

1 (3) "Agency" means a public or private child care
2 facility legally authorized or licensed by this State for
3 placement or institutional care or for both placement and
4 institutional care.

5 (4) "Association" means any organization, public or
6 private, engaged in welfare functions which include services
7 to or on behalf of children but does not include "agency" as
8 herein defined.

9 (4.05) Whenever a "best interest" determination is
10 required, the following factors shall be considered in the
11 context of the child's age and developmental needs:

12 (a) the physical safety and welfare of the child,
13 including food, shelter, health, and clothing;

14 (b) the development of the child's identity;

15 (c) the child's background and ties, including familial,
16 cultural, and religious;

17 (d) the child's sense of attachments, including:

18 (i) where the child actually feels love,
19 attachment, and a sense of being valued (as opposed to
20 where adults believe the child should feel such love,
21 attachment, and a sense of being valued);

22 (ii) the child's sense of security;

23 (iii) the child's sense of familiarity;

24 (iv) continuity of affection for the child;

25 (v) the least disruptive placement alternative for
26 the child;

27 (e) the child's wishes and long-term goals;

28 (f) the child's community ties, including church,
29 school, and friends;

30 (g) the child's need for permanence which includes the
31 child's need for stability and continuity of relationships
32 with parent figures and with siblings and other relatives;

33 (g-5) the child's need to be adopted by a married
34 couple;

1 (h) the uniqueness of every family and child;

2 (i) the risks attendant to entering and being in
3 substitute care; and

4 (j) the preferences of the persons available to care for
5 the child.

6 (4.1) "Chronic truant" shall have the definition
7 ascribed to it in Section 26-2a of the School Code.

8 (5) "Court" means the circuit court in a session or
9 division assigned to hear proceedings under this Act.

10 (6) "Dispositional hearing" means a hearing to determine
11 whether a minor should be adjudged to be a ward of the court,
12 and to determine what order of disposition should be made in
13 respect to a minor adjudged to be a ward of the court.

14 (7) "Emancipated minor" means any minor 16 years of age
15 or over who has been completely or partially emancipated
16 under the "Emancipation of Mature Minors Act", enacted by the
17 Eighty-First General Assembly, or under this Act.

18 (8) "Guardianship of the person" of a minor means the
19 duty and authority to act in the best interests of the minor,
20 subject to residual parental rights and responsibilities, to
21 make important decisions in matters having a permanent effect
22 on the life and development of the minor and to be concerned
23 with his or her general welfare. It includes but is not
24 necessarily limited to:

25 (a) the authority to consent to marriage, to
26 enlistment in the armed forces of the United States, or
27 to a major medical, psychiatric, and surgical treatment;
28 to represent the minor in legal actions; and to make
29 other decisions of substantial legal significance
30 concerning the minor;

31 (b) the authority and duty of reasonable
32 visitation, except to the extent that these have been
33 limited in the best interests of the minor by court
34 order;

1 (c) the rights and responsibilities of legal
2 custody except where legal custody has been vested in
3 another person or agency; and

4 (d) the power to consent to the adoption of the
5 minor, but only if expressly conferred on the guardian in
6 accordance with Section 2-29, 3-30, or 4-27.

7 (9) "Legal custody" means the relationship created by an
8 order of court in the best interests of the minor which
9 imposes on the custodian the responsibility of physical
10 possession of a minor and the duty to protect, train and
11 discipline him and to provide him with food, shelter,
12 education and ordinary medical care, except as these are
13 limited by residual parental rights and responsibilities and
14 the rights and responsibilities of the guardian of the
15 person, if any.

16 (10) "Minor" means a person under the age of 21 years
17 subject to this Act.

18 (11) "Parent" means the father or mother of a child and
19 includes any adoptive parent. It also includes a man (i)
20 whose paternity is presumed or has been established under the
21 law of this or another jurisdiction or (ii) who has
22 registered with the Putative Father Registry in accordance
23 with Section 12.1 of the Adoption Act and whose paternity has
24 not been ruled out under the law of this or another
25 jurisdiction. It does not include a parent whose rights in
26 respect to the minor have been terminated in any manner
27 provided by law.

28 (11.1) "Permanency goal" means a goal set by the court
29 as defined in subdivision (2) of Section 2-28.

30 (11.2) "Permanency hearing" means a hearing to set the
31 permanency goal and to review and determine (i) the
32 appropriateness of the services contained in the plan and
33 whether those services have been provided, (ii) whether
34 reasonable efforts have been made by all the parties to the

1 service plan to achieve the goal, and (iii) whether the plan
2 and goal have been achieved.

3 (12) "Petition" means the petition provided for in
4 Section 2-13, 3-15, 4-12 or 5-520, including any supplemental
5 petitions thereunder in Section 3-15, 4-12 or 5-520.

6 (13) "Residual parental rights and responsibilities"
7 means those rights and responsibilities remaining with the
8 parent after the transfer of legal custody or guardianship of
9 the person, including, but not necessarily limited to, the
10 right to reasonable visitation (which may be limited by the
11 court in the best interests of the minor as provided in
12 subsection (8)(b) of this Section), the right to consent to
13 adoption, the right to determine the minor's religious
14 affiliation, and the responsibility for his support.

15 (14) "Shelter" means the temporary care of a minor in
16 physically unrestricting facilities pending court disposition
17 or execution of court order for placement.

18 (15) "Station adjustment" means the informal handling
19 of an alleged offender by a juvenile police officer.

20 (16) "Ward of the court" means a minor who is so
21 adjudged under Section 2-22, 3-23, 4-20 or 5-705, after a
22 finding of the requisite jurisdictional facts, and thus is
23 subject to the dispositional powers of the court under this
24 Act.

25 (17) "Juvenile police officer" means a sworn police
26 officer who has completed a Basic Recruit Training Course,
27 has been assigned to the position of juvenile police officer
28 by his or her chief law enforcement officer and has completed
29 the necessary juvenile officers training as prescribed by the
30 Illinois Law Enforcement Training Standards Board, or in the
31 case of a State police officer, juvenile officer training
32 approved by the Director of the Department of State Police.

33 (18) "Secure child care facility" means any child care
34 facility licensed by the Department of Children and Family

1 Services to provide secure living arrangements for children
2 under 18 years of age who are subject to placement in
3 facilities under the Children and Family Services Act and who
4 are not subject to placement in facilities for whom standards
5 are established by the Department of Corrections under
6 Section 3-15-2 of the Unified Code of Corrections. "Secure
7 child care facility" also means a facility that is designed
8 and operated to ensure that all entrances and exits from the
9 facility, a building, or a distinct part of the building are
10 under the exclusive control of the staff of the facility,
11 whether or not the child has the freedom of movement within
12 the perimeter of the facility, building, or distinct part of
13 the building.

14 (Source: P.A. 90-28, eff. 1-1-98; 90-87, eff. 9-1-97; 90-590,
15 eff. 1-1-99; 90-608, eff. 6-30-98; 90-655, eff. 7-30-98;
16 91-357, eff. 7-29-99.)".