

REVISED PROTOCOL FOR FAMILY LAW CASES

The following revised Protocol is effective for family law cases on or after January 1, 2009.

Assignments

At the present time there will be no assignments of specific family law cases by the Court. New "F" and "D" cases may be taken to any Judge with a family law assignment, at the present time specifically Judge Blockman or Judge McPheters. All "F" and "D" or other family law cases where some type of modification, enforcement or additional relief is sought must also be taken only to Judge McPheters or Judge Blockman. If there has been substantial involvement by a non-family law Judge in a family law case, that case may be heard by that particular Judge if a special referral is ordered by Judge Blockman. Likewise, if a family law case cannot be heard by either Judge Blockman or Judge McPheters, a specific referral to a non-family law Judge will be made by Judge Blockman.

Uncontested Call

In calendar year 2009 Judge Blockman in Courtroom "G" will continue to hold an uncontested family law call at 1:15 p.m. on a daily basis on all days when Judge Blockman is holding court and when no expedited hearings are scheduled. The Court will not hear any contested matters during that call. Only uncontested matters can be placed on that docket. The types of matters envisioned by the call are uncontested grounds hearings, change of name proceedings, uncontested ancillary hearings, motions to withdraw, status hearings, pre-trial conferences, and initial and subsequent case management conferences. In order for your case to be placed on the call for a particular day the case number must be given to Ms. Stovall in Judge Blockman's office before 2:00 p.m. on the day before the call. If you have clients that are uncomfortable with appearing in front of a large number of people on an uncontested matter, such cases can be individually scheduled for the 8:30 a.m. call on most days in Courtroom "G" or Courtroom "J".

Expedited Call

In calendar year 2009 Judge Blockman in Courtroom "G" will reserve time on a periodic basis for all emergency and temporary relief matters and all contempt matters. The Court will not attempt to distinguish between emergency and non-emergency matters. The types of matters envisioned by this call are motions for temporary custody, temporary child support, private child support enforcement, temporary maintenance, temporary possession of the marital residence, temporary visitation and motions regarding other visitation disputes, such as holiday visitation issues, that must be resolved immediately, and matters pertaining to adjudications of indirect civil contempt. Motions to modify existing judgments and contested ancillary and permanent custody and visitation hearings should not be placed on this call unless specifically ordered by the Court. The Court will use this call for contested ancillary and permanent custody and visitation proceedings or any type of modification proceeding when specifically ordered

by the Court, when the proceedings will take three (3) hours or less, and when agreed upon by the parties. The hearing dates for this call for the calendar year 2009 in Courtroom "G" at 1:15 p.m. are as follows:

2009

January 6	February 3	March 3	April 2	May 5	June 2
January 8	February 5	March 5	April 7	May 7	June 4
January 13	February 10	March 10	April 9	May 12	June 9
January 15	February 12	March 12	April 14	May 14	June 11
January 20	February 17	March 17	April 16	May 19	June 16
January 22	February 19	March 19	April 21	May 21	June 18
January 27	February 24	March 24	April 23	May 26	June 23
January 29	February 26	March 26	April 28	May 28	June 25
		March 31	April 30		June 30

July 2	August 4	September 1	October 1	November 3
July 7	August 6	September 3	October 6	November 5
July 9	August 11	September 8	October 8	November 10
July 14	August 13	September 10	October 13	November 12
July 16	August 18	September 15	October 15	November 17
July 21	August 20	September 17	October 20	November 19
July 23	August 25	September 22	October 22	November 23
July 28	August 27	September 24	October 27	November 24
July 30		September 29	October 29	November 25

December 1
December 3
December 8
December 9
December 10
December 15
December 16
December 17
December 22
December 23
December 29
December 31

In order for your case to be placed on the call for a particular day the case number must be given to Ms. Stovall in Judge Blockman's office before 2:00 p.m. on the day before the call. The moving party is required to provide adequate notice to the opposite side, unless both parties have agreed on the date. The Court, of course, does have discretion to reduce the fourteen (14) day notice requirement in the appropriate circumstances upon an ex parte request to the Court prior to the hearing and prior to notice being sent. The Court will base its decision to reduce the time requirement only on the pleadings

presented to it at the ex parte hearing. If less than fourteen days notice is authorized by the Court, notice by personal service shall promptly be given to the opposite side.

Private child support enforcement proceedings shall not be placed on the State's Attorney child support enforcement call without the express permission of the State's Attorney child support enforcement attorneys and Judge McPheters.

Contested Custody and Visitation Proceedings

All child custody and visitation proceedings shall be resolved within eighteen (18) months from the date of service of the petition to final order. In the event this time limit cannot be met, the Court shall make written findings as to the reasons for the delay. Motions to continue contested custody and visitation issues shall only be granted for good cause shown.

Pursuant to Supreme Court Rule 923 all contested custody and visitation proceedings shall be governed by Supreme Court Rule 218 case management procedures. In all contested child custody and visitation proceedings an initial case management conference pursuant to Rule 218 shall be held not later than ninety (90) days after service of the petition. At this initial case management conference the parties shall provide the Court with an agreed custody and visitation order. If custody and visitation are in dispute, the Court shall consider a referral to mediation, an appointment of a limited guardian ad litem or a 604(b) evaluation. The Court may also address any other appropriate issues with the parties at the initial case management conference. A full case management conference pursuant to Supreme Court Rule 218 shall be held not later than thirty (30) days after mediation has been completed or after the completion of a limited guardian ad litem investigation or after the completion of a 604(b) evaluation. At the subsequent case management conference the Court may appoint an attorney for the child, a traditional guardian ad litem or a child's representative and may address any appropriate issue. The Court may also set a subsequent case management conference or a trial date. All discovery shall be completed not later than sixty (60) days before the trial date unless said requirement is waived by both parties. The parties must also in all original "D" cases file with the Court prior to the subsequent case management conference a "Pre-Judgment Pre-Trial Memorandum". The form "Pre-Judgment Pre-Trial Memorandum" approved by the Court may be obtained from Ms. Stovall in Judge Blockman's office. At the initial and/or subsequent case management conference the Court shall issue a "Case Management Order" as contained herein.

It is the responsibility and obligation of the Petitioner's attorney or the Petitioner in a contested custody and/or visitation case to request and schedule an initial case management conference with the Court not later than ninety (90) days after service of the petition on the Respondent or after notice is sent to Respondent. It is also the responsibility and obligation of the Petitioner's attorney or the Petitioner to request and schedule a subsequent case management conference not later than thirty (30) days after mediation has been completed or after the completion of the limited guardian investigation or after the completion of a 604(b) evaluation. The failure of the

Petitioner's attorney or the Petitioner to schedule such hearings may subject that party to appropriate sanctions imposed by the Court.

Family Law Cases Not Involving
Contested Custody or Visitation Issues

Supreme Court Rule 218 case management procedures are not applicable to family law cases not involving contested custody or visitation issues. In order to obtain a contested hearing date for any of these non-custody and visitation issues (pre or post-dissolution cases, family cases, and all petitions to modify), all cases must first have a pre-trial conference. The parties in all original "D" cases must file with the Court a Pre-Trial Memorandum. The form "Pre-Judgment Pre-Trial Memorandum" approved by the Court may be obtained from Ms. Stovall in Judge Blockman's office. The pre-trial conference will likely be continued if both parties have not filed a "Pre-Judgment Pre-Trial Memorandum." The Court at the Pre-Trial Conference will enter a "Family Law Pre-Trial Order" using the form contained herein. The Court requires the parties to also file an updated or amended financial affidavit in all cases in which there is a dispute involving property, debts, educational expenses, temporary or permanent child support, temporary or permanent maintenance or other financial issues in a "D" or "F" or other family law case. An approved "Financial Affidavit" may be obtained from Ms. Stovall in Judge Blockman's office.

Limited Guardian Ad Litem In Contested Custody Matters

When the parties, after completing mediation or after mediation is waived by the Court, represent to the Court that custody is at issue in "F" or "D" cases, the Court will appoint a limited guardian ad litem from a list of experienced lawyers with family law and custody experience to conduct an investigation and report its recommendations to the parties, counsel and the Court. A copy of the current custody LGAL list is contained herein. Each party will be required to pay the limited guardian ad litem \$350.00. The guardian ad litem will not start their investigation until the fees are paid. If a party does not pay the LGAL fee within the time ordered by the Court or any additional time ordered by the Court, the non-paying party may be defaulted by the Court on the issue of custody or the case may be continued until the fee is paid and adverse inferences may be drawn by the Court as to the custody issue. The Court will enter an "Order Appointing Limited Guardian Ad Litem" using the form contained herein. The limited guardian ad litem will be expected to have a conference with both parents in the guardian's office, interview the minor or minors involved, if appropriate, and interview any significant other individuals involved, if appropriate. The limited guardian ad litem will then meet with the attorneys to explain his or her recommendation and, if requested by the Court, will write a report to the Court regarding his or her recommendation. The limited guardian ad litem's appointment will then be vacated. If the custody dispute is not then resolved and both parties or one party so request, the Court will order a home and background investigation by an evaluator pursuant to 750 ILCS 5/604(b). If only one party requests a home and background investigation, the initial cost of said investigation will be the responsibility of the requesting party. Even if both parties do not request a home and background investigation, the Court will consider ordering such an

investigation. The factors the Court will consider in making this determination are the financial resources of the parties, the complexity of the case, the special needs of any particular minor child, and the need for a prompt resolution of the custody dispute. In cases where a limited guardian ad litem is appointed the Court will grant a request by the parties to waive mediation if agreed upon by both parties. The Court would emphasize that the objectives of mediation are quite different than the role envisioned by the limited guardian ad litem which is, in the appropriate circumstances, to make a custody recommendation to the Court. The attorney appointed is not an attorney for the minor child or children involved or a representative of the minor child or children involved or a traditional guardian ad litem. Said appointments are made pursuant to 750 ILCS 5/506(a)(2). The Court will not appoint a limited guardian ad litem in cases where only visitation or some non-custody child related matter, such as removal, is in dispute.

Procedural and Document Requirements

The Judges handling family law assignments will handle their docket and will schedule cases in whatever fashion they decide. All family law Judges will, however, require the following:

1. When custody of a minor child or children is involved, Children's First certificates will be required to be filed by both parties in all "F" and "D" cases within sixty (60) days after the initial case management conference or pre-trial conference, unless excused by the Court for good cause or unless appropriate alternative arrangements are made by the Court;
2. A Certificate of Dissolution must be filed before a grounds Judgment Order will be entered;
3. A Uniform Order For Support must be submitted in all cases where child support is ordered before a Judgment Order will be entered;
4. All Withholding Notices must be substantially consistent with the revised federal Income Withholding For Support forms effective January 1, 2006;
5. All parties will be required to file prior to the hearing an updated, amended or original Financial Affidavit in all cases involving property, debts, educational expenses, temporary or permanent child support, temporary or permanent maintenance and any other financial issue in an "F," "D" or "C" or any family law case;
6. The limited guardian ad litem protocol will be followed in all contested cases involving custody of a minor child or children;
7. Unless excused by the Court, mediation is required before the Court will set a visitation or custody dispute for a final hearing. The current approved mediator list is attached hereto; and
8. Adherence to all pre-trial, pre-trial conference and case management proceedings referred to herein will be required by all family law Judges.

Settlement Conference

Both family law Judges are available to conduct settlement conferences if requested, orally or in writing, by both parties. At the option of the attorneys, the settlement conference may be held with the Judge hearing the case or with a Judge who will not be hearing the case. At the option of the attorneys, the clients may be present for such conferences. The objective of the conference is to facilitate settlement by having the Judge be presented with a short oral or written presentation of the facts of the case by both parties. The Judge would then express his tentative thoughts in order to facilitate settlement without the expense and emotional anguish of continued litigation. If, after the settlement conference, one or both parties wishes to have the case referred to another family law Judge, such a referral will be made by the Judge that conducted the settlement conference. The one exception is that when a settlement conference is held immediately before any scheduled hearing date, no referral to another Judge will be made.

Signature Files

The Court is aware of the need for a prompt return of all signature files. Any documents that constitute agreed upon Orders, pro-forma Orders or Orders or Rules on Petitions for Adjudication of Civil Contempt requiring the Court's signature can be sent to Courtroom "G" or "J" by regular mail. The Court continues its "24 hour guarantee" that such Orders will be signed within 24 hours of the receipt of the court file and mailed back to the parties the same day as long as Judge Blockman or Judge McPheters are at the Courthouse.

If the parties wish to obtain a signature more promptly, the documents can be brought to Courtroom "G" or "J" at 8:30 a.m. or 1:00 p.m. on any day and will be signed by Judge Blockman or Judge McPheters at that time as long as they are at the Courthouse.

Mediation of Financial Issues

The "Champaign County Court Referred Program For Mediation of Financial Issues In Domestic Relations Case" has been approved by the Illinois Supreme Court and by local administrative order.

The rules governing this program are available from Ms. Stovall in Judge Blockman's office. The mediation may relate to any financial or property issue in any action, pre-dissolution, post-dissolution or paternity. The Orders to be used in such mediation are also attached to the rules.

The Court will order financial mediation if requested by both parties or on its own motion or on the motion of one party in appropriate cases. If mediation is ordered, the mediator must be selected from the list of "Court-Approved Financial Mediators" (Appendix D of Rules). If mediation is ordered, the following rules apply:

- (1) Discovery may, at the discretion of the attorneys, continue throughout mediation;
- (2) The attorneys may, at their discretion, be present at the mediation;
- (3) Both parties must sign confidentiality agreements prior to commencement of the mediation;
- (4) No hearing will be given by the Court on property or financial issues as long as the mediation is in progress; and
- (5) Both parties must pay the mediator one (1) hour of his or her established mediation hourly rate before the mediation will commence.

Interim Attorney's Fees and Costs

If a request for interim attorney's fees and costs is filed pursuant to 750 ILCS 5/501 (c-1), a courtesy copy of the filing must be sent to Judge Blockman's or Judge McPheters' chambers. Upon receipt of the petition, the Court will order the other party to file a response that includes, at a minimum, an itemization of all attorney's fees and costs paid or incurred to date by that party. The responding party must then also send a courtesy copy of the response to Judge Blockman's or Judge McPheters' chambers. Upon receipt of the response, the Court will normally then enter an appropriate docket entry or order disposing of the petition.

Protection Against Identity Theft

The Court continues to be concerned about the amount of personal information that is contained for public inspection in our family law court files, particularly in pre-trial memos and in exhibits tendered to the Court in contested hearings. These memos and exhibits frequently include social security numbers, checking and savings account numbers and investment, pension-type account numbers, and credit card numbers.

The Court requests that on all pre-trial memos, on all certificates of dissolution, and on all exhibits or other documents tendered to the Court such identifying information be limited to the last four digits of each account, credit card or number in question.

Parenting Education

All parties prior to the entry of a custody order in an "F" or "D" case shall be required to attend and complete Children's First and file a certificate of completion with the Court, not later than sixty (60) days after the initial case management or pre-trial conference. All cases involving child support enforcement are excepted from this requirement. Attendance at Children's First may be excused for good cause shown. The Court may impose appropriate sanctions on any party for failure to complete the program and for failure to file the certificate. If the parties have not completed Children's First prior to the initial case management conference or prior to the pre-trial conference, an

Order shall be entered as contained herein. Internet parenting educational programs will not be accepted unless specifically authorized by the Court.

Joint Custody Issues

Both parties must appear personally before the Court before the Court will approve a permanent Joint Custody agreement. At that time the attorneys for both parties must also be prepared to make representations to the Court as to any order of protection proceedings between the parties and any criminal cases involving domestic violence where one of the parties is an alleged victim. In addition, both attorneys must be prepared to make representations to the Court that, after an investigation, in their opinion joint custody is in the best interests of the child or children, that the parties have the ability to cooperate and to make joint custody work, both since separation and in the future, and that the parties have the capacity to substantially comply with a Joint Parenting Agreement. No Joint Custody will be approved without a written Joint Parenting Agreement with provisions in the agreement for dispute resolution, periodic review procedures, and specific allocation of responsibilities for major decisions, such as education, health care and religious training. Such procedures and requirements do not apply to a temporary joint custody agreement.

Standard Visitation

The standard and default visitation that will generally be ordered by this Court for a non-custodial parent in a situation where the other parent has sole custody is, substantially, every other weekend from Friday afternoon to Sunday evening, one night a week for several hours, every other major holiday, and four to eight weeks in the summer, depending on the age of the child.

The Court will consider a request by one party for additional non-custodial visitation in the following circumstances:

- (1) The non-custodial parent has been extremely active and involved in the life of the child;
- (2) The parties live in close geographical proximity;
- (3) There is not a great amount of hostility between the parties, other than the standard problems normally involved in the breakup of a relationship;
- (4) There are no orders of protections between the parties and no domestic violence criminal proceedings against either parent where one parent is the alleged victim; and
- (5) A representation by counsel for the parent seeking the additional visitation that, after investigation, such additional visitation is in the best interests of the child.

The additional visitation may consist of an overnight during the week or every other week, extended summer visitation, or visitation every other weekend from Friday afternoon to Monday morning. Professional testimony in this regard, although obviously helpful to the Court, is not required.

Petitions For Final Contribution To Attorney's Fees

Any petitions for a final contribution to attorney's fees from the other party filed pursuant to 750 ILCS 5/508(a) and 5/503(j) must include an itemized statement of services rendered from the petitioning attorney. Please make sure that all hours are totaled, the specific hourly rate is stated and the amount requested for contribution is specifically noted. If final contribution is sought for the services of a prior attorney or attorneys of the petitioning party, a similar itemized statement from the prior attorney or attorneys must also be attached.

Policy On Substitution Of Judge

When a family law judge is substituted as a matter of right under 735 ILCS 5/2-1001(2), the case will generally be transferred by Judge Blockman to a non-family law judge.

Court Waiting List

The Court maintains a list of cases where attorneys are seeking earlier hearing dates in cases with already established specific hearings dates. If you wish to be on the waiting list, please notify Ms. Stovall, and you will be contacted if there is a cancellation of an earlier hearing. Both sides, however, must agree on the earlier date.

Dated this _____ day
of _____ 2008

Arnold F. Blockman,
Presiding Judge of the Champaign County
Family Law Division.

IN THE CIRCUIT COURT
FOR THE SIXTH JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

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

CASE MANAGEMENT ORDER

A. Status

- Subsequent Case Management Conference
- Initial Case Management Conference

B. Children's First Compliance:

In cases involving the custody of minor children, the Petitioner and Respondent are required to attend and complete Children's First.

- Petitioner has/has not attended Children's First/Trans Parenting.
- Respondent has/has not attended Children's First/Trans Parenting.
- Parent Education is not applicable or is excused for good cause shown.

C. Child Custody

- Custody is not at issue because:
 - There are no minor children; Custody and visitation are agreed.
- The parties are ordered to mediate.
- _____ is appointed Guardian Ad Litem/ Child Representative/Attorney for the child.
- _____ is appointed as a limited guardian ad litem to report to the Court.
- An independent and/or psychological and/or custody evaluation shall be conducted of the parties and the child(ren) by _____ and a written report shall be submitted to the Court with the evaluator's custody recommendation.
- _____

D. Discovery Issues

- Financial Statements have been/will be filed on _____.
- Identification and disclosure of all expert (independent and controlled) and lay opinion witnesses shall be by _____.
- Discovery will be completed by _____.
- _____

E. Next Action:

- The case is dismissed for want of prosecution.
- The case is set for a subsequent case management conference on _____ at _____ in Courtroom _____.
- The case is set for hearing on:
 - Temporary Issues or Custody Issues All Issues or Post Judgment Issues on _____ at _____ in Courtroom _____.
- Both parties waive the 60 day requirement contained in Supreme Court Rule 218.
- _____

Date: _____

Entered: _____
Judge Presiding

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

_____)
Petitioner,)
vs.) NO. D
) F
) OP
_____) C
Respondent,

FAMILY LAW PRE-TRIAL ORDER

IT IS HEREBY ORDERED:

1. All Opinion Witnesses and Dissipation Claims shall be disclosed by _____.
The disclosure shall include, at a minimum, the full name of the witness, the address of the witness, and a concise statement of each opinion the witness will give at trial.
2. All Discovery shall be completed by _____.
3. All updated or amended Financial Affidavits to be on file by _____.
4. The issues to be litigated are _____

_____.
5. The estimated length of the hearing is _____.
6. This matter is set for hearing on _____
at _____ m. in Courtroom _____.

DATED: _____ ENTERED: _____
Judge Presiding

CHAMPAIGN COUNTY COURT-REFERRED CUSTODY AND
VISITATION MEDIATION PROGRAM

APPROVED MEDIATORS

11/2008

Donald R. Parkinson .
135 West Main Street
P.O. Box 296
Urbana, IL 61803-0296
384-7111

Jim Linder
328 N. Neil St.
Champaign, IL 61820
367-3546

John T. Phipps
44 Main Street
P.O. Box 1220
Champaign, IL 61824-1220
359-2929

Linda Meyer
3006 South First Street
Champaign, IL 61822
367-8821

Susan G. Bednar
6 Dunlap Court
Savoy, IL 61874
352-8502

David K. Cox
112 W. Washington St.
Monticello, IL 61856
762-3800

Karen Phipps
P.O. Box 1234
Champaign, IL 61824-1234
714-7504

Kristen H. Fischer
P.O. Box 1045
108 E. Anthony Dr.
Urbana, IL 61803
367-1647

Sarah B. Tinney
411 West University Av.
P.O. Box 1098
Champaign, IL 61824
351-4040

Ken Gano
303 6th Street
Charleston, IL 61920-1558
345-6111

Kent A. Rathbun
250 N. Water St., Suite 320
Decatur, IL 62523
423-9070

Judy Torbeck-Livesay
201 N. Logan
P.O. Box 835
Mattoon, IL 61938
235-3400

Barbra Webber
508 S. Broadway Ave.
Urbana, IL 61801
328-0263

Janett S. Winter-Black
201 N. Logan
P.O. Box 835
Mattoon, IL
235-3400

Kurt B. Bickers
P.O. Box 1700
Decatur, IL 62525
423-7842

Tara C. Beckett
P.O. Box 17372
Urbana, IL 61803
714-4207

Joy George
P.O. Box 6895
Champaign, IL 61824
552-2813

- D. Both parties are advised that all meetings and conversations with the guardian ad litem are not confidential and that the guardian ad litem may be called as a witness voluntarily or by subpoena at any custody trial;
- E. The parties are further advised that if the guardian ad litem is called as a witness either voluntarily or by subpoena at any custody trial, the party calling the guardian ad litem shall be assessed the guardian ad litem's reasonable attorney's fees at their customary rate for any necessary preparation and testimony;
- F. The guardian ad litem's appointment will be vacated after they have completed their investigation and have met with the parties to discuss their recommendations. If ordered by the Court, the guardian ad litem will submit a short report to the Court detailing their custody recommendations and the reasons for their recommendations; and
- G. This matter is set for status review on _____ at _____ in Courtroom _____.

Dated this _____
day of _____, 200__

Judge

LIMITED GUARDIAN AD LITEM LIST (11/08)

Kristen Fischer
Fischer & Wozniak
P.O. Box 1045
Urbana, IL 61802
367-1647

Jim Mullady
Meyer Capel Law Offices
306 W. Church St.
Champaign, IL 61820
352-1800

Diana Lenik
202 W. Green
Urbana, IL 61801
337-5610

Roger Marsh
Pavia and Marsh
123 West Main
Urbana, IL 61801
328-0123

Betsy Tinney
Erwin, Martinkus and Cole
411 W. University Ave.
Champaign, IL 61821
351-4040

Holly Jordan
1804 Forest View
Mahomet, IL 61853
586-4238

IN THE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

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

ORDER REQUIRING PARENTING EDUCATION PROGRAM

Each of the parties to his case shall complete Children's First within sixty (60) days of the date of this Order. Failure to complete the Program may result in the entry of an Order imposing sanctions until a certificate of completion is filed with the Court.

The parties are directed to contact Children's First to make arrangements for the payment of required fees and scheduling of their appointments.

Dated this _____ day
of _____, 200__.

Presiding Judge

APPROVED PARENT EDUCATION PROGRAMS FOR CHAMPAIGN COUNTY

CHILDREN'S FIRST

Contact Number: (217) 352-0099