**Section 702.10 Detention Admission Policy**

a) Introduction

Admissions to a detention facility is the responsibility of the court. The judiciary recognizes that many delinquents do not require detention. The court has wide latitude to determine the desirable conditions for detention in each case pending adjudication.

b) Minimum Standards

1) Statement of Admission Policy

The chief judge or his designee will define in writing the court's detention admission policies.

A) A qualified intake officer shall be appointed to screen court intake service referrals and control detention admissions.

B) Twenty-four hour intake coverage shall be provided.

C) No youth shall be placed in detention without authorization by the judge or person appointed by the judge.

D) The officer presenting a youth to the court's intake officer for detention admission shall submit a detailed written report of the alleged charge.

E) No youth shall be admitted to a detention facility when such admission will result in exceeding the rated capacity.

2) Detention Hearing

The Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 703-5) provides that: *Unless sooner released, a minor as defined in Section 2-2 of this Act, taken into temporary custody must be brought before a judicial officer within 36 hours, exclusive of Saturdays, Sundays and court-designated holidays, for a detention hearing or shelter care hearing to determine whether he shall be further held in custody. The minor must be released from custody at the expiration of the 36-hour period if not brought before a judicial officer within that period.*

A) If a youth is further detained, an order must be issued by the judge or person designated by the judge or a petition must be on file.

B) A youth shall not be placed in detention for a period of more than 30 days as a disposition pursuant to the Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 705-2).

C) Any minor taken into custody who requires care away from home, but not physical restriction, shall be given temporary care in a foster family home or other shelter facility designated by the court.

D) The use of detention pending completion of a court hearing must comply with the Juvenile Court Act (Ill. Rev. Stat. 1987 Supp., ch. 37, pars. 704-2 and Ill. Rev. Stat. 1986 Supp., ch. 37, par. 704-7).

3) Situation Change

A youth shall be released from detention when a change in the situation which necessitated detention occurs and the need for secure custody is no longer justified.

4) Detention

The Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 701-9) defines "detention" as *the temporary care of a minor alleged or adjudicated as a person described in Section 2-2* (Delinquent Minor) *who requires secure custody for his own or the community's protection in physically restricting facilities pending disposition by the court or execution of an order of the court for placement or commitment.*

c) Recommendations

1) The court's admission policies should be periodically reviewed with the chief of probation services, the detention superintendent, and law enforcement officials.

2) Detention should not ordinarily exceed two weeks, provided no special work is required in preparing for adjudication and disposition.

(Source: Amended at 12 Ill. Reg. 12340, effective October 1, 1988)