

Rule 100.9. Transfers for Judicial Hearings

(a) Domestic Relations Matters Other than Child Support and Parentage. Any domestic relations matter other than child support and parentage, including but not limited to petitions for visitation, custody, distribution of property, petitions pursuant to section 513 of the Illinois Marriage and Dissolution of Marriage Act, and spousal maintenance shall be transferred according to the judicial circuit's Plan to a judge for a judicial hearing. The administrative hearing officer shall proceed as scheduled with matters relative to child support or parentage. In actions to establish parentage where the putative father voluntarily acknowledges paternity, the recommended order shall include provisions for custody of the child in the mother and reasonable visitation for the father if both parties agree. If either party wishes to contest custody or visitation, the recommended order will be silent on those issues, but the contest will not delay the entry of the order establishing parentage and child support.

(b) Prehearing Motions and Other Matters that Require a Court Order. All prehearing motions and other matters that require a court order or judicial hearing, as defined in the Act and in these rules, shall be transferred to a judge for resolution in an expeditious manner. However, if the parties are in agreement as to the prehearing motion or other such matters, the administrative hearing officer shall transmit a recommended order, signed by both parties to a judge.

(c) Matters Requiring Judicial Hearing. All other matters requiring a judicial hearing, as provided for in the Act and in these rules, shall be immediately transferred according to the judicial circuit's Plan to a judge for a judicial hearing.

(d) Service of Orders of Withholding Pending Judicial Hearing. Whenever the parties disagree with part of the administrative hearing officer's recommendations, but do agree as to the existing obligation and no order for withholding was previously served upon the obligor's employer, the order for withholding shall be served upon the obligor's employer as to the existing support obligation pending judicial hearing on the contested matter.

Adopted April 1, 1992, effective immediately.