



Filed: 3/15/2005

09400HB0360ham003

LRB094 02474 LCB 43782 a

1 AMENDMENT TO HOUSE BILL 360

2 AMENDMENT NO. _____. Amend House Bill 360, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (750 ILCS 5/608) (from Ch. 40, par. 608)

8 Sec. 608. Judicial Supervision.

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

17 (b) If both parents or all contestants agree to the order,
18 or if the court finds that in the absence of agreement the
19 child's physical health would be endangered or his emotional
20 development significantly impaired, the court may order the
21 Department of Children and Family Services to exercise
22 continuing supervision over the case to assure that the
23 custodial or visitation terms of the judgment are carried out.
24 Supervision shall be carried out under the provisions of

1 Section 5 of the Children and Family Services Act.

2 (c) The court may order individual counseling for the
3 child, family counseling for one or more of the parties and the
4 child, or parental education for one or more of the parties,
5 when it finds one or more of the following:

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

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

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

14 (d) If the court finds that one or more of the parties has
15 violated an order of the court with regards to custody,
16 visitation, or joint parenting, the court shall assess the
17 costs of counseling against the violating party or parties.
18 Otherwise, the court may apportion the costs between the
19 parties as appropriate.

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

24 (Source: P.A. 87-824.)".