

**RULES OF THE CIRCUIT COURT OF THE THIRD JUDICIAL
CIRCUIT, STATE OF ILLINOIS
(BOND AND MADISON COUNTIES)**

**Rule No. 2.01: Assignment and Coordination of Cases Involving
Custody and Visitation**

- A. Each child custody proceeding, guardianship, or other new case that includes a request for custody or visitation of a minor child shall be assigned by the Clerk of the Circuit Court to a specific docket or judge as directed. For instance, all parentage files will be assigned to a parentage docket, new dissolutions or custody petitions to a family division judge, guardianship to the probate judge, etc.
- B. It is the goal of this circuit to have all proceedings related to a child conducted by a single judge where possible. Therefore, whenever any additional action (as defined in Rule 900 of the Supreme Court Rules) is filed while there is a child custody matter already pending shall be assigned and referred to the judge to whom the prior related case is assigned where possible.
- C. All post-judgment proceedings, including modifications of custody, visitation, or successor guardians, shall be reassigned initially to the judge to whom the prior related case was assigned so long as that judge remains in the same division.
- D. The presiding judge of each division may reassign cases within the division as needed in order to expedite hearings or equitably apportion caseloads.

Rule No. 2.02: Attorney Qualifications in Child Custody Matters

- A. The Third Judicial Circuit shall maintain a list of approved attorneys qualified to be appointed in child custody and visitation matters covered under Section IX of the Supreme Court Rules as guardians ad litem, child representatives, or attorneys for children.
- B. In order to qualify for the approved list, each applicant for the list shall meet the following minimum requirements:
 - 1. Each attorney shall be licensed and in good standing with the Illinois Supreme Court.

2. Each attorney shall have attended the education program created by the Illinois State Bar Association for education of attorneys appointed in child custody cases or equivalent education programs consisting of a minimum of ten hours of continuing legal education credit within the two years prior to the date the attorney qualifies to be appointed.
 3. To remain on the approved list, each attorney shall attend continuing legal education courses consisting of at least ten hours every two year period and submit verification of attendance to the Office of the Chief Circuit Judge at the time of attendance or upon request. The ten hours may include courses in child development; ethics in child custody cases; relevant substantive law in custody, guardianship and visitation issues; domestic violence; family dynamics including substance abuse and mental health issues; and education on the roles and responsibilities of guardians ad litem, child representatives, and attorneys for children. Attendance at the Family Law Brown Bag programs sponsored by this circuit may be included as a portion of this continuing education requirement.
 4. Each attorney must complete the Child Representative Information Sheet provided by this circuit and return it with a statement or other verification of attendance at continuing education.
 5. Each attorney must adhere to the minimum duties and responsibilities of attorneys for minor children as delineated in Supreme Court Rule 907.
- C. Each attorney placed on the approved list for the Third Circuit shall be paid by the parties to the litigation as ordered by the judge handling the file or as agreed between the litigants. The costs for the appointed attorneys shall be paid as ordered and the court may enforce the orders and judgments as in other proceedings, including but not limited to the imposition of sanctions or allowing the withdrawal of the appointed attorney. The Court may order that one or both parties deposit all or a reasonable portion of the estimated fees at the time of appointment and from time-to-time as the case progresses.
- D. In the event the court deems it is in the best interests of the child or children to have an attorney appointed in a proceeding under Section IX of the Supreme Court Rules but finds that the parties are both indigent, the court may appoint an attorney from the approved list to serve pro bono.

- E. The Chief Judge and/or the Presiding Judge of the Family Division shall maintain the list of the approved attorneys and shall rotate the appointment of pro bono representations.
- F. Each attorney on the approved list for the Third Judicial Circuit shall only be required to accept one pro bono appointment each calendar year.
- G. The Chief Judge of this Circuit maintains the authority to remove any attorney from the list of approved attorneys based upon the failure to meet the listed qualifications or for good cause, including the failure of any appointed attorney to perform as provided in Supreme Court Rule 907.

Rule 2.03: Parent Education

- A. All parents of minor children involved in any action concerning custody, modification of custody, or visitation shall participate in the Children First parent education program not later than 60 days after the initial case management conference, unless excused for good cause which must be documented in the record.
- B. The trial judge may authorize attendance at an equivalent program if attendance at Children First would be impractical.
- C. In the event a parent has not entered an appearance, is on active military duty, or incarcerated, then that parent's attendance may be extended until 60 days after the impediment ends. If a party does not enter an appearance in the initial case but enters later in a post-judgment proceeding, then that party must attend Children First within 60 days.
- D. Unless attendance has been excused or extended as provided in these rules, no final order of custody or visitation shall be entered if the petitioner has failed to attend Children First or an equivalent program. In the event the parties have prepared an agreed final order of custody or visitation, both parties should have completed Children First prior to its entry. If the responding party fails to attend without good cause, the court may enter the final judgment and issue sanctions against the party who has failed to attend, including but not limited to a denial of contact until after attendance.

Rule 2.04: Failure to appear at Court dates

Failure of counsel or pro se parties to appear for any case management conference, pre-trial conference, settlement conference, trial or other court date scheduled by the court may result in the imposition of attorney's fees or lost wages, dismissal, or default upon the Court's own motion and without further notice or hearing.

Rule 2.05: Affidavits of Assets and Liabilities and Proof of Income

- A. A sworn Affidavit of Assets and Liabilities must be filed by each party on or before the date of hearing on a pleading seeking to establish, modify, or otherwise affect issues of support or maintenance or disposition of property, whether temporary or permanent in nature, and shall be filed on or before the date of the pre-trial conference unless earlier filed in the case. If such affidavit has been filed for the purpose of a hearing on temporary relief, no additional affidavit need be filed unless there has been a change in financial circumstances.
- B. Each party shall file, on or before the date of hearing on a pleading seeking to establish, modify, or otherwise affect issues of support or maintenance or disposition of property, whether temporary or permanent in nature, copies of the prior year's federal tax return, including all W-2 forms and 1099 forms, and the most recent pay stub or other statement showing year to date earnings or commissions and deductions therefrom, or if same is not available, then the five (5) most recent payroll stubs or commission statements.
- C. Failure to produce the required documents for a scheduled hearing may result in the entry of attorney's fees or lost wages, the entry of financial orders in amounts deemed reasonable, dismissal, or default and without further notice or hearing.

Rule 2.06: Position Statement of Proposed Disposition

At the time of trial or hearing on all final issues, each party shall submit a position statement of proposed disposition of all issues, including but not limited to custody, visitation, child support, maintenance, and all issues involved in apportionment and marital and non-marital property, marital debts, pensions, and attorney fees.

Rule 2.07: Authorizations for Information

In cases where either party has pension plans, profit sharing plans, stock plans, savings plans, 401(k) plans, IRA accounts or any other benefit plan, or a health insurance plan through employment, or has an interest in assets in the possession of third parties, and such matters are relevant to the pending issues in the Family Division case, then that party shall execute a consent for release of all relevant information from the person or entity having such information within ten (10) days of receiving an authorization for the signature.

**IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

)	
)	
Petitioner,)	
)	
vs.)	No: _____
)	
)	HFS No: _____
)	
Respondent)	

CASE MANAGEMENT ORDER

A. Status of Parties (Mark Applicable Boxes):

- | | |
|--|--|
| <input type="checkbox"/> Petitioner Fails to Appear | <input type="checkbox"/> Respondent Fails to Appear |
| <input type="checkbox"/> Petitioner Appears with or
by Attorney _____ | <input type="checkbox"/> Respondent Appears with or
by Attorney _____ |
| <input type="checkbox"/> Petitioner Appears <i>Pro Se</i> | <input type="checkbox"/> Respondent Appears <i>Pro Se</i> |

B. Children First Compliance :

Where the action involves issues affecting minor children of the parties, the Petitioner and Respondent are required to attend the Children First Educational Program.

- Petitioner has/has not (circle one) attended Children First.
- Respondent has/has not (circle one) attended Children First.
- Children First is not applicable.

C. Child Custody (Mark the Applicable Boxes):

- Custody is not at issue because:
 - There are no minor children;
 - Custody and Visitation are Agreed
- The parties are ordered to mediate. A separate mediation order is entered today.
- _____ is appointed Guardian Ad Litem/Child Representative/Attorney for Child.
- A psychological and custody evaluation shall be conducted by the parties and the child(ren) by

D. Discovery Issues (Mark the Applicable Boxes):

- Financial Statements have been/will be (circle one) filed on _____
- Discovery will be completed by _____ including – identification and disclosure of expert witnesses.

E. Next Action (Mark Applicable Boxes):

- The case/pending pleadings is dismissed for want of prosecution.
- The case is set for case management conference on _____ at _____ in courtroom #_____. Case/pending pleading will be dismissed if petitioner fails to appear.

This case is set for hearing on:

- Temporary Issues or Custody Issues or All Issues or Post Judgment Issues on

_____ at _____ in courtroom #_____.

Date: _____

Judge

Petitioner

Respondent

Petitioner Attorney

Respondent Attorney

GAL/Child Representative/Child Attorney

HFS Attorney

**THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

VS.

No. _____
IV-D No. _____

MEDIATION ORDER

The court finds that this action involves the custody, guardianship, or visitation of a minor child. The parties have not yet provided the court with an agreed order regarding custody, or a parenting plan, or any other agreement regarding the placement of the child(ren). Therefore, pursuant to Supreme Court Rules and the Rules of this Circuit, the parties are ordered to participate in mediation to attempt to resolve the custody, guardianship, and visitation issues.

IT IS THEREFORE ORDERED:

1. The parties to this action are hereby ordered to participate in a minimum of four (4) hours of mediation. After completing four hours, the parties may continue in mediation or either party may stop the process.
2. The mediation sessions shall address the issues of custody, guardianship, or visitation.
3. The mediation sessions shall be confidential and the mediator shall not be allowed to testify at any hearings.
4. The mediator shall submit a report to the court no later than seven(7) days before the next case management conference noting only whether mediation was successful, still in process, or has terminated.
5. The mediator shall be _____.
Clerk to mail a copy of this order to the mediator within three (3) days.
6. The cost of the mediation shall be paid by _____.
7. This case is set for further case management on _____.

Date: _____ Judge _____

**IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

Petitioner

vs.

No. _____
Family Division

Respondent

ORDER REQUIRING CHILDREN FIRST PROGRAM

Each of the parties to this case shall complete the **CHILDREN FIRST PROGRAM** within _____ days of the date of this Order. Failure to complete the Program may result in the entry of an Order imposing sanctions.

The parties are directed to contact the **CHILDREN FIRST PROGRAM** at 618-875-0673 x 100 to make arrangements for the payment of required fees and scheduling of their appointments.

This cause is reset on the _____ day of _____, 20____, for the parties to provide certificates of completion of **CHILDREN FIRST**, or if either has failed to attend, for that party to show cause, if any he has, why he should not be held in contempt for failure to follow this court's orders and sanctioned therefore.

Date

Presiding Judge

Clerk to provide copies to the parties and to CHILDREN FIRST PROGRAM