

1 AN ACT in relation to minors.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Juvenile Court Act of 1987 is amended by  
5 changing Sections 3-21, 3-24, 4-18, and 4-21 as follows:

6 (705 ILCS 405/3-21) (from Ch. 37, par. 803-21)

7 Sec. 3-21. Continuance under supervision. (1) The court  
8 may enter an order of continuance under supervision (a) upon  
9 an admission or stipulation by the appropriate respondent or  
10 minor respondent of the facts supporting the petition and  
11 before proceeding to findings and adjudication, or after  
12 hearing the evidence at the adjudicatory hearing but before  
13 noting in the minutes of proceedings a finding of whether or  
14 not the minor is a person requiring authoritative  
15 intervention; and (b) in the absence of objection made in  
16 open court by the minor, his parent, guardian, custodian,  
17 responsible relative, defense attorney or the State's  
18 Attorney.

19 (2) If the minor, his parent, guardian, custodian,  
20 responsible relative, defense attorney or State's Attorney,  
21 objects in open court to any such continuance and insists  
22 upon proceeding to findings and adjudication, the court shall  
23 so proceed.

24 (3) Nothing in this Section limits the power of the  
25 court to order a continuance of the hearing for the  
26 production of additional evidence or for any other proper  
27 reason.

28 (4) When a hearing where a minor is alleged to be a  
29 minor requiring authoritative intervention is continued  
30 pursuant to this Section, the court may permit the minor to  
31 remain in his home subject to such conditions concerning his

1 conduct and supervision as the court may require by order.

2 (5) If a petition is filed charging a violation of a  
3 condition of the continuance under supervision, the court  
4 shall conduct a hearing. If the court finds that such  
5 condition of supervision has not been fulfilled the court may  
6 proceed to findings and adjudication and disposition. The  
7 filing of a petition for violation of a condition of the  
8 continuance under supervision shall toll the period of  
9 continuance under supervision until the final determination  
10 of the charge, and the term of the continuance under  
11 supervision shall not run until the hearing and disposition  
12 of the petition for violation; provided where the petition  
13 alleges conduct that does not constitute a criminal offense,  
14 the hearing must be held within 15 days of the filing of the  
15 petition unless a delay in such hearing has been occasioned  
16 by the minor, in which case the delay shall continue the  
17 tolling of the period of continuance under supervision for  
18 the period of such delay.

19 (6) The court must impose upon a minor under an order of  
20 continuance under supervision or an order of disposition  
21 under this Article III, as a condition of the order, a fee of  
22 \$25 for each month or partial month of supervision with a  
23 probation officer. If the court determines the inability of  
24 the minor, or the parent, guardian, or legal custodian of the  
25 minor to pay the fee, the court may impose a lesser fee. The  
26 court may not impose the fee on a minor who is made a ward of  
27 the State under this Act. The fee may be imposed only upon a  
28 minor who is actively supervised by the probation and court  
29 services department. The fee must be collected by the clerk  
30 of the circuit court. The clerk of the circuit court must  
31 pay all monies collected from this fee to the county  
32 treasurer for deposit into the probation and court services  
33 fund under Section 15.1 of the Probation and Probation  
34 Officers Act.

1 (Source: P.A. 85-601.)

2 (705 ILCS 405/3-24) (from Ch. 37, par. 803-24)

3 Sec. 3-24. Kinds of dispositional orders.

4 (1) The following kinds of orders of disposition may be  
5 made in respect to wards of the court: A minor found to be  
6 requiring authoritative intervention under Section 3-3 may be  
7 (a) committed to the Department of Children and Family  
8 Services, subject to Section 5 of the Children and Family  
9 Services Act; (b) placed under supervision and released to  
10 his or her parents, guardian or legal custodian; (c) placed  
11 in accordance with Section 3-28 with or without also being  
12 placed under supervision. Conditions of supervision may be  
13 modified or terminated by the court if it deems that the best  
14 interests of the minor and the public will be served thereby;  
15 (d) ordered partially or completely emancipated in accordance  
16 with the provisions of the Emancipation of Mature Minors Act;  
17 or (e) subject to having his or her driver's license or  
18 driving privilege suspended for such time as determined by  
19 the Court but only until he or she attains 18 years of age.

20 (2) Any order of disposition may provide for protective  
21 supervision under Section 3-25 and may include an order of  
22 protection under Section 3-26.

23 (3) Unless the order of disposition expressly so  
24 provides, it does not operate to close proceedings on the  
25 pending petition, but is subject to modification until final  
26 closing and discharge of the proceedings under Section 3-32.

27 (4) In addition to any other order of disposition, the  
28 court may order any person found to be a minor requiring  
29 authoritative intervention under Section 3-3 to make  
30 restitution, in monetary or non-monetary form, under the  
31 terms and conditions of Section 5-5-6 of the Unified Code of  
32 Corrections, except that the "presentence hearing" referred  
33 to therein shall be the dispositional hearing for purposes of

1 this Section. The parent, guardian or legal custodian of  
2 the minor may pay some or all of such restitution on the  
3 minor's behalf.

4 (5) Any order for disposition where the minor is  
5 committed or placed in accordance with Section 3-28 shall  
6 provide for the parents or guardian of the estate of such  
7 minor to pay to the legal custodian or guardian of the person  
8 of the minor such sums as are determined by the custodian or  
9 guardian of the person of the minor as necessary for the  
10 minor's needs. Such payments may not exceed the maximum  
11 amounts provided for by Section 9.1 of the Children and  
12 Family Services Act.

13 (6) Whenever the order of disposition requires the minor  
14 to attend school or participate in a program of training, the  
15 truant officer or designated school official shall regularly  
16 report to the court if the minor is a chronic or habitual  
17 truant under Section 26-2a of the School Code.

18 (7) The court must impose upon a minor under an order of  
19 continuance under supervision or an order of disposition  
20 under this Article III, as a condition of the order, a fee of  
21 \$25 for each month or partial month of supervision with a  
22 probation officer. If the court determines the inability of  
23 the minor, or the parent, guardian, or legal custodian of the  
24 minor to pay the fee, the court may impose a lesser fee. The  
25 court may not impose the fee on a minor who is made a ward of  
26 the State under this Act. The fee may be imposed only upon a  
27 minor who is actively supervised by the probation and court  
28 services department. The fee must be collected by the clerk  
29 of the circuit court. The clerk of the circuit court must  
30 pay all monies collected from this fee to the county  
31 treasurer for deposit into the probation and court services  
32 fund under Section 15.1 of the Probation and Probation  
33 Officers Act.

34 (Source: P.A. 89-235, eff. 8-4-95; 90-590, eff. 1-1-99.)

1 (705 ILCS 405/4-18) (from Ch. 37, par. 804-18)

2 Sec. 4-18. Continuance under supervision. (1) The court  
3 may enter an order of continuance under supervision (a) upon  
4 an admission or stipulation by the appropriate respondent or  
5 minor respondent of the facts supporting the petition and  
6 before proceeding to findings and adjudication, or after  
7 hearing the evidence at the adjudicatory hearing but before  
8 noting in the minutes of the proceeding a finding of whether  
9 or not the minor is an addict, and (b) in the absence of  
10 objection made in open court by the minor, his parent,  
11 guardian, custodian, responsible relative, defense attorney  
12 or the State's Attorney.

13 (2) If the minor, his parent, guardian, custodian,  
14 responsible relative, defense attorney or State's Attorney,  
15 objects in open court to any such continuance and insists  
16 upon proceeding to findings and adjudication, the court shall  
17 so proceed.

18 (3) Nothing in this Section limits the power of the  
19 court to order a continuance of the hearing for the  
20 production of additional evidence or for any other proper  
21 reason.

22 (4) When a hearing is continued pursuant to this  
23 Section, the court may permit the minor to remain in his home  
24 subject to such conditions concerning his conduct and  
25 supervision as the court may require by order.

26 (5) If a petition is filed charging a violation of a  
27 condition of the continuance under supervision, the court  
28 shall conduct a hearing. If the court finds that such  
29 condition of supervision has not been fulfilled the court may  
30 proceed to findings and adjudication and disposition. The  
31 filing of a petition for violation of a condition of the  
32 continuance under supervision shall toll the period of  
33 continuance under supervision until the final determination  
34 of the charge, and the term of the continuance under

1 supervision shall not run until the hearing and disposition  
2 of the petition for violation; provided where the petition  
3 alleges conduct that does not constitute a criminal offense,  
4 the hearing must be held within 15 days of the filing of the  
5 petition unless a delay in such hearing has been occasioned  
6 by the minor, in which case the delay shall continue the  
7 tolling of the period of continuance under supervision for  
8 the period of such delay.

9 (6) The court must impose upon a minor under an order of  
10 continuance under supervision or an order of disposition  
11 under this Article IV, as a condition of the order, a fee of  
12 \$25 for each month or partial month of supervision with a  
13 probation officer. If the court determines the inability of  
14 the minor, or the parent, guardian, or legal custodian of the  
15 minor to pay the fee, the court may impose a lesser fee. The  
16 court may not impose the fee on a minor who is made a ward of  
17 the State under this Act. The fee may be imposed only upon a  
18 minor who is actively supervised by the probation and court  
19 services department. The fee must be collected by the clerk  
20 of the circuit court. The clerk of the circuit court must  
21 pay all monies collected from this fee to the county  
22 treasurer for deposit into the probation and court services  
23 fund under Section 15.1 of the Probation and Probation  
24 Officers Act.

25 (Source: P.A. 85-601.)

26 (705 ILCS 405/4-21) (from Ch. 37, par. 804-21)

27 Sec. 4-21. Kinds of dispositional orders.

28 (1) A minor found to be addicted under Section 4-3 may  
29 be (a) committed to the Department of Children and Family  
30 Services, subject to Section 5 of the Children and Family  
31 Services Act; (b) placed under supervision and released to  
32 his or her parents, guardian or legal custodian; (c) placed  
33 in accordance with Section 4-25 with or without also being

1 placed under supervision. Conditions of supervision may be  
2 modified or terminated by the court if it deems that the best  
3 interests of the minor and the public will be served thereby;  
4 (d) required to attend an approved alcohol or drug abuse  
5 treatment or counseling program on an inpatient or outpatient  
6 basis instead of or in addition to the disposition otherwise  
7 provided for in this paragraph; (e) ordered partially or  
8 completely emancipated in accordance with the provisions of  
9 the Emancipation of Mature Minors Act; or (f) subject to  
10 having his or her driver's license or driving privilege  
11 suspended for such time as determined by the Court but only  
12 until he or she attains 18 years of age. No disposition  
13 under this subsection shall provide for the minor's placement  
14 in a secure facility.

15 (2) Any order of disposition may provide for protective  
16 supervision under Section 4-22 and may include an order of  
17 protection under Section 4-23.

18 (3) Unless the order of disposition expressly so  
19 provides, it does not operate to close proceedings on the  
20 pending petition, but is subject to modification until final  
21 closing and discharge of the proceedings under Section 4-29.

22 (4) In addition to any other order of disposition, the  
23 court may order any minor found to be addicted under this  
24 Article as neglected with respect to his or her own injurious  
25 behavior, to make restitution, in monetary or non-monetary  
26 form, under the terms and conditions of Section 5-5-6 of the  
27 Unified Code of Corrections, except that the "presentence  
28 hearing" referred to therein shall be the dispositional  
29 hearing for purposes of this Section. The parent, guardian  
30 or legal custodian of the minor may pay some or all of such  
31 restitution on the minor's behalf.

32 (5) Any order for disposition where the minor is placed  
33 in accordance with Section 4-25 shall provide for the parents  
34 or guardian of the estate of such minor to pay to the legal

1 custodian or guardian of the person of the minor such sums as  
2 are determined by the custodian or guardian of the person of  
3 the minor as necessary for the minor's needs. Such payments  
4 may not exceed the maximum amounts provided for by Section  
5 9.1 of the Children and Family Services Act.

6 (6) Whenever the order of disposition requires the minor  
7 to attend school or participate in a program of training, the  
8 truant officer or designated school official shall regularly  
9 report to the court if the minor is a chronic or habitual  
10 truant under Section 26-2a of the School Code.

11 (7) The court must impose upon a minor under an order of  
12 continuance under supervision or an order of disposition  
13 under this Article IV, as a condition of the order, a fee of  
14 \$25 for each month or partial month of supervision with a  
15 probation officer. If the court determines the inability of  
16 the minor, or the parent, guardian, or legal custodian of the  
17 minor to pay the fee, the court may impose a lesser fee. The  
18 court may not impose the fee on a minor who is made a ward of  
19 the State under this Act. The fee may be imposed only upon a  
20 minor who is actively supervised by the probation and court  
21 services department. The fee must be collected by the clerk  
22 of the circuit court. The clerk of the circuit court must  
23 pay all monies collected from this fee to the county  
24 treasurer for deposit into the probation and court services  
25 fund under Section 15.1 of the Probation and Probation  
26 Officers Act.

27 (Source: P.A. 89-202, eff. 7-21-95; 89-235, eff. 8-4-95;  
28 89-626, eff. 8-9-96; 90-590, eff. 1-1-99.)