



Supreme Court of Illinois

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SUPREME COURT AMENDS RULES TO EXPAND MEDIATION IN CHILD CUSTODY CASES AND TO IMPROVE LANGUAGE ACCESS FOR LITIGANTS IN MEDIATION

The Illinois Supreme Court announced Monday that it has amended rules that would expand mediation for child custody cases to include requests by a custodial parent to move a minor child to another state.

Mediation programs for child custody and visitation cases have been a requirement for each judicial circuit in Illinois through Supreme Court Rule 905.

In 2006, the Supreme Court established a series of new rules to help ensure that child custody proceedings are handled expeditiously, competently and with great emphasis on the "best interest of the child", including expediting all child custody proceedings; not granting continuances "except for good cause shown"; and requiring a judge to render a decision no later than 60 days after completion of the trial or hearing.

Those rules, encapsulated in the 900 series, grew from the work of the Supreme Court Committee on Child Custody Issues that was established by the Court in 2002. Justice Rita B. Garman proposed formation of the Committee and serves as Supreme Court liaison to the Committee.

As part of its continuing efforts to implement a Language Access Plan for all Illinois courts, the Supreme Court also amended Rule 905(b) to require the court to make a "good faith" effort to provide an interpreter in cases where a litigant communicates in a language other than English and a pro bono attorney where applicable.

The Court also added section (c) to Rule 905 requiring every judicial circuit to file a quarterly report with the Administrative Office of the Illinois Courts setting out the number of custody, visitation and removal cases referred to mediation; the outcome of such a referral; number of cases referred on a pro bono basis; and the percentage of cases where the parties expressed satisfaction or dissatisfaction with the process. The information shall remain confidential and will be utilized for administrative and statistical purposes, as well as for review of the mediation program as a whole.

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