

1 AN ACT in relation to 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 2-22 as follows:

6 (705 ILCS 405/2-22) (from Ch. 37, par. 802-22)

7 Sec. 2-22. Dispositional hearing; evidence; continuance.

8 (1) At the dispositional hearing, the court shall
9 determine whether it is in the best interests of the minor
10 and the public that he be made a ward of the court, and, if
11 he is to be made a ward of the court, the court shall
12 determine the proper disposition best serving the health,
13 safety and interests of the minor and the public. The court
14 also shall consider the permanency goal set for the minor,
15 the nature of the service plan for the minor and the services
16 delivered and to be delivered under the plan. All evidence
17 helpful in determining these questions, including oral and
18 written reports, may be admitted and may be relied upon to
19 the extent of its probative value, even though not competent
20 for the purposes of the adjudicatory hearing.

21 (2) Once all parties respondent have been served in
22 compliance with Sections 2-15 and 2-16, no further service or
23 notice must be given to a party prior to a proceeding to a
24 dispositional hearing. ~~Notice--in--compliance--with--Supreme~~
25 ~~Court--Rule--11--must--be--given--to--all--parties--respondent--prior~~
26 ~~to--proceeding--to--a--dispositional--hearing.~~ Before making an
27 order of disposition the court shall advise the State's
28 Attorney, the parents, guardian, custodian or responsible
29 relative or their counsel of the factual contents and the
30 conclusions of the reports prepared for the use of the court
31 and considered by it, and afford fair opportunity, if

1 requested, to controvert them. The court may order, however,
2 that the documents containing such reports need not be
3 submitted to inspection, or that sources of confidential
4 information need not be disclosed except to the attorneys for
5 the parties. Factual contents, conclusions, documents and
6 sources disclosed by the court under this paragraph shall not
7 be further disclosed without the express approval of the
8 court pursuant to an in camera hearing.

9 (3) A record of a prior continuance under supervision
10 under Section 2-20, whether successfully completed with
11 regard to the child's health, safety and best interest, or
12 not, is admissible at the dispositional hearing.

13 (4) On its own motion or that of the State's Attorney, a
14 parent, guardian, custodian, responsible relative or counsel,
15 the court may adjourn the hearing for a reasonable period to
16 receive reports or other evidence, if the adjournment is
17 consistent with the health, safety and best interests of the
18 minor, but in no event shall continuances be granted so that
19 the dispositional hearing occurs more than 6 months after the
20 initial removal of a minor from his or her home. In
21 scheduling investigations and hearings, the court shall give
22 priority to proceedings in which a minor has been removed
23 from his or her home before an order of disposition has been
24 made.

25 (5) Unless already set by the court, at the conclusion
26 of the dispositional hearing, the court shall set the date
27 for the first permanency hearing, to be conducted under
28 subsection (2) of Section 2-28, which shall be held: (a)
29 within 12 months from the date temporary custody was taken,
30 (b) if the parental rights of both parents have been
31 terminated in accordance with the procedure described in
32 subsection (5) of Section 2-21, within 30 days of the
33 termination of parental rights and appointment of a guardian
34 with power to consent to adoption, or (c) in accordance with

1 subsection (2) of Section 2-13.1.

2 (6) When the court declares a child to be a ward of the
3 court and awards guardianship to the Department of Children
4 and Family Services, (a) the court shall admonish the
5 parents, guardian, custodian or responsible relative that the
6 parents must cooperate with the Department of Children and
7 Family Services, comply with the terms of the service plans,
8 and correct the conditions which require the child to be in
9 care, or risk termination of their parental rights; and
10 (b) the court shall inquire of the parties of any intent to
11 proceed with termination of parental rights of a parent:

12 (A) whose identity still remains unknown;

13 (B) whose whereabouts remain unknown; or

14 (C) who was found in default at the adjudicatory
15 hearing and has not obtained an order setting aside the
16 default in accordance with Section 2-1301 of the Code of
17 Civil Procedure.

18 (Source: P.A. 89-17, eff. 5-31-95; 90-28, eff. 1-1-98; 90-87,
19 eff. 9-1-97; 90-608, eff. 6-30-98; 90-655, eff. 7-30-98.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.