

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 5. If and only if House Bill 1452 of the 98th  
5 General Assembly becomes law, the Illinois Marriage and  
6 Dissolution of Marriage Act is amended by changing Section 102  
7 as follows:

8 (750 ILCS 5/102) (from Ch. 40, par. 102)

9 Sec. 102. Purposes; Rules of Construction. This Act shall  
10 be liberally construed and applied to promote its underlying  
11 purposes, which are to:

12 (1) provide adequate procedures for the solemnization and  
13 registration of marriage;

14 (2) strengthen and preserve the integrity of marriage and  
15 safeguard family relationships;

16 (3) promote the amicable settlement of disputes that have  
17 arisen between parties to a marriage;

18 (4) mitigate the potential harm to spouses and their  
19 children caused by the process of an action brought under this  
20 Act, and protect children from exposure to conflict and  
21 violence;

22 (5) ensure predictable decision-making for the care of  
23 children and for the allocation of parenting time and other

1 parental responsibilities, and avoid prolonged uncertainty by  
2 expeditiously resolving issues involving children;

3 (6) recognize the right of children to a healthy  
4 relationship with parents, and the responsibility of parents to  
5 ensure such a relationship;

6 (7) acknowledge that the determination of children's best  
7 interests, and the allocation of parenting time and significant  
8 decision-making responsibilities, are among the paramount  
9 responsibilities of our system of justice, and to that end:

10 (A) recognize children's right to a strong and healthy  
11 relationship with parents, and parents' concomitant right  
12 and responsibility to create and maintain such  
13 relationships;

14 (B) recognize that, in the absence of domestic violence  
15 or any other factor that the court expressly finds to be  
16 relevant, proximity to, and frequent contact with, both  
17 parents promotes healthy development of children;

18 (C) facilitate parental planning and agreement about  
19 the children's upbringing and allocation of parenting time  
20 and other parental responsibilities;

21 (D) continue existing parent-child relationships, and  
22 secure the maximum involvement and cooperation of parents  
23 regarding the physical, mental, moral, and emotional  
24 well-being of the children during and after the litigation;

25 ~~and~~

26 (D-5) recognize that, in order to maximize the

1 opportunity for each child to maintain and strengthen the  
2 child's relationship with each parent, the child's best  
3 interests may be served with a minimum amount of  
4 residential parenting time for each parent of not less than  
5 35% of available residential parenting time; the minimum  
6 percentage of parenting time shall not, in and of itself,  
7 constitute a reason for deviation from the child support  
8 guidelines; and

9 (E) promote or order parents to participate in programs  
10 designed to educate parents to:

11 (i) minimize or eliminate rancor and the  
12 detrimental effect of litigation in any proceeding  
13 involving children; and

14 (ii) facilitate the maximum cooperation of parents  
15 in raising their children;

16 (8) make reasonable provision for support during and after  
17 an underlying dissolution of marriage, parentage, or parental  
18 responsibility allocation action, including provision for  
19 timely advances of interim fees and costs to all attorneys,  
20 experts, and opinion witnesses including guardians ad litem and  
21 children's representatives, to achieve substantial parity in  
22 parties' access to funds for pre-judgment litigation costs in  
23 an action for dissolution of marriage;

24 (9) eliminate the consideration of marital misconduct in  
25 the adjudication of rights and duties incident to dissolution  
26 of marriage, legal separation and declaration of invalidity of

1 marriage; and

2 (10) make provision for the preservation and conservation  
3 of marital assets during the litigation.

4 (Source: P.A. 89-712, eff. 6-1-97; LRB09802948HEP58277a.)