



Sen. Patricia Van Pelt

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1 AMENDMENT TO SENATE BILL 545

2 AMENDMENT NO. _____. Amend Senate Bill 545 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Juvenile Court Act of 1987 is amended by
5 adding Section 5-175 as follows:

6 (705 ILCS 405/5-175 new)

7 Sec. 5-175. Justice for Juveniles Program.

8 (a) The General Assembly recognizes the complex legal
9 challenges faced by juveniles who are arrested for serious
10 offenses. The statements and decisions made by juveniles while
11 detained have consequences which will shape areas of their
12 lives that the juveniles have yet to experience. The General
13 Assembly further acknowledges that the juvenile brain has not
14 completely developed, which may hinder understanding of legal
15 rights without the assistance of legal counsel.

16 (b) In this Section:

1 "Eligible offense" means an offense that if committed
2 by an adult would be a violation of Section 9-1, 9-1.2,
3 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 11-1.20, 11-1.30, 11-1.40,
4 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
5 the Criminal Code of 1961 or the Criminal Code of 2012.

6 "Juvenile" means a minor who was under the age of 18
7 years of age at the time of the commission of the eligible
8 offense.

9 (c) The Chief Judge of each judicial circuit may establish
10 a Justice for Juveniles Program, which would require that
11 juveniles arrested or detained for eligible offenses be
12 represented by legal counsel throughout the entire custodial
13 interrogation of the juvenile. If a Chief Judge establishes a
14 Justice for Juveniles Program, any oral, written, or sign
15 language statement of a juvenile made without the presence of
16 legal counsel during a custodial interrogation on or after the
17 effective date of the Program shall be inadmissible as evidence
18 against the juvenile in a proceeding under this Act or in a
19 proceeding under the Criminal Code of 1961 or the Criminal Code
20 of 2012.

21 (d) The Justice for Juveniles Program established in
22 subsection (c) of this Section shall be implemented in addition
23 to the representation by counsel requirements of Section 5-170
24 of this Act."