

Rule 942. Court Family Conferences

(a) Abuse Neglect, and Dependency Cases. In cases under articles II, III, and IV of the Juvenile Court Act of 1987, on motion of any party or on its own motion, the court may in its discretion hold a Court Family Conference in accordance with this rule.

(b) Initial Conference

(1) *Time.* At the temporary custody hearing, or as soon thereafter as possible, the court shall set the date and time for an initial Court Family Conference. The initial Court Family Conference shall be held not less than 56 days after the Temporary Custody Hearing.

(2) *Parties.* All parties shall appear at the initial Court Family Conference except the minor, who may appear in person or through a guardian *ad litem* or his or her attorney. The caseworker assigned to the case must also appear. If no party objects, a foster parent may participate in the Conference. If any party objects, the court in its discretion may exclude the foster parent but the foster parent retains the right to be heard by the court before the end of the proceedings. The court may in its discretion allow other persons interested in the minor to attend the Conference at the request of the child or a parent. The failure of any party (with the exception of the child or his or her guardian *ad litem* or attorney) to appear shall not prevent the court from proceeding with the Court Family Conference.

(3) *Record.* If all parties are present for the initial Court Family Conference, the court shall conduct the Conference off the record, and at the conclusion of the Conference summarize the Conference for the record. If the parents are not present, the Court shall conduct the entire Conference on the record.

(4) *Disclosure of Service Plan.* The Illinois Department of Children and Family Services or its assigns shall provide the most recent service plan to all parties seven days before the initial Court Family Conference. In the event that the service plan has not been filed with the court prior to the initial Court Family Conference, the court shall convene the initial Court Family Conference and discussion shall focus on services that would appropriately be included in the plan. Such discussion should ensure that the family and the caseworker have a clear understanding of the expectations of the court.

(5) *Issues.*

(A) The discussion at the initial Court Family Conference shall focus on eliminating the causes or conditions that contributed to the findings of probable cause and, if applicable, the existence of urgent and immediate necessity. If possible, at the conclusion of the discussion the court shall set a target date for return home or case closure. If the court determines that setting a target date for return home or case closure is not possible or is premature, the court, during the discussion, shall make clear to the parties and the caseworker what needs to be accomplished before the court will consider setting a target return home date.

(B) The discussion at the initial Court Family Conference shall include the services contained in the service plan for the parents and the child. The needs of the child and visitation plans between the parent and the child and between the child and any siblings shall also be discussed.

(C) The discussion shall include any other matters that the court, in its discretion, deems

relevant.

(6) *Other Issues.* At the initial Court Family Conference, the court may address case management issues that would be appropriate for consideration at a subsequent Court Family Conference.

(7) *Order.* At the conclusion of the initial Court Family Conference, the court shall enter an order approving the service plan or setting forth any changes the court requires to be made to the service plan.

(c) Subsequent Court Family Conferences. Court Family Conferences may be held after the initial Conference as the court deems necessary. At a subsequent Court Family Conference, the court has the authority to make orders relating to case management as is provided for in other civil cases by Rule 218. In the court's discretion, matters considered at the initial Conference may be reviewed at any subsequent Conference.

(d) Concurrent Hearings. The initial Court Family Conference may be held concurrently with any hearing held within the required time. Subsequent Court Family Conferences may be held concurrently with any other hearing on the case.

(e) Confidentiality. With the exception of statements that would support new allegations of abuse or neglect, statements made during an off the record portion of an initial or subsequent Court Family Conference shall be inadmissible in any administrative or judicial proceeding. If the court refers to any specific statements made by the parents in its summary of the off the record portion of the Conference or in the order entered following the Conference, upon objection of the parents, such references shall be stricken.

[Adopted February 10, 2006, effective July 1, 2006.](#)

Committee Comments Special Supreme Court Committee on Child Custody Issues

A Court Family Conference is intended to be an opportunity for the trial court, the parents, the caseworker and the child or child's representative to discuss the court process, and the meaning, intent and practicality of the service plan; to discuss and ensure the safety of the child; to cooperatively discuss goals; and ultimately, to expedite resolution of the case through reunification of the family or other appropriate action. Paragraph (a) authorizes the use of Court Family Conferences in abuse, neglect and dependency cases.

Paragraph (b)(1) provides that a Court Family Conference will be held not less than 56 days after the Temporary Custody Hearing in cases when the court determines it is appropriate to do so.

Paragraph (b)(2) provides that all parties are required to appear at a Court Family Conference, except the minor, who may appear through a guardian *ad litem* or through counsel. The assigned caseworker must also appear, and a foster parent may appear, absent objection by a party.

Paragraph (b)(3) provides that statements made at Court Family Conferences are confidential

and may not be used subsequently, except for statements that may provide the basis for a new allegation of abuse or neglect. The Court Family Conference will be off the record unless the parents are not present. Upon completion of an off the record Conference, the court will summarize the matter for the record.

Paragraph (b)(4) provides that the most recent service plan is to be provided to the parties seven days prior to the Conference. At the initial Conference the service plan is discussed, with the purpose of ensuring that the caseworker and the parents clearly understand the expectations of the court.

Paragraph (b)(5) addresses the issues which should be discussed at the Court Family Conference, with an emphasis on the parties, the court and the service providers sharing information in an open and expeditious manner.

Paragraph (b)(7) provides that the court may approve the service plan or order changes to the plan at the conclusion of an initial Court Family Conference.

Paragraph (c) allows subsequent Court Family Conferences, and the combination of initial or subsequent Court Family Conferences with other hearings in the case. Subsequent Court Family Conferences may address any issues that could be considered in a case management conference under Rule 218.

Paragraph (d) provides that Court Family Conferences may be held at the same time that the court conducts any other hearing. As the rules of evidence apply to hearings, but do not apply to Court Family Conferences, it is incumbent upon the circuit court to only consider properly admissible evidence when determining the result of the hearing.

In order to promote an open and honest discourse at an initial or subsequent Court Family Conference, Paragraph (e) provides that statements made during the off the record portion of the Conference shall be inadmissible in any administrative or judicial proceeding. The only exception to this confidentiality requirement is when the statements at the Conference would support new allegations of abuse or neglect.