



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Patrick Welch

**SYNOPSIS AS INTRODUCED:**

705 ILCS 405/2-14

from Ch. 37, par. 802-14

Amends the Juvenile Court Act of 1987. Provides that the time limits for commencing an adjudicatory hearing in abuse, neglect, or dependency cases may not be waived. Present law permits the time limits to be waived only by consent of all parties and approval by the court. Effective immediately.

LRB093 16630 RLC 42280 b

1 AN ACT concerning minors.

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 2-14 as follows:

6 (705 ILCS 405/2-14) (from Ch. 37, par. 802-14)

7 Sec. 2-14. Date for Adjudicatory Hearing.

8 (a) Purpose and policy. The legislature recognizes that  
9 serious delay in the adjudication of abuse, neglect, or  
10 dependency cases can cause grave harm to the minor and the  
11 family and that it frustrates the health, safety and best  
12 interests of the minor and the effort to establish permanent  
13 homes for children in need. The purpose of this Section is to  
14 insure that, consistent with the federal Adoption Assistance  
15 and Child Welfare Act of 1980, Public Law 96-272, as amended,  
16 and the intent of this Act, the State of Illinois will act in a  
17 just and speedy manner to determine the best interests of the  
18 minor, including providing for the safety of the minor,  
19 identifying families in need, reunifying families where the  
20 minor can be cared for at home without endangering the minor's  
21 health or safety and it is in the best interests of the minor,  
22 and, if reunification is not consistent with the health, safety  
23 and best interests of the minor, finding another permanent home  
24 for the minor.

25 (b) When a petition is filed alleging that the minor is  
26 abused, neglected or dependent, an adjudicatory hearing shall  
27 be commenced within 90 days of the date of service of process  
28 upon the minor, parents, any guardian and any legal custodian,  
29 unless an earlier date is required pursuant to Section 2-13.1.  
30 Once commenced, subsequent delay in the proceedings may be  
31 allowed by the court when necessary to ensure a fair hearing.

32 (c) Upon written motion of a party filed no later than 10

1 days prior to hearing, or upon the court's own motion and only  
2 for good cause shown, the Court may continue the hearing for a  
3 period not to exceed 30 days, and only if the continuance is  
4 consistent with the health, safety and best interests of the  
5 minor. When the court grants a continuance, it shall enter  
6 specific factual findings to support its order, including  
7 factual findings supporting the court's determination that the  
8 continuance is in the best interests of the minor. Only one  
9 such continuance shall be granted. A period of continuance for  
10 good cause as described in this Section shall temporarily  
11 suspend as to all parties, for the time of the delay, the  
12 period within which a hearing must be held. On the day of the  
13 expiration of the delay, the period shall continue at the point  
14 at which it was suspended.

15 The term "good cause" as applied in this Section shall be  
16 strictly construed and be in accordance with Supreme Court Rule  
17 231 (a) through (f). Neither stipulation by counsel nor the  
18 convenience of any party constitutes good cause. If the  
19 adjudicatory hearing is not heard within the time limits  
20 required by subsection (b) or (c) of this Section, upon motion  
21 by any party the petition shall be dismissed without prejudice.

22 (d) The time limits of this Section may not be waived ~~only~~  
23 ~~by consent of all parties and approval by the court.~~

24 (e) For all cases filed before July 1, 1991, an  
25 adjudicatory hearing must be held within 180 days of July 1,  
26 1991.

27 (Source: P.A. 92-822, eff. 8-21-02.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.