

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 Children and Family Services Act is amended  
5 by changing Section 5e and by adding Section 6b-1 as follows:

6 (20 ILCS 505/5e)

7 Sec. 5e. Advocacy Office for Children and Families.

8 (a) The Department of Children and Family Services shall  
9 establish and maintain an Advocacy Office for Children and  
10 Families that shall, in addition to other duties assigned by  
11 the Director, receive and respond to complaints that may be  
12 filed by children, parents, caretakers, and relatives of  
13 children receiving child welfare services from the Department  
14 of Children and Family Services or its agents. The Department  
15 shall promulgate policies and procedures for filing,  
16 processing, investigating, and resolving the complaints. The  
17 Department shall make a final report to the complainant of its  
18 findings. If a final report is not completed, the Department  
19 shall report on its disposition every 30 days.

20 (b) If a youth in care, current foster parent or  
21 caregiver, or caseworker requests the information, the  
22 Advocacy Office shall make available the name, electronic mail  
23 address, and telephone number for each youth's court-appointed

1 guardian ad litem and, if applicable, the guardian ad litem's  
2 supervisor.

3 (c) The Advocacy Office shall include a statewide  
4 toll-free telephone number and an electronic mail address that  
5 may be used to file complaints, ~~or~~ to obtain information about  
6 the delivery of child welfare services by the Department or  
7 its agents, and to obtain the contact information for the  
8 guardian ad litem. This telephone number and electronic mail  
9 address shall be included in all appropriate notices and  
10 handbooks regarding services available through the Department.

11 (d) The Department shall provide a flyer to all youth  
12 entering care describing the responsibilities of the Advocacy  
13 Office listed in this Section, the toll-free telephone number  
14 and electronic mailing address for the Advocacy Office, and a  
15 description of the role of a guardian ad litem. The Department  
16 shall also provide this flyer to youth at every administrative  
17 case review.

18 (Source: P.A. 92-334, eff. 8-10-01; 92-651, eff. 7-11-02.)

19 (20 ILCS 505/6b-1 new)

20 Sec. 6b-1. Maintaining and tracking information on  
21 guardians ad litem. The Department must maintain the name,  
22 electronic mail address, and telephone number for each youth  
23 in care's court-appointed guardian ad litem and, if  
24 applicable, the guardian ad litem's supervisor. The Department  
25 must update this contact information within 5 days of

1 receiving notice of a change. The Advocacy Office for Children  
2 and Families, established pursuant to Section 5e, must make  
3 this contact information available to the youth in care,  
4 current foster parent or caregiver, or caseworker, if  
5 requested. By December 31, 2021, the Department shall adopt  
6 rules for maintaining and providing this information.

7 Section 10. The Juvenile Court Act of 1987 is amended by  
8 changing Section 2-17 as follows:

9 (705 ILCS 405/2-17) (from Ch. 37, par. 802-17)

10 Sec. 2-17. Guardian ad litem.

11 (1) Immediately upon the filing of a petition alleging  
12 that the minor is a person described in Sections 2-3 or 2-4 of  
13 this Article, the court shall appoint a guardian ad litem for  
14 the minor if:

15 (a) such petition alleges that the minor is an abused  
16 or neglected child; or

17 (b) such petition alleges that charges alleging the  
18 commission of any of the sex offenses defined in Article  
19 11 or in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,  
20 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012, have  
22 been filed against a defendant in any court and that such  
23 minor is the alleged victim of the acts of defendant in the  
24 commission of such offense.

1 Unless the guardian ad litem appointed pursuant to this  
2 paragraph (1) is an attorney at law, he or she shall be  
3 represented in the performance of his or her duties by  
4 counsel. The guardian ad litem shall represent the best  
5 interests of the minor and shall present recommendations to  
6 the court consistent with that duty.

7 (2) Before proceeding with the hearing, the court shall  
8 appoint a guardian ad litem for the minor if:

9 (a) no parent, guardian, custodian or relative of the  
10 minor appears at the first or any subsequent hearing of  
11 the case;

12 (b) the petition prays for the appointment of a  
13 guardian with power to consent to adoption; or

14 (c) the petition for which the minor is before the  
15 court resulted from a report made pursuant to the Abused  
16 and Neglected Child Reporting Act.

17 (3) The court may appoint a guardian ad litem for the minor  
18 whenever it finds that there may be a conflict of interest  
19 between the minor and his parents or other custodian or that it  
20 is otherwise in the minor's best interest to do so.

21 (4) Unless the guardian ad litem is an attorney, he or she  
22 shall be represented by counsel.

23 (4.5) Pursuant to Section 6b-1 of the Children and Family  
24 Services Act, the Department of Children and Family Services  
25 must maintain the name, electronic mail address, and telephone  
26 number for each minor's court-appointed guardian ad litem and,

1 if applicable, the guardian ad litem's supervisor. The  
2 Department of Children and Family Services must update this  
3 contact information within 5 days of receiving notice of a  
4 change. The Advocacy Office for Children and Families,  
5 established pursuant to Section 5e of the Children and Family  
6 Services Act, must make this contact information available to  
7 the minor, current foster parent or caregiver, or caseworker,  
8 if requested.

9 (5) The reasonable fees of a guardian ad litem appointed  
10 under this Section shall be fixed by the court and charged to  
11 the parents of the minor, to the extent they are able to pay.  
12 If the parents are unable to pay those fees, they shall be paid  
13 from the general fund of the county.

14 (6) A guardian ad litem appointed under this Section,  
15 shall receive copies of any and all classified reports of  
16 child abuse and neglect made under the Abused and Neglected  
17 Child Reporting Act in which the minor who is the subject of a  
18 report under the Abused and Neglected Child Reporting Act, is  
19 also the minor for whom the guardian ad litem is appointed  
20 under this Section.

21 (6.5) A guardian ad litem appointed under this Section or  
22 attorney appointed under this Act shall receive a copy of each  
23 significant event report that involves the minor no later than  
24 3 days after the Department learns of an event requiring a  
25 significant event report to be written, or earlier as required  
26 by Department rule.

1           (7) The appointed guardian ad litem shall remain the  
2 minor's ~~child's~~ guardian ad litem throughout the entire  
3 juvenile trial court proceedings, including permanency  
4 hearings and termination of parental rights proceedings,  
5 unless there is a substitution entered by order of the court.

6           (8) The guardian ad litem or an agent of the guardian ad  
7 litem shall have a minimum of one in-person contact with the  
8 minor and one contact with one of the current foster parents or  
9 caregivers prior to the adjudicatory hearing, and at least one  
10 additional in-person contact with the child and one contact  
11 with one of the current foster parents or caregivers after the  
12 adjudicatory hearing but prior to the first permanency hearing  
13 and one additional in-person contact with the child and one  
14 contact with one of the current foster parents or caregivers  
15 each subsequent year. For good cause shown, the judge may  
16 excuse face-to-face interviews required in this subsection.

17           (9) In counties with a population of 100,000 or more but  
18 less than 3,000,000, each guardian ad litem must successfully  
19 complete a training program approved by the Department of  
20 Children and Family Services. The Department of Children and  
21 Family Services shall provide training materials and documents  
22 to guardians ad litem who are not mandated to attend the  
23 training program. The Department of Children and Family  
24 Services shall develop and distribute to all guardians ad  
25 litem a bibliography containing information including but not  
26 limited to the juvenile court process, termination of parental

1 rights, child development, medical aspects of child abuse, and  
2 the child's need for safety and permanence.

3 (Source: P.A. 100-689, eff. 1-1-19; 101-81, eff. 7-12-19.)

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