



Sen. William Delgado

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09600SB2933sam001

LRB096 19796 AJ0 37852 a

1 AMENDMENT TO SENATE BILL 2933

2 AMENDMENT NO. _____. Amend Senate Bill 2933 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 608 as follows:

6 (750 ILCS 5/608) (from Ch. 40, par. 608)

7 Sec. 608. Judicial Supervision.

8 (a) Except as otherwise agreed by the parties in writing at
9 the time of the custody judgment or as otherwise ordered by the
10 court, the custodian may determine the child's upbringing,
11 including but not limited to, his education, health care and
12 religious training, unless the court, after hearing, finds,
13 upon motion by the noncustodial parent, that the absence of a
14 specific limitation of the custodian's authority would clearly
15 be contrary to the best interests of the child.

16 (b) If both parents or all contestants agree to the order,

1 or if the court finds that in the absence of agreement the
2 child's physical health would be endangered or his emotional
3 development significantly impaired, the court may order the
4 Department of Children and Family Services to exercise
5 continuing supervision over the case to assure that the
6 custodial or visitation terms of the judgment are carried out.
7 Supervision shall be carried out under the provisions of
8 Section 5 of the Children and Family Services Act.

9 (c) The court may order individual counseling for the
10 child, family counseling for one or more of the parties and the
11 child, integrative family therapy for one or more of the
12 parties and the child, or parental education for one or more of
13 the parties, when it finds one or more of the following:

14 (1) both parents or all parties agree to the order;

15 (2) the court finds that the child's physical health is
16 endangered or his or her emotional development is impaired
17 including, but not limited to, a finding of visitation
18 abuse as defined by Section 607.1; or

19 (3) the court finds that one or both of the parties
20 have violated the joint parenting agreement with regard to
21 conduct affecting or in the presence of the child.

22 (d) If the court finds that one or more of the parties has
23 violated an order of the court with regards to custody,
24 visitation, or joint parenting, the court shall assess the
25 costs of counseling against the violating party or parties.
26 Otherwise, the court may apportion the costs between the

1 parties as appropriate.

2 (e) The remedies provided in this Section are in addition
3 to, and shall not diminish or abridge in any way, the court's
4 power to exercise its authority through contempt or other
5 proceedings.

6 (f) All counseling sessions shall be confidential. The
7 communications in counseling shall not be used in any manner in
8 litigation nor relied upon by any expert appointed by the court
9 or retained by any party.

10 (Source: P.A. 94-640, eff. 1-1-06.)".