

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
PEORIA COUNTY, ILLINOIS

ADMINISTRATIVE ORDER NO. 2019- //

TENTH JUDICIAL CIRCUIT ONLINE DISPUTE RESOLUTION PROGRAM
IN DOMESTIC RELATION CASES

WHEREAS, the Peoria County Circuit Court with the approval of the Illinois Supreme Court will pilot the Tenth Judicial Circuit Online Dispute Resolution Program in Domestic Relation cases wherein both parties are self-represented; and

WHEREAS, said pilot program shall commence on October 15, 2019;

NOW, THEREFORE, IT IS HEREBY ORDERED that the following description and procedures for the pilot program of the Tenth Judicial Circuit Online Dispute Resolution Program in Domestic Relation cases are established effective October 15, 2019:

A. PURPOSE OF THE TENTH JUDICIAL CIRCUIT ONLINE DISPUTE RESOLUTION PROGRAM FOR DOMESTIC RELATION CASES

The Tenth Judicial Circuit recognizes the success of court-annexed alternative dispute resolution programs and the particular need in creating parenting plans in the area of Domestic Relation cases, especially, but not limited to, matters where both parties are self-represented. The Circuit Judges of the Tenth Judicial Circuit adopt this pilot program to assist the self-represented litigants in resolving parenting disputes and to maximize the efficiency of the judicial process.

B. ACTIONS ELIGIBLE

This program is intended to assist self-represented parties in creating parenting plans in Domestic Relation cases in which both parties are self-represented at the initial return date. In addition, this service may be offered to any other Domestic Relation case which requires a parenting plan and the judge presiding determines online dispute resolution might be appropriate or the parties agree to participate.

C. CONFIDENTIALITY

All online written discussions are stored for the life of the dispute and are only viewable by court appointed mediators when the court determines that the online dispute process is unsuccessful and/or requires assistance of a mediator to resolve.

D. ONLINE DISPUTE RESOLUTION PROCEDURE

1. At the first appearance date, the court will determine if the case is eligible for the mandatory Tenth Judicial Circuit Online Dispute Resolution Program (ODR) and enter an Order directing the parties to register and begin the ODR process. The case would then be set for review within thirty (30) days.
2. The court clerk shall request/confirm the parties email addresses and provide an informational guide to ODR and a copy of this Administrative Order.

3. When the court clerk enters the Order requiring the parties to begin ODR into Odyssey, our case management system, the code entered by the court clerk will initiate the notification process and an email will be sent to the parties requesting them to register in the Tenth Judicial Circuit Online Dispute Resolution Program.
4. The Petitioner will have seven (7) days to register and begin the ODR process. If he/she does not register within three (3) days, a reminder email will be sent automatically.
5. When the Petitioner has registered, he/she will be asked to acknowledge the rules of the program, provide their current address, phone number, place of employment, employment address, employment phone number and the names and DOB of all children.
6. There are eight (8) sections that will walk the Petitioner through the process of creating a parenting plan:
 - A. Decision Making
 - B. Parenting Time
 - C. Holidays
 - D. School Breaks
 - E. Vacation
 - F. Transportation
 - G. Financial Support
 - H. Additional Terms
7. Each section provides the Petitioner/Respondent with a definition of the options available based upon the Illinois Marriage and Dissolution of Marriage Act. It provides examples written in plain language to assist the parties as they create a proposed parenting plan.
8. When the Petitioner completes a proposed parenting plan, he/she will review and submit the proposed plan in ODR. An email notification will be automatically generated and forwarded to the Respondent, who will then have seven (7) days to respond. If he/she fails to respond within three (3) days, another email will be sent to Respondent reminding him/her to respond.
9. The parties will continue the negotiation process until a full or partial agreement is reached and e-filed to the court.
10. Should the parties fail to reach a full agreement within (30) days, they will appear in court at their scheduled review date and the judge will determine if they should be allowed to continue negotiating or if a mediator should be appointed. The case would then be set for review in forty-five (45) days. At that time, the court will enter an order directing the parties to continue using ODR to negotiate a parenting plan or an order appointing a mediator to assist the parties through the ODR process.
11. When a mediator is appointed, the court clerk will enter an Order of Appointment. An email will be generated to the court administrator who will then notify the mediator of the appointment. ODR would then email both parties notifying them of the name of the mediator and inviting them to begin discussions through ODR in an effort to assist them in reaching a full agreement.
12. All communications will be conducted through the ODR platform unless the parties request an in-person mediation.

13. If the parties are unable to reach an agreement, or one or both parties do not continue to participate in the ODR process, or the mediator determines that the parties will be unable to reach an agreement, the mediator would submit a report requesting mediation be terminated and the parties would be required to appear at the next scheduled review date.
14. Upon conclusion of mediation, wherein a full agreement has been reached, the mediator will file a written parenting plan with the court.

E. QUALIFICATIONS AND APPOINTMENT OF MEDIATOR

All mediators appointed to assist in the Tenth Judicial Circuit Online Dispute Resolution Program will be required to comply with the 10th Circuit Rules 47-54, currently in effect and established under Supreme Court Rule 99 and Rule 905 for Mandatory Mediations in all Domestic Relation matters. All 10th Circuit Rules are published on our website at www.10thcircuitcourtil.org.

F. DISCOVERY

Unless otherwise ordered by the court, discovery shall be stayed until after the conclusion of the mediation process.

G. IMMUNITY

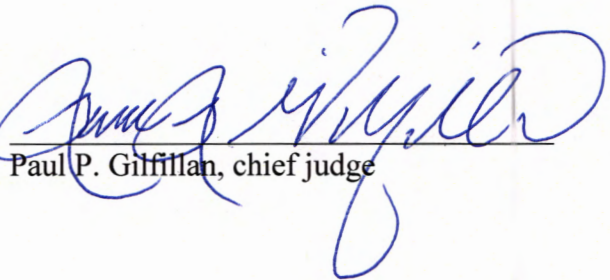
Any person approved to act as a mediator under these rules, while acting within the scope of his or her duties, shall have judicial immunity in the same manner and to the same extent as a judge in the state of Illinois as provided in Supreme Court Rule 99.

H. REPORTING TO THE SUPREME COURT

The current mediation reports filed with the Supreme Court on a quarterly basis will be modified to include a section that provides statistical data as prescribed by the Administrative Office of the Illinois Courts.

ENTER: _____

10-8-19



Paul P. Gilfillan, chief judge