

HB2563



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2563

by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

705 ILCS 405/5-101
710 ILCS 35/1

Amends the Juvenile Court Act of 1987. Makes a technical change in a Section concerning the purpose and policy of the Delinquent Minors Article. Amends the Uniform Mediation Act. Makes a technical change in a Section concerning the short title.

LRB099 05756 RLC 25800 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 5-101 as follows:

6 (705 ILCS 405/5-101)

7 Sec. 5-101. Purpose and policy.

8 (1) It is the ~~the~~ intent of the General Assembly to promote
9 a juvenile justice system capable of dealing with the problem
10 of juvenile delinquency, a system that will protect the
11 community, impose accountability for violations of law and
12 equip juvenile offenders with competencies to live responsibly
13 and productively. To effectuate this intent, the General
14 Assembly declares the following to be important purposes of
15 this Article:

16 (a) To protect citizens from juvenile crime.

17 (b) To hold each juvenile offender directly
18 accountable for his or her acts.

19 (c) To provide an individualized assessment of each
20 alleged and adjudicated delinquent juvenile, in order to
21 rehabilitate and to prevent further delinquent behavior
22 through the development of competency in the juvenile
23 offender. As used in this Section, "competency" means the

1 development of educational, vocational, social, emotional
2 and basic life skills which enable a minor to mature into a
3 productive member of society.

4 (d) To provide due process, as required by the
5 Constitutions of the United States and the State of
6 Illinois, through which each juvenile offender and all
7 other interested parties are assured fair hearings at which
8 legal rights are recognized and enforced.

9 (2) To accomplish these goals, juvenile justice policies
10 developed pursuant to this Article shall be designed to:

11 (a) Promote the development and implementation of
12 community-based programs designed to prevent unlawful and
13 delinquent behavior and to effectively minimize the depth
14 and duration of the minor's involvement in the juvenile
15 justice system;

16 (b) Provide secure confinement for minors who present a
17 danger to the community and make those minors understand
18 that sanctions for serious crimes, particularly violent
19 felonies, should be commensurate with the seriousness of
20 the offense and merit strong punishment;

21 (c) Protect the community from crimes committed by
22 minors;

23 (d) Provide programs and services that are
24 community-based and that are in close proximity to the
25 minor's home;

26 (e) Allow minors to reside within their homes whenever

1 possible and appropriate and provide support necessary to
2 make this possible;

3 (f) Base probation treatment planning upon individual
4 case management plans;

5 (g) Include the minor's family in the case management
6 plan;

7 (h) Provide supervision and service coordination where
8 appropriate; implement and monitor the case management
9 plan in order to discourage recidivism;

10 (i) Provide post-release services to minors who are
11 returned to their families and communities after
12 detention;

13 (j) Hold minors accountable for their unlawful
14 behavior and not allow minors to think that their
15 delinquent acts have no consequence for themselves and
16 others.

17 (3) In all procedures under this Article, minors shall have
18 all the procedural rights of adults in criminal proceedings,
19 unless specifically precluded by laws that enhance the
20 protection of such minors. Minors shall not have the right to a
21 jury trial unless specifically provided by this Article.

22 (Source: P.A. 90-590, eff. 1-1-99.)

23 Section 10. The Uniform Mediation Act is amended by
24 changing Section 1 as follows:

1 (710 ILCS 35/1)

2 Sec. 1. Title. This Act may be cited as the ~~the~~ Uniform
3 Mediation Act.

4 (Source: P.A. 93-399, eff. 1-1-04.)