

1 AN ACT concerning children.

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

4 Section 1. Reference to Act. This Act may be referred to as  
5 the Safeguards to Ensure Continuity and Uphold Rights and  
6 Equity (SECURE) Act.

7 Section 3. Legislative findings and intent. The General  
8 Assembly finds and declares:

9 (1) Youth in the care of the Department of Children and  
10 Family Services deserve all the legal protections available  
11 under the law, but the current legal protections available to  
12 these youth require a suite of statutory enhancements.

13 (2) Illinois has a duty to safeguard the safety, health,  
14 dignity, well-being, and best interests of youth in the care  
15 of the Department of Children and Family Services, regardless  
16 of where such youth is placed, and that ultimate  
17 responsibility cannot be delegated to other states.

18 (3) Out-of-state placements of youth do not diminish  
19 Illinois' responsibility to ensure youth are protected from  
20 foreseeable harm, discrimination, or denial of care that would  
21 be lawful and clinically appropriate under Illinois law.

22 (4) Youth in foster care may present with higher rates,  
23 when compared to youth not in care, of trauma and a range of

1 unmet medical, reproductive, sexual, and gender-related health  
2 needs that may evolve over time and require ongoing monitoring  
3 and appropriate treatment care.

4 (5) Youth voice is essential to sound child welfare  
5 decision-making.

6 (6) When making placement decisions, the State of  
7 Illinois, including the Department of Children and Family  
8 Services, must solicit and meaningfully consider a youth's  
9 expressed preferences in its evaluation of placement options  
10 while conducting transparent, individualized risk assessments  
11 of potential harms to the youth based on the youth's specific  
12 circumstances.

13 (7) Regular Illinois-based caseworker contact is  
14 necessary, among other important reasons, to identify the  
15 emerging needs of youth, including pregnancy-related care,  
16 contraception, and treatment for sexually transmitted  
17 infections.

18 (8) Caseworkers coordinating and delivering services on  
19 behalf of youth in the Department's care who are placed  
20 out-of-state are obligated to provide lawful health care  
21 coordination.

22 (9) Service providers and caregivers receiving State funds  
23 from the Department of Children and Family Services must  
24 comply with Illinois standards for care including, but not  
25 limited to, laws, rules, and policies, as a condition of  
26 licensure and contracting.

1           (10) To protect youth in the Department's care from harm  
2     resulting from violations of specified provisions of this Act  
3     and to ensure effective enforcement of this Act, the General  
4     Assembly intends to provide courts hearing cases in accordance  
5     with the Juvenile Court Act of 1987 with review authority and  
6     the Department's Inspector General with investigative  
7     authority to address alleged statutory violations as tools for  
8     enforcement.

9           (11) The changes made by this Act shall be liberally  
10    construed to protect the safety, dignity, well-being, and  
11    rights of youth.

12           Section 5. The Children and Family Services Act is amended  
13    by changing Sections 4d, 6a, 7, and 35.5 and by adding Sections  
14    5g, 7.29, 7.30, and 7.31 as follows:

15           (20 ILCS 505/4d)

16           Sec. 4d. Definitions.

17           (a) As used in this Act:

18           "Caregiver" means a certified relative caregiver, relative  
19    caregiver, or foster parent with whom a youth in care is  
20    placed.

21           "Certified relative caregiver" has the meaning ascribed to  
22    that term in Section 2.36 of the Child Care Act of 1969.

23           "Certified relative caregiver home" has the meaning  
24    ascribed to that term in Section 2.37 of the Child Care Act of

1 1969.

2 "Child-specific record" or "youth-specific record" means  
3 documentation maintained separately for an individual child or  
4 youth within a family's case file.

5 "Fictive kin" means a person who is unrelated to a child by  
6 birth, marriage, tribal custom, or adoption who is shown to  
7 have significant and close personal or emotional ties with the  
8 child or the child's family.

9 "Relative" means a person who is: (i) related to a child by  
10 blood, marriage, tribal custom, adoption, or to a child's  
11 sibling in any of the foregoing ways, even though the person is  
12 not related to the child, when the child and the child's  
13 sibling are placed together with that person or (ii) fictive  
14 kin. For children who have been in the guardianship of the  
15 Department following the termination of their parents'  
16 parental rights, been adopted or placed in subsidized or  
17 unsubsidized guardianship, and are subsequently returned to  
18 the temporary custody or guardianship of the Department,  
19 "relative" includes any person who would have qualified as a  
20 relative under this Section prior to the termination of the  
21 parents' parental rights if the Department determines, and  
22 documents, or the court finds that it would be in the child's  
23 best interests to consider this person a relative, based upon  
24 the factors for determining best interests set forth in  
25 subsection (4.05) of Section 1-3 of the Juvenile Court Act of  
26 1987.

1 "Relative caregiver" means a person responsible for the  
2 care and supervision of a child placed by the Department,  
3 other than the parent, who is a relative.

4 "Relative home" means a home of a relative that is not a  
5 foster family home or a certified relative caregiver home but  
6 provides care to a child placed by the Department who is a  
7 relative of a household member of the relative's home.

8 "Sensitive identity information" means personal data that  
9 is linked or reasonably linkable to a child or youth and  
10 identifies the child's or youth's sexual orientation, as the  
11 term is defined in subsection (O-1) of Section 1-103 of the  
12 Illinois Human Rights Act.

13 "Subsidized guardian" means a person who signs a  
14 subsidized guardianship agreement prior to being appointed as  
15 plenary guardian of the person of a minor.

16 "Subsidized guardianship" means a permanency outcome when  
17 a caregiver is appointed as a plenary guardian of the person of  
18 a minor exiting the foster care system, who receives  
19 guardianship assistance program payments. Payments may be  
20 funded through State funds, federal funds, or both State and  
21 federal funds.

22 "Third party" means any person, government unit, agency,  
23 organization, or body other than the Department of Children  
24 and Family Services. "Third party" does not include a  
25 recipient of Department records who is an attorney  
26 representing a child.

1 "Youth in care" means persons placed in the temporary  
2 custody or guardianship of the Department pursuant to the  
3 Juvenile Court Act of 1987.

4 (b) The changes made to this Section by this amendatory  
5 Act of the 104th General Assembly apply on and after September  
6 1, 2026 if the effective date of this amendatory Act of the  
7 104th General Assembly is on or before September 1, 2026;  
8 otherwise, the changes made to this Section by this amendatory  
9 Act of the 104th General Assembly apply on and after December  
10 1, 2026.

11 (Source: P.A. 103-1061, eff. 7-1-25.)

12 (20 ILCS 505/5g new)

13 Sec. 5g. Administrative safeguards for sensitive identity  
14 information.

15 (a) The Department shall protect a child from unnecessary  
16 and unapproved disclosure of the child's sensitive identity  
17 information. Before or at the time the Department requests,  
18 initiates, or engages in a conversation, assessment, or  
19 service interaction in which a child may disclose the child's  
20 sensitive identity information to the Department or its  
21 service providing entities, the Department shall inform the  
22 child of the circumstances under which the Department or its  
23 service providing entities are permitted or required to share  
24 the child's sensitive identity information without the child's  
25 knowledge and agreement. If a child discloses the child's

1 sensitive identity information before the Department provides  
2 this notice, the Department shall inform the child of these  
3 disclosure circumstances at the earliest possible opportunity,  
4 but no later than 14 days after the disclosure occurs. The  
5 Department shall document this discussion with the child in  
6 the Department's records, in a manner consistent with  
7 Department policy regarding documentation of sensitive  
8 identity information.

9 As used in this Section, "service providing entity" means  
10 a person, governmental unit, agency, organization, or body  
11 providing services or care for a child on behalf of the  
12 Department in accordance with a contract, grant agreement, or  
13 purchase-of-service agreement or any other person,  
14 governmental unit, agency, organization, or body subcontracted  
15 or otherwise engaged in the furtherance of those services,  
16 including, but not limited to, academic and research  
17 institutions and any person, governmental unit, agency,  
18 organization, or body that collects, processes, analyzes,  
19 stores, shares, or otherwise uses Department data that  
20 includes personal data that is or can be reasonably linked to  
21 an identified or identifiable individual served by the  
22 Department. A service providing entity does not include a  
23 recipient of Department records who is an attorney  
24 representing a child.

25 (b) If the Department discloses a child's sensitive  
26 identity information to the federal government, as required

1 under federal law or pursuant to an order of a court of  
2 competent jurisdiction, the Department shall:

3 (1) limit such disclosure to the scope, purpose, and  
4 receiving party, and information necessary to comply with  
5 the specific legal necessity of that disclosure;

6 (2) narrow, limit, or de-identify that information to  
7 the fullest extent legally permitted before such  
8 disclosure;

9 (3) notify the child of the scope of the disclosure  
10 and receiving party as soon as the Department is legally  
11 permitted to inform the child; and

12 (4) document the date the Department made the  
13 disclosure, the scope of disclosure, the recipient party  
14 of the disclosure, and the activities completed by the  
15 Department to fulfill the obligations of paragraphs (1),  
16 (2), and (3).

17 The Department shall ensure that its service providing  
18 entities are also contractually obligated to limit disclosure  
19 of a child's sensitive identity information to a manner  
20 consistent with the restrictions described under this  
21 subsection.

22 (c) De-identified sensitive information.

23 (1) Datasets and aggregated data, including data  
24 related to a child's sensitive identity information that  
25 cannot reasonably be used to infer information about,  
26 re-identify, or otherwise be linked to an identified or



1 identifiable child, are not considered a child's sensitive  
2 identity information for the purposes of this Section if  
3 the Department:

4 (A) takes reasonable measures to ensure the data  
5 cannot be linked to a child even if combined with other  
6 datasets or sources; and

7 (B) contractually obligates any third party  
8 recipient to process such data only in a de-identified  
9 manner; and

10 (C) prohibits any attempts to re-identify  
11 de-identified data.

12 (2) The Department shall not aggregate children's  
13 sensitive identity information unless:

14 (A) the information is gathered and maintained as  
15 de-identified sensitive information, as provided under  
16 paragraph (1); or

17 (B) the Department has a legitimate service  
18 delivery need that cannot be accomplished without the  
19 specific children's sensitive identity information.

20 (3) The Department may grant a third party access to  
21 Department data systems subject to the terms of Section  
22 5g. Any third party granted access to Department data  
23 systems or records that include a child's sensitive  
24 identity information shall be prohibited from aggregating  
25 children's sensitive identity information in any manner  
26 that is not de-identified as prescribed under paragraph

1       (1).

2       (d) Child-specific documentation requirement. The  
3 Department shall:

4           (1) maintain child-specific narrative sections within  
5 service plans, integrated assessments, and court reports;

6           (2) ensure that sensitive identity information  
7 concerning one child is not included in generalized family  
8 summaries or a sibling's child-specific record unless  
9 materially relevant to the safety or placement of that  
10 child's sibling or siblings or the permanency goal; and

11           (3) ensure a child is aware that the child's sensitive  
12 identity information is necessary for court reporting if  
13 the sensitive identity information is materially relevant  
14 to advance the child's permanency goal or ensure the  
15 child's safety or appropriate service provision.

16       (e) Internal electronic access controls. No later than  
17 January 1, 2028, the Department shall implement internal  
18 safeguards within its electronic case management systems to:

19           (1) limit access to a child's sensitive identity  
20 information to personnel with a documented case-related  
21 need; and

22           (2) segregate sensitive identity information fields  
23 from general case summaries where technologically  
24 feasible.

25       (f) The provisions of this Section apply on and after  
26 January 1, 2028, except that the provisions of subsection (b)

1 apply on and after September 1, 2026 if the effective date of  
2 this amendatory Act of the 104th General Assembly is on or  
3 before September 1, 2026; otherwise, the provisions of this  
4 Section apply on and after January 1, 2028, except that the  
5 provisions of subsection (b) apply on and after December 1,  
6 2026.

7 (20 ILCS 505/6a) (from Ch. 23, par. 5006a)

8 Sec. 6a. Case plan.

9 (a) With respect to each Department client for whom the  
10 Department is providing placement service, the Department  
11 shall develop a case plan designed to stabilize the family  
12 situation and prevent placement of a child outside the home of  
13 the family when the child can be cared for at home without  
14 endangering the child's health or safety, reunify the family  
15 if temporary placement is necessary when safe and appropriate,  
16 or move the child toward an appropriate permanent living  
17 arrangement and permanent legal status, consistent with the  
18 child's best interest, using the factors set forth in  
19 subsection (4.05) of Section 1-3 of the Juvenile Court Act of  
20 1987. Such case plan shall provide for the utilization of  
21 family preservation services as defined in Section 8.2 of the  
22 Abused and Neglected Child Reporting Act. Such case plan shall  
23 be reviewed and updated every 6 months. The Department shall  
24 ensure that incarcerated parents are able to participate in  
25 case plan reviews via teleconference or videoconference. Where

1 appropriate, the case plan shall include recommendations  
2 concerning alcohol or drug abuse evaluation.

3 If the parent is incarcerated, the case plan must address  
4 the tasks that must be completed by the parent and how the  
5 parent will participate in the administrative case review and  
6 permanency planning hearings and, wherever possible, must  
7 include treatment that reflects the resources available at the  
8 facility where the parent is confined. The case plan must  
9 provide for visitation opportunities, unless visitation is not  
10 in the best interests of the child.

11 (a-5) (1) As used in this subsection:

12 "Protected characteristic" has the meaning ascribed to  
13 that term in subsection (b) of Section 7.29.

14 "Supportive care" has the meaning ascribed to that term in  
15 subsection (b) of Section 7.29.

16 (2) The case plan shall include tasks addressing the  
17 responsibilities of a youth in care's caregiver and service  
18 providers, as defined in Section 7.29, regarding safe, proper,  
19 and supportive care based on the youth in care's needs and  
20 consistent with the youth in care's best interests, including,  
21 but not limited to, the youth in care's protected  
22 characteristics, and in alignment with the requirements of  
23 Sections 7, 7.29, and 7.30.

24 (3) These caregiver and service provider responsibilities  
25 shall include, at a minimum, the duty to:

26 (A) ensure that the youth in care's daily physical,

1 emotional, developmental, educational, cultural, and  
2 social needs are met;

3 (B) maintain an environment providing supportive care  
4 to treat the youth in care in a manner that meets the youth  
5 in care's need for safety and security and is free from  
6 harassment and abuse;

7 (C) collaborate with the youth in care's parents, the  
8 Department, and relevant service providers, when  
9 appropriate and consistent with the youth in care's  
10 safety, best interests, as determined by the Department,  
11 court, and permanency plan, to promote the youth in care's  
12 well-being and connection to family and community; and

13 (D) maintain the youth in care's privacy.

14 As needed, the youth in care's case plan shall identify  
15 specific actions the caregiver and service providers must take  
16 to fulfill these responsibilities.

17 (4) Case plans shall address each youth in care's health  
18 care needs and specify steps the Department, service  
19 providers, and caregivers shall take to ensure timely  
20 provision of health care, including, but not limited to,  
21 arranging transportation and ensuring the youth in care can  
22 attend appointments. If the Department is placing or has  
23 placed a youth in care in a jurisdiction outside the State of  
24 Illinois, and that jurisdiction exposes a youth in care to  
25 risk of adverse action as defined in subsection (b) of Section  
26 7.30 and as determined by the Department, the case plan shall,

1 consistent with Department policy regarding documentation of  
2 sensitive identity information, include steps the Department  
3 is taking to mitigate any identified risk of adverse action  
4 and ensure that the youth in care continues to receive the full  
5 protections and benefits guaranteed by the laws of this State,  
6 as required under Sections 7, 7.29, and 7.30. This includes,  
7 but is not limited to, coordination with out-of-state  
8 providers or Illinois-based providers to ensure that a youth  
9 in care can access and receive health care, including mental  
10 health care, lawful in the State of Illinois and with the  
11 privacy and confidentiality protections that Illinois law  
12 affords. The Department shall document in the case plan the  
13 steps the Department has taken to fulfill the obligations  
14 under this subsection and Sections 7, 7.29, and 7.30 and  
15 report this information to the court as part of the  
16 Department's required efforts under Section 2-28 of the  
17 Juvenile Court Act of 1987, in a manner consistent with  
18 Department policy regarding documentation of sensitive  
19 identity information.

20 (5) The Department shall provide guidance and support to  
21 caregivers to ensure they have the resources necessary to meet  
22 the responsibilities described in this subsection, including  
23 culturally responsive and trauma-informed care practices. The  
24 Department shall monitor the caregiver's and service  
25 providers' fulfillment of the responsibilities under this  
26 subsection, document this information as part of the youth in

1 care's case review and permanency hearing process required  
2 under this Act and report this information to the court as part  
3 of the Department's required efforts under Sections 2-27.2,  
4 2-27.4, and 2-28 of the Juvenile Court Act of 1987, in a manner  
5 consistent with the Department's policy regarding  
6 documentation of a youth's sensitive identity information.

7 (6) Nothing in this subsection shall be construed to limit  
8 or diminish:

9 (A) the rights of a youth in care to be free from  
10 discrimination or to receive care consistent with the  
11 protections guaranteed under State and federal law;

12 (B) the Department's obligation to act in the best  
13 interest of a youth in care; or

14 (C) the Department's obligation to pursue  
15 reunification with a parent when the permanency goal is  
16 return home.

17 (b) The Department may enter into written agreements with  
18 child welfare agencies to establish and implement case plan  
19 demonstration projects. The demonstration projects shall  
20 require that service providers develop, implement, review and  
21 update client case plans. The Department shall examine the  
22 effectiveness of the demonstration projects in promoting the  
23 family reunification or the permanent placement of each client  
24 and shall report its findings to the General Assembly no later  
25 than 90 days after the end of the fiscal year in which any such  
26 demonstration project is implemented.

1        (c) The changes made to this Section by this amendatory  
2        Act of the 104th General Assembly apply on and after January 1,  
3        2028.

4        (Source: P.A. 103-1061, eff. 7-1-25.)

5            (20 ILCS 505/7) (from Ch. 23, par. 5007)

6            Sec. 7. Placement of children; considerations.

7            (a) In placing any child under this Act, the Department  
8        shall place the child, as far as possible, in the care and  
9        custody of some individual holding the same religious belief  
10       as the parents of the child, or with some child care facility  
11       which is operated by persons of like religious faith as the  
12       parents of such child.

13           (a-5) In placing a child under this Act, the Department  
14       shall place the child with the child's sibling or siblings  
15       under Section 7.4 of this Act unless the placement is not in  
16       each child's best interest, or is otherwise not possible under  
17       the Department's rules. If the child is not placed with a  
18       sibling under the Department's rules, the Department shall  
19       consider placements that are likely to develop, preserve,  
20       nurture, and support sibling relationships, where doing so is  
21       in each child's best interest.

22           (b) In placing a child under this Act, the Department  
23       shall place a child with a relative if the Department  
24       determines that the relative will be able to adequately  
25       provide for the child's safety and welfare based on the



1 factors set forth in the Department's rules governing such  
2 placements, and that the placement is consistent with the  
3 child's best interests, taking into consideration the factors  
4 set out in subsection (4.05) of Section 1-3 of the Juvenile  
5 Court Act of 1987.

6 When the Department first assumes custody of a child, in  
7 placing that child under this Act, the Department shall make  
8 reasonable efforts to identify, locate, and provide notice to  
9 all adult grandparents and other adult relatives of the child  
10 who are ready, willing, and able to care for the child. At a  
11 minimum, these diligent efforts shall be renewed each time the  
12 child requires a placement change and it is appropriate for  
13 the child to be cared for in a home environment. The Department  
14 must document its efforts to identify, locate, and provide  
15 notice to such potential relative placements and maintain the  
16 documentation in the child's case file. The Department shall  
17 complete the following initial family finding and relative  
18 engagement efforts:

19 (1) The Department shall conduct an investigation in  
20 order to identify and locate all grandparents, parents of  
21 a sibling of the child, if the parent has legal custody of  
22 the sibling, adult siblings, other adult relatives of the  
23 child ~~minor~~ including any other adult relatives suggested  
24 by the parents, and, if it is known or there is reason to  
25 know the child is an Indian child, any extended family  
26 members, as defined in Section 4 of the Indian Child

1 Welfare Act of 1978 (25 U.S.C. 1903). The Department shall  
2 make diligent efforts to investigate the names and  
3 locations of the relatives, including, but not limited to,  
4 asking the child in an age-appropriate manner and  
5 consistent with the child's best interest about any  
6 parent, alleged parent, and relatives important to the  
7 child, and obtaining information regarding the location of  
8 the child's parents, alleged parents, and adult relatives.

9 As used in this subsection (b), "family finding and  
10 relative engagement" means conducting an investigation,  
11 including, but not limited to, through a computer-based  
12 search engine, to identify any person who would be  
13 eligible to be a relative caregiver as defined in Section  
14 4d of this Act and to connect a child, consistent with the  
15 child's best interest, who may be disconnected from the  
16 child's parents, with those relatives and kin in an effort  
17 to provide family support or possible placement. If it is  
18 known or there is reason to know that the child is an  
19 Indian child, as defined in Section 4 of the Indian Child  
20 Welfare Act of 1978 (25 U.S.C. 1903), "family finding and  
21 relative engagement" also includes contacting the Indian  
22 child's tribe to identify relatives and kin. ~~The No later~~  
23 ~~than July 1, 2025, the~~ Department shall adopt rules  
24 setting forth specific criteria as to family finding and  
25 relative engagement efforts under this subsection (b) and  
26 under Section 2-27.3 of the Juvenile Court Act of 1987,

1 including determining the manner in which efforts may or  
2 may not be appropriate, consistent with the best interests  
3 of the child.

4 (2) In accordance with Section 471(a)(29) of the  
5 Social Security Act, the Department shall make diligent  
6 efforts to provide all adult relatives who are located  
7 with written notification and oral notification, in person  
8 or by telephone, of all the following information:

9 (i) the child ~~minor~~ has been removed from the  
10 custody of the child's ~~minor's~~ parent or guardian; and

11 (ii) an explanation of the various options to  
12 participate in the care and placement of the child  
13 ~~minor~~ and support for the child's ~~minor's~~ family,  
14 including any options that may expire by failing to  
15 respond. The notice shall provide information about  
16 providing care for the child ~~minor~~ while the family  
17 receives reunification services with the goal of  
18 returning the child to the parent or guardian, how to  
19 become a certified relative caregiver home, and  
20 additional services and support that are available in  
21 substitute care. The notice shall also include  
22 information regarding, adoption and subsidized  
23 guardianship assistance options, health care coverage  
24 for a child ~~youth in care~~ under the medical assistance  
25 program established under Article V of the Illinois  
26 Public Aid Code, and other options for contact with

1           the child ~~minor~~, including, but not limited to,  
2           visitation. Upon establishing the Department's kinship  
3           navigator program, the notice shall also include  
4           information regarding that benefit.

5           The ~~No later than July 1, 2025, the~~ Department shall adopt  
6           or amend existing rules to implement the requirements of this  
7           subsection, including what constitutes "diligent efforts" and  
8           when exceptions, consistent with federal law, are appropriate.

9           (b-5) (1) If the Department determines that a placement  
10          with any identified relative is not in the child's best  
11          interests or that the relative does not meet the requirements  
12          to be a relative caregiver, as set forth in Department rules or  
13          by statute, the Department must document the basis for that  
14          decision, maintain the documentation in the child's case file,  
15          inform the identified relative of the relative's right to  
16          reconsideration of the decision to deny placement with the  
17          identified relative, provide the identified relative with a  
18          description of the reconsideration process established in  
19          accordance with subsection (o) of Section 5 of this Act, and  
20          report this information to the court in accordance with the  
21          requirements of Section 2-27.3 of the Juvenile Court Act of  
22          1987.

23          If, pursuant to the Department's rules, any person files  
24          an administrative appeal of the Department's decision not to  
25          place a child with a relative, it is the Department's burden to  
26          prove that the decision is consistent with the child's best

1 interests. The Department shall report information related to  
2 these appeals pursuant to Section 46 of this Act.

3 When the Department determines that the child requires  
4 placement in an environment, other than a home environment,  
5 the Department shall continue to make reasonable efforts to  
6 identify and locate relatives to serve as visitation resources  
7 for the child and potential future placement resources, unless  
8 excused by the court, as outlined in Section 2-27.3 of the  
9 Juvenile Court Act of 1987.

10 If the Department determines that efforts to identify and  
11 locate relatives would be futile or inconsistent with the  
12 child's best interests, the Department shall document the  
13 basis of its determination and maintain the documentation in  
14 the child's case file.

15 If the Department determines that an individual or a group  
16 of relatives are inappropriate to serve as visitation  
17 resources or possible placement resources, the Department  
18 shall document the basis of its determination, maintain the  
19 documentation in the child's case file, inform the identified  
20 relative of the relative's right to a reconsideration of the  
21 decision to deny visitation with the identified relative,  
22 provide the identified relative with a description of the  
23 reconsideration process established in accordance with  
24 subsection (o) of Section 5 of this Act, and report this  
25 information to the court in accordance with the requirements  
26 of Section 2-27.3 of the Juvenile Court Act of 1987.

1       When the Department determines that an individual or a  
2       group of relatives are appropriate to serve as visitation  
3       resources or possible future placement resources, the  
4       Department shall document the basis of its determination,  
5       maintain the documentation in the child's case file, create a  
6       visitation or transition plan, or both, and incorporate the  
7       visitation or transition plan, or both, into the child's case  
8       plan. The Department shall report this information to the  
9       court as part of the Department's family finding and relative  
10      engagement efforts required under Section 2-27.3 of the  
11      Juvenile Court Act of 1987. For the purpose of this  
12      subsection, any determination as to the child's best interests  
13      shall include consideration of the factors set out in  
14      subsection (4.05) of Section 1-3 of the Juvenile Court Act of  
15      1987.

16       (2) The Department may initially place a child in a foster  
17      family home as defined under Section 2.17 of the Child Care Act  
18      of 1969 or a certified relative caregiver home as defined  
19      under Section 4d of this Act. Initial placement may also be  
20      made with a relative who is not yet a certified relative  
21      caregiver if all of the following conditions are met:

22           (A) The prospective relative caregiver and all other  
23           adults in the home must authorize and submit to a  
24           background screening that includes the components set  
25           forth in subsection (c) of Section 3.4 of the Child Care  
26           Act of 1969. If the results of a check of the Law

1 Enforcement Agencies Data System (LEADS) identifies a  
2 prior criminal conviction of (i) the prospective relative  
3 caregiver for an offense not prohibited under subsection  
4 (c) of Section 3.4 of the Child Care Act of 1969 or (ii)  
5 any other adult in the home for a felony offense, the  
6 Department shall thoroughly investigate and evaluate the  
7 criminal history, including an assessment of the person's  
8 character and the impact that the criminal history has on  
9 the prospective relative caregiver's ability to parent the  
10 child. The investigation must consider the type of crime,  
11 the number of crimes, the nature of the offense, the age of  
12 the person at the time of the crime, the length of time  
13 that has elapsed since the last conviction, the  
14 relationship of the crime to the ability to care for  
15 children, the role that the person will have with the  
16 child, and any evidence of rehabilitation. Initial  
17 placement may not be made if the results of a check of the  
18 Law Enforcement Agencies Data System (LEADS) identifies a  
19 prior criminal conviction of the prospective relative  
20 caregiver for an offense prohibited under subsection (c)  
21 of Section 3.4 of the Child Care Act of 1969; however, a  
22 waiver may be granted for placement of the child in  
23 accordance with subsection (v-4) of Section 5.

24 (B) The home safety and needs assessment requirements  
25 set forth in paragraph (1) of subsection (b) of Section  
26 3.4 of the Child Care Act of 1969 are satisfied.

1 (C) The prospective relative caregiver is able to meet  
2 the physical, emotional, medical, and educational needs of  
3 the specific child or children being placed by the  
4 Department.

5 The ~~No later than July 1, 2025, the~~ Department shall adopt  
6 rules or amend existing rules to implement the provisions of  
7 this subsection (b-5). The rules shall outline the essential  
8 elements of each form used in the implementation and  
9 enforcement of the provisions of this amendatory Act of the  
10 103rd General Assembly.

11 Relative ~~No later than July 1, 2025, relative~~ caregiver  
12 payments shall be made to relative caregiver homes as provided  
13 under Section 5 of this Act. A relative with whom a child is  
14 placed pursuant to this subsection may, but is not required  
15 to, apply for licensure as a foster family home pursuant to the  
16 Child Care Act of 1969; provided, however, that as of July 1,  
17 1995, foster care payments shall be made only to licensed  
18 foster family homes pursuant to the terms of Section 5 of this  
19 Act.

20 The provisions added to this subsection (b) by Public Act  
21 98-846 shall become operative on and after June 1, 2015.

22 (c) In placing a child under this Act, the Department  
23 shall ensure that the child's health, safety, and best  
24 interests are met. In rejecting placement of a child with an  
25 identified relative, the Department shall (i) ensure that the  
26 child's health, safety, and best interests are met, (ii)



1 inform the identified relative of the relative's right to  
2 reconsideration of the decision and provide the identified  
3 relative with a description of the reconsideration process  
4 established in accordance with subsection (o) of Section 5 of  
5 this Act, (iii) report that the Department rejected the  
6 relative placement to the court in accordance with the  
7 requirements of Section 2-27.3 of the Juvenile Court Act of  
8 1987, and (iv) report the reason for denial in accordance with  
9 Section 46 of this Act. In evaluating the best interests of the  
10 child, the Department shall take into consideration the  
11 factors set forth in subsection (4.05) of Section 1-3 of the  
12 Juvenile Court Act of 1987.

13 The Department shall consider the individual needs of the  
14 child and the capacity of the prospective caregivers or  
15 prospective adoptive parents to meet the needs of the child.  
16 When a child must be placed outside the child's home and cannot  
17 be immediately returned to the child's parents or guardian, a  
18 comprehensive, individualized assessment shall be performed of  
19 that child at which time the needs of the child shall be  
20 determined. The Department shall assess the prospective  
21 caregivers' or prospective adoptive parents' ability to meet  
22 the child's specific needs for safety, well-being, and  
23 supportive care, as defined in subsection (b) of Section 7.29  
24 and the Department shall document the basis of its  
25 determination in the child's case file. The prospective  
26 caregivers or prospective adoptive parents shall expressly

1 commit that they will comply with Sections 6a, 7, 7.29, and  
2 7.30 and the Department shall document this in the child's  
3 case file. Subject to subsection (f) of Section 7.29, the  
4 Department shall not place a child without determining, as  
5 part of the Department's placement suitability analysis, that  
6 the prospective caregivers or prospective adoptive parents  
7 have the capacity to meet the child's specific needs for  
8 safety, well-being, and supportive care. Only if race, color,  
9 gender identity, sexual orientation, or national origin is  
10 identified as a legitimate factor in advancing the child's  
11 best interests shall it be considered when placing a child.  
12 ~~Race, color, or national origin shall not be routinely~~  
13 ~~considered in making a placement decision.~~ The Department  
14 shall make special efforts for the diligent recruitment of  
15 potential foster and adoptive families that reflect the ~~ethnic~~  
16 ~~and racial~~ diversity of the children for whom foster and  
17 adoptive homes are needed. "Special efforts" shall include  
18 contacting and working with community organizations and  
19 religious organizations and may include contracting with those  
20 organizations, utilizing local media and other local  
21 resources, and conducting outreach activities.

22 Nothing in this subsection shall be construed to limit or  
23 diminish: (i) the rights of a child to be free from  
24 discrimination or to receive care consistent with the  
25 protections guaranteed under State and federal law, (ii) the  
26 Department's obligation to act in the best interests of a

1 child, or (iii) the Department's obligation to pursue  
2 reunification with a parent when the permanency goal is return  
3 home.

4 (c-1) At the time of placement, the Department shall  
5 consider concurrent planning, as described in subsection (1-1)  
6 of Section 5, so that permanency may occur at the earliest  
7 opportunity. Consideration should be given so that if  
8 reunification fails or is delayed, the placement made is the  
9 best available placement to provide permanency for the child.  
10 To the extent that doing so is in the child's best interests as  
11 set forth in subsection (4.05) of Section 1-3 of the Juvenile  
12 Court Act of 1987, the Department should consider placements  
13 that will permit the child to maintain a meaningful  
14 relationship with the child's parents.

15 (d) The Department may accept gifts, grants, offers of  
16 services, and other contributions to use in making special  
17 recruitment efforts.

18 (e) The Department in placing children in relative  
19 caregiver, certified relative caregiver, adoptive, or foster  
20 care homes may not, in any policy or practice relating to the  
21 placement of children for adoption or foster care,  
22 discriminate against any child or prospective caregiver or  
23 adoptive parent on the basis of race.

24 (f) The changes made to this Section by this amendatory  
25 Act of the 104th General Assembly apply on and after January 1,  
26 2028.

(Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 7-1-25.)

(20 ILCS 505/7.29 new)

Sec. 7.29. Department, service provider, and caregiver conduct to prevent harmful treatment of youth.

(a) Legislative findings and intent. The General Assembly finds and declares:

(1) When the State of Illinois, through the Department of Children and Family Services, removes a youth from the care of a parent or guardian and assumes legal custody of that youth, the State undertakes a duty and affirmative obligation to safeguard the youth's safety, well-being, dignity, developmental interests, and fundamental rights, and that ultimate duty and obligation cannot be delegated to other states.

(2) The State has a compelling interest in ensuring the safety, well-being, and development of all youth in the Department's care. The State's duty to protect youth in its care is continuous and is not extinguished by placement with foster parents, relative caregivers, or service providers. Out-of-state placement of a youth in the Department's care does not diminish the State's ultimate responsibility for ensuring lawful, safe, supportive care, and equitable treatment.

(3) Youth under the Department's care are entitled to supportive care, services, and treatment free from

1 discrimination, arbitrary decision-making, and unequal  
2 protection. The vulnerability inherent in State custody  
3 requires heightened attention to fairness, neutrality, and  
4 the protection of these youth's rights.

5 (4) It is expressly recognized that Department,  
6 service provider, and caregiver conduct, as well as  
7 placement conditions, directly affect youth permanency,  
8 well-being, and fair and equitable treatment.

9 (5) It is the purpose of this Section to clarify and  
10 reinforce the obligations of the State and those acting  
11 under its authority to ensure that youth receive  
12 nondiscriminatory and supportive care consistent with  
13 principles of safety, dignity, stability, and equal  
14 treatment, and to provide clear mechanisms for  
15 accountability where those obligations are violated.

16 (b) Definitions. As used in this Section:

17 "Placement provider" means a type of service provider that  
18 provides the youth's residence and daily care, including, but  
19 not limited to, a residential treatment center, group home, or  
20 child care institution under the Child Care Act of 1969 or a  
21 similar setting licensed in accordance with the laws of  
22 another state in which that youth is placed. "Placement  
23 provider" does not mean a "caregiver" as defined in this Act.

24 "Protected characteristic" means any characteristic  
25 included in the definition of unlawful discrimination as  
26 defined in Section 1-103 of the Illinois Human Rights Act,

1 including, but not limited to, actual or perceived race,  
2 color, religion, sex, sexual orientation, gender identity,  
3 national origin, ancestry, disability, pregnancy, reproductive  
4 health decisions, or marital status.

5 "Service provider" means a person, governmental unit,  
6 agency, organization, or body providing services or care for  
7 youth on behalf of the Department under a contract, grant  
8 agreement, or any other agreement or any other person,  
9 governmental unit, agency, organization, or body subcontracted  
10 or otherwise engaged in the furtherance of those services. A  
11 service provider does not include an attorney representing a  
12 child.

13 "Supportive care" means Department, service provider, and  
14 caregiver practices that are supportive of and responsive to a  
15 youth's lived experience, needs, and protected characteristics  
16 and do not subject the youth to rejection or hostility based  
17 on, or coercive efforts to change, a protected characteristic.

18 "Youth" has the meaning ascribed to that term in  
19 subsection (b) of Section 4e.

20 (c) Applicability. This Section applies to the Department,  
21 service providers, and caregivers for youth.

22 (d) Department, service provider, and caregiver conduct  
23 requirements to protect youth rights. The Department, service  
24 providers, and caregivers shall:

25 (1) cooperate and support services, care planning, and  
26 placements that are consistent with the youth's health,

1 safety, well-being, and best interests;

2 (2) adhere to privacy-protective documentation  
3 practices regarding the youth, consistent with Department  
4 policy regarding documentation of sensitive identity  
5 information; and

6 (3) provide supportive care consistent with the  
7 youth's case plan and best interests.

8 (e) Prohibited conduct.

9 (1) The Department, service providers, and caregivers  
10 are prohibited from engaging in conduct that:

11 (A) demeans, harasses, rejects, intentionally  
12 disregards, discriminates against, or retaliates  
13 against a youth based on a youth's protected  
14 characteristic or characteristics;

15 (B) intentionally interferes with services,  
16 supports, or treatment identified in the youth's case  
17 plan;

18 (C) discloses or compels disclosure of a youth's  
19 sensitive identity information, without the youth's  
20 expressed consent, consistent with Department policy  
21 regarding documentation of sensitive identity  
22 information, and contrary to the terms of Section 5g.

23 (2) The Department and service providers shall not:

24 (A) exclude a youth from participation in, deny a  
25 youth the benefits of, or subject a youth to  
26 discrimination under any program or activity based on

1           that youth's protected characteristic or  
2           characteristics;

3           (B) utilize criteria or methods of administration  
4           that have the effect of subjecting youth to  
5           discrimination because of the youth's protected  
6           characteristic or characteristics; or

7           (C) discourage, interfere with, or retaliate  
8           against a person who seeks to report a suspected or  
9           known statutory violation of this Section to an  
10          enforcement entity.

11       (f) Scope and limitations.

12           (1) Unless the youth affirmatively expresses support  
13           for a placement and that placement otherwise meets the  
14           placement requirements of Section 7 and the applicable  
15           licensing or approval standards, the Department shall not  
16           determine it is in a youth's best interest to be placed or  
17           remain placed with a placement provider or caregiver that:  
18           (i) will not expressly commit to comply with the conduct  
19           obligations of this Section; or (ii) violates the conduct  
20           requirements of subsection (d) or commits conduct that is  
21           prohibited under subsection (e). The Department shall  
22           provide youth in these circumstances the opportunity to  
23           express or withhold their support for the placement. If  
24           the youth does not affirmatively express support, as  
25           required for placement under this paragraph, the  
26           Department shall decline to place or maintain placement



1       for the youth based on the placement provider's or  
2       caregiver's inability to meet the required conduct  
3       obligations under this Section. The Department shall not  
4       disclose a youth's lack of affirmative expressed support  
5       to the prospective or current placement provider or  
6       caregiver.

7       (2) If a youth is placed or remains placed with a  
8       placement provider or caregiver in such circumstances as  
9       permitted under paragraph (1), the Department shall  
10      document the youth's affirmative expression of support for  
11      placement with this placement provider or caregiver using  
12      age-appropriate and developmentally appropriate methods,  
13      including, but not limited to: interviews, written  
14      statements, structured surveys, clinical evaluations or  
15      consultations, drawings, or guided play. After  
16      affirmatively expressing such support for this placement,  
17      the youth has the right to withdraw this support at any  
18      time and the Department has an ongoing obligation to  
19      monitor whether the youth maintains or withdraws such  
20      support. The Department shall inform the youth of that  
21      right and provide the youth simple options for the youth  
22      to communicate withdrawal of support to the Department.

23      (g) Clinical judgment and safety exception. Actions taken  
24      in accordance with the good-faith exercise of clinical  
25      judgment by a licensed professional, or actions necessary to  
26      address immediate risk of serious harm to youth or others,

1 shall not constitute a violation of this Section, provided  
2 that such actions are not based on bias against a protected  
3 characteristic, are narrowly tailored to address the  
4 identified risk, and are documented in the youth-specific  
5 record, consistent with Department policy regarding  
6 documentation of sensitive identity information.

7 (h) Compliance as a requirement for caregivers and service  
8 providers. Compliance with this Section is a condition of  
9 serving as a caregiver or service provider for a particular  
10 youth as required by that youth's best interest. This Section  
11 shall not be construed to establish independent licensure  
12 criteria under the Child Care Act of 1969.

13 (i) Enforcement.

14 (1) When a caregiver or service provider fails to  
15 comply with the requirements of this Section to care for a  
16 specific youth, the Department may take appropriate action  
17 authorized by law, including, but not limited to,  
18 placement changes and enhanced monitoring. No enforcement  
19 action under this paragraph shall be construed as a  
20 decision regarding licensure under the Child Care Act of  
21 1969.

22 (2) Any known, alleged, or suspected violation of a  
23 statutory requirement of this Section shall immediately be  
24 reported to the Department's Office of the Inspector  
25 General, the court presiding over the youth's case in  
26 accordance with the Juvenile Court Act of 1987, and the

1 youth's attorney and guardian ad litem. A known, alleged,  
2 or suspected violation of a statutory requirement of this  
3 Section constitutes a significant event and requires a  
4 significant event report by the Department as defined in  
5 Section 35.1 of this Act and paragraph (14.2) of Section  
6 1-3 of the Juvenile Court Act of 1987.

7 (3) Any youth aggrieved by conduct that violates  
8 subparagraph (A) or (B) of paragraph (2) of subsection (e)  
9 or paragraph (1) of subsection (f) may seek review under  
10 subsection (1.3) of Section 2-28 of the Juvenile Court Act  
11 of 1987.

12 (4) This subsection is in addition to and does not  
13 limit any enforcement authority of the Department or  
14 diminish any other remedies available to the youth under  
15 the law or equity.

16 (j) Mandatory disclosure of rights and enforcement  
17 options. Upon a youth's entry into the Department's care, and  
18 every 6 months thereafter, the Department shall provide youth  
19 with written notice:

20 (1) in plain language in the youth's primary language;  
21 (2) in an age and developmentally appropriate format;  
22 (3) in a manner accessible to individuals with  
23 disabilities;

24 (4) describing the youth's rights under this Section  
25 and the types of violations and conduct that may be  
26 reported; and

1           (5) the contact information for and procedures by  
2           which the youth can report alleged violations described in  
3           accordance with paragraph (4) to the Department's  
4           Inspector General, the Department's licensing division,  
5           and the court presiding over the youth's case in  
6           accordance with the Juvenile Court Act of 1987. The  
7           caseworker shall document in the youth's case file that  
8           the required disclosure of rights and enforcement options  
9           was provided to the youth in a format that is age  
10          appropriate, developmentally appropriate, and tailored to  
11          the youth's individual needs.

12          (k) (1) This Section shall be construed broadly to promote  
13          the safety, well-being, best interest, and equitable treatment  
14          of youth, consistent with the State's compelling interest in  
15          protecting youth.

16          (2) Nothing in this Section shall be construed to:

17               (A) compel an individual's beliefs or religious  
18               practices;

19               (B) require the Department, service providers, or  
20               caregivers to provide medical treatment beyond that  
21               authorized by law, court order, parental or guardian  
22               consent, or Department policy; or

23               (C) prohibit reasonable and developmentally  
24               appropriate limits necessary to protect the safety of the  
25               youth or others.

26          (3) Nothing in this Section shall be construed to limit or

1 diminish: (i) the rights of a youth to be free from  
2 discrimination or to receive care consistent with the  
3 protections guaranteed under State and federal law; (ii) the  
4 Department's obligation to comply with subsection (o) of  
5 Section 5 and rules and procedures developed in accordance  
6 with that subsection (o); (iii) the Department's obligation to  
7 act in the youth's best interests; or (iv) a youth's right to  
8 seek any other enforcement or legal remedies for violations  
9 available under law or equity.

10 (l) No later than July 1, 2027, the Department shall  
11 propose rules for adoption to implement the statutory  
12 protections under this Section. Rules shall address standards  
13 and criteria for conduct required or prohibited under  
14 subsections (d) and (e), including, but not limited to, the  
15 application of the terms used in this Section. No later than  
16 January 1, 2028, the Department shall adopt such rules.

17 (m) If any provision of this Section or its application to  
18 any person or circumstance is held invalid, the invalidity of  
19 that provision or application does not affect other provisions  
20 or applications of this Section that can be given effect  
21 without the invalid provision or application.

22 (n) The provisions of subsections (a), (b), (c), and (l)  
23 apply on and after July 1, 2027 and the provisions of  
24 subsections (d), (e), (f), (g), (h), (i), (j), (k), and (m)  
25 apply on and after January 1, 2028.

1 (20 ILCS 505/7.30 new)

2 Sec. 7.30. Protecting access to lawful health care for  
3 youth placed outside the State of Illinois.

4 (a) Findings. The General Assembly finds and declares  
5 that:

6 (1) Youth in the care of the Department remain subject  
7 to the jurisdiction of Illinois courts regardless of  
8 placement location.

9 (2) Access to medically appropriate health care is  
10 essential to youth safety and well-being. Denial or delay  
11 of medically appropriate health care may result in serious  
12 physical and mental health consequences.

13 (3) The Department has a continuing obligation to act  
14 in the best interests of youth, including ensuring access  
15 to lawful, medically appropriate health care permitted  
16 under Illinois law, and protection from being forced to  
17 receive care that has been prohibited under Illinois law.

18 (4) It is the policy of this State to ensure that all  
19 youth in the care of the Department receive the full  
20 measure of protections, rights, and services guaranteed  
21 under Illinois law, regardless of where the youth is  
22 placed by the Department.

23 (5) The General Assembly intends to protect the rights  
24 of youth placed by the Department outside the State of  
25 Illinois and require the Department to take affirmative  
26 steps to protect these youth when they are the subjects of

1 a pending case under the Juvenile Court Act of 1987.

2 (b) Definitions. As used in this Section:

3 "Coordination of lawful health care" means activities  
4 related to arranging, referring, facilitating access to,  
5 monitoring, or advocating for health care services, including  
6 mental health care, that is lawful in the State of Illinois.  
7 This includes communications necessary to effectuate such  
8 services, for youth placed outside the State of Illinois.

9 "Interstate placement" means the placement of a youth in a  
10 relative home, foster home, residential facility, or other  
11 placement located outside this State, including placements  
12 made in accordance with the Interstate Compact on the  
13 Placement of Children. It does not include living arrangements  
14 involving youth returning to, or remaining in, the custody of  
15 a parent out-of-state.

16 "Protected characteristic" has the meaning ascribed to  
17 that term in subsection (b) of Section 7.29.

18 "Risk of adverse action" means a loss of a protection  
19 available under Illinois law that would otherwise be available  
20 to a youth if not for the placement of a youth outside the  
21 physical boundaries of the State of Illinois that can be  
22 reasonably predicted to have the effect of one or more of the  
23 following: exposing a youth or a youth's caregiver to criminal  
24 prosecution under the laws of another state related to the  
25 youth procuring or receiving health care, including mental  
26 health care, that is lawful in the State of Illinois;

1 depriving a youth of access to health care, including mental  
2 health care, that is lawful in the State of Illinois;  
3 subjecting a youth to mental health care in another state that  
4 involves "sexual orientation change efforts"; denying a youth  
5 the authority to consent to health care that the youth would  
6 otherwise be permitted to consent to if the youth were in the  
7 State of Illinois; or depriving a youth of the ability to  
8 maintain the privacy of the youth's health care records that  
9 the youth would otherwise be permitted to deny a parent's or  
10 guardian's access to if the youth were participating in health  
11 care services in Illinois.

12 "Sexual orientation change efforts" means any mental  
13 health practices or treatments that seek to change an  
14 individual's sexual orientation, as defined by subsection  
15 (O-1) of Section 1-103 of the Illinois Human Rights Act,  
16 including efforts to change behaviors or gender expressions or  
17 to eliminate or reduce sexual or romantic attractions or  
18 feelings toward individuals of the same sex. "Sexual  
19 orientation change efforts" does not include counseling or  
20 mental health services that provide acceptance, support, and  
21 understanding of a person without seeking to change sexual  
22 orientation or mental health services that facilitate a  
23 person's coping, social support, and gender identity  
24 exploration and development, including sexual orientation  
25 neutral interventions to prevent or address unlawful conduct  
26 or unsafe sexual practices, without seeking to change sexual



1 orientation.

2 "Youth" has the meaning ascribed to that term in  
3 subsection (b) of Section 4e.

4 (c) The Department shall not determine that an interstate  
5 placement of youth age 8 and older is in a youth's best  
6 interests if:

7 (1) the interstate placement exposes a youth to risk  
8 of adverse action, in light of the youth's specific  
9 circumstances;

10 (2) the risk of adverse action cannot be sufficiently  
11 and effectively mitigated, as determined by the  
12 Department; and

13 (3) the youth does not affirmatively express support  
14 for being placed or remaining placed in that interstate  
15 placement.

16 The Department shall document the youth's preference  
17 regarding being placed in or remaining in an interstate  
18 placement using age-appropriate and developmentally  
19 appropriate methods, including, but not limited to:  
20 interviews, written statements, structured surveys, clinical  
21 evaluations and consultations, drawings, or guided play.

22 After affirmatively expressing the youth's preference for  
23 being placed or remaining placed in the interstate placement,  
24 the youth maintains the right to withdraw support or  
25 opposition at any time and the Department has an ongoing  
26 obligation to monitor whether the youth continues or withdraws

1 support. The Department shall inform the youth of that right  
2 and provide the youth simple options for the youth to  
3 communicate withdrawal of support or opposition to the  
4 Department. If a youth does not affirmatively express support  
5 for being placed in or remaining placed in an interstate  
6 placement that would expose the youth to unmitigated risk of  
7 adverse action, as determined by the Department, the  
8 Department shall not determine it is in a youth's best  
9 interest to be placed or remain placed in the interstate  
10 placement and the Department shall decline to place or  
11 maintain placement based on unmitigated risk of adverse  
12 action, as determined by the Department. The Department shall  
13 not disclose a youth's lack of support for a placement that  
14 exposes the youth to unmitigated risk of adverse action to the  
15 prospective or current interstate placement.

16 (d) Individualized placement assessment for interstate  
17 placements.

18 (1) Prior to interstate placement of a youth age 8 or  
19 older outside the State of Illinois, the Department shall  
20 conduct an individualized assessment of the suitability  
21 and risks of adverse action posed by the proposed  
22 placement for the specific youth. If the interstate  
23 placement of a youth age 8 or older on and after January 1,  
24 2028, occurred before January 1, 2028 and that youth  
25 remains in the Department's care on and after February 1,  
26 2028, the Department shall complete this initial

1       assessment on or before February 1, 2028 and begin  
2       monitoring and reassessment of suitability and risk of  
3       adverse action as provided under this Section while the  
4       youth remains in an interstate placement. If a youth is  
5       placed in an interstate placement before turning age 8 and  
6       the youth remains in the custody of the Department, the  
7       Department shall commence this initial assessment within  
8       30 days of the youth reaching age 8 and begin monitoring  
9       and reassessment of suitability and risk of adverse action  
10       as provided under this Section while the youth remains in  
11       that placement. Assessments required under this Section  
12       shall consider, as appropriate:

13               (A) the youth's age, development, and expressed  
14               preferences;

15               (B) the youth's physical, mental, reproductive,  
16               and sexual health needs, including reasonably  
17               foreseeable needs that may arise during the placement;

18               (C) whether the laws and regulations in the  
19               placement jurisdiction may limit or interfere with  
20               access to care or services that would be lawful under  
21               Illinois law, including, but not limited to,  
22               reproductive health care as defined in Section 1-10 of  
23               the Reproductive Health Act, lawful health care as  
24               defined in Section 28-10 of the Lawful Health Care  
25               Activity Act, a youth's authority to consent to care  
26               under Sections 1, 3, 4, and 5 of the Consent by Minors

1       to Health Care Services Act, the privacy protections  
2       afforded to youth under the Mental Health and  
3       Developmental Disabilities Confidentiality Act, birth  
4       control services and information available to youth  
5       under the Birth Control Services to Minors Act, and  
6       the ability of youth to request and receive outpatient  
7       counseling services and psychotherapy under the Mental  
8       Health and Developmental Disabilities Code;

9       (D) the youth's vulnerability to discrimination,  
10       retaliation, or harm based on the youth's protected  
11       characteristics or other individualized factors;

12       (E) whether the Department's plan to mitigate any  
13       risk of adverse action is sufficient to meet the  
14       youth's needs, which may include plans to arrange  
15       equivalent protections or access to relevant health  
16       care through contractual obligations and supplemental  
17       services or by ensuring the youth's safe return to the  
18       State of Illinois to access care; and

19       (F) the youth's best interest, taking into account  
20       the factors listed in subsection (4.05) of Section 1-3  
21       of the Juvenile Court Act of 1987.

22       The Department shall document the assessment in the  
23       youth-specific record, including the basis for the  
24       placement, the Department's determination that the  
25       placement is or is not in the youth's best interest, the  
26       assessment of protections available, risk of adverse

1 action, and the specific actions taken or to be taken, if  
2 any, including protective measures to mitigate against any  
3 risk of adverse action, as determined by the Department,  
4 and report this information to the court as required under  
5 Sections 2-27.2, 2-27.4, and 2-28 of the Juvenile Court  
6 Act of 1987, in a manner consistent with Department policy  
7 regarding documentation of sensitive identity information.  
8 If the Department places the youth age 8 or older  
9 out-of-state, the Department shall continue to report this  
10 information to the court at permanency hearings as part of  
11 the Department's required efforts under Section 2-28 of  
12 the Juvenile Court Act of 1987, in a manner consistent  
13 with Department policy regarding documentation of  
14 sensitive identity information. If the Department places a  
15 youth under age 8 out-of-state, the Department shall begin  
16 to report this information to the court as part of the  
17 Department's required efforts under Sections 2-27.2 and  
18 2-27.4 and at permanency hearings under Section 2-28 of  
19 the Juvenile Court Act of 1987, in a manner consistent  
20 with Department policy regarding documentation of  
21 sensitive identity information, when the youth reaches the  
22 age of 8.

23 The Department shall provide the youth's attorney or  
24 guardian ad litem appointed under the Juvenile Court Act  
25 of 1987 with a copy of the assessment within 10 days of the  
26 assessment being finalized. If the Department plans to

1       move the youth to the interstate placement within 10 days  
2       after the finalization of the assessment, the Department  
3       shall provide the copy of the assessment to the youth's  
4       attorney or guardian ad litem immediately upon completion.

5       (2) If the initial placement assessment for a youth  
6       age 8 or older finds that the placement poses risk of  
7       adverse action relevant to the youth's specific  
8       circumstances and that risk cannot be sufficiently and  
9       effectively mitigated for this youth's circumstances, as  
10      determined by the Department, the Department shall not  
11      place a youth age 8 or older in an interstate placement  
12      unless the Department: (i) determines that the placement  
13      is in the youth's best interest, (ii) documents that the  
14      youth affirmatively expresses support for the placement,  
15      as required by this Section, (iii) the youth has been  
16      advised of the diminished protections available and the  
17      risk of action these diminished protections pose in light  
18      of the youth's specific circumstances, and (iv) the youth  
19      has been provided the opportunity to consult with the  
20      attorney appointed to represent the youth under the  
21      Juvenile Court Act of 1987. The Department shall inform  
22      the youth that the youth has the right to express or  
23      withhold support for placement in these circumstances. If  
24      a youth who is affirmatively expressing support for  
25      placement despite the unmitigated risk of adverse action  
26      is not already represented by an attorney, the Department

1       shall notify the court hearing the youth's case in  
2       accordance with the Juvenile Court Act of 1987 that an  
3       attorney for the youth should be appointed in accordance  
4       with subsection (a-5) of Section 2-27.2 or subsection (c)  
5       of Section 2-27.4 of the Juvenile Court Act of 1987. The  
6       Department shall provide notice to the court in a manner  
7       consistent with Department policy regarding documentation  
8       of sensitive identity information.

9       (3) If a youth was under age 8 at the time of  
10       interstate placement and the initial placement assessment  
11       required under this subsection for youth reaching the age  
12       8 after interstate placement finds that the jurisdiction  
13       in which the youth is placed poses a risk of adverse action  
14       relevant to the youth's specific circumstances and that  
15       risk of adverse action cannot be sufficiently and  
16       effectively mitigated for the youth's circumstances, as  
17       determined by the Department, the Department must confirm  
18       whether the youth affirmatively expresses support for  
19       remaining in the interstate placement. The Department  
20       shall inform the youth that the youth has the right to  
21       express or withhold support for the placement in these  
22       circumstances.

23       If the youth indicates that the youth does not support  
24       remaining in the interstate placement because there is  
25       unmitigated risk of adverse action in light of the youth's  
26       specific circumstances, the Department shall intervene by

1       returning the youth to Illinois or identifying alternative  
2       placement options that comport with the requirements of  
3       this Section, consistent with the youth's best interests.

4       If, in responding to the Department's inquiry, the  
5       youth affirmatively expresses support for remaining in the  
6       interstate placement despite the unmitigated risk of  
7       adverse action the diminished protections pose in light of  
8       the youth's specific circumstances, the Department shall  
9       not maintain this interstate placement unless: (i) the  
10      Department determines that the placement is in the youth's  
11      best interest, (ii) the Department documents that the  
12      youth affirmatively expresses support for the placement,  
13      as required by this Section, (iii) the youth has been  
14      advised of the diminished protections available and the  
15      risk of adverse action these diminished protections pose  
16      in light of the youth's specific circumstances, and (iv)  
17      the youth has been provided the opportunity to consult  
18      with the attorney appointed to represent the youth under  
19      the Juvenile Court Act of 1987. If that youth is not  
20      already represented by an attorney, the Department shall  
21      notify the court hearing the youth's case in accordance  
22      with the Juvenile Court Act of 1987 that an attorney for  
23      the youth should be appointed in accordance with  
24      subsection (a-5) of Section 2-27.2 or subsection (c) of  
25      Section 2-27.4 of the Juvenile Court Act of 1987. The  
26      Department shall provide notice to the court in a manner



1 consistent with Department policy regarding documentation  
2 of sensitive identity information.

3 Following the Department's determination that the risk  
4 of adverse action cannot be sufficiently and effectively  
5 mitigated, the Department shall immediately notify the  
6 attorney appointed to represent the youth under the  
7 Juvenile Court Act of 1987 when the Department is  
8 considering action under this paragraph to allow the  
9 youth's attorney to consult with the youth.

10 (4) Nothing in this subsection requires court approval  
11 prior to interstate placement unless otherwise required by  
12 law.

13 (e) Ongoing duty for Illinois-based caseworker contact to  
14 monitor risk of adverse action.

15 (1) For any youth age 8 or older placed outside the  
16 State of Illinois, the Department shall ensure that an  
17 Illinois-based caseworker maintains regular and meaningful  
18 contact with the youth for the purpose of monitoring and  
19 reassessing safety, well-being, access to medically  
20 appropriate care, and risk of adverse action in light of  
21 the youth's specific circumstances. At a minimum, such  
22 contact shall include:

23 (A) direct communication, in person or via  
24 videoconferencing, with the youth at intervals  
25 consistent with Department policy, but not less  
26 frequently than once per month in a manner that

1 permits the youth to speak freely, without the undue  
2 influence of others and outside the presence of the  
3 caregiver, about the youth's needs and concerns  
4 related to health, safety, and well-being;

5 (B) in person visits at intervals consistent with  
6 Department policy based on the youth's placement type  
7 and level of need but not less than twice a year for  
8 approved foster placements and relative caregivers and  
9 not less than quarterly for residential or qualified  
10 residential treatment program placements, completed by  
11 Department-designated qualified staff;

12 (C) monitoring whether the youth's placement is  
13 complying with the Department's plan to ensure the  
14 youth is receiving care that meets or exceeds Illinois  
15 standards for safety, well-being, permanency planning,  
16 and the provision of, and access to, health care;

17 (D) identifying emerging or reasonably foreseeable  
18 health care needs, including reproductive and sexual  
19 health needs, in light of the youth's age,  
20 development, and specific circumstances; and

21 (E) reassessing whether the placement continues to  
22 meet the youth's needs, in light of any changes in the  
23 youth's circumstances, and revising efforts to  
24 mitigate risk of adverse action, as necessary, to  
25 ensure the youth's interests are protected and needs  
26 are being met. Caseworker contact required under this

1        subsection shall be documented in the case record and  
2        reported to the court at permanency hearings as  
3        required under Section 2-28 of the Juvenile Court Act  
4        of 1987, in a manner consistent with Department policy  
5        regarding documentation of sensitive identity  
6        information.

7        (2) The ongoing monitoring and reassessment required  
8        under this subsection shall recognize that a youth's  
9        health care needs may change over time and shall not be  
10       limited to conditions or needs identified at the time of  
11       placement. The Department shall document such  
12       reassessments in the youth-specific record and include the  
13       reassessments in the youth's service plan, in a manner  
14       consistent with Department policy regarding documentation  
15       of sensitive identity information.

16       (3) The Department shall also confirm whether a youth  
17       affirmatively supports remaining in the interstate  
18       placement if either the:

19       (A) Department's ongoing monitoring and  
20       reassessment required under this subsection finds that  
21       the interstate placement poses risk of adverse action  
22       relevant to the youth's specific circumstances and  
23       that risk of adverse action cannot be sufficiently and  
24       effectively mitigated for the youth's specific  
25       circumstances, as determined by the Department, while  
26       the youth remains in the interstate placement, as

1           required under this Section; or

2           (B) Department learns of a denial, delay, or  
3           material interference with health care approved by the  
4           Department, ordered by an Illinois court, or consented  
5           to by the youth as permitted by Illinois law providing  
6           youth the authority to consent.

7           The Department shall inform the youth that the youth  
8           has the right to express or withhold support for the  
9           placement in these circumstances. If the youth does not  
10          affirmatively express support for remaining in the  
11          interstate placement, the Department shall intervene by  
12          returning the youth to Illinois or identifying alternative  
13          placement options that comport with the requirements of  
14          this Section, consistent with the youth's best interests.

15          If, in responding to the Department's inquiry, the  
16          youth affirmatively expresses support for remaining in  
17          that interstate placement despite unmitigated risk of  
18          adverse action the diminished protections pose in light of  
19          the youth's specific circumstances, the Department shall  
20          not maintain this interstate placement unless: (i) the  
21          Department determines it is in the youth's best interest,  
22          (ii) the Department documents that the youth affirmatively  
23          expresses support for the placement, as required by this  
24          Section, (iii) the youth has been advised of the  
25          diminished protections available and the risk of adverse  
26          action these diminished protections pose in light of the

1 youth's specific circumstances, and (iv) the youth has  
2 been provided the opportunity to consult with the attorney  
3 appointed to represent the youth under the Juvenile Court  
4 Act of 1987.

5 If this youth is not already represented by an  
6 attorney, the Department shall notify the court hearing  
7 the youth's case in accordance with the Juvenile Court Act  
8 of 1987 that an attorney for the youth should be appointed  
9 in accordance with subsection (a-5) of Section 2-27.2 or  
10 subsection (c) of Section 2-27.4 of the Juvenile Court Act  
11 of 1987. The Department shall provide notice to the court  
12 in a manner consistent with Department policy regarding  
13 documentation of sensitive identity information.

14 Following the Department's determination that risk of  
15 adverse action cannot be sufficiently and effectively  
16 mitigated, the Department shall immediately notify the  
17 attorney appointed to represent the youth under the  
18 Juvenile Court Act of 1987 with sufficient notice to allow  
19 the youth's attorney to consult with the youth.

20 (4) Ongoing reassessment under this subsection does  
21 not require the completion of an assessment form; instead,  
22 the Department's analysis and any revisions to the initial  
23 assessment may be documented in the format of a case note.

24 (f) Protection of Department employees and service  
25 providers. No employee of the Department or a service provider  
26 responsible for coordination of lawful health care shall be

1 subject to discipline, retaliation, adverse employment action,  
2 civil liability, or criminal liability solely for the  
3 coordination of lawful health care for a youth in an  
4 interstate placement, when such coordination is undertaken in  
5 good faith and within the scope of the employee's or service  
6 provider's official duties in accordance with Sections 7.29  
7 and 7.30.

8 To the fullest extent State and federal law permit, the  
9 Department shall not cooperate with or provide assistance to  
10 any out-of-state investigation, enforcement action, subpoena,  
11 or request that seeks to impose civil, criminal, or  
12 professional penalties on an employee or service provider  
13 based solely on the coordination of lawful health care.

14 (g) Enforcement. Failure to comply with this Section  
15 constitutes grounds for the Department to deny or terminate  
16 placement or take licensing action, corrective action, or  
17 other remedial action authorized by law. A known, alleged, or  
18 suspected violation of a statutory requirement in this Section  
19 constitutes a significant event and requires a significant  
20 event report by the Department as defined in Section 35.1 of  
21 this Act and paragraph (14.2) of Section 1-3 of the Juvenile  
22 Court Act of 1987.

23 (h) The Department retains authority, as guardian, to  
24 consent to and authorize health care for youth in accordance  
25 with Illinois law and applicable court orders. This authority  
26 applies regardless of the youth's physical location, including

1 when a youth is placed in a residential, hospital, or other  
2 interstate placement setting, unless a court of competent  
3 jurisdiction grants such authority to another guardian or  
4 parent.

5 (i) The requirements of this Section apply to all  
6 interstate placements of youth age 8 and older.

7 (j) Construction.

8 (1) Nothing in this Section shall be construed to:

9 (A) provide immunity for any act or omission  
10 unrelated to the coordination of lawful health care;

11 (B) require any person or entity to violate the  
12 laws of another state;

13 (C) authorize conduct that is not otherwise lawful  
14 under Illinois law;

15 (D) regulate the practice of medicine in another  
16 state;

17 (E) limit the authority of Illinois courts over  
18 youth for whom the Department retains legal custody;

19 (F) require another state to permit or provide  
20 health care services; or

21 (G) protect conduct that constitutes willful  
22 misconduct or gross negligence under Illinois law.

23 (2) Nothing in this Section shall be construed to  
24 limit or diminish: (i) the rights of a youth to be free  
25 from discrimination or to receive care consistent with the  
26 protections guaranteed under State and federal law; (ii)

1 the Department's obligation to comply with subsection (o)  
2 of Section 5 of this Act or rules and procedures developed  
3 in accordance with that subsection (o), Section 2-27.2 and  
4 subsection (2.5) of Section 2-28 of the Juvenile Court Act  
5 of 1987, and applicable provisions of the Interstate  
6 Compact on the Placement of Children; or (iii) the  
7 Department's obligation to act in the youth's best  
8 interests.

9 (3) This Section shall be construed broadly to promote  
10 the safety, well-being, best interest, and equitable  
11 treatment of youth, consistent with the State's compelling  
12 interest in protecting youth.

13 (k) If any provision of this Section or its application to  
14 any person or circumstance is held invalid, the invalidity of  
15 that provision or application does not affect other provisions  
16 or applications of this Section that can be given effect  
17 without the invalid provision or application.

18 (l) The provisions of this Section apply on and after  
19 January 1, 2028.

20 (20 ILCS 505/7.31 new)

21 Sec. 7.31. Public transparency and accountability  
22 reporting.

23 (a) Beginning January 1, 2028, and annually every January  
24 1 thereafter, the Department shall post the following data on  
25 its website:



1       (1) The following information for each youth placed  
2       out-of-state during the preceding fiscal year: age,  
3       gender, type of placement (relative, foster home, adoptive  
4       home, institution, detention, residential treatment  
5       center, or any other type of placement), and the name of  
6       the state in which the youth is placed.

7       (2) A list of the out-of-state residential treatment  
8       centers that the Department approved for use during the  
9       last fiscal year or makes placement referrals to,  
10       including the name of the center, the state in which the  
11       center is located, and whether the center is a secure  
12       facility.

13       (b) Beginning January 1, 2029, and annually every January  
14       1 thereafter, the Department shall post on its website data  
15       from the preceding State fiscal year regarding:

16       (1) A list of the significant event reports the  
17       Department received reporting alleged, suspected, or known  
18       statutory violations of Section 7.29 with a brief  
19       description of the nature of each significant event,  
20       summarized in a manner that protects the youth's identity  
21       from being revealed, and whether the significant event  
22       involved the conduct of the Department or a service  
23       provider.

24       (2) A list of the significant event reports the  
25       Department received reporting alleged, suspected, or known  
26       statutory violations of Section 7.30 with a brief

1 description of the nature of each significant event,  
2 summarized in a manner that protects the youth's identity  
3 from being revealed, and whether the significant event  
4 involved the conduct of the Department or a service  
5 provider.

6 (3) A list of the enforcement actions taken by the  
7 Department under Section 8.1b of the Child Care Act of  
8 1969 with a brief description of the type of conduct  
9 addressed, summarized in a manner that protects the  
10 youth's identity from being revealed, and the type of  
11 enforcement action taken by the Department.

12 The Department shall include a description of the  
13 methodology the Department used to collect the data for  
14 subsections (a) and (b), indicate whether the Department had  
15 any difficulties collecting the data, and indicate whether  
16 there are concerns about the validity of the data. If any of  
17 the data elements required to be disclosed under this Section  
18 could reasonably be linked to an identified or identifiable  
19 youth in combination with the other information due to small  
20 sample size, the Department shall exclude the data elements  
21 that could be used to identify the youth or compromise the  
22 youth's safety and report that the specific data element was  
23 excluded for this reason.

24 (c) Performance audits. On or after January 1, 2031, the  
25 Auditor General shall commence a performance audit of the  
26 Department to determine whether the Department is meeting the

1 requirements established by this amendatory Act of the 104th  
2 General Assembly in Sections 5g, 6a, 7, 7.29, 7.30, and 35.5 of  
3 this Act, Section 8.1b of the Child Care Act of 1969, and  
4 Sections 2-27.2, 2-27.4, 2-28, and 5-745 of the Juvenile Court  
5 Act of 1987. Within 3 years after the audit's release, the  
6 Auditor General shall commence a follow-up performance audit  
7 to determine whether the Department has implemented the  
8 recommendations contained in the initial performance audit.

9 Upon completion of each audit, the Auditor General shall  
10 report its findings to the General Assembly. The Auditor  
11 General's reports shall include any issues or deficiencies and  
12 recommendations. The audits required by this Section shall be  
13 in accordance with and subject to the Illinois State Auditing  
14 Act. The Department shall post both audits required under this  
15 subsection on the Department's website within 30 days after  
16 the Auditor General's finalization of the respective audit.

17 (d) The provisions of this Section apply on and after  
18 January 1, 2028.

19 (20 ILCS 505/35.5)

20 Sec. 35.5. Inspector General.

21 (a) The Governor shall appoint, and the Senate shall  
22 confirm, an Inspector General who shall have the authority to  
23 conduct investigations into allegations of or incidents of  
24 possible misconduct, misfeasance, malfeasance, or violations  
25 of rules, procedures, or laws by any employee, foster parent,

1 service provider, or contractor of the Department of Children  
2 and Family Services, except for allegations of violations of  
3 the State Officials and Employees Ethics Act which shall be  
4 referred to the Office of the Governor's Executive Inspector  
5 General for investigation.

6 The Inspector General shall make recommendations to the  
7 Director of Children and Family Services concerning sanctions  
8 or disciplinary actions against Department employees or  
9 providers of service under contract to the Department. The  
10 Inspector General shall also make recommendations to the  
11 Director concerning measures to be taken to remediate harm  
12 caused to a youth who experienced harm due to conduct  
13 violating a requirement in Section 7.29 or 7.30, including,  
14 but not limited to, the provision of remedial services or  
15 other remedies available under law or equity. The Inspector  
16 General shall investigate reports involving conduct alleged to  
17 violate a minor's rights under Section 7.29 or 7.30 and make  
18 findings as to whether the violation can be substantiated.

19 The Director of Children and Family Services shall provide  
20 the Inspector General with an implementation report on the  
21 status of any corrective actions taken on recommendations  
22 under review and shall continue sending updated reports until  
23 the corrective action is completed. The Director shall provide  
24 a written response to the Inspector General indicating the  
25 status of (i) any sanctions or disciplinary actions against  
26 employees or providers of service involving any investigation

1 subject to review and (ii) any service provision or remedial  
2 measures recommended by the Inspector General to address harm  
3 to a youth impacted by a violation of Section 7.29 or 7.30. In  
4 any case, information included in the reports to the Inspector  
5 General and Department responses shall be subject to the  
6 public disclosure requirements of the Abused and Neglected  
7 Child Reporting Act; however, any public disclosure pertaining  
8 to violations of Sections 7.29 or 7.30 shall be limited to  
9 information that cannot reasonably be linked to an identified  
10 or identifiable child in combination with other information,  
11 data sets, or sources. Any investigation conducted by the  
12 Inspector General shall be independent and separate from the  
13 investigation mandated by the Abused and Neglected Child  
14 Reporting Act. The Inspector General shall be appointed for a  
15 term of 4 years. The Inspector General shall function  
16 independently within the Department of Children and Family  
17 Services with respect to the operations of the Office of  
18 Inspector General, including the performance of investigations  
19 and issuance of findings and recommendations, and shall report  
20 to the Director of Children and Family Services and the  
21 Governor and perform other duties the Director may designate.  
22 The Inspector General shall adopt rules as necessary to carry  
23 out the functions, purposes, and duties of the office of  
24 Inspector General in the Department of Children and Family  
25 Services, in accordance with the Illinois Administrative  
26 Procedure Act and any other applicable law.

1           (b) The Inspector General shall have access to all  
2 information and personnel necessary to perform the duties of  
3 the office. To minimize duplication of efforts, and to assure  
4 consistency and conformance with the requirements and  
5 procedures established in the B.H. v. Suter consent decree and  
6 to share resources when appropriate, the Inspector General  
7 shall coordinate the Inspector General's activities with the  
8 Bureau of Quality Assurance within the Department.

9           (c) The Inspector General shall be the primary liaison  
10 between the Department and the Illinois State Police with  
11 regard to investigations conducted under the Inspector  
12 General's auspices. If the Inspector General determines that a  
13 possible criminal act has been committed, or that special  
14 expertise is required in the investigation, the Inspector  
15 General shall immediately notify the Illinois State Police.  
16 All investigations conducted by the Inspector General shall be  
17 conducted in a manner designed to ensure the preservation of  
18 evidence for possible use in a criminal prosecution.

19           (d) The Inspector General may recommend to the Department  
20 of Children and Family Services, the Department of Public  
21 Health, or any other appropriate agency, sanctions to be  
22 imposed against service providers under the jurisdiction of or  
23 under contract with the Department for the protection of  
24 children in the custody or under the guardianship of the  
25 Department who received services from those providers. The  
26 Inspector General may seek the assistance of the Attorney

1 General or any of the several State's Attorneys in imposing  
2 sanctions.

3 (e) The Inspector General shall at all times be granted  
4 access to any foster home, facility, or program operated for  
5 or licensed or funded by the Department.

6 (f) Nothing in this Section shall limit investigations by  
7 the Department of Children and Family Services that may  
8 otherwise be required by law or that may be necessary in that  
9 Department's capacity as the central administrative authority  
10 for child welfare.

11 (g) The Inspector General shall have the power to subpoena  
12 witnesses and compel the production of books and papers  
13 pertinent to an investigation authorized by this Act. The  
14 power to subpoena or to compel the production of books and  
15 papers, however, shall not extend to the person or documents  
16 of a labor organization or its representatives insofar as the  
17 person or documents of a labor organization relate to the  
18 function of representing an employee subject to investigation  
19 under this Act. Any person who fails to appear in response to a  
20 subpoena or to answer any question or produce any books or  
21 papers pertinent to an investigation under this Act, except as  
22 otherwise provided in this Section, or who knowingly gives  
23 false testimony in relation to an investigation under this Act  
24 is guilty of a Class A misdemeanor.

25 (h) (1) The Inspector General shall provide to the General  
26 Assembly and the Governor, no later than January 1 of each

1 year, a summary of reports and investigations made under this  
2 Section for the prior fiscal year. The summaries shall detail  
3 the imposition of sanctions and the final disposition of those  
4 recommendations. The summaries shall not contain any  
5 confidential or identifying information concerning the  
6 subjects of the reports and investigations. The summaries also  
7 shall include detailed recommended administrative actions and  
8 matters for consideration by the General Assembly.

9 (2) As it pertains to the annual summary of reports and  
10 investigations required under paragraph (1), for reports  
11 received on or after January 1, 2028, the Inspector General  
12 shall:

13 (A) disclose the number of investigations commenced  
14 involving allegations that conduct occurred that violated  
15 a minor's rights under Section 7.29 or 7.30;

16 (B) disclose the number of those investigations that  
17 resulted in the Inspector General substantiating a finding  
18 that such conduct occurred; and

19 (C) for those investigations resulting in a  
20 substantiated finding by the Inspector General, the  
21 summaries provided shall detail: (i) the type of alleged  
22 violation; (ii) the type of entity alleged to have  
23 committed the conduct violation; (iii) whether any  
24 remedial services or interventions were provided to the  
25 youth to remedy harm related to the violation, if any;  
26 (iv) the final disposition of investigative



1 recommendations the Inspector General provided to the  
2 Director and any reason provided to the Inspector General  
3 for declining to follow a recommendation, if any; and (v)  
4 any recommendations for systemic improvement to prevent  
5 future violations, including any enforcement mechanisms  
6 needed to ensure accountability for violations.

7 (i) The changes made to this Section by this amendatory  
8 Act of the 104th General Assembly apply on and after January 1,  
9 2028.

10 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23.)

11 Section 10. The Child Care Act of 1969 is amended by adding  
12 Section 8.1b as follows:

13 (225 ILCS 10/8.1b new)

14 Sec. 8.1b. Supportive care for youth placed; licensure and  
15 contractual compliance.

16 (a) Any child care institution, group home, residential  
17 treatment center, foster home, or child placing agency  
18 licensed under this Act that serves a child in the care of the  
19 Department of Children and Family Services shall comply with  
20 Sections 5g, 6a, 7, 7.29, and 7.30 of the Children and Family  
21 Services Act. As a condition of licensure under this Act and of  
22 eligibility to contract with or receive placement referrals  
23 from the Department, an entity licensed under this Act that  
24 provides care to a child in the care of the Department shall

1 comply with Sections 5g, 6a, 7, 7.29, and 7.30 of the Children  
2 and Family Services Act and agree, by contract or written  
3 agreement, to comply with those Sections.

4 (b) Enforcement. Failure to comply with this Section 8.1b  
5 may constitute grounds for the Department to deny or terminate  
6 placement or take licensing action, corrective action, or  
7 other remedial action authorized by law. Nothing in this  
8 subsection relieves the Department of its obligations to  
9 comply with the requirements of subsection (o) of Section 5 of  
10 the Children and Family Services Act or rules and procedures  
11 developed in accordance with that subsection (o).

12 (c) If any provision of this Section or its application to  
13 any person or circumstance is held invalid, the invalidity of  
14 that provision or application does not affect other provisions  
15 or applications of this Section that can be given effect  
16 without the invalid provision or application.

17 (d) The provisions of this Section apply on and after  
18 January 1, 2028.

19 Section 15. The Juvenile Court Act of 1987 is amended by  
20 changing Sections 2-27.2, 2-28, and 5-745 and by adding  
21 Section 2-27.4 as follows:

22 (705 ILCS 405/2-27.2)

23 Sec. 2-27.2. Placement; out-of-state residential treatment  
24 center.

1           (a) In addition to the provisions of subsection (3) of  
2 Section 2-27 of this Act, no placement by any probation  
3 officer or agency whose representative is an appointed  
4 guardian of the person or legal custodian of the minor may be  
5 made in an out-of-state residential treatment center unless  
6 the court has determined that the out-of-state residential  
7 placement is in the best interest and is the least  
8 restrictive, most family-like setting for the minor. The  
9 Department's application to the court to place a minor in an  
10 out-of-state residential treatment center shall include:

11           (1) an explanation of what in State resources, if any,  
12 were considered for the minor and why the minor cannot be  
13 placed in a residential treatment center or other  
14 placement in this State;

15           (2) an explanation as to how the out-of-state  
16 residential treatment center will impact the minor's  
17 relationships with family and other individuals important  
18 to the minor in and what steps the Department will take to  
19 preserve those relationships;

20           (3) an explanation as to how the Department will  
21 ensure the safety and well-being of the minor in the  
22 out-of-state residential treatment center; ~~and~~

23           (4) an explanation as to why it is in the minor's best  
24 interest to be placed in an out-of-state residential  
25 treatment center, including a description of the minor's  
26 treatment needs and how those needs will be met in the

1       proposed placement; ~~+~~

2       (5) an explanation as to the manner by which the  
3       Department assessed the out-of-state residential treatment  
4       center to determine the center's capacity to provide  
5       supportive care, as defined in Section 7.29 of the  
6       Children and Family Services Act, including, but not  
7       limited to, whether the Department has visited the  
8       placement and whether the Department has requested and, if  
9       legally accessible, reviewed any history of licensing  
10      violations or maltreatment reports for that placement;

11      (6) if the minor is 8 years of age or older, consistent  
12      with Department policy regarding documentation of  
13      sensitive identity information, as that term is defined in  
14      the Children and Family Services Act, an overview of the  
15      individualized placement assessment required under  
16      subsection (d) of Section 7.30 of the Children and Family  
17      Services Act, including any risk of adverse action  
18      identified, as determined by the Department, the  
19      Department's plan to mitigate such risk of adverse action;  
20      and

21      (7) an affirmative statement of the minor's  
22      preferences regarding placement, and if the minor does not  
23      agree to this placement, the minor's explanation; and

24      (8) if the minor age 8 or older will not be  
25      participating in the hearing under this Section, an  
26      explanation as to how the Department offered the minor the

1       opportunity to participate, including offering  
2       transportation assistance and remote participation  
3       opportunities.

4       (a-5) In addition to any rights the minor may have under  
5       Section 1-5 of this Act, if the minor is not already  
6       represented by an attorney, the court shall appoint an  
7       attorney for the minor upon notification from the Department  
8       that the minor requires appointment of an attorney in  
9       accordance with subsection (d) or (e) of Section 7.30 of the  
10       Children and Family Services Act.

11       (b) If the out-of-state residential treatment center is a  
12       secure facility as defined in paragraph (18) of Section 1-3 of  
13       this Act, the requirements of Section 27.1 of this Act shall  
14       also be met prior to the minor's placement in the out-of-state  
15       residential treatment center.

16       (c) This Section does not apply to an out-of-state  
17       placement of a minor in a family foster home, relative foster  
18       home, a home of a parent, or a dormitory or independent living  
19       setting of a minor attending a post-secondary educational  
20       institution.

21       (d) The changes made to this Section by this amendatory  
22       Act of the 104th General Assembly apply on and after January 1,  
23       2028.

24       (Source: P.A. 100-136, eff. 8-18-17.)

25       (705 ILCS 405/2-27.4 new)

1       Sec. 2-27.4. Risk of adverse action assessment and  
2       monitoring for minors 8 or older in out-of-state placements.

3       (a) Applicability. This Section applies to minors age 8 or  
4       older who are placed in out-of-state placements other than  
5       residential treatment centers, including youth in college.  
6       This does not apply to minors returned to, or remaining in, the  
7       custody of their parents.

8       (b) Court notification. The Department shall submit a  
9       written report to the court as required under this subsection,  
10      and consistent with Department policy regarding documentation  
11      of sensitive identity information, as the term is defined in  
12      the Children and Family Services Act no later than: (i) 5 days  
13      prior to the Department of Children and Family Services'  
14      submission of an Interstate Compact on the Placement of  
15      Children request to place a minor; or (ii) 60 days after a  
16      minor who is placed out-of-state reaches age 8; or (iii) 10  
17      days prior to the minor moving out-of-state to a placement  
18      that does not require an interstate compact; or (iv) within 15  
19      days of the Department approving an out-of-state placement not  
20      subject to the Interstate Compact on the Placement of  
21      Children, whichever is earlier. The written report to the  
22      court shall explain:

23           (1) the findings of the assessment required under  
24           subsection (d) of Section 7.30 of the Children and Family  
25           Services Act;

26           (2) the necessity and justification for the

1 out-of-state placement;

2 (3) the efforts of the Department of Children and  
3 Family Services to identify an appropriate in-state  
4 placement;

5 (4) the anticipated duration of the placement;

6 (5) the Department's plan for maintaining regular and  
7 meaningful contact between the Illinois-based assigned  
8 caseworker and the minor as required under subsections (d)  
9 and (e) of Section 7.30 of the Children and Family  
10 Services Act;

11 (6) why the Department determined it to be in the  
12 minor's best interest to be placed in the identified  
13 placement and an affirmative statement of the minor's  
14 preferences regarding the placement; and

15 (7) whether the minor is in need of an attorney in  
16 accordance with subsection (d) or (e) of Section 7.30 of  
17 the Children and Family Services Act.

18 (c) In addition to any rights the minor may have under  
19 Section 1-5 of this Act, if the minor is not already  
20 represented by an attorney, the court shall appoint an  
21 attorney for the minor upon notification from the Department  
22 that the minor requires appointment of an attorney in  
23 accordance with subsection (d) or (e) of Section 7.30 of the  
24 Children and Family Services Act.

25 (d) The provisions of this Section apply on and after  
26 January 1, 2028; however, the provisions of subsection (b)

1 apply on and after March 1, 2028 to interstate placements of a  
2 youth age 8 or older if the placement occurred before January  
3 1, 2028 and the youth remains in the Department's care on or  
4 after January 1, 2028.

5 (705 ILCS 405/2-28)

6 (Text of Section before amendment by P.A. 104-107)

7 Sec. 2-28. Court review.

8 (1) The court may require any legal custodian or guardian  
9 of the person appointed under this Act to report periodically  
10 to the court or may cite the legal custodian or guardian into  
11 court and require the legal custodian, guardian, or the legal  
12 custodian's or guardian's agency to make a full and accurate  
13 report of the doings of the legal custodian, guardian, or  
14 agency on behalf of the minor. The custodian or guardian,  
15 within 10 days after such citation, or earlier if the court  
16 determines it to be necessary to protect the health, safety,  
17 or welfare of the minor, shall make the report, either in  
18 writing verified by affidavit or orally under oath in open  
19 court, or otherwise as the court directs. Upon the hearing of  
20 the report the court may remove the custodian or guardian and  
21 appoint another in the custodian's or guardian's stead or  
22 restore the minor to the custody of the minor's parents or  
23 former guardian or custodian. However, custody of the minor  
24 shall not be restored to any parent, guardian, or legal  
25 custodian in any case in which the minor is found to be



1 neglected or abused under Section 2-3 or dependent under  
2 Section 2-4 of this Act, unless the minor can be cared for at  
3 home without endangering the minor's health or safety and it  
4 is in the best interests of the minor, and if such neglect,  
5 abuse, or dependency is found by the court under paragraph (1)  
6 of Section 2-21 of this Act to have come about due to the acts  
7 or omissions or both of such parent, guardian, or legal  
8 custodian, until such time as an investigation is made as  
9 provided in paragraph (5) and a hearing is held on the issue of  
10 the fitness of such parent, guardian, or legal custodian to  
11 care for the minor and the court enters an order that such  
12 parent, guardian, or legal custodian is fit to care for the  
13 minor.

14 (1.3) (A) As used in this subsection:

15 "Direct case management, care, or placement" means work or  
16 services of individual workers or caregivers employed,  
17 contracted, or licensed by the Department or its service  
18 providers for child welfare services provided directly to  
19 individual minors, including, but not limited to, case  
20 management, clinical services, foster or relative caregiver  
21 services, and other placement services.

22 "Service provider" has the meaning ascribed to that term  
23 in subsection (b) of Section 7.29 of the Children and Family  
24 Services Act.

25 (B) Upon motion by any party or sua sponte, the court shall  
26 conduct a hearing to determine whether the minor has been

1 subjected to conduct by an individual employee, contractor,  
2 licensee, or caregiver providing the minor's direct case  
3 management, care, or placement that violates the minor's  
4 rights under subparagraph (A) or (B) of paragraph (2) of  
5 subsection (e) of Section 7.29 of the Children and Family  
6 Services Act or paragraph (1) of subsection (f) of Section  
7 7.29 of the Children and Family Services Act. The hearing  
8 shall be conducted within 10 days of notice to the parties.

9 (C) The Department shall facilitate the minor's presence  
10 for any proceedings regarding the alleged violation if the  
11 minor wants to be present.

12 (D) If the minor does not have an attorney, the court shall  
13 appoint one for the purposes of the hearing initiated under  
14 this subsection.

15 (E) If, after reviewing evidence, including evidence from  
16 the Department, the court determines that the minor has been  
17 subjected to conduct by an individual employee, contractor,  
18 licensee, or caregiver providing the minor's direct case  
19 management, care, or placement that violates the minor's  
20 rights under subparagraph (A) or (B) of paragraph (2) of  
21 subsection (e) of Section 7.29 of the Children and Family  
22 Services Act or under paragraph (1) of subsection (f) of  
23 Section 7.29 of the Children and Family Services Act, the  
24 court shall put in writing the factual basis supporting its  
25 findings, including specific factual findings regarding the  
26 nature of the violation and the involved employee, contractor,

1 licensee, or caregiver providing direct case management, care,  
2 or placement. Consistent with its findings, the court shall:

3 (i) order the Department to monitor and ensure  
4 reasonable conditions of conduct to be demonstrated by the  
5 involved employee, contractor, licensee, or caregiver  
6 providing direct case management, care, or placement for a  
7 specified period of time and may require the Department to  
8 make periodic reports to the court containing such  
9 information as the court in its discretion may prescribe;

10 (ii) require the Department to report to the court why  
11 the Department's oversight may have failed to prevent  
12 conduct that violated subparagraph (A) or (B) of paragraph  
13 (2) of subsection (e) of Section 7.29 of the Children and  
14 Family Services Act or paragraph (1) of subsection (f) of  
15 Section 7.29 of the Children and Family Services Act;

16 (iii) require the Department to refer the allegation  
17 of conduct in violation of subparagraph (A) or (B) of  
18 paragraph (2) of subsection (e) of Section 7.29 of the  
19 Children and Family Services Act or paragraph (1) of  
20 subsection (f) of Section 7.29 of the Children and Family  
21 Services Act to the Department's Inspector General for  
22 investigation under Section 35.5 of the Children and  
23 Family Services Act, if the Department has not done so  
24 already; and

25 (iv) if the court determines that the Department  
26 violated its obligations under paragraph (1) of subsection

1       (f) of Section 7.29 of the Children and Family Services  
2       Act, require the Department to take immediate action to  
3       remedy the violation in accordance with this subsection.

4       (F) In addition to the required actions under paragraph  
5       (E), within the scope of the existing expressly permitted  
6       relief under the Juvenile Court Act of 1987, the court may  
7       enter any and all reasonable orders to remediate harm and  
8       prevent future harm to the minor, including, but not limited  
9       to:

10       (i) requiring the provision of specific services to  
11       address the harm caused to the minor;

12       (ii) requiring the Department to amend the minor's  
13       service plan consistent with the court's findings under  
14       this subsection;

15       (iii) making a finding that the minor's placement is  
16       not necessary or appropriate for the minor;

17       (iv) requiring the Department to locate an appropriate  
18       placement, as determined by the Department, for the minor  
19       within a specified timeframe;

20       (v) requiring the Department to submit a plan to  
21       remedy the harm that resulted from the violation;

22       (vi) requiring the Department to investigate the  
23       conduct of the individual employee, contractor, licensee,  
24       or caregiver providing direct case management, care, or  
25       placement responsible or contributing to the conditions  
26       that resulted in the violation; and

1           (vii) requiring the Department to implement a  
2           recommendation by the minor's treating clinician, a  
3           clinician contracted by the Department to evaluate the  
4           minor, a recommendation made by the Department, or a  
5           reasonable and relevant request for specific support made  
6           by the minor.

7           (G) If the Department places a minor in a placement under  
8           an order entered under this subsection, the Department has the  
9           authority to remove the minor from that placement when a  
10           change in circumstances necessitates the removal to protect  
11           the minor's health, safety, and best interest. If the  
12           Department determines removal is necessary, the Department  
13           shall notify the parties of the planned placement change in  
14           writing no later than 10 days prior to the implementation of  
15           its determination unless remaining in the placement poses an  
16           imminent risk of harm to the minor, in which case the  
17           Department shall notify the parties of the placement change in  
18           writing immediately following the implementation of its  
19           decision. The Department shall notify others of the decision  
20           to change the minor's placement as required by Department  
21           rule.

22           (H) Any order entered under this subsection shall be  
23           directly related to remedying harm to a minor or preventing  
24           future harm to a minor caused by the conduct of an individual  
25           employee, contractor, licensee, or caregiver providing direct  
26           case management, care, or placement involved in the violation

1 of the minor's rights under subparagraph (A) or (B) of  
2 paragraph (2) of subsection (e) of Section 7.29 of the  
3 Children and Family Services Act or paragraph (1) of  
4 subsection (f) of Section 7.29 of the Children and Family  
5 Services Act. Nothing in this subsection diminishes a minor's  
6 right to seek any other remedy and relief available to the  
7 minor at law or equity.

8 (1.5) The public agency that is the custodian or guardian  
9 of the minor shall file a written report with the court no  
10 later than 15 days after a minor in the agency's care remains:

11 (1) in a shelter placement beyond 30 days;

12 (2) in a psychiatric hospital past the time when the  
13 minor is clinically ready for discharge or beyond medical  
14 necessity for the minor's health; or

15 (3) in a detention center or Department of Juvenile  
16 Justice facility solely because the public agency cannot  
17 find an appropriate placement for the minor.

18 The report shall explain the steps the agency is taking to  
19 ensure the minor is placed appropriately, how the minor's  
20 needs are being met in the minor's shelter placement, and if a  
21 future placement has been identified by the Department, why  
22 the anticipated placement is appropriate for the needs of the  
23 minor and the anticipated placement date.

24 (1.6) Within 30 days after placing a minor ~~child~~ in its  
25 care in a qualified residential treatment program, as defined  
26 by the federal Social Security Act, the Department of Children

1 and Family Services shall prepare a written report for filing  
2 with the court and send copies of the report to all parties.  
3 Within 20 days of the filing of the report, or as soon  
4 thereafter as the court's schedule allows but not more than 60  
5 days from the date of placement, the court shall hold a hearing  
6 to consider the Department's report and determine whether  
7 placement of the minor ~~child~~ in a qualified residential  
8 treatment program provides the most effective and appropriate  
9 level of care for the minor ~~child~~ in the least restrictive  
10 environment and if the placement is consistent with the  
11 short-term and long-term goals for the minor ~~child~~, as  
12 specified in the permanency plan for the minor ~~child~~. The  
13 court shall approve or disapprove the placement. If  
14 applicable, the requirements of Sections 2-27.1 and 2-27.2 of  
15 this Act and Section 7.30 of the Children and Family Services  
16 Act must also be met. The Department's written report and the  
17 court's written determination shall be included in and made  
18 part of the case plan for the minor ~~child~~. If the minor ~~child~~  
19 remains placed in a qualified residential treatment program,  
20 the Department shall submit evidence at each status and  
21 permanency hearing:

22 (A) demonstrating that ongoing ~~on-going~~ assessment of  
23 the strengths and needs of the minor ~~child~~ continues to  
24 support the determination that the minor's ~~child's~~ needs  
25 cannot be met through placement in a foster family home,  
26 that the placement provides the most effective and

1 appropriate level of care for the minor child in the least  
2 restrictive, appropriate environment, and that the  
3 placement is consistent with the short-term and long-term  
4 permanency goal for the minor child, as specified in the  
5 permanency plan for the minor child;

6 (B) documenting the specific treatment or service  
7 needs that should be met for the minor child in the  
8 placement and the length of time the minor child is  
9 expected to need the treatment or services;

10 (C) the efforts made by the agency to prepare the  
11 minor child to return home or to be placed with a fit and  
12 willing relative, a legal guardian, or an adoptive parent,  
13 or in a foster family home; ~~and~~

14 (D) ~~beginning July 1, 2025,~~ documenting the  
15 Department's efforts regarding ongoing family finding and  
16 relative engagement required under Section 2-27.3; ~~and.~~

17 (E) if applicable, consistent with the Department  
18 policy regarding documentation of sensitive identity  
19 information, as that term is defined in Section 4d of the  
20 Children and Family Services Act, the efforts made by the  
21 Department to monitor and mitigate the risk of adverse  
22 action, as defined in subsection (b) of Section 7.30 of  
23 the Children and Family Services Act, relevant to the  
24 minor's circumstances in an out-of-state placement.

25 (2) The first permanency hearing shall be conducted by the  
26 judge. Subsequent permanency hearings may be heard by a judge



1 or by hearing officers appointed or approved by the court in  
2 the manner set forth in Section 2-28.1 of this Act. The initial  
3 hearing shall be held (a) within 12 months from the date  
4 temporary custody was taken, regardless of whether an  
5 adjudication or dispositional hearing has been completed  
6 within that time frame, (b) if the parental rights of both  
7 parents have been terminated in accordance with the procedure  
8 described in subsection (5) of Section 2-21, within 30 days of  
9 the order for termination of parental rights and appointment  
10 of a guardian with power to consent to adoption, or (c) in  
11 accordance with subsection (2) of Section 2-13.1. Subsequent  
12 permanency hearings shall be held every 6 months or more  
13 frequently if necessary in the court's determination following  
14 the initial permanency hearing, in accordance with the  
15 standards set forth in this Section, until the court  
16 determines that the plan and goal have been achieved. Once the  
17 plan and goal have been achieved, if the minor remains in  
18 substitute care, the case shall be reviewed at least every 6  
19 months thereafter, subject to the provisions of this Section,  
20 unless the minor is placed in the guardianship of a suitable  
21 relative or other person and the court determines that further  
22 monitoring by the court does not further the health, safety,  
23 or best interest of the minor ~~child~~ and that this is a stable  
24 permanent placement. The permanency hearings must occur within  
25 the time frames set forth in this subsection and may not be  
26 delayed in anticipation of a report from any source or due to

1 the agency's failure to timely file its written report (this  
2 written report means the one required under the next paragraph  
3 and does not mean the service plan also referred to in that  
4 paragraph).

5 The public agency that is the custodian or guardian of the  
6 minor, or another agency responsible for the minor's care,  
7 shall ensure that all parties to the permanency hearings are  
8 provided a copy of the most recent service plan prepared  
9 within the prior 6 months at least 14 days in advance of the  
10 hearing. If not contained in the agency's service plan, the  
11 agency shall also include a report setting forth the  
12 following:

13 (A) any special physical, psychological, educational,  
14 medical, emotional, or other needs of the minor or the  
15 minor's family that are relevant to a permanency or  
16 placement determination, and for any minor age 16 or over,  
17 a written description of the programs and services that  
18 will enable the minor to prepare for independent living;

19 (B) ~~beginning July 1, 2025,~~ a written description of  
20 ongoing family finding and relative engagement efforts in  
21 accordance with the requirements under Section 2-27.3 the  
22 agency has undertaken since the most recent report to the  
23 court to plan for the emotional and legal permanency of  
24 the minor;

25 (C) whether a minor is placed in a licensed child care  
26 facility under a corrective plan by the Department due to

1 concerns impacting the minor's safety and well-being. The  
2 report shall explain the steps the Department is taking to  
3 ensure the safety and well-being of the minor and that the  
4 minor's needs are met in the facility;

5 (C-1) if the minor, age 8 or older, is placed outside  
6 the State of Illinois, an explanation of any risk of  
7 adverse action and efforts made by the Department to meet  
8 its obligations under Section 7.30 of the Children and  
9 Family Services Act, stated in a manner consistent with  
10 Department policy regarding documentation of sensitive  
11 identity information;

12 (C-2) an explanation of the minor's preferences  
13 regarding placement; and

14 (D) detail regarding what progress or lack of progress  
15 the parent has made in correcting the conditions requiring  
16 the minor ~~child~~ to be in care; whether the minor ~~child~~ can  
17 be returned home without jeopardizing the minor's ~~child's~~  
18 health, safety, and welfare, what permanency goal is  
19 recommended to be in the best interests of the minor  
20 ~~child~~, and the reasons for the recommendation. If a  
21 permanency goal under paragraph (A), (B), or (B-1) of  
22 subsection (2.3) have been deemed inappropriate and not in  
23 the minor's best interest, the report must include the  
24 following information:

25 (i) confirmation that the caseworker has discussed  
26 the permanency options and subsidies available for

1 guardianship and adoption with the minor's caregivers,  
2 the minor's parents, as appropriate, and has discussed  
3 the available permanency options with the minor in an  
4 age-appropriate manner;

5 (ii) confirmation that the caseworker has  
6 discussed with the minor's caregivers, the minor's  
7 parents, as appropriate, and the minor as  
8 age-appropriate, the distinctions between guardianship  
9 and adoption, including, but not limited to, that  
10 guardianship does not require termination of the  
11 parent's rights or the consent of the parent;

12 (iii) a description of the stated preferences and  
13 concerns, if any, the minor, the parent as  
14 appropriate, and the caregiver expressed relating to  
15 the options of guardianship and adoption, and the  
16 reasons for the preferences;

17 (iv) if the minor is not currently in a placement  
18 that will provide permanency, identification of all  
19 persons presently willing and able to provide  
20 permanency to the minor through either guardianship or  
21 adoption, and ~~beginning July 1, 2025,~~ if none are  
22 available, a description of the efforts made in  
23 accordance with Section 2-27.3; and

24 (v) state the recommended permanency goal, why  
25 that goal is recommended, and why the other potential  
26 goals were not recommended.

1       The caseworker must appear and testify at the permanency  
2 hearing. If a permanency hearing has not previously been  
3 scheduled by the court, the moving party shall move for the  
4 setting of a permanency hearing and the entry of an order  
5 within the time frames set forth in this subsection.

6       (2.3) At the permanency hearing, the court shall determine  
7 the permanency goal of the minor ~~child~~. The court shall set one  
8 of the following permanency goals:

9           (A) The minor will be returned home by a specific date  
10 within 5 months.

11          (B) The minor will be in short-term care with a  
12 continued goal to return home within a period not to  
13 exceed one year, where the progress of the parent or  
14 parents is substantial giving particular consideration to  
15 the age and individual needs of the minor.

16          (B-1) The minor will be in short-term care with a  
17 continued goal to return home pending a status hearing.  
18 When the court finds that a parent has not made reasonable  
19 efforts or reasonable progress to date, the court shall  
20 identify what actions the parent and the Department must  
21 take in order to justify a finding of reasonable efforts  
22 or reasonable progress and shall set a status hearing to  
23 be held not earlier than 9 months from the date of  
24 adjudication nor later than 11 months from the date of  
25 adjudication during which the parent's progress will again  
26 be reviewed.

1           If the court has determined that goals (A), (B), and  
2           (B-1) are not appropriate and not in the minor's best  
3           interest, the court may select one of the following goals:  
4           (C), (D), (E), (F), (G), or (H) for the minor as  
5           appropriate and based on the best interests of the minor.  
6           The court shall determine the appropriate goal for the  
7           minor based on best interest factors and any  
8           considerations outlined in that goal.

9           (C) The guardianship of the minor shall be transferred  
10          to an individual or couple on a permanent basis. Prior to  
11          changing the goal to guardianship, the court shall  
12          consider the following:

13               (i) whether the agency has discussed adoption and  
14               guardianship with the caregiver and what preference,  
15               if any, the caregiver has as to the permanency goal;

16               (ii) whether the agency has discussed adoption and  
17               guardianship with the minor, as age-appropriate, and  
18               what preference, if any, the minor has as to the  
19               permanency goal;

20               (iii) whether the minor is of sufficient age to  
21               remember the minor's parents and if the minor ~~child~~  
22               values this familial identity;

23               (iv) whether the minor is placed with a relative,  
24               and ~~beginning July 1, 2025,~~ whether the minor is  
25               placed in a relative home as defined in Section 4d of  
26               the Children and Family Services Act or in a certified

1 relative caregiver home as defined in Section 2.36 of  
2 the Child Care Act of 1969; and

3 (v) whether the parent or parents have been  
4 informed about guardianship and adoption, and, if  
5 appropriate, what preferences, if any, the parent or  
6 parents have as to the permanency goal.

7 (D) The minor will be in substitute care pending court  
8 determination on termination of parental rights. Prior to  
9 changing the goal to substitute care pending court  
10 determination on termination of parental rights, the court  
11 shall consider the following:

12 (i) whether the agency has discussed adoption and  
13 guardianship with the caregiver and what preference,  
14 if any, the caregiver has as to the permanency goal;

15 (ii) whether the agency has discussed adoption and  
16 guardianship with the minor, as age-appropriate, and  
17 what preference, if any, the minor has as to the  
18 permanency goal;

19 (iii) whether the minor is of sufficient age to  
20 remember the minor's parents and if the minor ~~child~~  
21 values this familial identity;

22 (iv) whether the minor is placed with a relative,  
23 and ~~beginning July 1, 2025, whether~~ the minor is  
24 placed in a relative home as defined in Section 4d of  
25 the Children and Family Services Act, in a certified  
26 relative caregiver home as defined in Section 2.36 of

1 the Child Care Act of 1969;

2 (v) whether the minor is already placed in a  
3 pre-adoptive home, and if not, whether such a home has  
4 been identified; and

5 (vi) whether the parent or parents have been  
6 informed about guardianship and adoption, and, if  
7 appropriate, what preferences, if any, the parent or  
8 parents have as to the permanency goal.

9 (E) Adoption, provided that parental rights have been  
10 terminated or relinquished.

11 (F) Provided that permanency goals (A) through (E)  
12 have been deemed inappropriate and not in the minor's best  
13 interests, the minor over age 15 will be in substitute  
14 care pending independence. In selecting this permanency  
15 goal, the Department of Children and Family Services may  
16 provide services to enable reunification and to strengthen  
17 the minor's connections with family, fictive kin, and  
18 other responsible adults, provided the services are in the  
19 minor's best interest. The services shall be documented in  
20 the service plan.

21 (G) The minor will be in substitute care because the  
22 minor cannot be provided for in a home environment due to  
23 developmental disabilities or mental illness or because  
24 the minor is a danger to self or others, provided that  
25 goals (A) through (E) have been deemed inappropriate and  
26 not in the minor's ~~child's~~ best interests.



1           In selecting any permanency goal, the court shall  
2           indicate in writing the reasons the goal was selected and  
3           why the preceding goals were deemed inappropriate and not  
4           in the minor's ~~child's~~ best interest. Where the court has  
5           selected a permanency goal other than (A), (B), or (B-1),  
6           the Department of Children and Family Services shall not  
7           provide further reunification services, except as provided  
8           in paragraph (F) of this subsection (2.3), but shall  
9           provide services consistent with the goal selected.

10           (H) Notwithstanding any other provision in this  
11           Section, the court may select the goal of continuing  
12           foster care as a permanency goal if:

13                   (1) The Department of Children and Family Services  
14                   has custody and guardianship of the minor;

15                   (2) The court has deemed all other permanency  
16                   goals inappropriate based on the minor's ~~child's~~ best  
17                   interest;

18                   (3) The court has found compelling reasons, based  
19                   on written documentation reviewed by the court, to  
20                   place the minor in continuing foster care. Compelling  
21                   reasons include:

22                           (a) the minor ~~child~~ does not wish to be  
23                           adopted or to be placed in the guardianship of the  
24                           minor's relative, certified relative caregiver, or  
25                           foster care placement;

26                           (b) the minor ~~child~~ exhibits an extreme level

1 of need such that the removal of the minor ~~child~~  
2 from the minor's placement would be detrimental to  
3 the minor ~~child~~; or

4 (c) the minor ~~child~~ who is the subject of the  
5 permanency hearing has existing close and strong  
6 bonds with a sibling, and achievement of another  
7 permanency goal would substantially interfere with  
8 the subject minor's ~~child's~~ sibling relationship,  
9 taking into consideration the nature and extent of  
10 the relationship, and whether ongoing contact is  
11 in the subject minor's ~~child's~~ best interest,  
12 including long-term emotional interest, as  
13 compared with the legal and emotional benefit of  
14 permanence;

15 (4) The minor ~~child~~ has lived with the relative,  
16 certified relative caregiver, or foster parent for at  
17 least one year; and

18 (5) The relative, certified relative caregiver, or  
19 foster parent currently caring for the minor ~~child~~ is  
20 willing and capable of providing the minor ~~child~~ with  
21 a stable and permanent environment.

22 (2.4) The court shall set a permanency goal that is in the  
23 best interest of the minor ~~child~~. In determining that goal,  
24 the court shall consult with the minor in an age-appropriate  
25 manner regarding the proposed permanency or transition plan  
26 for the minor. The court's determination shall include the

1 following factors:

2 (A) Age of the minor ~~child~~.

3 (B) Options available for permanence, including both  
4 out-of-state and in-state placement options.

5 (C) Current placement of the minor ~~child~~ and the  
6 intent of the family regarding subsidized guardianship and  
7 adoption.

8 (D) Emotional, physical, and mental status or  
9 condition of the minor ~~child~~.

10 (E) Types of services previously offered and whether  
11 or not the services were successful and, if not  
12 successful, the reasons the services failed.

13 (F) Availability of services currently needed and  
14 whether the services exist.

15 (G) Status of siblings of the minor.

16 (H) If the minor is not currently in a placement  
17 likely to achieve permanency, whether there is an  
18 identified and willing potential permanent caregiver for  
19 the minor, and if so, that potential permanent caregiver's  
20 intent regarding guardianship and adoption.

21 The court shall consider (i) the permanency goal contained  
22 in the service plan, (ii) the appropriateness of the services  
23 contained in the plan and whether those services have been  
24 provided, (iii) whether reasonable efforts have been made by  
25 all the parties to the service plan to achieve the goal, and  
26 (iv) whether the plan and goal have been achieved. All

1 evidence relevant to determining these questions, including  
2 oral and written reports, may be admitted and may be relied on  
3 to the extent of their probative value.

4 The court shall make findings as to whether, in violation  
5 of Section 8.2 of the Abused and Neglected Child Reporting  
6 Act, any portion of the service plan compels a minor ~~child~~ or  
7 parent to engage in any activity or refrain from any activity  
8 that is not reasonably related to remedying a condition or  
9 conditions that gave rise or which could give rise to any  
10 finding of child abuse or neglect. The services contained in  
11 the service plan shall include services reasonably related to  
12 remedy the conditions that gave rise to removal of the minor  
13 ~~child~~ from the home of the minor's ~~child's~~ parents, guardian,  
14 or legal custodian or that the court has found must be remedied  
15 prior to returning the minor ~~child~~ home. Any tasks the court  
16 requires of the parents, guardian, or legal custodian or minor  
17 ~~child~~ prior to returning the minor ~~child~~ home must be  
18 reasonably related to remedying a condition or conditions that  
19 gave rise to or which could give rise to any finding of child  
20 abuse or neglect.

21 If the permanency goal is to return home, the court shall  
22 make findings that identify any problems that are causing  
23 continued placement of the minors ~~children~~ away from the home  
24 and identify what outcomes would be considered a resolution to  
25 these problems. The court shall explain to the parents that  
26 these findings are based on the information that the court has

1 at that time and may be revised, should additional evidence be  
2 presented to the court.

3 The court shall review the Sibling Contact Support Plan  
4 developed or modified under subsection (f) of Section 7.4 of  
5 the Children and Family Services Act, if applicable. If the  
6 Department has not convened a meeting to develop or modify a  
7 Sibling Contact Support Plan, or if the court finds that the  
8 existing Plan is not in the minor's ~~child's~~ best interest, the  
9 court may enter an order requiring the Department to develop,  
10 modify, or implement a Sibling Contact Support Plan, or order  
11 mediation.

12 ~~The Beginning July 1, 2025, the~~ court shall review the  
13 Ongoing Family Finding and Relative Engagement Plan required  
14 under Section 2-27.3. If the court finds that the plan is not  
15 in the minor's best interest, the court shall enter specific  
16 factual findings and order the Department to modify the plan  
17 consistent with the court's findings.

18 If the goal has been achieved, the court shall enter  
19 orders that are necessary to conform the minor's legal custody  
20 and status to those findings.

21 If, after receiving evidence, the court determines that  
22 the services contained in the plan are not reasonably  
23 calculated to facilitate achievement of the permanency goal,  
24 the court shall put in writing the factual basis supporting  
25 the determination and enter specific findings based on the  
26 evidence. The court also shall enter an order for the

1 Department to develop and implement a new service plan or to  
2 implement changes to the current service plan consistent with  
3 the court's findings. The new service plan shall be filed with  
4 the court and served on all parties within 45 days of the date  
5 of the order. The court shall continue the matter until the new  
6 service plan is filed. Except as authorized by subsection  
7 (2.5) of this Section and as otherwise specifically authorized  
8 by law, the court is not empowered under this Section to order  
9 specific placements, specific services, or specific service  
10 providers to be included in the service plan.

11 A guardian or custodian appointed by the court pursuant to  
12 this Act shall file updated case plans with the court every 6  
13 months.

14 Rights of wards of the court under this Act are  
15 enforceable against any public agency by complaints for relief  
16 by mandamus filed in any proceedings brought under this Act.

17 (2.5) If, after reviewing the evidence, including evidence  
18 from the Department, the court determines that the minor's  
19 current or planned placement is not necessary or appropriate  
20 to facilitate achievement of the permanency goal, the court  
21 shall put in writing the factual basis supporting its  
22 determination and enter specific findings based on the  
23 evidence. If the court finds that the minor's current or  
24 planned placement is not necessary or appropriate, the court  
25 may enter an order directing the Department to implement a  
26 recommendation by the minor's treating clinician or a

1 clinician contracted by the Department to evaluate the minor  
2 or a recommendation made by the Department. If the Department  
3 places a minor in a placement under an order entered under this  
4 subsection (2.5), the Department has the authority to remove  
5 the minor from that placement when a change in circumstances  
6 necessitates the removal to protect the minor's health,  
7 safety, and best interest. If the Department determines  
8 removal is necessary, the Department shall notify the parties  
9 of the planned placement change in writing no later than 10  
10 days prior to the implementation of its determination unless  
11 remaining in the placement poses an imminent risk of harm to  
12 the minor, in which case the Department shall notify the  
13 parties of the placement change in writing immediately  
14 following the implementation of its decision. The Department  
15 shall notify others of the decision to change the minor's  
16 placement as required by Department rule.

17 (3) Following the permanency hearing, the court shall  
18 enter a written order that includes the determinations  
19 required under subsections (2) and (2.3) of this Section and  
20 sets forth the following:

21 (a) The future status of the minor, including the  
22 permanency goal, and any order necessary to conform the  
23 minor's legal custody and status to such determination; or

24 (b) If the permanency goal of the minor cannot be  
25 achieved immediately, the specific reasons for continuing  
26 the minor in the care of the Department of Children and

1 Family Services or other agency for short-term placement,  
2 and the following determinations:

3 (i) (Blank).

4 (ii) Whether the services required by the court  
5 and by any service plan prepared within the prior 6  
6 months have been provided and (A) if so, whether the  
7 services were reasonably calculated to facilitate the  
8 achievement of the permanency goal or (B) if not  
9 provided, why the services were not provided.

10 (iii) Whether the minor's current or planned  
11 placement is necessary, and appropriate to the plan  
12 and goal, recognizing the right of minors to the least  
13 restrictive (most family-like) setting available and  
14 in close proximity to the parents' home consistent  
15 with the health, safety, best interest, and special  
16 needs of the minor and, if the minor is placed  
17 out-of-state, whether the out-of-state placement  
18 continues to be appropriate and consistent with the  
19 health, safety, and best interest of the minor with  
20 Department compliance with the obligations of Section  
21 7.30 of the Children and Family Services Act.

22 (iv) (Blank).

23 (v) (Blank).

24 (4) The minor or any person interested in the minor may  
25 apply to the court for a change in custody of the minor and the  
26 appointment of a new custodian or guardian of the person or for



1 the restoration of the minor to the custody of the minor's  
2 parents or former guardian or custodian.

3 When return home is not selected as the permanency goal:

4 (a) The Department, the minor, or the current foster  
5 parent or relative caregiver seeking private guardianship  
6 may file a motion for private guardianship of the minor.  
7 Appointment of a guardian under this Section requires  
8 approval of the court.

9 (b) The State's Attorney may file a motion to  
10 terminate parental rights of any parent who has failed to  
11 make reasonable efforts to correct the conditions which  
12 led to the removal of the minor child or reasonable  
13 progress toward the return of the minor child, as defined  
14 in subdivision (D) (m) of Section 1 of the Adoption Act or  
15 for whom any other unfitness ground for terminating  
16 parental rights as defined in subdivision (D) of Section 1  
17 of the Adoption Act exists.

18 When parental rights have been terminated for a  
19 minimum of 3 years and the minor child who is the subject  
20 of the permanency hearing is 13 years old or older and is  
21 not currently placed in a placement likely to achieve  
22 permanency, the Department of Children and Family Services  
23 shall make reasonable efforts to locate parents whose  
24 rights have been terminated, except when the Court  
25 determines that those efforts would be futile or  
26 inconsistent with the subject minor's child's best

1 interests. The Department of Children and Family Services  
2 shall assess the appropriateness of the parent whose  
3 rights have been terminated, and shall, as appropriate,  
4 foster and support connections between the parent whose  
5 rights have been terminated and the minor ~~youth~~. The  
6 Department of Children and Family Services shall document  
7 its determinations and efforts to foster connections in  
8 the minor's ~~child's~~ case plan.

9 Custody of the minor shall not be restored to any parent,  
10 guardian, or legal custodian in any case in which the minor is  
11 found to be neglected or abused under Section 2-3 or dependent  
12 under Section 2-4 of this Act, unless the minor can be cared  
13 for at home without endangering the minor's health or safety  
14 and it is in the best interest of the minor, and if such  
15 neglect, abuse, or dependency is found by the court under  
16 paragraph (1) of Section 2-21 of this Act to have come about  
17 due to the acts or omissions or both of such parent, guardian,  
18 or legal custodian, until such time as an investigation is  
19 made as provided in paragraph (5) and a hearing is held on the  
20 issue of the health, safety, and best interest of the minor and  
21 the fitness of such parent, guardian, or legal custodian to  
22 care for the minor and the court enters an order that such  
23 parent, guardian, or legal custodian is fit to care for the  
24 minor. If a motion is filed to modify or vacate a private  
25 guardianship order and return the minor ~~child~~ to a parent,  
26 guardian, or legal custodian, the court may order the

1 Department of Children and Family Services to assess the  
2 minor's current and proposed living arrangements and to  
3 provide ongoing monitoring of the health, safety, and best  
4 interest of the minor during the pendency of the motion to  
5 assist the court in making that determination. In the event  
6 that the minor has attained 18 years of age and the guardian or  
7 custodian petitions the court for an order terminating the  
8 minor's guardianship or custody, guardianship or custody shall  
9 terminate automatically 30 days after the receipt of the  
10 petition unless the court orders otherwise. No legal custodian  
11 or guardian of the person may be removed without the legal  
12 custodian's or guardian's consent until given notice and an  
13 opportunity to be heard by the court.

14 When the court orders a minor ~~child~~ restored to the  
15 custody of the parent or parents, the court shall order the  
16 parent or parents to cooperate with the Department of Children  
17 and Family Services and comply with the terms of an aftercare  
18 ~~after-care~~ plan, or risk the loss of custody of the minor ~~child~~  
19 and possible termination of their parental rights. The court  
20 may also enter an order of protective supervision in  
21 accordance with Section 2-24.

22 If the minor is being restored to the custody of a parent,  
23 legal custodian, or guardian who lives outside of Illinois,  
24 and an Interstate Compact has been requested and refused, the  
25 court may order the Department of Children and Family Services  
26 to arrange for an assessment of the minor's proposed living

1 arrangement and for ongoing monitoring of the health, safety,  
2 and best interest of the minor and compliance with any order of  
3 protective supervision entered in accordance with Section  
4 2-24.

5 (5) Whenever a parent, guardian, or legal custodian files  
6 a motion for restoration of custody of the minor, and the minor  
7 was adjudicated neglected, abused, or dependent as a result of  
8 physical abuse, the court shall cause to be made an  
9 investigation as to whether the movant has ever been charged  
10 with or convicted of any criminal offense which would indicate  
11 the likelihood of any further physical abuse to the minor.  
12 Evidence of such criminal convictions shall be taken into  
13 account in determining whether the minor can be cared for at  
14 home without endangering the minor's health or safety and  
15 fitness of the parent, guardian, or legal custodian.

16 (a) Any agency of this State or any subdivision  
17 thereof shall cooperate with the agent of the court in  
18 providing any information sought in the investigation.

19 (b) The information derived from the investigation and  
20 any conclusions or recommendations derived from the  
21 information shall be provided to the parent, guardian, or  
22 legal custodian seeking restoration of custody prior to  
23 the hearing on fitness and the movant shall have an  
24 opportunity at the hearing to refute the information or  
25 contest its significance.

26 (c) All information obtained from any investigation

1 shall be confidential as provided in Section 5-150 of this  
2 Act.

3 (6) The changes made to this Section by this amendatory  
4 Act of the 104th General Assembly apply on and after January 1,  
5 2028.

6 (Source: P.A. 103-22, eff. 8-8-23; 103-154, eff. 6-30-23;  
7 103-171, eff. 1-1-24; 103-605, eff. 7-1-24; 103-1061, eff.  
8 2-5-25; 104-2, eff. 6-16-25; revised 8-20-25.)

9 (Text of Section after amendment by P.A. 104-107)

10 Sec. 2-28. Court review.

11 (1) The court may require any legal custodian or guardian  
12 of the person appointed under this Act to report periodically  
13 to the court or may cite the legal custodian or guardian into  
14 court and require the legal custodian, guardian, or the legal  
15 custodian's or guardian's agency to make a full and accurate  
16 report of the doings of the legal custodian, guardian, or  
17 agency on behalf of the minor. The custodian or guardian,  
18 within 10 days after such citation, or earlier if the court  
19 determines it to be necessary to protect the health, safety,  
20 or welfare of the minor, shall make the report, either in  
21 writing verified by affidavit or orally under oath in open  
22 court, or otherwise as the court directs. Upon the hearing of  
23 the report the court may remove the custodian or guardian and  
24 appoint another in the custodian's or guardian's stead or  
25 restore the minor to the custody of the minor's parents or

1 former guardian or custodian. However, custody of the minor  
2 shall not be restored to any parent, guardian, or legal  
3 custodian in any case in which the minor is found to be  
4 neglected or abused under Section 2-3 or dependent under  
5 Section 2-4 of this Act, unless the minor can be cared for at  
6 home without endangering the minor's health or safety and it  
7 is in the best interests of the minor, and if such neglect,  
8 abuse, or dependency is found by the court under paragraph (1)  
9 of Section 2-21 of this Act to have come about due to the acts  
10 or omissions or both of such parent, guardian, or legal  
11 custodian, until such time as an investigation is made as  
12 provided in paragraph (5) and a hearing is held on the issue of  
13 the fitness of such parent, guardian, or legal custodian to  
14 care for the minor and the court enters an order that such  
15 parent, guardian, or legal custodian is fit to care for the  
16 minor.

17 (1.3) (A) As used in this subsection:

18 "Direct case management, care, or placement" means work or  
19 services of individual workers or caregivers employed,  
20 contracted, or licensed by the Department or its service  
21 providers for child welfare services provided directly to  
22 individual minors, including, but not limited to, case  
23 management, clinical services, foster or relative caregiver  
24 services, and other placement services.

25 "Service provider" has the meaning ascribed to that term  
26 in subsection (b) of Section 7.29 of the Children and Family

1 Services Act.

2 (B) Upon motion by any party or sua sponte, the court shall  
3 schedule a hearing to determine whether the minor has been  
4 subjected to conduct by an individual employee, contractor,  
5 licensee, or caregiver providing the minor's direct case  
6 management, care, or placement that violates the minor's  
7 rights under subparagraph (A) or (B) of paragraph (2) of  
8 subsection (e) of Section 7.29 of the Children and Family  
9 Services Act or paragraph (1) of subsection (f) of Section  
10 7.29 of the Children and Family Services Act. The hearing  
11 shall be conducted within 10 days of notice to the parties.

12 (C) The Department shall facilitate the minor's presence  
13 for any proceedings regarding the alleged violation if the  
14 minor wants to be present.

15 (D) If the minor does not have an attorney, the court shall  
16 appoint one for the purposes of the hearing initiated under  
17 this subsection.

18 (E) If, after reviewing evidence, including evidence from  
19 the Department, the court determines that the minor has been  
20 subjected to conduct by an individual employee, contractor,  
21 licensee, or caregiver providing the minor's direct case  
22 management, care, or placement that violates the minor's  
23 rights under subparagraph (A) or (B) of paragraph (2) of  
24 subsection (e) of Section 7.29 of the Children and Family  
25 Services Act or paragraph (1) of subsection (f) of Section  
26 7.29 of the Children and Family Services Act, the court shall

1 put in writing the factual basis supporting its findings,  
2 including specific factual findings regarding the nature of  
3 the violation and the involved employee, contractor, licensee,  
4 or caregiver providing direct case management, care, or  
5 placement. Consistent with its findings, the court shall:

6 (i) order the Department to monitor and ensure  
7 reasonable conditions of conduct to be demonstrated by the  
8 involved employee, contractor, licensee, or caregiver  
9 providing the minor's direct case management, care, or  
10 placement for a specified period of time and may require  
11 the Department to make periodic reports to the court  
12 containing such information as the court in its discretion  
13 may prescribe;

14 (ii) require the Department to report to the court why  
15 the Department's oversight may have failed to prevent  
16 conduct that violated subparagraph (A) or (B) of paragraph  
17 (2) of subsection (e) of Section 7.29 of the Children and  
18 Family Services Act or paragraph (1) of subsection (f) of  
19 Section 7.29 of the Children and Family Services Act;

20 (iii) require the Department to refer the allegation  
21 of conduct in violation of subparagraph (A) or (B) of  
22 paragraph (2) of subsection (e) of Section 7.29 of the  
23 Children and Family Services Act or paragraph (1) of  
24 subsection (f) of Section 7.29 of the Children and Family  
25 Services Act to the Department's inspector general for  
26 investigation under Section 35.5 of the Children and



1       Family Services Act, if the Department has not done so  
2       already; and

3           (iv) if the court determines that the Department  
4       violated its obligations under paragraph (1) of subsection  
5       (f) of Section 7.29 of the Children and Family Services  
6       Act, make a finding that the minor's placement is not  
7       necessary or appropriate for the minor and require the  
8       Department to take immediate action to remedy the  
9       violation in accordance with this subsection.

10       (F) In addition to the required actions under paragraph  
11       (E), within the scope of the existing expressly permitted  
12       relief under the Juvenile Court Act of 1987, the court may  
13       enter any and all reasonable orders to remediate harm and  
14       prevent future harm to the minor, including, but not limited  
15       to:

16           (i) requiring the provision of specific services to  
17       address the harm caused to the minor;

18           (ii) requiring the Department to amend the minor's  
19       service plan consistent with the court's findings under  
20       this subsection;

21           (iii) making a finding that the minor's placement is  
22       not necessary or appropriate for the minor;

23           (iv) requiring the Department to locate an appropriate  
24       placement, as determined by the Department, for the minor  
25       within a specified timeframe;

26           (v) requiring the Department to submit a plan to

1 remedy the harm that resulted from the violation;

2 (vi) requiring the Department to investigate the  
3 conduct of the individual employee, contractor, licensee,  
4 or caregiver providing the direct case management, care,  
5 or placement responsible or contributing to the conditions  
6 that resulted in the violation; and

7 (vii) requiring the Department to implement a  
8 recommendation by the minor's treating clinician, a  
9 clinician contracted by the Department to evaluate the  
10 minor, a recommendation made by the Department, or a  
11 reasonable and relevant request for specific support made  
12 by the minor.

13 (G) If the Department places a minor in a placement under  
14 an order entered under this subsection, the Department has the  
15 authority to remove the minor from that placement when a  
16 change in circumstances necessitates the removal to protect  
17 the minor's health, safety, and best interest. If the  
18 Department determines removal is necessary, the Department  
19 shall notify the parties of the planned placement change in  
20 writing no later than 10 days prior to the implementation of  
21 its determination unless remaining in the placement poses an  
22 imminent risk of harm to the minor, in which case the  
23 Department shall notify the parties of the placement change in  
24 writing immediately following the implementation of its  
25 decision. The Department shall notify others of the decision  
26 to change the minor's placement as required by Department

1 rule.

2 (H) Any order entered under this subsection shall be  
3 directly related to remedying harm to a minor or preventing  
4 future harm to a minor caused by the conduct of the individual  
5 employee, contractor, licensee, or caregiver providing direct  
6 case management, care, or placement involved in the violation  
7 of the minor's rights under subparagraph (A) or (B) of  
8 paragraph (2) of subsection (e) of Section 7.29 of the  
9 Children and Family Services Act or paragraph (1) of  
10 subsection (f) of Section 7.29 of the Children and Family  
11 Services Act. Nothing in this subsection diminishes a minor's  
12 right to seek any other remedy and relief available to the  
13 minor at law or equity.

14 (1.5) The public agency that is the custodian or guardian  
15 of the minor shall file a written report with the court no  
16 later than 15 days after a minor in the agency's care remains:

17 (1) in a shelter placement beyond 30 days;

18 (2) in a psychiatric hospital past the time when the  
19 minor is clinically ready for discharge or beyond medical  
20 necessity for the minor's health; or

21 (3) in a detention center or Department of Juvenile  
22 Justice facility solely because the public agency cannot  
23 find an appropriate placement for the minor.

24 The report shall explain the steps the agency is taking to  
25 ensure the minor is placed appropriately, how the minor's  
26 needs are being met in the minor's shelter placement, and if a

1 future placement has been identified by the Department, why  
2 the anticipated placement is appropriate for the needs of the  
3 minor and the anticipated placement date.

4 (1.6) Within 30 days after placing a minor ~~child~~ in its  
5 care in a qualified residential treatment program, as defined  
6 by the federal Social Security Act, the Department of Children  
7 and Family Services shall prepare a written report for filing  
8 with the court and send copies of the report to all parties.  
9 Within 20 days of the filing of the report, or as soon  
10 thereafter as the court's schedule allows but not more than 60  
11 days from the date of placement, the court shall hold a hearing  
12 to consider the Department's report and determine whether  
13 placement of the minor ~~child~~ in a qualified residential  
14 treatment program provides the most effective and appropriate  
15 level of care for the minor ~~child~~ in the least restrictive  
16 environment and if the placement is consistent with the  
17 short-term and long-term goals for the minor ~~child~~, as  
18 specified in the permanency plan for the minor ~~child~~. The  
19 court shall approve or disapprove the placement. If  
20 applicable, the requirements of Sections 2-27.1 and 2-27.2 of  
21 this Act and Sections 7.30 and 7.31 of the Children and Family  
22 Services Act must also be met. The Department's written report  
23 and the court's written determination shall be included in and  
24 made part of the case plan for the minor ~~child~~. If the minor  
25 ~~child~~ remains placed in a qualified residential treatment  
26 program, the Department shall submit evidence at each status

1 and permanency hearing:

2 (A) demonstrating that ongoing ~~on-going~~ assessment of  
3 the strengths and needs of the minor ~~child~~ continues to  
4 support the determination that the minor's ~~child's~~ needs  
5 cannot be met through placement in a foster family home,  
6 that the placement provides the most effective and  
7 appropriate level of care for the minor ~~child~~ in the least  
8 restrictive, appropriate environment, and that the  
9 placement is consistent with the short-term and long-term  
10 permanency goal for the minor ~~child~~, as specified in the  
11 permanency plan for the minor ~~child~~;

12 (B) documenting the specific treatment or service  
13 needs that should be met for the minor ~~child~~ in the  
14 placement and the length of time the minor ~~child~~ is  
15 expected to need the treatment or services;

16 (C) detailing the efforts made by the agency to  
17 prepare the minor ~~child~~ to return home or to be placed with  
18 a fit and willing relative, a legal guardian, or an  
19 adoptive parent, or in a foster family home;

20 (D) ~~beginning July 1, 2025,~~ documenting the  
21 Department's efforts regarding ongoing family finding and  
22 relative engagement required under Section 2-27.3; ~~and~~

23 (E) detailing efforts to ensure the minor is engaged  
24 in age and developmentally appropriate activities to  
25 develop life skills, which may include extracurricular  
26 activities, coaching by caregivers, or instruction in

1 individual or group settings. For minors who have  
2 participated in life skills assessments, the results of  
3 such assessments and how the minor's identified needs are  
4 being addressed; ~~and-~~

5 (F) if applicable, consistent with Department policy  
6 regarding documentation of sensitive identity information,  
7 as defined in Section 4d of the Children and Family  
8 Services Act, the efforts made by the Department to  
9 monitor and mitigate the risk of adverse action, as  
10 defined in subsection (b) of Section 7.30 of the Children  
11 and Family Services Act, relevant to the minor's  
12 circumstances in an out-of-state placement.

13 (2) The first permanency hearing shall be conducted by the  
14 judge. Subsequent permanency hearings may be heard by a judge  
15 or by hearing officers appointed or approved by the court in  
16 the manner set forth in Section 2-28.1 of this Act. The initial  
17 hearing shall be held (a) within 12 months from the date  
18 temporary custody was taken, regardless of whether an  
19 adjudication or dispositional hearing has been completed  
20 within that time frame, (b) if the parental rights of both  
21 parents have been terminated in accordance with the procedure  
22 described in subsection (5) of Section 2-21, within 30 days of  
23 the order for termination of parental rights and appointment  
24 of a guardian with power to consent to adoption, or (c) in  
25 accordance with subsection (2) of Section 2-13.1. Subsequent  
26 permanency hearings shall be held every 6 months or more

1 frequently if necessary in the court's determination following  
2 the initial permanency hearing, in accordance with the  
3 standards set forth in this Section, until the court  
4 determines that the plan and goal have been achieved. Once the  
5 plan and goal have been achieved, if the minor remains in  
6 substitute care, the case shall be reviewed at least every 6  
7 months thereafter, subject to the provisions of this Section,  
8 unless the minor is placed in the guardianship of a suitable  
9 relative or other person and the court determines that further  
10 monitoring by the court does not further the health, safety,  
11 or best interest of the minor ~~child~~ and that this is a stable  
12 permanent placement. The permanency hearings must occur within  
13 the time frames set forth in this subsection and may not be  
14 delayed in anticipation of a report from any source or due to  
15 the agency's failure to timely file its written report (this  
16 written report means the one required under the next paragraph  
17 and does not mean the service plan also referred to in that  
18 paragraph).

19 The public agency that is the custodian or guardian of the  
20 minor, or another agency responsible for the minor's care,  
21 shall ensure that all parties to the permanency hearings are  
22 provided a copy of the most recent service plan prepared  
23 within the prior 6 months at least 14 days in advance of the  
24 hearing. If not contained in the agency's service plan, the  
25 agency shall also include a report setting forth the  
26 following:

1 (A) any special physical, psychological, educational,  
2 medical, emotional, or other needs of the minor or the  
3 minor's family that are relevant to a permanency or  
4 placement determination, and for any minor age 16 or over,  
5 a written description of the programs and services that  
6 will enable the minor to prepare for independent living;

7 (B) ~~beginning July 1, 2025,~~ a written description of  
8 ongoing family finding and relative engagement efforts in  
9 accordance with the requirements under Section 2-27.3 the  
10 agency has undertaken since the most recent report to the  
11 court to plan for the emotional and legal permanency of  
12 the minor;

13 (C) whether a minor is placed in a licensed child care  
14 facility under a corrective plan by the Department due to  
15 concerns impacting the minor's safety and well-being. The  
16 report shall explain the steps the Department is taking to  
17 ensure the safety and well-being of the minor and that the  
18 minor's needs are met in the facility;

19 (C-1) if the minor, age 8 or older, is placed outside  
20 the State of Illinois, an explanation of risk of adverse  
21 action, an explanation of the adverse action and the  
22 efforts made by the Department to meet its obligations  
23 under Section 7.30 of the Children and Family Services  
24 Act, stated in a manner consistent with Department policy  
25 regarding documentation of sensitive identity information  
26 as that term is defined in the Children and Family



1       Services Act;

2           (C-2) an explanation of the minor's preferences  
3       regarding placement; and

4           (D) detail regarding what progress or lack of progress  
5       the parent has made in correcting the conditions requiring  
6       the minor ~~child~~ to be in care; whether the minor ~~child~~ can  
7       be returned home without jeopardizing the minor's ~~child's~~  
8       health, safety, and welfare, what permanency goal is  
9       recommended to be in the best interests of the minor  
10      ~~child~~, and the reasons for the recommendation. If a  
11      permanency goal under paragraph (A), (B), or (B-1) of  
12      subsection (2.3) have been deemed inappropriate and not in  
13      the minor's best interest, the report must include the  
14      following information:

15           (i) confirmation that the caseworker has discussed  
16      the permanency options and subsidies available for  
17      guardianship and adoption with the minor's caregivers,  
18      the minor's parents, as appropriate, and has discussed  
19      the available permanency options with the minor in an  
20      age-appropriate manner;

21           (ii) confirmation that the caseworker has  
22      discussed with the minor's caregivers, the minor's  
23      parents, as appropriate, and the minor as  
24      age-appropriate, the distinctions between guardianship  
25      and adoption, including, but not limited to, that  
26      guardianship does not require termination of the

1 parent's rights or the consent of the parent;

2 (iii) a description of the stated preferences and  
3 concerns, if any, the minor, the parent as  
4 appropriate, and the caregiver expressed relating to  
5 the options of guardianship and adoption, and the  
6 reasons for the preferences;

7 (iv) if the minor is not currently in a placement  
8 that will provide permanency, identification of all  
9 persons presently willing and able to provide  
10 permanency to the minor through either guardianship or  
11 adoption, and ~~beginning July 1, 2025,~~ if none are  
12 available, a description of the efforts made in  
13 accordance with Section 2-27.3; and

14 (v) state the recommended permanency goal, why  
15 that goal is recommended, and why the other potential  
16 goals were not recommended.

17 The caseworker must appear and testify at the permanency  
18 hearing. If a permanency hearing has not previously been  
19 scheduled by the court, the moving party shall move for the  
20 setting of a permanency hearing and the entry of an order  
21 within the time frames set forth in this subsection.

22 (2.3) At the permanency hearing, the court shall determine  
23 the permanency goal of the minor ~~child~~. The court shall set one  
24 of the following permanency goals:

25 (A) The minor will be returned home by a specific date  
26 within 5 months.

1           (B) The minor will be in short-term care with a  
2 continued goal to return home within a period not to  
3 exceed one year, where the progress of the parent or  
4 parents is substantial giving particular consideration to  
5 the age and individual needs of the minor.

6           (B-1) The minor will be in short-term care with a  
7 continued goal to return home pending a status hearing.  
8 When the court finds that a parent has not made reasonable  
9 efforts or reasonable progress to date, the court shall  
10 identify what actions the parent and the Department must  
11 take in order to justify a finding of reasonable efforts  
12 or reasonable progress and shall set a status hearing to  
13 be held not earlier than 9 months from the date of  
14 adjudication nor later than 11 months from the date of  
15 adjudication during which the parent's progress will again  
16 be reviewed.

17           If the court has determined that goals (A), (B), and  
18 (B-1) are not appropriate and not in the minor's best  
19 interest, the court may select one of the following goals:  
20 (C), (D), (E), (F), (G), or (H) for the minor as  
21 appropriate and based on the best interests of the minor.  
22 The court shall determine the appropriate goal for the  
23 minor based on best interest factors and any  
24 considerations outlined in that goal.

25           (C) The guardianship of the minor shall be transferred  
26 to an individual or couple on a permanent basis. Prior to

1 changing the goal to guardianship, the court shall  
2 consider the following:

3 (i) whether the agency has discussed adoption and  
4 guardianship with the caregiver and what preference,  
5 if any, the caregiver has as to the permanency goal;

6 (ii) whether the agency has discussed adoption and  
7 guardianship with the minor, as age-appropriate, and  
8 what preference, if any, the minor has as to the  
9 permanency goal;

10 (iii) whether the minor is of sufficient age to  
11 remember the minor's parents and if the minor ~~child~~  
12 values this familial identity;

13 (iv) whether the minor is placed with a relative,  
14 and ~~beginning July 1, 2025,~~ whether the minor is  
15 placed in a relative home as defined in Section 4d of  
16 the Children and Family Services Act or in a certified  
17 relative caregiver home as defined in Section 2.36 of  
18 the Child Care Act of 1969; and

19 (v) whether the parent or parents have been  
20 informed about guardianship and adoption, and, if  
21 appropriate, what preferences, if any, the parent or  
22 parents have as to the permanency goal.

23 (D) The minor will be in substitute care pending court  
24 determination on termination of parental rights. Prior to  
25 changing the goal to substitute care pending court  
26 determination on termination of parental rights, the court

1 shall consider the following:

2 (i) whether the agency has discussed adoption and  
3 guardianship with the caregiver and what preference,  
4 if any, the caregiver has as to the permanency goal;

5 (ii) whether the agency has discussed adoption and  
6 guardianship with the minor, as age-appropriate, and  
7 what preference, if any, the minor has as to the  
8 permanency goal;

9 (iii) whether the minor is of sufficient age to  
10 remember the minor's parents and if the minor ~~child~~  
11 values this familial identity;

12 (iv) whether the minor is placed with a relative,  
13 and ~~beginning July 1, 2025,~~ whether the minor is  
14 placed in a relative home as defined in Section 4d of  
15 the Children and Family Services Act, in a certified  
16 relative caregiver home as defined in Section 2.36 of  
17 the Child Care Act of 1969;

18 (v) whether the minor is already placed in a  
19 pre-adoptive home, and if not, whether such a home has  
20 been identified; and

21 (vi) whether the parent or parents have been  
22 informed about guardianship and adoption, and, if  
23 appropriate, what preferences, if any, the parent or  
24 parents have as to the permanency goal.

25 (E) Adoption, provided that parental rights have been  
26 terminated or relinquished.

1           (F) Provided that permanency goals (A) through (E)  
2           have been deemed inappropriate and not in the minor's best  
3           interests, the minor over age 15 will be in substitute  
4           care pending independence. In selecting this permanency  
5           goal, the Department of Children and Family Services may  
6           provide services to enable reunification and to strengthen  
7           the minor's connections with family, fictive kin, and  
8           other responsible adults, provided the services are in the  
9           minor's best interest. The services shall be documented in  
10          the service plan.

11          (G) The minor will be in substitute care because the  
12          minor cannot be provided for in a home environment due to  
13          developmental disabilities or mental illness or because  
14          the minor is a danger to self or others, provided that  
15          goals (A) through (E) have been deemed inappropriate and  
16          not in the minor's ~~child's~~ best interests.

17          In selecting any permanency goal, the court shall  
18          indicate in writing the reasons the goal was selected and  
19          why the preceding goals were deemed inappropriate and not  
20          in the minor's ~~child's~~ best interest. Where the court has  
21          selected a permanency goal other than (A), (B), or (B-1),  
22          the Department of Children and Family Services shall not  
23          provide further reunification services, except as provided  
24          in paragraph (F) of this subsection (2.3), but shall  
25          provide services consistent with the goal selected.

26          (H) Notwithstanding any other provision in this

1 Section, the court may select the goal of continuing  
2 foster care as a permanency goal if:

3 (1) The Department of Children and Family Services  
4 has custody and guardianship of the minor;

5 (2) The court has deemed all other permanency  
6 goals inappropriate based on the minor's ~~child's~~ best  
7 interest;

8 (3) The court has found compelling reasons, based  
9 on written documentation reviewed by the court, to  
10 place the minor in continuing foster care. Compelling  
11 reasons include:

12 (a) the minor ~~child~~ does not wish to be  
13 adopted or to be placed in the guardianship of the  
14 minor's relative, certified relative caregiver, or  
15 foster care placement;

16 (b) the minor ~~child~~ exhibits an extreme level  
17 of need such that the removal of the minor ~~child~~  
18 from the minor's placement would be detrimental to  
19 the minor ~~child~~; or

20 (c) the minor ~~child~~ who is the subject of the  
21 permanency hearing has existing close and strong  
22 bonds with a sibling, and achievement of another  
23 permanency goal would substantially interfere with  
24 the subject minor's ~~child's~~ sibling relationship,  
25 taking into consideration the nature and extent of  
26 the relationship, and whether ongoing contact is

1 in the subject minor's ~~child's~~ best interest,  
2 including long-term emotional interest, as  
3 compared with the legal and emotional benefit of  
4 permanence;

5 (4) The minor ~~child~~ has lived with the relative,  
6 certified relative caregiver, or foster parent for at  
7 least one year; and

8 (5) The relative, certified relative caregiver, or  
9 foster parent currently caring for the minor ~~child~~ is  
10 willing and capable of providing the minor ~~child~~ with  
11 a stable and permanent environment.

12 (2.4) The court shall set a permanency goal that is in the  
13 best interest of the minor ~~child~~. In determining that goal,  
14 the court shall consult with the minor in an age-appropriate  
15 manner regarding the proposed permanency or transition plan  
16 for the minor. The court's determination shall include the  
17 following factors:

18 (A) Age of the minor ~~child~~.

19 (B) Options available for permanence, including both  
20 out-of-state and in-state placement options.

21 (C) Current placement of the minor ~~child~~ and the  
22 intent of the family regarding subsidized guardianship and  
23 adoption.

24 (D) Emotional, physical, and mental status or  
25 condition of the minor ~~child~~.

26 (E) Types of services previously offered and whether



1 or not the services were successful and, if not  
2 successful, the reasons the services failed.

3 (F) Availability of services currently needed and  
4 whether the services exist.

5 (G) Status of siblings of the minor.

6 (H) If the minor is not currently in a placement  
7 likely to achieve permanency, whether there is an  
8 identified and willing potential permanent caregiver for  
9 the minor, and if so, that potential permanent caregiver's  
10 intent regarding guardianship and adoption.

11 The court shall consider (i) the permanency goal contained  
12 in the service plan, (ii) the appropriateness of the services  
13 contained in the plan and whether those services have been  
14 provided, (iii) whether reasonable efforts have been made by  
15 all the parties to the service plan to achieve the goal, and  
16 (iv) whether the plan and goal have been achieved. All  
17 evidence relevant to determining these questions, including  
18 oral and written reports, may be admitted and may be relied on  
19 to the extent of their probative value.

20 The court shall make findings as to whether, in violation  
21 of Section 8.2 of the Abused and Neglected Child Reporting  
22 Act, any portion of the service plan compels a minor ~~child~~ or  
23 parent to engage in any activity or refrain from any activity  
24 that is not reasonably related to remedying a condition or  
25 conditions that gave rise or which could give rise to any  
26 finding of child abuse or neglect. The services contained in

1 the service plan shall include services reasonably related to  
2 remedy the conditions that gave rise to removal of the minor  
3 ~~child~~ from the home of the minor's ~~child's~~ parents, guardian,  
4 or legal custodian or that the court has found must be remedied  
5 prior to returning the minor ~~child~~ home. Any tasks the court  
6 requires of the parents, guardian, or legal custodian or minor  
7 ~~child~~ prior to returning the minor ~~child~~ home must be  
8 reasonably related to remedying a condition or conditions that  
9 gave rise to or which could give rise to any finding of child  
10 abuse or neglect.

11 If the permanency goal is to return home, the court shall  
12 make findings that identify any problems that are causing  
13 continued placement of the minors ~~children~~ away from the home  
14 and identify what outcomes would be considered a resolution to  
15 these problems. The court shall explain to the parents that  
16 these findings are based on the information that the court has  
17 at that time and may be revised, should additional evidence be  
18 presented to the court.

19 The court shall review the Sibling Contact Support Plan  
20 developed or modified under subsection (f) of Section 7.4 of  
21 the Children and Family Services Act, if applicable. If the  
22 Department has not convened a meeting to develop or modify a  
23 Sibling Contact Support Plan, or if the court finds that the  
24 existing Plan is not in the minor's ~~child's~~ best interest, the  
25 court may enter an order requiring the Department to develop,  
26 modify, or implement a Sibling Contact Support Plan, or order

1 mediation.

2 The court shall review the Department's efforts to provide  
3 the minor with age and developmentally appropriate life  
4 skills. If the court finds the Department's efforts are not in  
5 the minor's best interest, the court may enter an order  
6 requiring the Department to develop, modify, or implement the  
7 service plan to develop the minor's life skills in an age and  
8 developmentally appropriate manner.

9 ~~The Beginning July 1, 2025, the~~ court shall review the  
10 Ongoing Family Finding and Relative Engagement Plan required  
11 under Section 2-27.3. If the court finds that the plan is not  
12 in the minor's best interest, the court shall enter specific  
13 factual findings and order the Department to modify the plan  
14 consistent with the court's findings.

15 If the goal has been achieved, the court shall enter  
16 orders that are necessary to conform the minor's legal custody  
17 and status to those findings.

18 If, after receiving evidence, the court determines that  
19 the services contained in the plan are not reasonably  
20 calculated to facilitate achievement of the permanency goal,  
21 the court shall put in writing the factual basis supporting  
22 the determination and enter specific findings based on the  
23 evidence. The court also shall enter an order for the  
24 Department to develop and implement a new service plan or to  
25 implement changes to the current service plan consistent with  
26 the court's findings. The new service plan shall be filed with

1 the court and served on all parties within 45 days of the date  
2 of the order. The court shall continue the matter until the new  
3 service plan is filed. Except as authorized by subsection  
4 (2.5) of this Section and as otherwise specifically authorized  
5 by law, the court is not empowered under this Section to order  
6 specific placements, specific services, or specific service  
7 providers to be included in the service plan.

8 A guardian or custodian appointed by the court pursuant to  
9 this Act shall file updated case plans with the court every 6  
10 months.

11 Rights of wards of the court under this Act are  
12 enforceable against any public agency by complaints for relief  
13 by mandamus filed in any proceedings brought under this Act.

14 (2.5) If, after reviewing the evidence, including evidence  
15 from the Department, the court determines that the minor's  
16 current or planned placement is not necessary or appropriate  
17 to facilitate achievement of the permanency goal, the court  
18 shall put in writing the factual basis supporting its  
19 determination and enter specific findings based on the  
20 evidence. If the court finds that the minor's current or  
21 planned placement is not necessary or appropriate, the court  
22 may enter an order directing the Department to implement a  
23 recommendation by the minor's treating clinician or a  
24 clinician contracted by the Department to evaluate the minor  
25 or a recommendation made by the Department. If the Department  
26 places a minor in a placement under an order entered under this

1 subsection (2.5), the Department has the authority to remove  
2 the minor from that placement when a change in circumstances  
3 necessitates the removal to protect the minor's health,  
4 safety, and best interest. If the Department determines  
5 removal is necessary, the Department shall notify the parties  
6 of the planned placement change in writing no later than 10  
7 days prior to the implementation of its determination unless  
8 remaining in the placement poses an imminent risk of harm to  
9 the minor, in which case the Department shall notify the  
10 parties of the placement change in writing immediately  
11 following the implementation of its decision. The Department  
12 shall notify others of the decision to change the minor's  
13 placement as required by Department rule.

14 (3) Following the permanency hearing, the court shall  
15 enter a written order that includes the determinations  
16 required under subsections (2) and (2.3) of this Section and  
17 sets forth the following:

18 (a) The future status of the minor, including the  
19 permanency goal, and any order necessary to conform the  
20 minor's legal custody and status to such determination; or

21 (b) If the permanency goal of the minor cannot be  
22 achieved immediately, the specific reasons for continuing  
23 the minor in the care of the Department of Children and  
24 Family Services or other agency for short-term placement,  
25 and the following determinations:

26 (i) (Blank).

1           (ii) Whether the services required by the court  
2           and by any service plan prepared within the prior 6  
3           months have been provided and (A) if so, whether the  
4           services were reasonably calculated to facilitate the  
5           achievement of the permanency goal or (B) if not  
6           provided, why the services were not provided.

7           (iii) Whether the minor's current or planned  
8           placement is necessary, and appropriate to the plan  
9           and goal, recognizing the right of minors to the least  
10          restrictive (most family-like) setting available and  
11          in close proximity to the parents' home consistent  
12          with the health, safety, best interest, and special  
13          needs of the minor and, if the minor is placed  
14          out-of-state, whether the out-of-state placement  
15          continues to be appropriate and consistent with the  
16          health, safety, and best interest of the minor with  
17          Department compliance with the obligations of Section  
18          7.30 of the Children and Family Services Act, if such  
19          circumstances are applicable.

20               (iv) (Blank).

21               (v) (Blank).

22           If the court sets a permanency goal of independence or if  
23           the minor is 17 years of age or older, the court shall schedule  
24           a Successful Transition to Adulthood Review hearing in  
25           accordance with Section 2-28.2.

26           (4) The minor or any person interested in the minor may

1 apply to the court for a change in custody of the minor and the  
2 appointment of a new custodian or guardian of the person or for  
3 the restoration of the minor to the custody of the minor's  
4 parents or former guardian or custodian.

5 When return home is not selected as the permanency goal:

6 (a) The Department, the minor, or the current foster  
7 parent or relative caregiver seeking private guardianship  
8 may file a motion for private guardianship of the minor.  
9 Appointment of a guardian under this Section requires  
10 approval of the court.

11 (b) The State's Attorney may file a motion to  
12 terminate parental rights of any parent who has failed to  
13 make reasonable efforts to correct the conditions which  
14 led to the removal of the minor ~~child~~ or reasonable  
15 progress toward the return of the minor ~~child~~, as defined  
16 in subdivision (D)(m) of Section 1 of the Adoption Act or  
17 for whom any other unfitness ground for terminating  
18 parental rights as defined in subdivision (D) of Section 1  
19 of the Adoption Act exists.

20 When parental rights have been terminated for a  
21 minimum of 3 years and the minor ~~child~~ who is the subject  
22 of the permanency hearing is 13 years old or older and is  
23 not currently placed in a placement likely to achieve  
24 permanency, the Department of Children and Family Services  
25 shall make reasonable efforts to locate parents whose  
26 rights have been terminated, except when the Court

1 determines that those efforts would be futile or  
2 inconsistent with the subject minor's ~~child's~~ best  
3 interests. The Department of Children and Family Services  
4 shall assess the appropriateness of the parent whose  
5 rights have been terminated, and shall, as appropriate,  
6 foster and support connections between the parent whose  
7 rights have been terminated and the youth. The Department  
8 of Children and Family Services shall document its  
9 determinations and efforts to foster connections in the  
10 minor's ~~child's~~ case plan.

11 Custody of the minor shall not be restored to any parent,  
12 guardian, or legal custodian in any case in which the minor is  
13 found to be neglected or abused under Section 2-3 or dependent  
14 under Section 2-4 of this Act, unless the minor can be cared  
15 for at home without endangering the minor's health or safety  
16 and it is in the best interest of the minor, and if such  
17 neglect, abuse, or dependency is found by the court under  
18 paragraph (1) of Section 2-21 of this Act to have come about  
19 due to the acts or omissions or both of such parent, guardian,  
20 or legal custodian, until such time as an investigation is  
21 made as provided in paragraph (5) and a hearing is held on the  
22 issue of the health, safety, and best interest of the minor and  
23 the fitness of such parent, guardian, or legal custodian to  
24 care for the minor and the court enters an order that such  
25 parent, guardian, or legal custodian is fit to care for the  
26 minor. If a motion is filed to modify or vacate a private



1 guardianship order and return the minor ~~child~~ to a parent,  
2 guardian, or legal custodian, the court may order the  
3 Department of Children and Family Services to assess the  
4 minor's current and proposed living arrangements and to  
5 provide ongoing monitoring of the health, safety, and best  
6 interest of the minor during the pendency of the motion to  
7 assist the court in making that determination. In the event  
8 that the minor has attained 18 years of age and the guardian or  
9 custodian petitions the court for an order terminating the  
10 minor's guardianship or custody, guardianship or custody shall  
11 terminate automatically 30 days after the receipt of the  
12 petition unless the court orders otherwise. No legal custodian  
13 or guardian of the person may be removed without the legal  
14 custodian's or guardian's consent until given notice and an  
15 opportunity to be heard by the court.

16 When the court orders a minor ~~child~~ restored to the  
17 custody of the parent or parents, the court shall order the  
18 parent or parents to cooperate with the Department of Children  
19 and Family Services and comply with the terms of an aftercare  
20 ~~after-care~~ plan, or risk the loss of custody of the minor ~~child~~  
21 and possible termination of their parental rights. The court  
22 may also enter an order of protective supervision in  
23 accordance with Section 2-24.

24 If the minor is being restored to the custody of a parent,  
25 legal custodian, or guardian who lives outside of Illinois,  
26 and an Interstate Compact has been requested and refused, the

1 court may order the Department of Children and Family Services  
2 to arrange for an assessment of the minor's proposed living  
3 arrangement and for ongoing monitoring of the health, safety,  
4 and best interest of the minor and compliance with any order of  
5 protective supervision entered in accordance with Section  
6 2-24.

7 (5) Whenever a parent, guardian, or legal custodian files  
8 a motion for restoration of custody of the minor, and the minor  
9 was adjudicated neglected, abused, or dependent as a result of  
10 physical abuse, the court shall cause to be made an  
11 investigation as to whether the movant has ever been charged  
12 with or convicted of any criminal offense which would indicate  
13 the likelihood of any further physical abuse to the minor.  
14 Evidence of such criminal convictions shall be taken into  
15 account in determining whether the minor can be cared for at  
16 home without endangering the minor's health or safety and  
17 fitness of the parent, guardian, or legal custodian.

18 (a) Any agency of this State or any subdivision  
19 thereof shall cooperate with the agent of the court in  
20 providing any information sought in the investigation.

21 (b) The information derived from the investigation and  
22 any conclusions or recommendations derived from the  
23 information shall be provided to the parent, guardian, or  
24 legal custodian seeking restoration of custody prior to  
25 the hearing on fitness and the movant shall have an  
26 opportunity at the hearing to refute the information or

1 contest its significance.

2 (c) All information obtained from any investigation  
3 shall be confidential as provided in Section 5-150 of this  
4 Act.

5 (6) The changes made to this Section by this amendatory  
6 Act of the 104th General Assembly apply on and after January 1,  
7 2028.

8 (Source: P.A. 103-22, eff. 8-8-23; 103-154, eff. 6-30-23;  
9 103-171, eff. 1-1-24; 103-605, eff. 7-1-24; 103-1061, eff.  
10 2-5-25; 104-2, eff. 6-16-25; 104-107, eff. 7-1-26; revised  
11 8-20-25.)

12 (705 ILCS 405/5-745)

13 (Text of Section before amendment by P.A. 104-107)

14 Sec. 5-745. Court review.

15 (1) The court may require any legal custodian or guardian  
16 of the person appointed under this Act, including the  
17 Department of Juvenile Justice for youth committed under  
18 Section 5-750 of this Act, to report periodically to the court  
19 or may cite the legal custodian or guardian into court and  
20 require the legal custodian or guardian, or the legal  
21 custodian's or guardian's agency, to make a full and accurate  
22 report of the doings of the legal custodian, guardian, or  
23 agency on behalf of the minor, including efforts to secure  
24 post-release placement of the youth after release from the  
25 Department's facilities. The legal custodian or guardian,

1 within 10 days after the citation, shall make the report,  
2 either in writing verified by affidavit or orally under oath  
3 in open court, or otherwise as the court directs. Upon the  
4 hearing of the report, the court may remove the legal  
5 custodian or guardian and appoint another in the legal  
6 custodian's or guardian's stead or restore the minor to the  
7 custody of the minor's parents or former guardian or legal  
8 custodian.

9 (2) If the Department of Children and Family Services is  
10 appointed legal custodian or guardian of a minor under Section  
11 5-740 of this Act, the Department of Children and Family  
12 Services shall file updated case plans with the court every 6  
13 months. Every agency which has guardianship of a child shall  
14 file a supplemental petition for court review, or review by an  
15 administrative body appointed or approved by the court and  
16 further order within 18 months of the sentencing order and  
17 each 18 months thereafter. The petition shall state facts  
18 relative to the child's present condition of physical, mental,  
19 and emotional health as well as facts relative to the minor's  
20 present custodial or foster care. The petition shall be set  
21 for hearing and the clerk shall mail 10 days' ~~days~~ notice of  
22 the hearing by certified mail, return receipt requested, to  
23 the person or agency having the physical custody of the child,  
24 the minor and other interested parties unless a written waiver  
25 of notice is filed with the petition.

26 If the minor is in the custody of the Illinois Department

1 of Children and Family Services, pursuant to an order entered  
2 under this Article, the court shall conduct permanency  
3 hearings as set out in subsections (1), (1.3), (1.5), (1.6),  
4 (2), (2.3), (2.4), (2.5), and (3) of Section 2-28 of Article II  
5 of this Act.

6 Rights of wards of the court under this Act are  
7 enforceable against any public agency by complaints for relief  
8 by mandamus filed in any proceedings brought under this Act.

9 (3) The minor or any person interested in the minor may  
10 apply to the court for a change in custody of the minor and the  
11 appointment of a new custodian or guardian of the person or for  
12 the restoration of the minor to the custody of the minor's  
13 parents or former guardian or custodian. In the event that the  
14 minor has attained 18 years of age and the guardian or  
15 custodian petitions the court for an order terminating the  
16 minor's guardianship or custody, guardianship or legal custody  
17 shall terminate automatically 30 days after the receipt of the  
18 petition unless the court orders otherwise. No legal custodian  
19 or guardian of the person may be removed without the legal  
20 custodian's or guardian's consent until given notice and an  
21 opportunity to be heard by the court.

22 (4) If the minor is committed to the Department of  
23 Juvenile Justice under Section 5-750 of this Act, the  
24 Department shall notify the court in writing of the occurrence  
25 of any of the following:

26 (a) a critical incident involving a youth committed to

1 the Department; as used in this paragraph (a), "critical  
2 incident" means any incident that involves a serious risk  
3 to the life, health, or well-being of the youth and  
4 includes, but is not limited to, an accident or suicide  
5 attempt resulting in serious bodily harm or  
6 hospitalization, psychiatric hospitalization, alleged or  
7 suspected abuse, or escape or attempted escape from  
8 custody, filed within 10 days of the occurrence;

9 (b) a youth who has been released by the Prisoner  
10 Review Board but remains in a Department facility solely  
11 because the youth does not have an approved aftercare  
12 release host site, filed within 10 days of the occurrence;

13 (c) a youth, except a youth who has been adjudicated a  
14 habitual or violent juvenile offender under Section 5-815  
15 or 5-820 of this Act or committed for first degree murder,  
16 who has been held in a Department facility for over one  
17 consecutive year; or

18 (d) if a report has been filed under paragraph (c) of  
19 this subsection, a supplemental report shall be filed  
20 every 6 months thereafter.

21 The notification required by this subsection (4) shall contain  
22 a brief description of the incident or situation and a summary  
23 of the youth's current physical, mental, and emotional health  
24 and the actions the Department took in response to the  
25 incident or to identify an aftercare release host site, as  
26 applicable. Upon receipt of the notification, the court may

1 require the Department to make a full report under subsection  
2 (1) of this Section.

3 (5) With respect to any report required to be filed with  
4 the court under this Section, the Independent Juvenile  
5 Ombudsperson shall provide a copy to the minor's court  
6 appointed guardian ad litem, if the Department has received  
7 written notice of the appointment, and to the minor's  
8 attorney, if the Department has received written notice of  
9 representation from the attorney. If the Department has a  
10 record that a guardian has been appointed for the minor and a  
11 record of the last known address of the minor's court  
12 appointed guardian, the Independent Juvenile Ombudsperson  
13 shall send a notice to the guardian that the report is  
14 available and will be provided by the Independent Juvenile  
15 Ombudsperson upon request. If the Department has no record  
16 regarding the appointment of a guardian for the minor, and the  
17 Department's records include the last known addresses of the  
18 minor's parents, the Independent Juvenile Ombudsperson shall  
19 send a notice to the parents that the report is available and  
20 will be provided by the Independent Juvenile Ombudsperson upon  
21 request.

22 (6) The changes made to this Section by this amendatory  
23 Act of the 104th General Assembly apply on and after January 1,  
24 2028.

25 (Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 2-5-25;  
26 104-66, eff. 1-1-26; revised 11-21-25.)

1 (Text of Section after amendment by P.A. 104-107)

2 Sec. 5-745. Court review.

3 (1) The court may require any legal custodian or guardian  
4 of the person appointed under this Act, including the  
5 Department of Juvenile Justice for youth committed under  
6 Section 5-750 of this Act, to report periodically to the court  
7 or may cite the legal custodian or guardian into court and  
8 require the legal custodian or guardian, or the legal  
9 custodian's or guardian's agency, to make a full and accurate  
10 report of the doings of the legal custodian, guardian, or  
11 agency on behalf of the minor, including efforts to secure  
12 post-release placement of the youth after release from the  
13 Department's facilities. The legal custodian or guardian,  
14 within 10 days after the citation, shall make the report,  
15 either in writing verified by affidavit or orally under oath  
16 in open court, or otherwise as the court directs. Upon the  
17 hearing of the report, the court may remove the legal  
18 custodian or guardian and appoint another in the legal  
19 custodian's or guardian's stead or restore the minor to the  
20 custody of the minor's parents or former guardian or legal  
21 custodian.

22 (2) If the Department of Children and Family Services is  
23 appointed legal custodian or guardian of a minor under Section  
24 5-740 of this Act, the Department of Children and Family  
25 Services shall file updated case plans with the court every 6



1 months. Every agency which has guardianship of a child shall  
2 file a supplemental petition for court review, or review by an  
3 administrative body appointed or approved by the court and  
4 further order within 18 months of the sentencing order and  
5 each 18 months thereafter. The petition shall state facts  
6 relative to the child's present condition of physical, mental,  
7 and emotional health as well as facts relative to the minor's  
8 present custodial or foster care. The petition shall be set  
9 for hearing and the clerk shall mail 10 days' ~~days~~ notice of  
10 the hearing by certified mail, return receipt requested, to  
11 the person or agency having the physical custody of the child,  
12 the minor and other interested parties unless a written waiver  
13 of notice is filed with the petition.

14 If the minor is in the custody of the Illinois Department  
15 of Children and Family Services, pursuant to an order entered  
16 under this Article, the court shall conduct permanency  
17 hearings as set out in subsections (1), (1.3), (1.5), (1.6),  
18 (2), (2.3), (2.4), (2.5), and (3) of Section 2-28 of Article II  
19 of this Act and Successful Transition to Adulthood Review  
20 hearings as set out in Section 2-28.2 of Article II of this  
21 Act.

22 Rights of wards of the court under this Act are  
23 enforceable against any public agency by complaints for relief  
24 by mandamus filed in any proceedings brought under this Act.

25 (3) The minor or any person interested in the minor may  
26 apply to the court for a change in custody of the minor and the

1 appointment of a new custodian or guardian of the person or for  
2 the restoration of the minor to the custody of the minor's  
3 parents or former guardian or custodian. In the event that the  
4 minor has attained 18 years of age and the guardian or  
5 custodian petitions the court for an order terminating the  
6 minor's guardianship or custody, guardianship or legal custody  
7 shall terminate automatically 30 days after the receipt of the  
8 petition unless the court orders otherwise. No legal custodian  
9 or guardian of the person may be removed without the legal  
10 custodian's or guardian's consent until given notice and an  
11 opportunity to be heard by the court.

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13 Juvenile Justice under Section 5-750 of this Act, the  
14 Department shall notify the court in writing of the occurrence  
15 of any of the following:

16 (a) a critical incident involving a youth committed to  
17 the Department; as used in this paragraph (a), "critical  
18 incident" means any incident that involves a serious risk  
19 to the life, health, or well-being of the youth and  
20 includes, but is not limited to, an accident or suicide  
21 attempt resulting in serious bodily harm or  
22 hospitalization, psychiatric hospitalization, alleged or  
23 suspected abuse, or escape or attempted escape from  
24 custody, filed within 10 days of the occurrence;

25 (b) a youth who has been released by the Prisoner  
26 Review Board but remains in a Department facility solely

1 because the youth does not have an approved aftercare  
2 release host site, filed within 10 days of the occurrence;

3 (c) a youth, except a youth who has been adjudicated a  
4 habitual or violent juvenile offender under Section 5-815  
5 or 5-820 of this Act or committed for first degree murder,  
6 who has been held in a Department facility for over one  
7 consecutive year; or

8 (d) if a report has been filed under paragraph (c) of  
9 this subsection, a supplemental report shall be filed  
10 every 6 months thereafter.

11 The notification required by this subsection (4) shall contain  
12 a brief description of the incident or situation and a summary  
13 of the youth's current physical, mental, and emotional health  
14 and the actions the Department took in response to the  
15 incident or to identify an aftercare release host site, as  
16 applicable. Upon receipt of the notification, the court may  
17 require the Department to make a full report under subsection  
18 (1) of this Section.

19 (5) With respect to any report required to be filed with  
20 the court under this Section, the Independent Juvenile  
21 Ombudsperson shall provide a copy to the minor's court  
22 appointed guardian ad litem, if the Department has received  
23 written notice of the appointment, and to the minor's  
24 attorney, if the Department has received written notice of  
25 representation from the attorney. If the Department has a  
26 record that a guardian has been appointed for the minor and a

1 record of the last known address of the minor's court  
2 appointed guardian, the Independent Juvenile Ombudsperson  
3 shall send a notice to the guardian that the report is  
4 available and will be provided by the Independent Juvenile  
5 Ombudsperson upon request. If the Department has no record  
6 regarding the appointment of a guardian for the minor, and the  
7 Department's records include the last known addresses of the  
8 minor's parents, the Independent Juvenile Ombudsperson shall  
9 send a notice to the parents that the report is available and  
10 will be provided by the Independent Juvenile Ombudsperson upon  
11 request.

12 (6) The changes made to this Section by this amendatory  
13 Act of the 104th General Assembly apply on and after January 1,  
14 2028.

15 (Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 2-5-25;  
16 104-66, eff. 1-1-26; 104-107, eff. 7-1-26; revised 11-21-25.)

17 Section 95. No acceleration or delay. Where this Act makes  
18 changes in a statute that is represented in this Act by text  
19 that is not yet or no longer in effect (for example, a Section  
20 represented by multiple versions), the use of that text does  
21 not accelerate or delay the taking effect of (i) the changes  
22 made by this Act or (ii) provisions derived from any other  
23 Public Act.

24 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

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