



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3636

Introduced 2/18/2025, by Rep. Lindsey LaPointe

#### SYNOPSIS AS INTRODUCED:

705 ILCS 405/2-4b

Amends the Juvenile Court Act of 1987. Provides that if a minor's guardian has submitted an application for the Family Support Program and that application is pending review or under active review to determine if the minor is eligible for the Family Support Program, and the minor is placed in the custody or guardianship of the Department of Children and Family Services under the Abuse, Neglected, or Dependent Minors Article of the Act on the basis of a petition alleging that the minor is dependent because the minor was left at a psychiatric hospital beyond medical necessity, the minor's application shall be expedited for review to determine if the minor is eligible for the Family Support Program. Provides that if the application review determines that the minor is eligible for the Family Support Program, the court shall conduct a hearing within 14 days upon notification to all parties that an application for the Family Support Program services has been approved and services are available.

LRB104 11506 RLC 21595 b

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 2-4b as follows:

6 (705 ILCS 405/2-4b)

7 Sec. 2-4b. Family Support Program services; hearing.

8 (a) Any minor who is placed in the custody or guardianship  
9 of the Department of Children and Family Services under  
10 Article II of this Act on the basis of a petition alleging that  
11 the minor is dependent because the minor was left at a  
12 psychiatric hospital beyond medical necessity, and for whom an  
13 application for the Family Support Program was pending with  
14 the Department of Healthcare and Family Services or an active  
15 application was being reviewed by the Department of Healthcare  
16 and Family Services at the time the petition was filed, shall  
17 continue to be considered eligible for services if all other  
18 eligibility criteria are met.

19 (b) If a minor's guardian has submitted an application for  
20 the Family Support Program and that application is pending  
21 review or under active review to determine if the minor is  
22 eligible for the Family Support Program, and the minor is  
23 placed in the custody or guardianship of the Department of

1 Children and Family Services under Article II of this Act on  
2 the basis of a petition alleging that the minor is dependent  
3 because the minor was left at a psychiatric hospital beyond  
4 medical necessity, the minor's application will be expedited  
5 for review to determine if the minor is eligible for the Family  
6 Support Program.

7 (b-1) If the application review determines that the minor  
8 is eligible for the Family Support Program, the court shall  
9 conduct a hearing within 14 days upon notification to all  
10 parties that an application for the Family Support Program  
11 services has been approved and services are available. The  
12 ~~court shall conduct a hearing within 14 days upon notification~~  
13 ~~to all parties that an application for the Family Support~~  
14 ~~Program services has been approved and services are available.~~  
15 ~~At the hearing, the court shall determine whether to vacate~~  
16 ~~the custody or guardianship of the Department of Children and~~  
17 ~~Family Services and return the minor to the custody of the~~  
18 ~~respondent with Family Support Program services or whether the~~  
19 ~~minor shall continue to be in the custody or guardianship of~~  
20 ~~the Department of Children and Family Services and decline the~~  
21 ~~Family Support Program services. In making its determination,~~  
22 ~~the court shall consider the minor's best interest, the~~  
23 ~~involvement of the respondent in proceedings under this Act,~~  
24 ~~the involvement of the respondent in the minor's treatment,~~  
25 ~~the relationship between the minor and the respondent, and any~~  
26 ~~other factor the court deems relevant. If the court vacates~~

1 ~~the custody or guardianship of the Department of Children and~~  
2 ~~Family Services and returns the minor to the custody of the~~  
3 ~~respondent with Family Support Services, the Department of~~  
4 ~~Healthcare and Family Services shall become fiscally~~  
5 ~~responsible for providing services to the minor. If the court~~  
6 ~~determines that the minor shall continue in the custody of the~~  
7 ~~Department of Children and Family Services, the Department of~~  
8 ~~Children and Family Services shall remain fiscally responsible~~  
9 ~~for providing services to the minor, the Family Support~~  
10 ~~Services shall be declined, and the minor shall no longer be~~  
11 ~~eligible for Family Support Services.~~

12 (c) This Section does not apply to a minor:

13 (1) for whom a petition has been filed under this Act  
14 alleging that the minor is an abused or neglected minor;

15 (2) for whom the court has made a finding that the  
16 minor is an abused or neglected minor under this Act; or

17 (3) who is in the temporary custody of the Department  
18 of Children and Family Services and the minor has been the  
19 subject of an indicated allegation of abuse or neglect,  
20 other than for psychiatric lockout, where a respondent was  
21 the perpetrator within 5 years of the filing of the  
22 pending petition.

23 (Source: P.A. 103-22, eff. 8-8-23.)