



August 27, 2026

Supreme Court Rules Committee  
Attention: Committee Secretary  
Supreme Court Rules Committee  
222 N. LaSalle Street, 13th Floor  
Chicago, Illinois 60601  
RulesCommittee@illinoiscourts.gov

Re: Comment to Proposal 26-07

Dear Committee Secretary:

Prairie State Legal Services, Inc. ("PSLS") appreciates the opportunity to provide comment on Proposal 26-07 regarding required domestic violence training for guardians ad litem (GALs) offered by the Supreme Court Committee on Domestic Violence. PSLS is a not-for-profit law firm that provides free legal services to survivors of family violence, low-income persons, elderly persons, veterans, people with disabilities, and other vulnerable groups. PSLS has 11 offices and serves 36 counties throughout northern and central Illinois.

As part of our safety program, our attorneys represent survivors of domestic violence in family cases, including divorce, parentage, and child support cases. We support the changes and additions proposed in Proposal 26-07 at section (c)(2). These changes require four hours of domestic violence training in the two years prior to an attorney's qualification and appointment as a GAL. We further support the Supreme Court Committee on Domestic Violence's comment regarding faculty who may offer this kind of training, including "faculty with demonstrated history of effective work in this field, or by Illinois Certified Domestic Violence Professionals."

PSLS has experience in cases where a GAL's knowledge of the dynamics of domestic violence has had positive effects on the outcomes of cases. For example, in one such case, a PSLS client had repeatedly returned to the relationship. The adverse party suggested that the client returning to the relationship was proof that the relationship was not abusive and that the adverse party was a safe parent to the child. The adverse party also argued that if they were abusive to our client, then the client's return to the relationship showed that the client was neglectful, and therefore should not be given parenting time. The GAL's prior experience and education included knowledge that victims return, on average, seven times to abusive relationships before ending the relationship; awareness of the economic constraints victims face when leaving abusive relationships; and recognition of the effects of witnessing domestic violence on minor children.

**PURSUING JUSTICE. RESTORING HOPE.**

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The GAL's knowledge of the dynamics of domestic violence were critical in reaching a safe resolution in the matter.

Conversely, our staff has also had experience in cases where a lack of knowledge of domestic violence dynamics has negatively affected the parties. As Proposal 26-07 suggests, "[t]raining topics may include... the impact to children who witness intimate partner domestic abuse... [and] post-separation intimate partner abuse..." In prior PSLS cases, GALs have suggested that once the victim parent and the abusive parent are no longer in a relationship, the possibility of abuse has ceased. As noted in "Decision-Making in Custody Cases Involving Domestic Violence: A Review of the Literature" by Lorie Sicafuse, Ph.D., Senior Research Associate, a 2016 publication from the National Council of Juvenile and Family Court Judges, this is a common assumption. As Sicafuse states, however, "This assumption is not only false but also can lead to decisions that put survivors and families in great danger. The risk of serious injury or death of survivors at the hands of their abuser is the highest in the days and weeks following a separation (Campbell et al., 2003)." Correcting this assumption through GAL training and education may lessen the possibility of post-separation violence and the rates of children witnessing domestic violence.

Domestic violence also complicates custody determinations through intersections with other areas of practice, such as criminal law and juvenile abuse and neglect proceedings. In one PSLS client's case, a GAL recommended temporary parenting time while a Department of Child and Family Services (DCFS) case involving the parties was pending. DCFS was investigating both the client and the adverse party because of domestic violence in the home, and had ordered that the adverse party have no parenting time with the minor children. While the GAL was aware of DCFS's order, the GAL believed the family court judge's order reflecting their recommendation took precedence over the DCFS order. The GAL's lack of knowledge about DCFS investigations regarding domestic violence placed the client in an impossible position. If the client obeyed the family court order, they risked being indicated for abuse or neglect and potentially losing their children in the DCFS matter. If the client obeyed DCFS's order, they risked criminal charges for unlawful interference with parenting time or a family court finding of abuse of parenting time, and potentially losing parenting time in the family court case. While PSLS attorneys were eventually able to navigate this situation by educating the GAL, the client experienced significant distress during this process. The client's distress could have been avoided if the GAL had prior knowledge regarding DCFS investigations for domestic violence.

Requiring GALs to have four hours of domestic violence training will help to ensure ongoing safety for domestic violence survivors and their children as they navigate ongoing litigation related to the abuse. Thank you for the opportunity to provide comments on these rules.

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Sincerely,

*Emily C. Petri*

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Mohini Lal, Senior Safety Attorney

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