



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4216

Introduced 12/02/05, by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

750 ILCS 5/604

from Ch. 40, par. 604

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the court may seek an evaluation by (instead of the advice of) professional personnel, whether or not employed by the court on a regular basis. Provides that the evaluation shall include assessments for domestic violence. Prohibits the professional from making a recommendation as to the custody of the child. Provides that counsel shall not directly or indirectly communicate with the professional unless by order of the court. Provides that any unauthorized communication by counsel with the professional shall result in the professional being precluded from testifying and from the contents of his or her report from being considered by the court.

LRB094 15299 LCT 50490 b

1 AN ACT concerning families.

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

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 604 as follows:

6 (750 ILCS 5/604) (from Ch. 40, par. 604)

7 Sec. 604. Interviews.) (a) The court may interview the
8 child in chambers to ascertain the child's wishes as to his
9 custodian and as to visitation. Counsel shall be present at the
10 interview unless otherwise agreed upon by the parties. The
11 court shall cause a court reporter to be present who shall make
12 a complete record of the interview instantaneously to be part
13 of the record in the case.

14 (b) The court may seek an evaluation by ~~the advice of~~
15 professional personnel, whether or not employed by the court on
16 a regular basis. The evaluation ~~advice~~ given shall be in
17 writing and made available by the court to counsel. The
18 evaluation shall include assessments for domestic violence.
19 The professional shall not make a recommendation as to the
20 custody of the child. Counsel shall not directly or indirectly
21 communicate with the professional unless by order of the court.
22 Any unauthorized communication by counsel with the
23 professional shall result in the professional being precluded
24 from testifying and from the contents of his or her report from
25 being considered by the court. Counsel may examine, as a
26 witness, any professional personnel consulted by the court,
27 designated as a court's witness.

28 (Source: P.A. 80-923.)