



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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PROPOSED RESOLUTION

CALLING FOR A HEARING OF THE CRIMINAL JUSTICE COMMITTEE TO RECEIVE AN UPDATE FROM THE PUBLIC SAFETY COUNTY STAKEHOLDERS ON THE IMPLEMENTATION OF SAFEGUARDS FOR THE PROTECTION OF GENDER-BASED VIOLENCE SURVIVORS AND DOMESTIC RELATIONS MEDIATIONS AND CHILD REPRESENTATION

WHEREAS, the Cook County Board of Commissioners took a stance to work towards the full protection of domestic violence and gender-based violence survivors; and

WHEREAS, as part of the Cook County Domestic Violence Initiative, the Board passed an amendment to provide funding as part of the FY2022 budget to improve and expand services for survivors of domestic violence, to address the immediate needs of Domestic Violence Court operations and to establish a 24 hour, 7 day a week court operation for Domestic Violence Court proceedings; and

WHEREAS, said measure was to ensure that adequate funding is available to improve and streamline operations, increase efficiency, and provide accurate information in the criminal justice system, all with the goal of ensuring the public safety of the residents of Cook County; and

WHEREAS, the processes in the criminal justice system are important to the day-to-day operations and are heavily relied on for the safety of victim-witnesses; and

WHEREAS, in addition to domestic violence processes, domestic relations especially when a child is involved are also key in ensuring both victims and the welfare of children are protected; and

WHEREAS, consequently, any proceedings involving the support, custody, visitation, allocation of parental responsibilities, education, parentage, or general welfare of a minor or dependent child, the court may, on its own motion or that of any party, appoint an attorney to serve as guardian ad litem, child representative, and/or an attorney for child pursuant to 750 ILCS 5/506; and

WHEREAS, additionally the court may decide that a child needs a representative, and may appoint the Public Guardian's Office; and

WHEREAS, attorneys seeking admittance on the Guardian ad Litem (GAL) / Child Representative (CR) / Attorney for Child (AFC) active roster are interviewed by members of the GAL / CR / AFC Screening Committee, and after acceptance by the Presiding Judge and the Screening Committee, the attorney attends a training session hosted by current GAL / CR / AFC attorneys; and

WHEREAS, once said training is complete, attorneys are placed on the active GAL / CR / AFC roster, which is distributed to all Domestic Relations Division judges; and

WHEREAS, the Public Guardian Department within Cook County operates under different guidelines; Court appointments of the Public Guardian in a domestic relations case may be made if all parties and children live in Cook County, if at least one of the parties is represented by an attorney, and if the parties have attempted mediation of their dispute prior to the appointment. Additionally, the Office of the Public Guardian accepts appointments as child

representative in the majority of cases (as opposed to GAL or attorney for the child); and

WHEREAS, given the importance of child welfare, the Board seeks an update on the court-appointed Guardian ad Litem (GAL) child representative program as well as the Public Guardian child representative program; and

WHEREAS, it is equally important in domestic relations matters that any fee structures that are to be borne by victims as well as child representatives are clear and properly communicated by the court; and

WHEREAS, another critical issue is the availability of court reporters in the Domestic Relations Division, as maintaining accurate records of proceedings is essential for any efforts to seek review or appeal; and

WHEREAS, the last such hearing on these matters took place in 2023, the Board is interested in receiving an update on such related operations and remains committed to working with other Cook County stakeholders to ensure the public safety of every resident in the County;

NOW THEREFORE BE IT RESOLVED, that the Cook County Board of Commissioners does hereby request that a public hearing of the Criminal Justice Committee be convened to update the Board of Commissioners on the implementation of safeguards for the protection of gender-based violence survivors, particularly updates on the following matters:

The procedure of information sharing between departments and/or agencies.

The challenges faced since the beginning of the implementation of the case management system that may cause confusion or miscommunication between departments and agencies.

The dependency of the Cook County criminal justice system on physical documents or documents that are handled manually.

The procedures of how discrepancies in these documents are handled.

The recommendations that the department and/or agency suggest to prevent any life threatening discrepancies/errors in the processes.

The safeguards in the department and/or agency that have been in place to ensure the safety of gender-based survivors.

The consistency in implementation of said safeguards throughout the court system.

Other suggested safeguards to implement and potential challenges in their implementation; and

BE IT FURTHER RESOLVED, that the Board does hereby request an update on processes related to Domestic Relations cases including the following matters:

The procedure used by judges to appoint as Guardian ad Litem or the Public Guardian.

The procedure used by judges to determine what attorney shall be appointed as Guardian ad Litem.

The financial obligations and fee structure the court adheres to and how they are communicated.

The availability of court reporters in the Domestic Relations Division and how reports are obtained when a party wishes to seek review or appeal.

The oversight of Guardian ad Litem (GAL) / Child Representative (CR) / Attorney for Child (AFC) program.

Other suggested safeguards to implement and potential challenges to ensure the welfare of children and victims are in place; and

BE IT FURTHER RESOLVED, that a representative from each Cook County public safety stakeholder be prepared to participate in the hearing and provide updates relevant to their purview.