

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.)