

1 AN ACT in relation to probation and pretrial services
2 fees.

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

5 Section 5. The Juvenile Court Act of 1987 is amended by
6 changing Sections 3-21, 3-24, 4-18, 4-21, and 5-305 as
7 follows:

8 (705 ILCS 405/3-21) (from Ch. 37, par. 803-21)

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

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

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

30 (4) When a hearing where a minor is alleged to be a
31 minor requiring authoritative intervention is continued

1 pursuant to this Section, the court may permit the minor to
2 remain in his home subject to such conditions concerning his
3 conduct and supervision as the court may require by order.

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

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

1 fund under Section 15.1 of the Probation and Probation
2 Officers Act.

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

4 (705 ILCS 405/3-24) (from Ch. 37, par. 803-24)

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

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

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

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

29 (4) In addition to any other order of disposition, the
30 court may order any person found to be a minor requiring
31 authoritative intervention under Section 3-3 to make
32 restitution, in monetary or non-monetary form, under the
33 terms and conditions of Section 5-5-6 of the Unified Code of

1 Corrections, except that the "presentence hearing" referred
2 to therein shall be the dispositional hearing for purposes of
3 this Section. The parent, guardian or legal custodian of
4 the minor may pay some or all of such restitution on the
5 minor's behalf.

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

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

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

1 Officers Act.

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

3 (705 ILCS 405/4-18) (from Ch. 37, par. 804-18)

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

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

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

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

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

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

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

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

29 (705 ILCS 405/4-21) (from Ch. 37, par. 804-21)

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

31 (1) A minor found to be addicted under Section 4-3 may
32 be (a) committed to the Department of Children and Family
33 Services, subject to Section 5 of the Children and Family

1 Services Act; (b) placed under supervision and released to
2 his or her parents, guardian or legal custodian; (c) placed
3 in accordance with Section 4-25 with or without also being
4 placed under supervision. Conditions of supervision may be
5 modified or terminated by the court if it deems that the best
6 interests of the minor and the public will be served thereby;
7 (d) required to attend an approved alcohol or drug abuse
8 treatment or counseling program on an inpatient or outpatient
9 basis instead of or in addition to the disposition otherwise
10 provided for in this paragraph; (e) ordered partially or
11 completely emancipated in accordance with the provisions of
12 the Emancipation of Mature Minors Act; or (f) subject to
13 having his or her driver's license or driving privilege
14 suspended for such time as determined by the Court but only
15 until he or she attains 18 years of age. No disposition
16 under this subsection shall provide for the minor's placement
17 in a secure facility.

18 (2) Any order of disposition may provide for protective
19 supervision under Section 4-22 and may include an order of
20 protection under Section 4-23.

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

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

1 (5) Any order for disposition where the minor is placed
2 in accordance with Section 4-25 shall provide for the parents
3 or guardian of the estate of such minor to pay to the legal
4 custodian or guardian of the person of the minor such sums as
5 are determined by the custodian or guardian of the person of
6 the minor as necessary for the minor's needs. Such payments
7 may not exceed the maximum amounts provided for by Section
8 9.1 of the Children and Family Services Act.

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

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

30 (Source: P.A. 89-202, eff. 7-21-95; 89-235, eff. 8-4-95;
31 89-626, eff. 8-9-96; 90-590, eff. 1-1-99.)

32 (705 ILCS 405/5-305)

33 Sec. 5-305. Probation adjustment.

1 (1) The court may authorize the probation officer to
2 confer in a preliminary conference with a minor who is
3 alleged to have committed an offense, his or her parent,
4 guardian or legal custodian, the victim, the juvenile police
5 officer, the State's Attorney, and other interested persons
6 concerning the advisability of filing a petition under
7 Section 5-520, with a view to adjusting suitable cases
8 without the filing of a petition as provided for in this
9 Article, the probation officer should schedule a conference
10 promptly except when the State's Attorney insists on court
11 action or when the minor has indicated that he or she will
12 demand a judicial hearing and will not comply with a
13 probation adjustment.

14 (1-b) In any case of a minor who is in custody, the
15 holding of a probation adjustment conference does not operate
16 to prolong temporary custody beyond the period permitted by
17 Section 5-415.

18 (2) This Section does not authorize any probation
19 officer to compel any person to appear at any conference,
20 produce any papers, or visit any place.

21 (3) No statement made during a preliminary conference in
22 regard to the offense that is the subject of the conference
23 may be admitted into evidence at an adjudicatory hearing or
24 at any proceeding against the minor under the criminal laws
25 of this State prior to his or her conviction under those
26 laws.

27 (4) When a probation adjustment is appropriate, the
28 probation officer shall promptly formulate a written,
29 non-judicial adjustment plan following the initial
30 conference.

31 (5) Non-judicial probation adjustment plans include but
32 are not limited to the following:

33 (a) up to 6 months informal supervision within the
34 family;

1 (b) up to 12 months informal supervision with a
2 probation officer involved which may include any
3 conditions of probation provided in Section 5-715;

4 (c) up to 6 months informal supervision with
5 release to a person other than a parent;

6 (d) referral to special educational, counseling, or
7 other rehabilitative social or educational programs;

8 (e) referral to residential treatment programs;

9 (f) participation in a public or community service
10 program or activity; and

11 (g) any other appropriate action with the consent
12 of the minor and a parent.

13 (6) The factors to be considered by the probation
14 officer in formulating a non-judicial probation adjustment
15 plan shall be the same as those limited in subsection (4) of
16 Section 5-405.

17 (7) Beginning January 1, 2000, the probation officer
18 who imposes a probation adjustment plan shall assure that
19 information about an offense which would constitute a felony
20 if committed by an adult, and may assure that information
21 about a misdemeanor offense, is transmitted to the Department
22 of State Police.

23 (Source: P.A. 90-590, eff. 1-1-99.)

24 Section 10. The Code of Criminal Procedure of 1963 is
25 amended by changing Section 110-10 as follows:

26 (725 ILCS 5/110-10) (from Ch. 38, par. 110-10)

27 Sec. 110-10. Conditions of bail bond.

28 (a) If a person is released prior to conviction, either
29 upon payment of bail security or on his or her own
30 recognizance, the conditions of the bail bond shall be that
31 he or she will:

32 (1) Appear to answer the charge in the court having

1 jurisdiction on a day certain and thereafter as ordered
2 by the court until discharged or final order of the
3 court;

4 (2) Submit himself or herself to the orders and
5 process of the court;

6 (3) Not depart this State without leave of the
7 court;

8 (4) Not violate any criminal statute of any
9 jurisdiction;

10 (5) At a time and place designated by the court,
11 surrender all firearms in his or her possession to a law
12 enforcement officer designated by the court to take
13 custody of and impound the firearms when the offense the
14 person has been charged with is a forcible felony,
15 stalking, aggravated stalking, domestic battery, any
16 violation of either the Illinois Controlled Substances
17 Act or the Cannabis Control Act that is classified as a
18 Class 2 or greater felony, or any felony violation of
19 Article 24 of the Criminal Code of 1961; the court may,
20 however, forgo the imposition of this condition when the
21 circumstances of the case clearly do not warrant it or
22 when its imposition would be impractical; all legally
23 possessed firearms shall be returned to the person upon
24 that person completing a sentence for a conviction on a
25 misdemeanor domestic battery, upon the charges being
26 dismissed, or if the person is found not guilty, unless
27 the finding of not guilty is by reason of insanity; and

28 (6) At a time and place designated by the court,
29 submit to a psychological evaluation when the person has
30 been charged with a violation of item (4) of subsection
31 (a) of Section 24-1 of the Criminal Code of 1961 and that
32 violation occurred in a school or in any conveyance
33 owned, leased, or contracted by a school to transport
34 students to or from school or a school-related activity,

1 or on any public way within 1,000 feet of real property
2 comprising any school.

3 Psychological evaluations ordered pursuant to this
4 Section shall be completed promptly and made available to the
5 State, the defendant, and the court. As a further condition
6 of bail under these circumstances, the court shall order the
7 defendant to refrain from entering upon the property of the
8 school, including any conveyance owned, leased, or contracted
9 by a school to transport students to or from school or a
10 school-related activity, or on any public way within 1,000
11 feet of real property comprising any school. Upon receipt of
12 the psychological evaluation, either the State or the
13 defendant may request a change in the conditions of bail,
14 pursuant to Section 110-6 of this Code. The court may change
15 the conditions of bail to include a requirement that the
16 defendant follow the recommendations of the psychological
17 evaluation, including undergoing psychiatric treatment. The
18 conclusions of the psychological evaluation and any
19 statements elicited from the defendant during its
20 administration are not admissible as evidence of guilt during
21 the course of any trial on the charged offense, unless the
22 defendant places his or her mental competency in issue.

23 (b) The court may impose other conditions, such as the
24 following, if the court finds that such conditions are
25 reasonably necessary to assure the defendant's appearance in
26 court, protect the public from the defendant, or prevent the
27 defendant's unlawful interference with the orderly
28 administration of justice:

29 (1) Report to or appear in person before such
30 person or agency as the court may direct;

31 (2) Refrain from possessing a firearm or other
32 dangerous weapon;

33 (3) Refrain from approaching or communicating with
34 particular persons or classes of persons;

- 1 (4) Refrain from going to certain described
- 2 geographical areas or premises;
- 3 (5) Refrain from engaging in certain activities or
- 4 indulging in intoxicating liquors or in certain drugs;
- 5 (6) Undergo treatment for drug addiction or
- 6 alcoholism;
- 7 (7) Undergo medical or psychiatric treatment;
- 8 (8) Work or pursue a course of study or vocational
- 9 training;
- 10 (9) Attend or reside in a facility designated by
- 11 the court;
- 12 (10) Support his or her dependents;
- 13 (11) If a minor resides with his or her parents or
- 14 in a foster home, attend school, attend a non-residential
- 15 program for youths, and contribute to his or her own
- 16 support at home or in a foster home;
- 17 (12) Observe any curfew ordered by the court;
- 18 (13) Remain in the custody of such designated
- 19 person or organization agreeing to supervise his release.
- 20 Such third party custodian shall be responsible for
- 21 notifying the court if the defendant fails to observe the
- 22 conditions of release which the custodian has agreed to
- 23 monitor, and shall be subject to contempt of court for
- 24 failure so to notify the court;
- 25 (14) Be placed under direct supervision of the
- 26 Pretrial Services Agency, Probation Department or Court
- 27 Services Department in a pretrial bond home supervision
- 28 capacity with or without the use of an approved
- 29 electronic monitoring device subject to Article 8A of
- 30 Chapter V of the Unified Code of Corrections;
- 31 (14.1) The court shall impose upon a defendant who
- 32 is charged with any alcohol, cannabis or controlled
- 33 substance violation and is placed under direct
- 34 supervision of the Pretrial Services Agency, Probation

1 Department or Court Services Department in a pretrial
 2 bond home supervision capacity with the use of an
 3 approved monitoring device, as a condition of such bail
 4 bond, a fee that represents costs incidental to the
 5 electronic monitoring for each day of such bail
 6 supervision ordered by the court, unless after
 7 determining the inability of the defendant to pay the
 8 fee, the court assesses a lesser fee or no fee as the
 9 case may be. The fee shall be collected by the clerk of
 10 the circuit court. The clerk of the circuit court shall
 11 pay all monies collected from this fee to the county
 12 treasurer for deposit in the substance abuse services
 13 fund under Section 5-1086.1 of the Counties Code;

14 (14.2) The court shall impose upon all defendants,
 15 including those defendants subject to paragraph (14.1)
 16 above, placed under direct supervision of the Pretrial
 17 Services Agency, Probation Department or Court Services
 18 Department in a pretrial bond home supervision capacity
 19 with the use of an approved monitoring device, as a
 20 condition of such bail bond, a fee which shall represent
 21 costs incidental to such electronic monitoring for each
 22 day of such bail supervision ordered by the court, unless
 23 after determining the inability of the defendant to pay
 24 the fee, the court assesses a lesser fee or no fee as the
 25 case may be. The fee shall be collected by the clerk of
 26 the circuit court. The clerk of the circuit court shall
 27 pay all monies collected from this fee to the county
 28 treasurer who shall use the monies collected to defray
 29 the costs of corrections. The county treasurer shall
 30 deposit the fee collected in the county working cash fund
 31 under Section 6-27001 or Section 6-29002 of the Counties
 32 Code, as the case may be;

33 (14.3) The Chief Judge of the Judicial Circuit may
 34 establish reasonable fees to be paid by a person

1 receiving pretrial services while under supervision of a
 2 pretrial services agency, probation department, or court
 3 services department. Reasonable fees may be charged for
 4 pretrial services including, but not limited to, pretrial
 5 supervision, diversion programs, electronic monitoring,
 6 victim impact services, drug and alcohol testing, and
 7 victim mediation services. The person receiving pretrial
 8 services may be ordered to pay all costs incidental to
 9 pretrial services in accordance with his or her ability
 10 to pay those costs;

11 (15) Comply with the terms and conditions of an
 12 order of protection issued by the court under the
 13 Illinois Domestic Violence Act of 1986 or an order of
 14 protection issued by the court of another state, tribe,
 15 or United States territory;

16 (16) Under Section 110-6.5 comply with the
 17 conditions of the drug testing program; and

18 (17) Such other reasonable conditions as the court
 19 may impose.

20 (c) When a person is charged with an offense under
 21 Section 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the
 22 "Criminal Code of 1961", involving a victim who is a minor
 23 under 18 years of age living in the same household with the
 24 defendant at the time of the offense, in granting bail or
 25 releasing the defendant on his own recognizance, the judge
 26 shall impose conditions to restrict the defendant's access to
 27 the victim which may include, but are not limited to
 28 conditions that he will:

- 29 1. Vacate the Household.
- 30 2. Make payment of temporary support to his
- 31 dependents.
- 32 3. Refrain from contact or communication with the
- 33 child victim, except as ordered by the court.

34 (d) When a person is charged with a criminal offense and

1 the victim is a family or household member as defined in
2 Article 112A, conditions shall be imposed at the time of the
3 defendant's release on bond that restrict the defendant's
4 access to the victim. Unless provided otherwise by the court,
5 the restrictions shall include requirements that the
6 defendant do the following:

7 (1) refrain from contact or communication with the
8 victim for a minimum period of 72 hours following the
9 defendant's release; and

10 (2) refrain from entering or remaining at the
11 victim's residence for a minimum period of 72 hours
12 following the defendant's release.

13 (e) Local law enforcement agencies shall develop
14 standardized bond forms for use in cases involving family or
15 household members as defined in Article 112A, including
16 specific conditions of bond as provided in subsection (d).
17 Failure of any law enforcement department to develop or use
18 those forms shall in no way limit the applicability and
19 enforcement of subsections (d) and (f).

20 (f) If the defendant is admitted to bail after
21 conviction the conditions of the bail bond shall be that he
22 will, in addition to the conditions set forth in subsections
23 (a) and (b) hereof:

24 (1) Duly prosecute his appeal;

25 (2) Appear at such time and place as the court may
26 direct;

27 (3) Not depart this State without leave of the
28 court;

29 (4) Comply with such other reasonable conditions as
30 the court may impose; and,

31 (5) If the judgment is affirmed or the cause
32 reversed and remanded for a new trial, forthwith
33 surrender to the officer from whose custody he was
34 bailed.

1 (Source: P.A. 90-399, eff. 1-1-98; 91-11, eff. 6-4-99;
2 91-312, eff. 1-1-00; 91-696, eff. 4-13-00; 91-903, eff.
3 1-1-01.)

4 Section 15. The Probation and Probation Officers Act is
5 amended by changing Section 15.1 as follows:

6 (730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

7 Sec. 15.1. Probation and Court Services Fund.

8 (a) The county treasurer in each county shall establish
9 a probation and court services fund consisting of fees
10 collected pursuant to subsection (i) of Section 5-6-3 and
11 subsection (i) of Section 5-6-3.1 of the Unified Code of
12 Corrections, and subsection (10) of Section 5-615 and
13 subsection (5) of Section 5-715 of the Juvenile Court Act of
14 1987, and paragraph 14.3 of subsection (b) of Section 110-10
15 of the Code of Criminal Procedure of 1963. The county
16 treasurer shall disburse monies from the fund only at the
17 direction of the chief judge of the circuit court in such
18 circuit where the county is located. The county treasurer of
19 each county shall, on or before January 10 of each year,
20 submit an annual report to the Supreme Court.

21 (b) Monies in the probation and court services fund
22 shall be appropriated by the county board to be used within
23 the county or jurisdiction where collected in accordance with
24 policies and guidelines approved by the Supreme Court for the
25 costs of operating the probation and court services
26 department or departments; however, monies in the probation
27 and court services fund shall not be used for the payment of
28 salaries of probation and court services personnel.

29 (c) Monies expended from the probation and court
30 services fund shall be used to supplement, not supplant,
31 county appropriations for probation and court services.

32 (d) Interest earned on monies deposited in a probation

1 and court services fund may be used by the county for its
2 ordinary and contingent expenditures.

3 (e) The county board may appropriate moneys from the
4 probation and court services fund, upon the direction of the
5 chief judge, to support programs that are part of the
6 continuum of juvenile delinquency intervention programs which
7 are or may be developed within the county. The grants from
8 the probation and court services fund shall be for no more
9 than one year and may be used for any expenses attributable
10 to the program including administration and oversight of the
11 program by the probation department.

12 (Source: P.A. 89-198, eff. 7-21-95; 90-590, eff. 1-1-99.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.