

Rule 901. General Rules

(a) Expedited Hearings. Child custody and allocation of parental responsibilities proceedings shall be scheduled and heard on an expedited basis. Hearings in child custody and allocation of parental responsibilities proceedings shall be held in strict compliance with applicable deadlines established by statute or by this article.

(b) Setting of Hearings. Hearings in child custody and allocation of parental responsibilities proceedings shall be set for specific times. At each hearing, the next hearing shall be scheduled and the parties shall be notified of the date and time of the next hearing. Hearings rescheduled following a continuance shall be set for the earliest possible date.

(c) Continuances. Parties, witnesses and counsel shall be held accountable for attending hearings in child custody and allocation of parental responsibilities proceedings. Continuances shall not be granted in child custody and allocation of parental responsibilities proceedings except for good cause shown and may be granted if the continuance is consistent with the health, safety and best interests of the child. The party requesting the continuance and the reasons for the continuance shall be documented in the record.

(d) In any child custody, allocation of parental responsibilities, or relocation proceeding taken under advisement by the trial court, the trial judge shall render its decision as soon as possible but not later than 60 days after the completion of the trial or hearing.

(e) Appeals. Appeals from orders entered in child custody and allocation of parental responsibilities proceedings shall be pursuant to the applicable civil appeals rules. All such proceedings shall be expedited according to Rules 311(a) and 315(i).

Adopted February 10, 2006, effective July 1, 2006; amended February 26, 2010, effective immediately; amended Mar. 8, 2016, eff. immediately; amended Apr. 3, 2018, eff. July 1, 2018.

Committee Comments
(Revised March 8, 2016)

Special Supreme Court Committee on Child Custody Issues

Rule 901 includes procedures that are designed and proven to expedite child custody and allocation of parental responsibilities proceedings.

Paragraph (a) requires strict compliance with statutory and rule based deadlines for child custody and allocation of parental responsibilities proceedings.

Paragraphs (b) and (c) concerning the setting of hearings and limitations on continuances should help to significantly reduce delays in child custody and allocation of parental responsibilities proceedings.

Paragraph (d) requires timely disposition of cases taken under advisement by the trial court.