



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4813

by Rep. Lilian Jiménez

SYNOPSIS AS INTRODUCED:

705 ILCS 405/2-13.05 new

Amends the Juvenile Court Act of 1987. Provides that when an unaccompanied minor in the custody of the federal Office of Refugee Resettlement placed in a facility in the State has been subjected to parental abuse or neglect as defined in the Act or subjected to the parental actions and omissions listed in the Act, a representative of the minor may file a petition for a dependency order with the court in the judicial circuit where the minor is placed. Describes the contents of the petition. Provides that the statements in the petition may be made upon information and belief. Provides that the petition must not name the minor's parent as a respondent. Provides that the petition must state clearly that parental rights may not be terminated through these proceedings. Provides that the court shall schedule a hearing within 35 days after the petition is filed, unless a motion is made for an immediate hearing because the minor is approaching 18 years of age or other emergent circumstances, in which case the court shall schedule the hearing within 7 days. Provides that, if the court finds the statements in the petition are supported by a preponderance of the evidence, the court shall find the minor dependent on the court. Provides that a minor found dependent on the court is eligible for oversight and services by the Department of Children and Family Services. Provides that, upon request, the court may also issue an order establishing the minor's eligibility for classification as a special immigrant juvenile under federal law. Provides that the order may be entered at any time following the filing of the petition or at the hearing. Provides that the court shall not alter the minor's custody status or placement unless the U.S. Department of Health and Human Services provides specific consent. Provides that the court may retain jurisdiction over the minor until the minor attains 18 years of age or until further order of the court. Defines "dependent on the court".

LRB104 16227 RLC 29611 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 adding Section 2-13.05 as follows:

6 (705 ILCS 405/2-13.05 new)

7 Sec. 2-13.05. Petition for dependency order for an
8 unaccompanied minor in federal custody.

9 (1) In this Section, "dependent on the court" means:

10 (A) the minor is under the court's jurisdiction;

11 (B) the minor was at any time adjudicated a neglected
12 or dependent minor, as described in Section 2-3 or 2-4, or
13 that the court has found sufficient evidence that the
14 minor has been subjected to abuse or neglect, as defined
15 in Section 2-3; and

16 (C) the minor is in need of oversight and supportive
17 services as determined by the court.

18 (2) When an unaccompanied minor in the custody of the
19 federal Office of Refugee Resettlement placed in a facility in
20 this State has been subjected to parental abuse or neglect as
21 defined in Section 2-3 or subjected to the parental actions
22 and omissions listed in Section 2-3, a representative of the
23 minor may file a petition for a dependency order pursuant to

1 this Section with the court in the judicial circuit where the
2 minor is placed.

3 (3) (a) The petition must: (i) set forth the facts that
4 bring the minor under the court's jurisdiction pursuant to
5 subsection (2); (ii) state the minor's name, age, and country
6 of birth; and (iii) identify the facility in this State where
7 the minor is placed in the custody of the federal Office of
8 Refugee Resettlement.

9 (b) The statements in the petition may be made upon
10 information and belief.

11 (c) The petition must not name the minor's parent as a
12 respondent. The petition must state clearly that parental
13 rights may not be terminated through proceedings under this
14 Section.

15 (4) The court shall schedule a hearing within 35 days
16 after the petition is filed, unless a motion is made for a
17 immediate hearing because the minor is approaching 18 years of
18 age or other emergent circumstances, in which case the court
19 shall schedule the hearing within 7 days. If the court finds
20 the statements in the petition are supported by a
21 preponderance of the evidence, the court shall find the minor
22 dependent on the court. A minor found dependent on the court
23 pursuant to this Section is eligible for oversight and
24 services by the Department of Children and Family Services.
25 Upon request, the court may also issue an order establishing
26 the minor's eligibility for classification as a special

1 immigrant juvenile under federal law. The order may be entered
2 at any time following the filing of the petition or at the
3 hearing.

4 (5) The court shall not alter the minor's custody status
5 or placement unless the U.S. Department of Health and Human
6 Services provides specific consent.

7 (6) The court may retain jurisdiction over the minor until
8 the minor attains 18 years of age or until further order of the
9 court.