

AN ACT concerning courts.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

(20 ILCS 505/5e)

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

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

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

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

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

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

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

(20 ILCS 505/6b-1 new)

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

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

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

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

Sec. 2-17. Guardian ad litem.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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