

SB1753



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1753

Introduced 2/9/2011, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

750 ILCS 5/604

from Ch. 40, par. 604

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the professional personnel consulted by the court are subject to subpoena for the purposes of discovery, trial, or both. Provides that the court shall allocate the costs and fees of those professional personnel between the parties based upon the financial ability of each party and other appropriate criteria. Provides that upon the request of any party or upon the court's own motion, the court may conduct a hearing as to the reasonableness of those fees and costs.

LRB097 00137 AJO 47183 b

A BILL FOR

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. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 604 as follows:

6 (750 ILCS 5/604) (from Ch. 40, par. 604)

7 Sec. 604. Interviews.) (a) The court may interview the
8 child in chambers to ascertain the child's wishes as to his
9 custodian and as to visitation. Counsel shall be present at the
10 interview unless otherwise agreed upon by the parties. The
11 court shall cause a court reporter to be present who shall make
12 a complete record of the interview instantaneously to be part
13 of the record in the case.

14 (b) The court may seek the advice of professional
15 personnel, whether or not employed by the court on a regular
16 basis. The advice given shall be in writing and made available
17 by the court to counsel. Counsel may examine, as a witness, any
18 professional personnel consulted by the court, designated as a
19 court's witness. Professional personnel consulted by the court
20 are subject to subpoena for the purposes of discovery, trial,
21 or both. The court shall allocate the costs and fees of those
22 professional personnel between the parties based upon the
23 financial ability of each party and any other criteria the

1 court considers appropriate. Upon the request of any party or
2 upon the court's own motion, the court may conduct a hearing as
3 to the reasonableness of those fees and costs.

4 (Source: P.A. 80-923.)