

# HB4321



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4321

by Rep. Michael D. Unes

### SYNOPSIS AS INTRODUCED:

705 ILCS 405/2-33

Amends the Juvenile Court Act of 1987. Makes technical changes in a provision concerning supplemental petitions to reinstate wardship of a juvenile to the court.

LRB100 16190 SLF 31311 b

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Juvenile Court Act of 1987 is amended by  
5 changing Section 2-33 as follows:

6 (705 ILCS 405/2-33)

7 Sec. 2-33. Supplemental petition to reinstate wardship.

8 (1) Any time prior to a minor's 18th birthday, pursuant to  
9 a supplemental petition filed under this Section, the court may  
10 reinstate wardship and open a previously closed case when:

11 (a) wardship and guardianship under the Juvenile Court  
12 Act of 1987 was vacated in conjunction with the appointment  
13 of a private guardian under the Probate Act of 1975; or

14 (b) the minor is not presently a ward of the court  
15 under Article II of this Act nor is there a petition for  
16 adjudication of wardship pending on behalf of the minor;  
17 and

18 (c) it is in the minor's best interest that wardship be  
19 reinstated.

20 (2) Any time prior to a minor's 21st birthday, pursuant to  
21 a supplemental petition filed under this Section, the court may  
22 reinstate wardship and open a previously closed case when:

23 (a) wardship and guardianship under this Act was

1           vacated pursuant to:

2                   (i) an order entered under subsection (2) of  
3           Section 2-31 in the case of a minor over the age of 18;  
4           or

5                   (ii) closure of a case under subsection (2) of  
6           Section 2-31 in the case of a minor under the age of 18  
7           who has been partially or completely emancipated in  
8           accordance with the Emancipation of Minors Act; or

9                   (iii) an order entered under subsection (3) of  
10          Section 2-31 based on the minor's attaining the age of  
11          19 years; or

12                   (b) the minor is not presently a ward of the court  
13          under Article II of this Act nor is there a petition for  
14          adjudication of wardship pending on behalf of the minor;  
15          and

16                   (c) it is in the minor's best interest that wardship be  
17          reinstated.

18                   (3) The supplemental petition must be filed in the same  
19          proceeding in which the original adjudication order was  
20          entered. Unless excused by court for good cause shown, the  
21          petitioner shall give notice of the time and place of the  
22          hearing on the supplemental petition, in person or by mail, to  
23          the minor, if the minor is 14 years of age or older, and to the  
24          parties to the juvenile court proceeding. Notice shall be  
25          provided at least 3 court days in advance of the hearing date.

26                   (4) A minor who is the subject of a petition to reinstate

1 wardship under this Section shall be provided with  
2 representation in accordance with Sections 1-5 and 2-17 of this  
3 Act.

4 (5) Whenever a minor is committed to the Department of  
5 Children and Family Services for care and services following  
6 the reinstatement of wardship under this Section, the  
7 Department shall:

8 (a) Within 30 days of such commitment, prepare and file  
9 with the court a case plan which complies with the federal  
10 Adoption Assistance and Child Welfare Act of 1980 and is  
11 consistent with the health, safety and best interests of  
12 the minor; and

13 (b) Promptly refer the minor for such services as are  
14 necessary and consistent with the minor's health, safety  
15 and best interests.

16 (Source: P.A. 96-581, eff. 1-1-10.)