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**Rule 906. Attorney Qualifications and Education in Child Custody, Allocation of Parental Responsibilities, Visitation, and Parenting Time Matters**

**(a) Statement of Purpose.** This rule is promulgated to insure that counsel who are appointed by the court to participate in child custody, allocation of parental responsibilities, visitation, and parenting time matters, as delineated in Rule 900(b)(2), possess the ability, knowledge, and experience to do so in a competent and professional manner. To this end, each circuit court of this state shall develop a set of qualifications and educational requirements for attorneys appointed by the court to represent children in child custody and allocation of parental responsibilities cases and guardianship cases when custody or visitation is an issue and shall further develop a plan for the procurement of qualified attorneys in accordance with the plan.

**(b) Submission of Qualifications and Plan.** The Chief Judge of a judicial circuit shall be responsible for the creation of the qualifications and Plan and for submitting them to the Conference of Chief Judges for approval. The Chief Judges of two or more contiguous judicial circuits may submit a Plan for the creation of a single set of qualifications and Plan encompassing those judicial circuits or encompassing contiguous counties within the circuits.

**(c) Qualifications and Plan.** The qualifications shall provide that the attorney is licensed and in good standing with the Illinois Supreme Court. Certification requirements may address minimum experience requirements for attorneys appointed by the court to represent minor children. In addition, the qualifications may include one or all of the following which are recommended: (1) Prior to appointment the attorney shall have 10 hours in the two years prior to the date the attorney qualifies for appointment in approved continuing legal education courses in the following areas: child development; roles of guardian *ad litem* and child representative; ethics in child custody and allocation of parental responsibilities cases; relevant substantive state, federal, and case law in custody, allocation of parental responsibilities, visitation, and parenting time matters; implicit bias; family dynamics, including substance abuse, and mental health issues. (2) Prior to appointment the attorney shall have four (4) hours in the two years prior to the date the attorney qualifies for appointment in approved continuing legal education courses in the following area: intimate partner domestic abuse. Training topics may include family violence, coercive control, the impact to children who witness intimate partner domestic abuse, the impact of violence on survivors, postseparation intimate partner abuse, the use of collateral resources to address risk management and safety, parenting plans, and resources for the child and family. (3) Periodic continuing education in approved child related courses shall be required to maintain qualification as an attorney eligible to be appointed by the court in child custody, allocation of parental responsibilities, visitation, and parenting time cases. (4) Requirements for initial pro bono representation. (5) Attorneys who work for governmental agencies may meet the requirements of this rule by attending appropriate in-house legal education classes.

**(d) Conference of Chief Judges Review and Approval.** The Conference of Chief Judges shall review and approve the Plan or may request that the Chief Judge modify the submitted list of qualifications and Plan. Upon approval, the Chief Judge of each circuit shall be responsible for administering the program and insuring compliance. An attorney approved to be appointed by the Court to participate in child custody, allocation of parental responsibilities, visitation, and

parenting time matters under a Plan approved in one county or judicial circuit shall have reciprocity to participate in child custody, allocation of parental responsibilities, visitation, and parenting time matters in other counties and judicial circuits in Illinois.

Adopted February 10, 2006, effective July 1, 2006; amended Mar. 8, 2016, eff. immediately; amended Feb. 27, 2023, eff. immediately; amended Oct. 21, 2026, eff. July 1, 2027.

Committee Comments
(Revised March 8, 2016)

Special Supreme Court Committee on Child Custody Issues

Paragraph (a) requires each judicial circuit to establish qualifications and educational requirements for attorneys who are appointed by a court to represent children in child custody and allocation of parental responsibilities proceedings. The circuits would also be required to establish a plan for procuring the services of qualified attorneys for child custody and allocation of parental responsibilities cases.

Paragraph (b) requires that attorney qualification and procurement plans be submitted to the Conference of Chief Circuit Judges for approval. It also provides that attorney qualification and procurement plans may be drafted to apply to contiguous circuits or to contiguous counties within two or more circuits.

Paragraph (c) specifies that attorneys appointed to represent children must be licensed and in good standing as attorneys. It also provides that the qualifications and standards must include a minimum experience requirement, and may include criteria concerning initial and continuing legal education requirements and requirements for initial *pro bono* representation. Attorneys approved under a circuit plan would be eligible for appointment in cases in other areas of the state on the basis of reciprocity.

In writing Rule 906, the Special Committee considered Rule 714, Capital Litigation Trial Bar, which imposes minimum requirements upon trial counsel in order to insure that counsel who participate in capital cases possess the ability, knowledge and experience to do so in a competent and professional manner. The Special Committee believes that cases involving child custody, allocation of parental responsibilities, visitation and parenting time issues demand the same high standards of advocacy as do capital cases.

The Special Committee is mindful that many judicial circuits will find it very difficult to find funds to pay for the plans under which counsel are appointed. Ideally, the State would provide sufficient funding to reimburse the private attorneys who are appointed by the court. In the absence of such funding, the individual judicial circuits will need to be innovative in meeting the financial requirements of the plans. In addition to requiring the parties to pay for the appointed lawyer's services, the local rules could provide for the targeting of court filing fees. Voluntary *pro bono* service is also strongly encouraged.

The Committee recognizes the importance of qualified trainers in this specialized subject area of domestic violence; therefore training resources for this subject may include education provided by faculty with demonstrated history of effective work in this field or by Illinois Certified Domestic Violence Professionals.