

HB5041



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5041

Introduced 1/27/2022, by Rep. Dave Severin

SYNOPSIS AS INTRODUCED:

705 ILCS 405/6-1

from Ch. 37, par. 806-1

Amends the Administration of Juvenile Services Article of the Juvenile Court Act of 1987. Requires the Administrative Office of the Illinois Courts to adopt rules to permit the hiring of personnel at a county juvenile detention center that possess less than a bachelor's degree. Effective immediately.

LRB102 25179 LNS 34443 b

A BILL FOR

1 AN ACT concerning courts.

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 Section 6-1 as follows:

6 (705 ILCS 405/6-1) (from Ch. 37, par. 806-1)

7 Sec. 6-1. Probation departments; functions and duties.

8 (1) The chief judge of each circuit shall make provision
9 for probation services for each county in his or her circuit.
10 The appointment of officers to probation or court services
11 departments and the administration of such departments shall
12 be governed by the provisions of the Probation and Probation
13 Officers Act.

14 (2) Every county or every group of counties constituting a
15 probation district shall maintain a court services or
16 probation department subject to the provisions of the
17 Probation and Probation Officers Act. For the purposes of this
18 Act, such a court services or probation department has, but is
19 not limited to, the following powers and duties:

20 (a) When authorized or directed by the court, to
21 receive, investigate and evaluate complaints indicating
22 dependency, requirement of authoritative intervention,
23 addiction or delinquency within the meaning of Sections

1 2-3, 2-4, 3-3, 4-3, or 5-105, respectively; to determine
2 or assist the complainant in determining whether a
3 petition should be filed under Sections 2-13, 3-15, 4-12,
4 or 5-520 or whether referral should be made to an agency,
5 association or other person or whether some other action
6 is advisable; and to see that the indicating filing,
7 referral or other action is accomplished. However, no such
8 investigation, evaluation or supervision by such court
9 services or probation department is to occur with regard
10 to complaints indicating only that a minor may be a
11 chronic or habitual truant.

12 (a-1) To confer in a preliminary conference, with a
13 view to adjusting suitable cases without the filing of a
14 petition as provided for in Section 2-12 or Section 5-305.

15 (b) When a petition is filed under Section 2-13, 3-15,
16 4-15, or 5-520, to make pre-adjudicatory investigations
17 and formulate recommendations to the court when the court
18 has authorized or directed the department to do so.

19 (b-1) When authorized or directed by the court, and
20 with the consent of the party respondents and the State's
21 Attorney, to confer in a pre-adjudicatory conference, with
22 a view to adjusting suitable cases as provided for in
23 Section 2-12 or Section 5-305.

24 (c) To counsel and, by order of the court, to
25 supervise minors referred to the court; to conduct
26 indicated programs of casework, including referrals for

1 medical and mental health service, organized recreation
2 and job placement for wards of the court and, when
3 appropriate, for members of the family of a ward; to act as
4 liaison officer between the court and agencies or
5 associations to which minors are referred or through which
6 they are placed; when so appointed, to serve as guardian
7 of the person of a ward of the court; to provide probation
8 supervision and protective supervision ordered by the
9 court; and to provide like services to wards and
10 probationers of courts in other counties or jurisdictions
11 who have lawfully become local residents.

12 (d) To arrange for placements pursuant to court order.

13 (e) To assume administrative responsibility for such
14 detention, shelter care and other institutions for minors
15 as the court may operate.

16 (f) To maintain an adequate system of case records,
17 statistical records, and financial records related to
18 juvenile detention and shelter care and to make reports to
19 the court and other authorized persons, and to the Supreme
20 Court pursuant to the Probation and Probation Officers
21 Act.

22 (g) To perform such other services as may be
23 appropriate to effectuate the purposes of this Act or as
24 may be directed by any order of court made under this Act.

25 (3) The court services or probation department in any
26 probation district or county having less than 1,000,000

1 inhabitants, or any personnel of the department, may be
2 required by the circuit court to render services to the court
3 in other matters as well as proceedings under this Act.

4 (4) In any county or probation district, a probation
5 department may be established as a separate division of a more
6 inclusive department of court services, with any appropriate
7 divisional designation. The organization of any such
8 department of court services and the appointment of officers
9 and other personnel must comply with the Probation and
10 Probation Officers Act.

11 (5) For purposes of this Act only, probation officers
12 appointed to probation or court services departments shall be
13 considered peace officers. In the exercise of their official
14 duties, probation officers, sheriffs, and police officers may,
15 anywhere within the State, arrest any minor who is in
16 violation of any of the conditions of his or her probation,
17 continuance under supervision, or informal supervision, and it
18 shall be the duty of the officer making the arrest to take the
19 minor before the court having jurisdiction over the minor for
20 further action.

21 (6) Notwithstanding any other provision of law or rule,
22 the Administrative Office of the Illinois Courts shall adopt
23 rules to permit the hiring of personnel at a county juvenile
24 detention center that possess less than a bachelor's degree,
25 including, but not limited to, the hiring of an applicant that
26 possesses an associate's degree or has completed at least 60

1 credit hours at an accredited institution of higher education.

2 (Source: P.A. 101-81, eff. 7-12-19.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.