

Family Law

The newsletter of the Illinois State Bar Association's Section on Family Law

Chair's Column

BY JESSICA PATCHIK

IT IS MY PLEASURE TO

INTRODUCE your incoming Family Law Section Council Chair, Staci Balbirer. If you know Staci, then chances are you love her. She is upbeat, bubbly, and a great person to talk to. As a matter of fact, Staci began speaking in full sentences at 11 months old, and by her own admission, she hasn't stopped since!

Staci decided to become an attorney during her senior year of college, knowing that family law would be her specialty. Every job she has had, including summer positions, has all been in the area of family law. Although Staci knows it sounds cliché, her choice to become an attorney was driven by her desire to help people, especially through the hardest times of their lives.

Staci graduated from Lehigh University in 2006 before continuing on to the John

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Family Law Section Council Chair Jessica Patchik (right) was recognized at the Family Law Section Council Meeting during the Annual Meeting in Lincolnshire. Staci L. Balbirer will serve as the chair for 2025-26.

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Homeschooling in Illinois

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Homeschooling in Illinois

BY ERIN WILSON AND JULIANA BRANNAN

ILLINOIS PUBLIC SCHOOLS

educate thousands of children each day. These schools are directly regulated and reviewed by the state, the Illinois State Board of Education (ISBE). However, many homeschooled children's education slips through the cracks in Illinois. Most states have some type of regulations and

monitoring in place, yet Illinois is in the minority with the fewest regulations and no monitoring regarding homeschooling.

The Illinois School Code, 105 ILCS 5/26-1 *et seq.*, governs Illinois schools, including homeschooling requirements and regulations. The Illinois School Code is

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Marshall Law School (now the University of Illinois Chicago School of Law), graduating in 2009. Staci has been married to her husband Steve for almost 12 years. They have two daughters, Maddie, age 8, and Abbi, age 5. Let's not forget Poppi, the family's mini Goldendoodle. When not working, Staci loves to play tennis and paddle, and read psychological thrillers.

Staci says that she was lucky to get a job straight out of law school at a firm that took the time to mentor, teach, and train her. She learned the nuts and bolts of how to draft pleadings and was taught how to act in the courtroom. According to Staci, in our business, reputation is everything, and her first job gave her the tools to build one she is proud of.

Staci is a partner at Davis Friedman, where she specializes in family law. While Staci is proficient in all aspects of family law, she thinks the Hague Convention is especially fascinating and has started taking on more cases with international components. When asked what she enjoys about practicing, Staci says that she loves

her partners. She also loves being in the courtroom and finding creative solutions for her cases.

In terms of work-life balance after having children, Staci says that she tries to leave her "job" at the door for at least a couple of hours every night so she can spend time with her kids and family. She also believes that being a working mom helps her to come up with more practical solutions for her clients because her children face many of the same or similar issues.

So why choose the ISBA when there are so many bar associations out there? Staci says that there is no other organization that has the reach that the ISBA does. She also believes that her involvement with ISBA has given her a much better grasp of the changes in the law and what is coming down the pipeline.

So, everyone, please give Staci a very warm welcome. I know the coming bar year will be fantastic with Staci as our fearless leader! ■



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Homeschooling in Illinois

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extremely lenient and gives the guardians of minor children so much freedom of choice regarding homeschooling, providing extreme flexibility to do what they choose regarding education. This liberal homeschooling standard offers little accountability for guardians who abuse this system, oftentimes leading their child to truancy. Without tracking attendance, proof of teaching, and student progress, there is no real way to ensure homeschooled students are actually being educated and attending school.

Under 105 ILCS 5/26-1, any person with custody or control of any child can legally pull their child out of school and homeschool them. Illinois requires all minor children ages six through 17 to attend public school in their district unless there is an exception in the statute, such as private schooling. "Any child attending a

private or parochial school where children are taught the branches of education taught to children of corresponding age and grade in the public schools, and where the instruction of the child in the branches of education is in the English language." 105 ILCS 5/26-1 (1). Illinois courts have held that homeschooling constitutes a private school so long as the required subjects are being taught and the student receives an education equivalent to public schools. *People v. Levisen*, 404 Ill. 574, 90 N.E.2d 213 (1950).

The only regulation Illinois has regarding homeschooling is that certain subject areas are required to be taught in homeschooling. Following 105 ILCS 5/26-1 and 27-1, if you homeschool your child, you must provide instruction in English and subject areas of language arts, mathematics, biological and

physical science, social science, fine arts, and physical development and health. However, Illinois does not have any specific class requirements for homeschooled students. Therefore, of the above subject area requirements, no specific courses are required to be taught, allowing guardians to design their homeschool program with much flexibility. The ISBE does not monitor this regulation of subject matter, and the state does not ensure guardians actually teach this required subject matter. This could potentially cause educational neglect for homeschooled children, yet according to educational lawyers, ISBE, the Illinois Association of Regional Superintendents of Schools, or the Illinois Department of Children and Family Services will not investigate this issue. Although there is a requirement for subject areas to be



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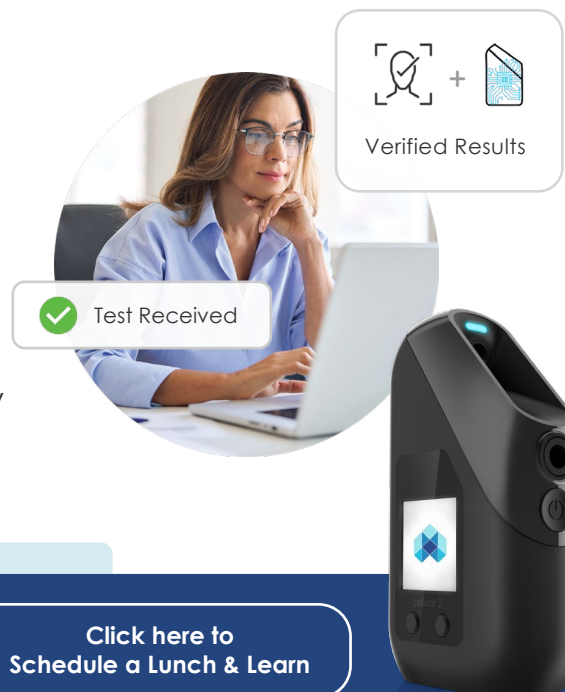
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taught, there are no class requirements for homeschooling. Illinois has no specific mandatory courses to be taught in homeschool. Illinois allows guardians to design their homeschool program on courses they deem fit. For example, one does not need to teach Calculus in the required subject area of mathematics. Illinois allows parents to design their homeschool program and gives much flexibility.

Unlike most other states, Illinois does not require guardians who homeschool their child to register their child with any state agency or school district. The state does not require forms, licenses, check-ins, or approvals for homeschooling. Additionally, there are no requirements on the number, length, or days of homeschooling. Homeschool classes can occur at any time of day and any day of the week.

There are no requirements or criteria

for guardians to meet to qualify as an adequate educator, even if the guardian is not educated themselves. The educator at the child's homeschool, whether a guardian, tutor, or hired company, is not required to administer tests to the child or submit those results to any state agency. Educators advise guardians who homeschool their child to follow public school high school graduation requirements if their child plans on attending college, as well as administer tests and track those scores. Universities and colleges often require a GPA and an SAT or ACT score for enrollment. They also may use SAT or ACT scores to make admission decisions and award scholarships. But again, this is all advised information and not required.

The lack of oversight regarding homeschooling has been a long debate between state officials and citizens in Illinois. Recently, there have been

legislative efforts to provide more regulations and oversight for homeschool education through a proposed act titled "Homeschool Act" (HB2827). Illinois Representative Terra Costa Howard introduced this act on February 6, 2025. The Homeschool Act would introduce more oversight, ensure students receive proper education, and aim to increase accountability for guardians who homeschool their children. This Act could create a way for states to monitor and regulate homeschool education. However, there is significant pushback from the people of Chicago. Over 70,000 people have filed witness slips to oppose the Act and show their lack of support for the Act, according to NBC 5 Chicago. The proposed act has not been enacted into law, and the Illinois School Code, 105 ILCS 5/26-1, is the current homeschooling statute. ■

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