel of record prior to the trial. The
25 position disclosed in the pre-trial memorandum shall not
26 be considered evidence. The court and the parties may

1 consider the position of the child representative for
2 purposes of a settlement conference.

3 (a-3) Additional appointments. During the proceedings the
4 court may appoint an additional attorney to serve in the
5 capacity described in subdivision (a)(1) or an additional
6 attorney to serve in another of the capacities described in
7 subdivision (a)(2) or (a)(3) on the court's own motion or that
8 of a party only for good cause shown and when the reasons for
9 the additional appointment are set forth in specific findings.

10 (a-5) Appointment considerations. In deciding whether to
11 make an appointment of an attorney for the minor child, a
12 guardian ad litem, or a child representative, the court shall
13 consider the nature and adequacy of the evidence to be
14 presented by the parties and the availability of other methods
15 of obtaining information, including social service
16 organizations and evaluations by mental health professions, as
17 well as resources for payment.

18 In no event is this Section intended to or designed to
19 abrogate the decision making power of the trier of fact. Any
20 appointment made under this Section is not intended to nor
21 should it serve to place any appointed individual in the role
22 of a surrogate judge.

23 (b) Fees and costs. The court shall enter an order as
24 appropriate for costs, fees, and disbursements, including a
25 retainer, when the attorney, guardian ad litem, or child's
26 representative is appointed. Any person appointed under this

1 Section shall file with the court within 90 days of his or her
2 appointment, and every subsequent 90-day period thereafter
3 during the course of his or her representation, a detailed
4 invoice for services rendered with a copy being sent to each
5 party. The court shall review the invoice submitted and
6 approve the fees, if they are reasonable and necessary. Any
7 order approving the fees shall require payment by either or
8 both parents, by any other party or source, or from the marital
9 estate or the child's separate estate. The court may not order
10 payment by the Department of Healthcare and Family Services in
11 cases in which the Department is providing child support
12 enforcement services under Article X of the Illinois Public
13 Aid Code. Unless otherwise ordered by the court at the time
14 fees and costs are approved, all fees and costs payable to an
15 attorney, guardian ad litem, or child representative under
16 this Section are by implication deemed to be in the nature of
17 support of the child and are within the exceptions to
18 discharge in bankruptcy under 11 U.S.C.A. 523. The provisions
19 of Sections 501 and 508 of this Act shall apply to fees and
20 costs for attorneys appointed under this Section.

21 (Source: P.A. 99-90, eff. 1-1-16.)

22 (750 ILCS 5/602.7)

23 Sec. 602.7. Allocation of parental responsibilities:
24 parenting time.

25 (a) Best interests. The court shall allocate parenting

1 time according to the child's best interests.

2 (b) Allocation of parenting time. Unless the parents
3 present a mutually agreed written parenting plan and that plan
4 is approved by the court, the court shall allocate parenting
5 time. It is presumed both parents are fit and the court shall
6 not place any restrictions on parenting time as defined in
7 Section 600 and described in Section 603.10 or 603.12, unless
8 it finds by a preponderance of the evidence that a parent's
9 exercise of parenting time would seriously endanger the
10 child's physical, mental, moral, or emotional health.

11 In determining the child's best interests for purposes of
12 allocating parenting time, the court shall consider all
13 relevant factors, including, without limitation, the
14 following:

15 (1) the wishes of each parent seeking parenting time;

16 (2) the wishes of the child, taking into account the
17 child's maturity and ability to express reasoned and
18 independent preferences as to parenting time. If the court
19 finds that a child who expresses fear of a parent is based
20 on the parent's actual and specific conduct that is
21 contrary to the child's best interests, the finding shall
22 be considered;

23 (3) the amount of time each parent spent performing
24 caretaking functions with respect to the child in the 24
25 months preceding the filing of any petition for allocation
26 of parental responsibilities or, if the child is under 2

1 years of age, since the child's birth;

2 (4) any prior agreement or course of conduct between
3 the parents relating to caretaking functions with respect
4 to the child;

5 (5) the interaction and interrelationship of the child
6 with his or her parents and siblings and with any other
7 person who may significantly affect the child's best
8 interests;

9 (6) the child's adjustment to his or her home, school,
10 and community;

11 (7) the mental and physical health of all individuals
12 involved;

13 (8) the child's needs;

14 (8.1) which parent is more likely to ensure the health
15 and safety of the child, as defined in Section 603.12;

16 (9) the distance between the parents' residences, the
17 cost and difficulty of transporting the child, each
18 parent's and the child's daily schedules, and the ability
19 of the parents to cooperate in the arrangement;

20 (10) whether a restriction on parenting time is
21 appropriate;

22 (11) the physical violence or threat of physical
23 violence by the child's parent directed against the child
24 or other member of the child's household;

25 (12) the willingness and ability of each parent to
26 place the needs of the child ahead of his or her own needs;

1 (13) the willingness and ability of each parent to
2 facilitate and encourage a close and continuing
3 relationship between the other parent and the child;

4 (13.1) the attempts of a parent to turn the child
5 against the other parent, except in the case of abuse,
6 where reasonable safety measures are necessary to protect
7 the health and safety of the child, as defined in Section
8 603.12, from harm. A parent's reasonable concerns for a
9 child's health and welfare and the parent's reasonable
10 efforts to protect the child shall not be considered
11 attempts to turn the child against the other parent. A
12 child's deficient or negative relationship with a parent
13 shall not be presumed to be caused by the other parent;

14 (14) the occurrence of abuse against the child or
15 other member of the child's household;

16 (14.1) violent or assaultive behavior committed by a
17 parent, including a past or current protection order under
18 Article 112A of the Code of Criminal Procedure of 1963 or
19 order of protection under the Domestic Violence Act of
20 1986 where there has been a finding of abuse;

21 (14.2) the existence of a protection order under
22 Article 112A of the Code of Criminal Procedure of 1963 or
23 order of protection under the Domestic Violence Act of
24 1986 entered on consent of the parents, with no admission
25 or finding of abuse, if, upon review of the facts
26 presented at the parenting time hearing, the court finds

1 that abuse occurred;

2 (15) whether one of the parents is a convicted sex
3 offender or lives with a convicted sex offender and, if
4 so, the exact nature of the offense and what if any
5 treatment the offender has successfully participated in;
6 the parties are entitled to a hearing on the issues raised
7 in this paragraph (15);

8 (15.1) whether one of the parents has been convicted
9 of or has pled guilty or no contest to any of the following
10 offenses or an offense in another jurisdiction
11 substantially equivalent to any of the following offenses:
12 Section 3.02 (aggravated cruelty of an animal), 3.03
13 (animal torture), or 3.03-1 (depiction of animal cruelty)
14 of the Humane Care for Animals Act; Section 11-501
15 (driving while under the influence of alcohol, other drug
16 or drugs, intoxicating compound or compounds or any
17 combination thereof) of the Illinois Vehicle Code; Section
18 9-1 (first degree murder), 9-1.2 (intentional homicide of
19 an unborn child), 9-2 (second degree murder), 9-2.1
20 (voluntary manslaughter of an unborn child), 9-3
21 (involuntary manslaughter and reckless homicide), 9-3.2
22 (involuntary manslaughter and reckless homicide of an
23 unborn child), 9-3.3 (drug-induced homicide), 9-3.5
24 (concealment of death), 10-1 (kidnapping), 10-2
25 (aggravated kidnaping), 10-3 (unlawful restraint), 10-3.1
26 (aggravated unlawful restraint), 10-4 (forcible

1 detention), 10-5 (child abduction), 10-5.1 (luring of a
2 minor), 10-5.5 (unlawful visitation or parenting time
3 interference), 10-7 (aiding or abetting child abduction),
4 10-9 (trafficking in persons, involuntary servitude, and
5 related offenses), 10-10 (failure to report the death or
6 disappearance of a child under 13 years of age), 11-1.20
7 (criminal sexual assault), 11-1.30 (aggravated criminal
8 sexual assault), 11-1.40 (predatory criminal sexual
9 assault of a child), 11-1.50 (criminal sexual abuse),
10 11-1.60 (aggravated criminal sexual abuse), 11-6 (indecent
11 solicitation of a child), 11-6.6 (solicitation to meet a
12 child), 11-9.1 (sexual exploitation of a child), 11-9.1A
13 (permitting sexual abuse of a child), 11-9.1B (failure to
14 report sexual abuse of a child), 11-9.3 (presence within
15 school zone by child sex offenders), 11-9.4-1 (sexual
16 predator and child sex offender presence or loitering in
17 or near public parks), 11-11 (sexual relations within
18 families), 11-14 (prostitution), 11-14.1 (solicitation of
19 a sexual act), 11-14.3 (promoting prostitution), 11-14.4
20 (promoting juvenile prostitution), 11-18 (patronizing a
21 prostitute), 11-18.1 (patronizing a minor engaged in
22 prostitution), 11-20 (obscenity), 11-20.1 (child
23 pornography), 11-21 (distribution of harmful material),
24 11-24 (child photography by sex offender), 11-25
25 (grooming), 11-26 (traveling to meet a child), 11-30
26 (public indecency), 12-1 (assault), 12-2 (aggravated

1 assault), 12-3.4 (violation of an order of protection),
2 12-5 (reckless conduct), 12-7.3 (stalking), 12-7.4
3 (aggravated stalking), 12-7.5 (cyberstalking), 12-35
4 (sexual conduct or sexual contact with an animal), 12-21.6
5 (endangering the life or health of a child), 12C-10 (child
6 abandonment), 20-1 (arson), 20-1.1 (aggravated arson),
7 29D-20 (making a terrorist threat), or 48-1 (dog fighting)
8 of the Criminal Code of 2012; or Section 401 (manufacture
9 or delivery, or possession with intent to manufacture or
10 deliver, a controlled substance, a counterfeit substance,
11 or controlled substance analog) of the Illinois Controlled
12 Substances Act;

13 (16) the terms of a parent's military family-care plan
14 that a parent must complete before deployment if a parent
15 is a member of the United States Armed Forces who is being
16 deployed; and

17 (17) any other factor that the court expressly finds
18 to be relevant.

19 (b-1) A factor under subsection (b) shall not be adversely
20 weighed against a party if the circumstances related to the
21 factor were in response to abuse or necessary to protect the
22 child or the abused party from harm and the party alleging
23 abuse does not pose a risk to the health and safety of the
24 child, as defined in Section 603,12, at the time of the
25 parenting time hearing. A temporary housing instability as a
26 result of abuse shall not be considered against the party

1 alleging the abuse.

2 As used in this subsection, "temporary housing
3 instability" means a period not to exceed 6 months from the
4 date of the last incident of abuse as determined by a court.

5 (b-2) No single factor under subsection (b) shall by
6 itself be determinative in the awarding of parenting time. The
7 court shall examine the totality of the circumstances, giving
8 weighted consideration to the factors that affect the health
9 and safety of the child, as defined in Section 603.12, when
10 issuing a parenting plan that is in the best interests of the
11 child.

12 (b-3) A criminal conviction specified under paragraph
13 (15.1) of subsection (b) shall not by itself be determinative
14 in the awarding of parenting time. The court shall examine the
15 totality of the circumstances when issuing a parenting plan
16 that is in the best interests of the child.

17 (c) In allocating parenting time, the court shall not
18 consider conduct of a parent that does not affect that
19 parent's relationship to the child.

20 (d) Upon motion, the court may allow a parent who is
21 deployed or who has orders to be deployed as a member of the
22 United States Armed Forces to designate a person known to the
23 child to exercise reasonable substitute visitation on behalf
24 of the deployed parent, if the court determines that
25 substitute visitation is in the best interests of the child.
26 In determining whether substitute visitation is in the best

1 interests of the child, the court shall consider all of the
2 relevant factors listed in subsection (b) of this Section and
3 apply those factors to the person designated as a substitute
4 for the deployed parent for visitation purposes. Visitation
5 orders entered under this subsection are subject to
6 subsections (e) and (f) of Section 602.9 and subsections (c)
7 and (d) of Section 603.10.

8 (e) If the street address of a parent is not identified
9 pursuant to Section 708 of this Act, the court shall require
10 the parties to identify reasonable alternative arrangements
11 for parenting time by the other parent including, but not
12 limited to, parenting time of the minor child at the residence
13 of another person or at a local public or private facility.

14 (Source: P.A. 99-90, eff. 1-1-16.)

15 (750 ILCS 5/603.10)

16 Sec. 603.10. Restriction of parental responsibilities.

17 (a) After a hearing, if the court finds by a preponderance
18 of the evidence that a parent engaged in any conduct that
19 seriously endangered the child's mental, moral, or physical
20 health or that significantly impaired the child's emotional
21 development, the court shall enter orders as necessary to
22 protect the child. Such orders may include, but are not
23 limited to, orders for one or more of the following:

24 (1) a reduction, elimination, or other adjustment of
25 the parent's decision-making responsibilities or parenting

1 time, or both decision-making responsibilities and
2 parenting time;

3 (2) supervision, including ordering the Department of
4 Children and Family Services to exercise continuing
5 supervision under Section 5 of the Children and Family
6 Services Act;

7 (2.1) supervision under Section 603.12;

8 (3) requiring the exchange of the child between the
9 parents through an intermediary or in a protected setting;

10 (4) restraining a parent's communication with or
11 proximity to the other parent or the child;

12 (5) requiring a parent to abstain from possessing or
13 consuming alcohol or non-prescribed drugs while exercising
14 parenting time with the child and within a specified
15 period immediately preceding the exercise of parenting
16 time;

17 (6) restricting the presence of specific persons while
18 a parent is exercising parenting time with the child;

19 (7) requiring a parent to post a bond to secure the
20 return of the child following the parent's exercise of
21 parenting time or to secure other performance required by
22 the court;

23 (8) requiring a parent to complete a treatment program
24 for perpetrators of abuse, for drug or alcohol abuse, or
25 for other behavior that is the basis for restricting
26 parental responsibilities under this Section; and

1 (9) any other constraints or conditions that the court
2 deems necessary to provide for the child's safety or
3 welfare.

4 (b) The court may modify an order restricting parental
5 responsibilities if, after a hearing, the court finds by a
6 preponderance of the evidence that a modification is in the
7 child's best interests based on (i) a change of circumstances
8 that occurred after the entry of an order restricting parental
9 responsibilities; or (ii) conduct of which the court was
10 previously unaware that seriously endangers the child. In
11 determining whether to modify an order under this subsection,
12 the court must consider factors that include, but need not be
13 limited to, the following:

14 (1) abuse, neglect, or abandonment of the child;

15 (2) abusing or allowing abuse of another person that
16 had an impact upon the child;

17 (3) use of drugs, alcohol, or any other substance in a
18 way that interferes with the parent's ability to perform
19 caretaking functions with respect to the child; and

20 (4) persistent continuing interference with the other
21 parent's access to the child, except for actions taken
22 with a reasonable, good-faith belief that they are
23 necessary to protect the child's safety pending
24 adjudication of the facts underlying that belief, provided
25 that the interfering parent initiates a proceeding to
26 determine those facts as soon as practicable.

1 (c) An order granting parenting time to a parent or
2 visitation to another person may be revoked by the court if
3 that parent or other person is found to have knowingly used his
4 or her parenting time or visitation to facilitate contact
5 between the child and a parent who has been barred from contact
6 with the child or to have knowingly used his or her parenting
7 time or visitation to facilitate contact with the child that
8 violates any restrictions imposed on a parent's parenting time
9 by a court of competent jurisdiction. Nothing in this
10 subsection limits a court's authority to enforce its orders in
11 any other manner authorized by law.

12 (d) If parenting time of a parent is restricted, an order
13 granting visitation to a non-parent with a child or an order
14 granting parenting time to the other parent shall contain the
15 following language:

16 "If a person granted parenting time or visitation
17 under this order uses that time to facilitate contact
18 between the child and a parent whose parenting time is
19 restricted, or if such a person violates any restrictions
20 placed on parenting time or visitation by the court, the
21 parenting time or visitation granted under this order
22 shall be revoked until further order of court."

23 (e) A parent who, after a hearing, is determined by the
24 court to have been convicted of any offense involving an
25 illegal sex act perpetrated upon a victim less than 18 years of
26 age, including but not limited to an offense under Article 11

1 of the Criminal Code of 2012, is not entitled to parenting time
2 while incarcerated or while on parole, probation, conditional
3 discharge, periodic imprisonment, or mandatory supervised
4 release for a felony offense, until the parent complies with
5 such terms and conditions as the court determines are in the
6 child's best interests, taking into account the exact nature
7 of the offense and what, if any, treatment in which the parent
8 successfully participated.

9 (f) A parent may not, while the child is present, visit any
10 person granted visitation or parenting time who has been
11 convicted of first degree murder, unless the court finds,
12 after considering all relevant factors, including those set
13 forth in subsection (b) of Section 602.7, that it would be in
14 the child's best interests to allow the child to be present
15 during such a visit.

16 (Source: P.A. 99-90, eff. 1-1-16.)

17 (750 ILCS 5/603.12 new)

18 Sec. 603.12. Safety conditions.

19 (a) After considering the factors under subsection (b) of
20 Section 602.7, if the court finds that there is a history of
21 abuse of the child or a household member by a party or a
22 present risk of harm to the child or an abused party and awards
23 any form of parenting time to a party who committed the abuse
24 or who has a household member who committed the abuse, the
25 court shall include in the parenting plan safety conditions,

1 restrictions, or safeguards as reasonably necessary to protect
2 the child or the abused party.

3 The court shall include in the parenting plan the reason
4 for imposing the safety conditions, restrictions, or
5 safeguards and an explanation as to why the safety conditions,
6 restrictions, or safeguards are in the best interests of the
7 child or the abused party. If supervised contact is ordered,
8 there shall be a review of the risk of harm and need for
9 continued supervision on at least an annual basis. The safety
10 conditions, restrictions, or safeguards may include:

11 (1) nonprofessional supervised parenting time;

12 (2) professional supervised parenting time;

13 (3) limitations on the time of day that parenting time
14 is permitted or the number of hours of parenting time and
15 the maximum number of hours of parenting time permitted
16 per day or per week;

17 (4) the appointment of a qualified professional
18 specializing in programming relating to the history of
19 abuse or risk of harm to provider intervention or harm
20 prevention programming. The court may order an evaluation
21 by the appointed qualified professional to determine
22 whether additional programming is necessary;

23 (5) limitations on parenting time; or

24 (6) any other safety conditions, restrictions, or
25 safeguards to ensure the health and safety of the child or
26 to protect a household member.

1 (b) If the court finds by a preponderance of the evidence
2 that a party has abused the child or household member, there
3 shall be a rebuttable presumption that the court shall only
4 allow nonprofessional supervised parenting time or
5 professional supervised parenting time between the child and
6 the party who committed the abuse. A court may find that an
7 indicated report for physical or sexual abuse is a basis for a
8 finding of abuse under this subsection only after a de novo
9 review of the circumstances leading to the indicated report.
10 Notwithstanding this subsection, the court may award an
11 alternative form of parenting time if the court finds by a
12 preponderance of the evidence that:

13 (1) the party no longer poses a risk of abuse to the
14 child or any other household member; and

15 (2) another parenting time arrangement is in the best
16 interests of the child and will not jeopardize the health
17 and safety of the child.

18 (c) If the court finds by a preponderance of the evidence
19 that there is an ongoing risk of abuse of the child, there
20 shall be a rebuttable presumption that the court shall only
21 allow professional supervised parenting time between the child
22 and the party who poses the risk of abuse. A court may find
23 that an indicated report for physical or sexual abuse is a
24 basis for a finding of abuse under this subsection only after a
25 de novo review of the circumstances leading to the indicated
26 report. Notwithstanding this subsection, the court may award

1 an alternative form of parenting time if the court finds by a
2 preponderance of the evidence that:

3 (1) the party no longer poses a risk of abuse to the
4 child or any other household member; and

5 (2) another parenting time arrangement is in the best
6 interests of the child and will not jeopardize the health
7 and safety of the child.

8 (d) As used in this Section:

9 "Health and safety of the child" includes, but is not
10 limited to, the physical, emotional, and psychological
11 well-being of the child.

12 "Household member" means a spouse or individual who has
13 been a spouse, individual living as a spouse or lived as a
14 spouse, parent or child, individual related by consanguinity
15 or affinity, current or former sexual or intimate partner, or
16 individual who shares biological parenthood currently sharing
17 a household with the child or a party.

18 "Intervention and harm prevention programming" includes,
19 but is not limited to, programming designed to rehabilitate
20 the offending individual, including prioritizing an
21 intervention or harm prevent program, if available, or the
22 impacts of physical, sexual, or domestic abuse on the victim.

23 "Nonprofessional supervised parenting time" means
24 parenting time during which an adult, designated by the court
25 or agreed upon by the parties, monitors the interaction
26 between the child and the individual with parenting time

1 rights.

2 "Professional supervised parenting time" means parenting
3 time during which a professional with education and training
4 on the dynamics of domestic violence, sexual assault, child
5 abuse, and the impact of domestic violence on children
6 oversees the interaction between the child and the individual
7 with parenting time rights and promotes the health and safety
8 of the child during the interaction.

9 (750 ILCS 5/715 new)

10 Sec. 715. Judicial education and training.

11 (a) The Administrative Office of the Illinois Courts may
12 develop and implement an ongoing education and training
13 program for judges and relevant court personnel, including
14 guardians ad litem, counsel for children, and mediators,
15 regarding child abuse. The education and training program
16 shall include all aspects of the maltreatment of children,
17 including:

18 (1) sexual abuse;

19 (2) physical abuse;

20 (3) implicit and explicit bias;

21 (4) trauma and neglect; and

22 (5) the impact of child abuse and domestic violence on
23 children.

24 (b) The education and training program shall include the
25 latest best practices from evidence-based, peer-reviewed

1 research by recognized experts in the types of child abuse
2 specified under subsection (a). The Administrative Office of
3 the Illinois Courts shall design the education and training
4 program to educate and train relevant court personnel on all
5 of the factors listed under Section 602.7 and improve the
6 ability of courts to make appropriate parenting time decisions
7 that are in the best interests of the child, including
8 education and training regarding the impact of child abuse,
9 domestic abuse and trauma on a victim, specifically a child,
10 and situations where one party attempts to turn a child
11 against another party.

12 Section 15. The Illinois Domestic Violence Act of 1986 is
13 amended by adding Section 228 as follows:

14 (750 ILCS 60/228 new)

15 Sec. 228. Sealing of court file prohibited. No court shall
16 seal a court file related to an order of protection granted
17 under this Act.