



Protecting the family: Improving the practice.

CHICAGO DAILY LAW BULLETIN – APRIL 2011

From time to time the Illinois Chapter of the Academy participates in appellate decisions impacting important matrimonial law topics. Previously, the Academy filed an *amicus curiae* brief in the case of [In re Marriage of Best](#), 886 N.E.2d 939. The case involves declaratory judgment practice when parties to a divorce had executed a premarital agreement. The Illinois Supreme Court adopted the position of the Academy.

Similarly, the Illinois Supreme Court again adopted the Academy's position in a recent case called [Johnston v. Weil](#). In that case the issue was whether or not a custody report issued pursuant to the child custody statute in Illinois was privileged and confidential under the Illinois Mental Health Act. The Academy took the position that as these reports are court ordered and the subject of the report is not in a therapeutic relationship with the mental health provider, the confidentiality act did not apply. This was an unsettled issue in Illinois prior to this case.

In 2011 the amicus brief committee consists of Paul Feinstein (Chair), Jeffrey Brend, Steven Peskind and Gregory Scott. This committee is always looking for interesting issues so the Academy can participate in making law.