

VOTE NO on HB 185

Protect the Best Interests of Children

One-size-fits-all does not protect children and families!

HB 185 would undo the best interests of child standard

- Presumes a 50/50 division of parenting time regardless of the family situation and needs of the children in both married and unmarried families
- Elevates the perceived needs of parents above the current standard of what is in the best interest of the children
- Disregards the diverse logistics present in every family law case concerning post-divorce parental housing and work schedules and the educational and extra-curricular activities of children

Current law

On January 1, 2016, the Illinois Marriage and Dissolution of Marriage Act (IMDMA) underwent the largest overhaul in the history of this statute after almost a decade of study

Those amendments sought to encourage cooperation and decrease litigation when possible by:

- promoting “shared parenting” to maximize parental involvement if in the best interest of the children
- replacing “custody” and “visitation” with “parenting time and “parental responsibilities”
- reducing litigation by requiring the parties to propose parenting plans to avoid contested hearings

HB 185 is harmful to domestic violence and sexual assault victims

- Judges can already order equal parenting time *if it is in the best interests of the children*
- Abusers will exercise further control over violence victims and intimidate them through the court process
- Violence victims could be forced to live in the same areas as and make child-related decisions with their abusers

HB 185 would increase litigation and costs of legal representation

The equal parenting time presumption can only be challenged through litigation.

- Indigents, people of modest means, and victims of violence do not have the funds to challenge an equal time mandate
- Parents will feel they have little choice but to accept the presumption because the inability to hire an attorney



All known organizations opposed to HB 185 are listed on the back of this fact sheet

Opponents:

- Illinois Coalition Against Domestic Violence (50+ statewide member agencies)
- Illinois Coalition Against Sexual Assault (30 statewide member agencies)
- Office of the Cook County Public Guardian
- Illinois State Bar Association
- The Chicago Bar Association
- Kane County Bar Association
- Du Page County Bar Association
- Lake County Bar Association
- Illinois Chapter of the American Academy of Matrimonial Lawyers
- Chicago Metropolitan Battered Women's Network
- Loyola University Child Law Center
- Life Span
- Illinois NOW
- Planned Parenthood of Illinois
- Sargent Shriver National Center on Poverty Law
- Chicago Coalition for the Homeless
- Family Defense Center
- Chicago Says No More
- Ezra Multi-Service Center
- Jewish Child & Family Services
- The Decalogue Society of Lawyers
- Illinois Association of Court Appointed Special Advocates
- Chicago Children's Advocacy Center
- Resilience, f/k/a Rape Victim Advocates
- Chicago Volunteer Legal Services

For further information, please contact:

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