



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5572

Introduced 1/31/2022, by Rep. Kelly M. Burke

SYNOPSIS AS INTRODUCED:

20 ILCS 505/17a-9

from Ch. 23, par. 5017a-9

Amends the Children and Family Services Act. Requires the Illinois Juvenile Justice Commission to develop a plan to ensure adequate availability of alternatives to reduce the use of detention and prevent deeper justice system involvement for children. Requires the Commission to explore and document the availability of services and support for families with children ages 10 through 12 in contact with the State's juvenile justice system and to make recommendations to the Governor and General Assembly to address any gaps in services, support, and resources for these children and families. Requires the Commission, when developing the plan, to consider certain issues related to children and families in contact with the juvenile justice system, including, but not limited to: (i) strategies to eliminate racial disparities in the provision of community-based services and support to children and families in contact with the State's juvenile justice system; (ii) the creation of specially licensed foster homes and other placement resources to be available to children and families in need of out-of-home placement; (iii) child welfare responses to children and youth in contact with the juvenile justice system to eliminate systemic removal of abused or neglected children due to juvenile justice system involvement; and other matters. Requires the Commission to issue an initial report of its findings no later than January 1, 2023, and a final report with findings and recommendations no later than July 1, 2023. Requires the Commission to plan and report, no later than September 1, 2024, on the implementation of these same provisions for juveniles older than 12 year of age. Effective immediately.

LRB102 22390 KTG 31529 b

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended
5 by changing Section 17a-9 as follows:

6 (20 ILCS 505/17a-9) (from Ch. 23, par. 5017a-9)

7 Sec. 17a-9. Illinois Juvenile Justice Commission.

8 (a) There is hereby created the Illinois Juvenile Justice
9 Commission which shall consist of 25 persons appointed by the
10 Governor. The Chairperson of the Commission shall be appointed
11 by the Governor. Of the initial appointees, 8 shall serve a
12 one-year term, 8 shall serve a two-year term and 9 shall serve
13 a three-year term. Thereafter, each successor shall serve a
14 three-year term. Vacancies shall be filled in the same manner
15 as original appointments. Once appointed, members shall serve
16 until their successors are appointed and qualified. Members
17 shall serve without compensation, except they shall be
18 reimbursed for their actual expenses in the performance of
19 their duties. The Commission shall carry out the rights,
20 powers and duties established in subparagraph (3) of paragraph
21 (a) of Section 223 of the Federal "Juvenile Justice and
22 Delinquency Prevention Act of 1974", as now or hereafter
23 amended. The Commission shall determine the priorities for

1 expenditure of funds made available to the State by the
2 Federal Government pursuant to that Act. The Commission shall
3 have the following powers and duties:

4 (1) Development, review and final approval of the
5 State's juvenile justice plan for funds under the Federal
6 "Juvenile Justice and Delinquency Prevention Act of 1974";

7 (2) Review and approve or disapprove juvenile justice
8 and delinquency prevention grant applications to the
9 Department for federal funds under that Act;

10 (3) Annual submission of recommendations to the
11 Governor and the General Assembly concerning matters
12 relative to its function;

13 (4) Responsibility for the review of funds allocated
14 to Illinois under the "Juvenile Justice and Delinquency
15 Prevention Act of 1974" to ensure compliance with all
16 relevant federal laws and regulations;

17 (5) Function as the advisory committee for the State
18 Youth and Community Services Program as authorized under
19 Section 17 of this Act, and in that capacity be authorized
20 and empowered to assist and advise the Secretary of Human
21 Services on matters related to juvenile justice and
22 delinquency prevention programs and services; and

23 (6) Study the impact of, develop timelines, and
24 propose a funding structure to accommodate the expansion
25 of the jurisdiction of the Illinois Juvenile Court to
26 include youth age 17 under the jurisdiction of the

1 Juvenile Court Act of 1987. The Commission shall submit a
2 report by December 31, 2011 to the General Assembly with
3 recommendations on extending juvenile court jurisdiction
4 to youth age 17 charged with felony offenses.

5 (a-5) Alternatives for youth in detention study and plan.

6 (1) The Illinois Juvenile Justice Commission shall
7 develop a plan for implementation of the following
8 provisions in this paragraph to ensure adequate
9 availability of alternatives to reduce the use of
10 detention and prevent deeper justice system involvement.

11 The Commission shall utilize the input and guidance of
12 juvenile justice stakeholders, including, but not limited
13 to, detention superintendents and probation officers;
14 representatives from the Department of Children and Family
15 Services, the Department of Human Services and other
16 relevant State agencies; other child welfare and human
17 services stakeholders; youth and community advocates;
18 youth services providers; and others with relevant
19 experience, expertise, and insight.

20 (2) The Commission shall explore and document the
21 availability of services and supports for families with
22 children ages 10 through 12 in contact with the State's
23 juvenile justice system and shall make recommendations to
24 the Governor and General Assembly to address any gaps in
25 services, support, and resources for these children and
26 families. In developing this implementation plan, the

1 Commission shall consider the following issues related to
2 children and families in contact with the juvenile justice
3 system, as well as additional relevant issues as
4 identified:

5 (A) Strategies to eliminate racial disparities in
6 the provision of community-based services and support
7 to children and families in contact with the State's
8 juvenile justice system.

9 (B) The creation of specially licensed foster
10 homes and other placement resources to be available to
11 children and families in need of out-of-home
12 placement.

13 (C) Child welfare responses to children and youth
14 in contact with the juvenile justice system to
15 eliminate systemic removal of abused or neglected
16 children due to juvenile justice system involvement.

17 (D) Crisis responses and support available through
18 local family support providers and youth service
19 providers, including the Comprehensive Community Based
20 Youth Services network.

21 (E) Behavioral health responses available to
22 children, youth, and families through the Screening,
23 Assessment and Support Services (SASS) program and
24 other relevant programs, including immediate crisis
25 placement.

26 (F) Strategies for effective multi-disciplinary

1 planning in support of children and families in
2 contact with the juvenile justice system.

3 (G) Strategies to address the unique needs of
4 female juveniles and LGBTQ children and youth in
5 contact with the juvenile justice system.

6 (H) The challenges for rural communities and
7 counties in providing services and support to children
8 and families.

9 (I) Effective training, screening, and referral
10 mechanisms to ensure the availability and provision of
11 services and support to children and families in
12 contact with the juvenile justice system.

13 (J) Additional services and support available to
14 and needed by children and families in contact with
15 the juvenile justice system.

16 (3) The Commission shall issue an initial report of
17 its findings no later than January 1, 2023, and a final
18 report with findings and recommendations no later than
19 July 1, 2023.

20 The Commission shall continue to plan and report on
21 the implementation of these same provisions for juveniles
22 older than 12 year of age. The Commission shall make a
23 final report with respect to adequate alternatives for
24 juveniles older than 12 year of age no later than
25 September 1, 2024, and shall continue to monitor the
26 implementation of these reports and their findings.

1 (b) On the effective date of this amendatory Act of the
2 96th General Assembly, the Illinois Juvenile Jurisdiction Task
3 Force created by Public Act 95-1031 is abolished and its
4 duties are transferred to the Illinois Juvenile Justice
5 Commission as provided in paragraph (6) of subsection (a) of
6 this Section.

7 (Source: P.A. 96-1199, eff. 1-1-11.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.