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## The Rights of a Step-parent



The Illinois Supreme Court recently heard a case regarding the rights of stepparents. In *Sharpe v. Westmoreland*, a couple named Matt and Kris were living together but were not legally married. Matt had previously been married to Crystal, with whom he had a child. When Matt passed away, Kris sought to have parenting time with the child with whom she had built a strong bond over the time that she was in a relationship with Matt. Crystal, the

child's mother, did not want Kris having visitation with the child, and she argued that Kris did not have standing to petition for visitation or allocation of parental responsibility

under the Dissolution Act because she did not qualify as a “step-parent” under the Act.

Kris argued that the Civil Union Act applied to her relationship with Matt, and that the Civil Union Act entitles a partner to a civil union the “same legal obligations, responsibilities, protections, and benefits as a spouse” (750 ILCS 75/20 (West 2016)). The court held that the Act does not state that the entitlement to visitation rights and parenting time are limited in any way for civil union partners. The Court determined that parents in a civil union have step-parenting rights that are the same as married individuals. These step-parenting rights continue even after their spouse passes away and Kris did have standing to proceed with her request.

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