



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1478

Introduced 2/7/2023, by Sen. Ann Gillespie

SYNOPSIS AS INTRODUCED:

20 ILCS 505/17a-16 new

20 ILCS 521/5

705 ILCS 405/1-5

from Ch. 37, par. 801-5

705 ILCS 405/1-6.5 new

Amends the Children and Family Services Act. Creates the Due Process for Youth Oversight Commission (Commission) to oversee the creation and implementation of a youth's statutory right to counsel in abuse and neglect proceedings conducted in accordance with the Juvenile Court Act of 1987. Requires the Commission to provide direction and operational phases for implementation statewide, provide status reports and recommendations to the General Assembly regarding implementation, and provide ongoing implementation and program oversight for 5 years after statewide transition is completed. Contains provisions concerning the Commission's membership; term limits; scheduled meetings; data support provided by the Department of Children and Family Services; Commission duties; and the date of the Commission's dissolution. Amends the Foster Children's Bill of Rights Act. Expands the rights afforded to every child placed in foster care to include the right to have a court appoint an attorney to represent the youth in any abuse or neglect case who will advocate for the youth's wishes and make recommendations to the court regarding the youth's care. Provides that this right applies to court proceedings pending or commenced on or after a date established by the Commission by administrative rule. Amends the Juvenile Court Act of 1987. Provides that immediately upon the filing of an abuse or neglect petition, the court shall appoint counsel for each minor who is the subject of that petition, unless the minor has already retained counsel. Provides that this requirement shall apply to court proceedings pending or commenced on or after a date established by the Commission by administrative rule. Provides that each respondent in any petition filed under the Act who is 8 years of age or older shall be furnished a written "Notice of Rights" at or before the first hearing at which the respondent appears. Provides that counsel appointed by a court to represent a minor in neglect or abuse proceedings shall have a minimum of one in-person contact with the minor prior to each hearing and at least one in-person contact every quarter. Effective immediately.

LRB103 25788 KTG 52137 b

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 5. The Children and Family Services Act is amended
5 by adding Section 17a-16 as follows:

6 (20 ILCS 505/17a-16 new)

7 Sec. 17a-16. Due Process for Youth Oversight
8 Commission.

9 (a) Purpose. The Due Process for Youth Oversight
10 Commission is created to oversee the creation and
11 implementation of a youth's statutory right to counsel in
12 proceedings conducted in accordance with Article II of the
13 Juvenile Court Act of 1987. The Commission shall provide
14 direction and operational phases for implementation statewide,
15 provide status reports and recommendations to the General
16 Assembly regarding implementation, and provide ongoing
17 implementation and program oversight for 5 years after
18 statewide transition is completed.

19 (b) Membership; operations. The Commission shall consist
20 of the following members:

21 (1) One member of the Senate appointed by the Senate
22 President.

23 (2) One member of the Senate appointed by the Senate

1 Minority Leader.

2 (3) One member of the House of Representatives
3 appointed by the Speaker of the House of Representatives.

4 (4) One member of the House of Representatives
5 appointed by the Minority Leader of the House of
6 Representatives.

7 (5) The Director of Children and Family Services or
8 the Director's designee.

9 (6) One member of the Governor's Office appointed by
10 the Governor.

11 (7) Two members who are judges from different counties
12 who preside over proceedings in accordance with Article II
13 of the Juvenile Court Act of 1987, appointed by the Chief
14 Justice of the Illinois Supreme Court.

15 (8) One member representing the Administrative Office
16 of the Illinois Courts, appointed by the Chief Justice of
17 the Illinois Supreme Court.

18 (9) The Public Defender of Cook County or that Public
19 Defender's designee.

20 (10) One member who provides legal representation on
21 behalf of an Office of the Public Defender from a central
22 region, appointed by that central region's Public
23 Defender.

24 (11) One member who provides legal representation on
25 behalf of an Office of the Public Defender from a
26 downstate county with a population less than 500,000,

1 appointed by that downstate jurisdiction's Public
2 Defender.

3 (12) The Cook County Public Guardian, or the Cook
4 County Public Guardian's designee.

5 (13) One member who is licensed to practice law in the
6 State of Illinois and who provides client-directed legal
7 services to indigent persons on behalf of a not-for-profit
8 civil legal aid organization serving at least 5 counties
9 in Illinois, appointed by the Commission's co-chairs.

10 (14) One member who manages a major law firm's pro
11 bono program serving Illinois residents, appointed by the
12 Commission's co-chairs.

13 (15) One member from a State university law school who
14 is appointed as an attorney to represent minors in
15 proceedings pending under Article II of the Juvenile Court
16 Act of 1987 appointed by the Commission's co-chairs.

17 (16) Two members who have recent experience as youth
18 in the child welfare system, at least one of whom
19 identifies with a population disproportionately
20 overrepresented in the child welfare system, appointed by
21 the Commission's co-chairs.

22 (17) One member from a statewide organization
23 advocating for the advancement of civil liberties for at
24 least 80 years in Illinois, appointed by the Commission's
25 co-chairs.

26 (18) One member who is a licensed clinical social

1 worker who is employed by a non-for-profit agency
2 contracted by the Department to provide services to youth
3 who are the subjects of cases pending under Article II of
4 the Juvenile Court Act of 1987, appointed by the
5 Commission's co-chairs.

6 (19) A licensed attorney who is a member of the
7 Illinois State Bar Association Child Law Section,
8 appointed by the Commission's co-chairs.

9 The Commission shall have 2 co-chairs, one of whom shall
10 be the House member appointed under paragraph (3) by the
11 Speaker of the House of Representatives and one of whom shall
12 be the Senate member appointed under paragraph (1) by the
13 President of the Senate. Members shall serve 5-year terms or
14 until the Commission dissolves. If a vacancy occurs in the
15 Commission membership, the vacancy shall be filled in the same
16 manner as the original appointment for the remainder of the
17 unexpired term. Commission members shall serve without
18 compensation except for members appointed under paragraph (16)
19 of this subsection who shall receive stipends provided or
20 issued by the Department.

21 The Commission shall convene meetings on a quarterly basis
22 at the direction of the co-chairs. The first meeting shall be
23 noticed 30 days after the effective date of this amendatory
24 Act of the 103rd General Assembly. At the direction of the
25 Illinois Supreme Court, the Administrative Office of the
26 Illinois Courts shall provide administrative support to the

1 Commission. The Commission shall dissolve 5 years after the
2 effective date of this amendatory Act of the 103rd General
3 Assembly.

4 For the full duration of the Commission and for the
5 purposes of achieving the duties required under subsection
6 (c), the Department of Children and Family Services shall
7 provide the Commission with all necessary data held by the
8 Department, with personal identifying information redacted. At
9 the direction of the Illinois Supreme Court, the
10 Administrative Office of the Illinois Courts shall provide
11 necessary information to the Commission to aid the Commission
12 in developing phases for statewide implementation of legal
13 counsel for youth who are the subjects of proceedings pending
14 under Article II of the Juvenile Court Act of 1987.

15 (c) Duties. No later than January 1, 2024, the Commission
16 shall be authorized and empowered to take all action that is
17 necessary and appropriate to complete the following duties:

18 (1) Review court practices and relevant case docket
19 data related to the provision of legal counsel to parties
20 in abuse and neglect proceedings.

21 (2) Provide recommendations on how to achieve the goal
22 of ensuring that each youth is appointed an attorney who
23 represents the youth in accordance with the Illinois Rules
24 of Professional Conduct, taking into account current
25 models of practice, applicable federal requirements, and
26 the feasibility of proposed models, including current

1 resources and the time needed to develop resources
2 throughout the State.

3 (3) Provide recommendations regarding caseload levels
4 for attorneys who are appointed to represent youth in
5 pending cases arising under Article II of the Juvenile
6 Court Act of 1987. Such recommendations shall take into
7 account the jurisdictions in which cases are pending, the
8 percentage of the attorney's practice that is spent on
9 cases arising under Article II of the Juvenile Court Act
10 of 1987, the complexity of the cases, and other relevant
11 factors. Provide recommendations on how to ensure
12 adherence to recommended caseload levels.

13 (4) Provide recommendations to the Illinois Supreme
14 Court regarding any changes to any Illinois Supreme Court
15 rules that are applicable to the representation of youth
16 with pending cases arising under Article II of the
17 Juvenile Court Act of 1987.

18 (5) Develop and provide recommendations to the
19 Illinois Supreme Court regarding training for attorneys
20 who represent youth in proceedings pending under Article
21 II of the Juvenile Court Act.

22 (6) Make recommendations regarding the provision of a
23 written "Notice of Rights" as described in Section 1-5 of
24 the Juvenile Court Act of 1987 to every youth who is the
25 subject of a proceeding under Article II of the Juvenile
26 Court Act of 1987.

1 (7) Determine a plan for reducing and eventually
2 eliminating the use of a single attorney filling the dual
3 role of guardian ad litem and client-directed attorney.

4 (8) Report findings and recommendations annually to
5 the Governor, the General Assembly, the Illinois Supreme
6 Court, and the Department of Children and Family Services
7 beginning the first year after the Commission convenes its
8 first meeting. The report shall include, but not be
9 limited to, the following:

10 (A) recommendations on the framework, guidelines,
11 implementation phases, and timeline or benchmarks for
12 the program providing attorneys to youth with pending
13 cases arising under Article II of the Juvenile Court
14 Act of 1987;

15 (B) recommendations for strengthening and
16 expanding attorney workforce capacity;

17 (C) implementation progress and oversight
18 findings;

19 (D) program funding and resource recommendations;
20 and

21 (E) recommended statutory changes to improve
22 program delivery.

23 Section 10. The Foster Children's Bill of Rights Act is
24 amended by changing Section 5 as follows:

1 (20 ILCS 521/5)

2 Sec. 5. Foster Children's Bill of Rights. It is the policy
3 of this State that every child and adult in the care of the
4 Department of Children and Family Services who is placed in
5 foster care shall have the following rights:

6 (1) To live in a safe, healthy, and comfortable home
7 where he or she is treated with respect.

8 (2) To be free from physical, sexual, emotional, or
9 other abuse, or corporal punishment.

10 (3) To receive adequate and healthy food, adequate
11 clothing, and, for youth in group homes, residential
12 treatment facilities, and foster homes, an allowance.

13 (4) To receive medical, dental, vision, and mental
14 health services.

15 (5) To be free of the administration of medication or
16 chemical substances, unless authorized by a physician.

17 (6) To contact family members, unless prohibited by
18 court order, and social workers, attorneys, foster youth
19 advocates and supporters, Court Appointed Special
20 Advocates (CASAs), and probation officers.

21 (7) To visit and contact brothers and sisters, unless
22 prohibited by court order.

23 (8) To contact the Advocacy Office for Children and
24 Families established under the Children and Family
25 Services Act or the Department of Children and Family
26 Services' Office of the Inspector General regarding

1 violations of rights, to speak to representatives of these
2 offices confidentially, and to be free from threats or
3 punishment for making complaints.

4 (9) To make and receive confidential telephone calls
5 and send and receive unopened mail, unless prohibited by
6 court order.

7 (10) To attend religious services and activities of
8 his or her choice.

9 (11) To maintain an emancipation bank account and
10 manage personal income, consistent with the child's age
11 and developmental level, unless prohibited by the case
12 plan.

13 (12) To not be locked in a room, building, or facility
14 premises, unless placed in a secure child care facility
15 licensed by the Department of Children and Family Services
16 under the Child Care Act of 1969 and placed pursuant to
17 Section 2-27.1 of the Juvenile Court Act of 1987.

18 (13) To attend school and participate in
19 extracurricular, cultural, and personal enrichment
20 activities, consistent with the child's age and
21 developmental level, with minimal disruptions to school
22 attendance and educational stability.

23 (14) To work and develop job skills at an
24 age-appropriate level, consistent with State law.

25 (15) To have social contacts with people outside of
26 the foster care system, including teachers, church

1 members, mentors, and friends.

2 (16) If he or she meets age requirements, to attend
3 services and programs operated by the Department of
4 Children and Family Services or any other appropriate
5 State agency that aim to help current and former foster
6 youth achieve self-sufficiency prior to and after leaving
7 foster care.

8 (17) To attend court hearings and speak to the judge.

9 (18) To have storage space for private use.

10 (19) To be involved in the development of his or her
11 own case plan and plan for permanent placement.

12 (20) To review his or her own case plan and plan for
13 permanent placement, if he or she is 12 years of age or
14 older and in a permanent placement, and to receive
15 information about his or her out-of-home placement and
16 case plan, including being told of changes to the case
17 plan.

18 (21) To be free from unreasonable searches of personal
19 belongings.

20 (22) To the confidentiality of all juvenile court
21 records consistent with existing law.

22 (23) To have fair and equal access to all available
23 services, placement, care, treatment, and benefits, and to
24 not be subjected to discrimination or harassment on the
25 basis of actual or perceived race, ethnic group
26 identification, ancestry, national origin, color,

1 religion, sex, sexual orientation, gender identity, mental
2 or physical disability, or HIV status.

3 (24) To have caregivers and child welfare personnel
4 who have received sensitivity training and instruction on
5 matters concerning race, ethnicity, national origin,
6 color, ancestry, religion, mental and physical disability,
7 and HIV status.

8 (25) To have caregivers and child welfare personnel
9 who have received instruction on cultural competency and
10 sensitivity relating to, and best practices for, providing
11 adequate care to lesbian, gay, bisexual, and transgender
12 youth in out-of-home care.

13 (26) At 16 years of age or older, to have access to
14 existing information regarding the educational options
15 available, including, but not limited to, the coursework
16 necessary for vocational and postsecondary educational
17 programs, and information regarding financial aid for
18 postsecondary education.

19 (27) To have access to age-appropriate, medically
20 accurate information about reproductive health care, the
21 prevention of unplanned pregnancy, and the prevention and
22 treatment of sexually transmitted infections at 12 years
23 of age or older.

24 (28) To receive a copy of this Act from and have it
25 fully explained by the Department of Children and Family
26 Services when the child or adult is placed in the care of

1 the Department of Children and Family Services.

2 (29) To be placed in the least restrictive and most
3 family-like setting available and in close proximity to
4 his or her parent's home consistent with his or her
5 health, safety, best interests, and special needs.

6 (30) To participate in an age and developmentally
7 appropriate intake process immediately after placement in
8 the custody or guardianship of the Department. During the
9 intake process, the Department shall provide the youth
10 with a document describing inappropriate acts of
11 affection, discipline, and punishment by guardians, foster
12 parents, foster siblings, or any other adult responsible
13 for the youth's welfare. The Department shall review and
14 discuss the document with the child. The Department must
15 document completion of the intake process in the child's
16 records as well as giving a copy of the document to the
17 child.

18 (31) To participate in appropriate intervention and
19 counseling services after removal from the home of origin
20 in order to assess whether the youth is exhibiting signs
21 of traumatic stress, special needs, or mental illness.

22 (32) To receive a home visit by an assigned child
23 welfare specialist, per existing Department policies and
24 procedures, on a monthly basis or more frequently as
25 needed. In addition to what existing policies and
26 procedures outline, home visits shall be used to assess

1 the youth's well-being and emotional health following
2 placement, to determine the youth's relationship with the
3 youth's guardian or foster parent or with any other adult
4 responsible for the youth's welfare or living in or
5 frequenting the home environment, and to determine what
6 forms of discipline, if any, the youth's guardian or
7 foster parent or any other person in the home environment
8 uses to correct the youth.

9 (33) To be enrolled in an independent living services
10 program prior to transitioning out of foster care where
11 the youth will receive classes and instruction,
12 appropriate to the youth's age and developmental capacity,
13 on independent living and self-sufficiency in the areas of
14 employment, finances, meals, and housing as well as help
15 in developing life skills and long-term goals.

16 (34) To be assessed by a third-party entity or agency
17 prior to enrollment in any independent living services
18 program in order to determine the youth's readiness for a
19 transition out of foster care based on the youth's
20 individual needs, emotional development, and ability,
21 regardless of age, to make a successful transition to
22 adulthood.

23 (35) To have a court appoint an attorney to represent
24 the youth in any case arising under Article II of the
25 Juvenile Court Act of 1987 who will advocate for the
26 youth's wishes and make recommendations to the court

1 regarding the youth's care, including requests for court
2 intervention to address the youth's concerns, quality of
3 care, permanency goals, visitation, placement and service
4 plans, education, and needs. The changes made to this
5 Section by this amendatory Act of the 103rd General
6 Assembly apply to court proceedings pending or commenced
7 on or after a date established by the Due Process for Youth
8 Oversight Commission by administrative rule.

9 (Source: P.A. 102-810, eff. 1-1-23.)

10 Section 15. The Juvenile Court Act of 1987 is amended by
11 changing Section 1-5 and by adding Section 1-6.5 as follows:

12 (705 ILCS 405/1-5) (from Ch. 37, par. 801-5)

13 Sec. 1-5. Rights of parties to proceedings.

14 (1) Except as provided in this Section and paragraph (2)
15 of Sections 2-22, 3-23, 4-20, 5-610 or 5-705, the minor who is
16 the subject of the proceeding and his or her parents,
17 guardian, legal custodian or responsible relative who are
18 parties respondent have the right to be present, to be heard,
19 to present evidence material to the proceedings, to
20 cross-examine witnesses, to examine pertinent court files and
21 records and also, although proceedings under this Act are not
22 intended to be adversary in character, the right to be
23 represented by counsel. Immediately upon the filing of a
24 petition under Article II of this Act, the court shall appoint

1 counsel for each minor who is the subject of that petition,
2 unless the minor has already retained counsel. The changes
3 made to this Section by this amendatory Act of the 103rd
4 General Assembly apply to court proceedings pending or
5 commenced on or after a date established by the Due Process for
6 Youth Oversight Commission by administrative rule.

7 At the request of any party financially unable to employ
8 counsel, with the exception of a foster parent permitted to
9 intervene under this Section, the court shall appoint the
10 Public Defender or such other counsel as the case may require.
11 Counsel appointed for the minor and any indigent party shall
12 appear at all stages of the trial court proceeding, and such
13 appointment shall continue through the permanency hearings and
14 termination of parental rights proceedings subject to
15 withdrawal, vacating of appointment, or substitution pursuant
16 to Supreme Court Rules or the Code of Civil Procedure.
17 Following the dispositional hearing, the court may require
18 appointed counsel, other than counsel for the minor or counsel
19 for the guardian ad litem, to withdraw his or her appearance
20 upon failure of the party for whom counsel was appointed under
21 this Section to attend any subsequent proceedings.

22 No hearing on any petition or motion filed under this Act
23 may be commenced unless the minor who is the subject of the
24 proceeding is represented by counsel. ~~Notwithstanding the~~
25 ~~preceding sentence, if a guardian ad litem has been appointed~~
26 ~~for the minor under Section 2-17 of this Act and the guardian~~

1 ~~ad litem is a licensed attorney at law of this State, or in the~~
2 ~~event that a court appointed special advocate has been~~
3 ~~appointed as guardian ad litem and counsel has been appointed~~
4 ~~to represent the court appointed special advocate, the court~~
5 ~~may not require the appointment of counsel to represent the~~
6 ~~minor unless the court finds that the minor's interests are in~~
7 ~~conflict with what the guardian ad litem determines to be in~~
8 ~~the best interest of the minor.~~ Each ~~adult~~ respondent 8 years
9 of age or older shall be furnished a written "Notice of Rights"
10 at or before the first hearing at which the respondent ~~he or~~
11 ~~she~~ appears.

12 (1.5) The Department shall maintain a system of response
13 to inquiry made by parents or putative parents as to whether
14 their child is under the custody or guardianship of the
15 Department; and if so, the Department shall direct the parents
16 or putative parents to the appropriate court of jurisdiction,
17 including where inquiry may be made of the clerk of the court
18 regarding the case number and the next scheduled court date of
19 the minor's case. Effective notice and the means of accessing
20 information shall be given to the public on a continuing basis
21 by the Department.

22 (2) (a) Though not appointed guardian or legal custodian
23 or otherwise made a party to the proceeding, any current or
24 previously appointed foster parent or relative caregiver, or
25 representative of an agency or association interested in the
26 minor has the right to be heard by the court, but does not

1 thereby become a party to the proceeding.

2 In addition to the foregoing right to be heard by the
3 court, any current foster parent or relative caregiver of a
4 minor and the agency designated by the court or the Department
5 of Children and Family Services as custodian of the minor who
6 is alleged to be or has been adjudicated an abused or neglected
7 minor under Section 2-3 or a dependent minor under Section 2-4
8 of this Act has the right to and shall be given adequate notice
9 at all stages of any hearing or proceeding under this Act.

10 Any foster parent or relative caregiver who is denied his
11 or her right to be heard under this Section may bring a
12 mandamus action under Article XIV of the Code of Civil
13 Procedure against the court or any public agency to enforce
14 that right. The mandamus action may be brought immediately
15 upon the denial of those rights but in no event later than 30
16 days after the foster parent has been denied the right to be
17 heard.

18 (b) If after an adjudication that a minor is abused or
19 neglected as provided under Section 2-21 of this Act and a
20 motion has been made to restore the minor to any parent,
21 guardian, or legal custodian found by the court to have caused
22 the neglect or to have inflicted the abuse on the minor, a
23 foster parent may file a motion to intervene in the proceeding
24 for the sole purpose of requesting that the minor be placed
25 with the foster parent, provided that the foster parent (i) is
26 the current foster parent of the minor or (ii) has previously

1 been a foster parent for the minor for one year or more, has a
2 foster care license or is eligible for a license or is not
3 required to have a license, and is not the subject of any
4 findings of abuse or neglect of any child. The juvenile court
5 may only enter orders placing a minor with a specific foster
6 parent under this subsection (2)(b) and nothing in this
7 Section shall be construed to confer any jurisdiction or
8 authority on the juvenile court to issue any other orders
9 requiring the appointed guardian or custodian of a minor to
10 place the minor in a designated foster home or facility. This
11 Section is not intended to encompass any matters that are
12 within the scope or determinable under the administrative and
13 appeal process established by rules of the Department of
14 Children and Family Services under Section 5(o) of the
15 Children and Family Services Act. Nothing in this Section
16 shall relieve the court of its responsibility, under Section
17 2-14(a) of this Act to act in a just and speedy manner to
18 reunify families where it is the best interests of the minor
19 and the child can be cared for at home without endangering the
20 child's health or safety and, if reunification is not in the
21 best interests of the minor, to find another permanent home
22 for the minor. Nothing in this Section, or in any order issued
23 by the court with respect to the placement of a minor with a
24 foster parent, shall impair the ability of the Department of
25 Children and Family Services, or anyone else authorized under
26 Section 5 of the Abused and Neglected Child Reporting Act, to

1 remove a minor from the home of a foster parent if the
2 Department of Children and Family Services or the person
3 removing the minor has reason to believe that the
4 circumstances or conditions of the minor are such that
5 continuing in the residence or care of the foster parent will
6 jeopardize the child's health and safety or present an
7 imminent risk of harm to that minor's life.

8 (c) If a foster parent has had the minor who is the subject
9 of the proceeding under Article II in his or her home for more
10 than one year on or after July 3, 1994 and if the minor's
11 placement is being terminated from that foster parent's home,
12 that foster parent shall have standing and intervenor status
13 except in those circumstances where the Department of Children
14 and Family Services or anyone else authorized under Section 5
15 of the Abused and Neglected Child Reporting Act has removed
16 the minor from the foster parent because of a reasonable
17 belief that the circumstances or conditions of the minor are
18 such that continuing in the residence or care of the foster
19 parent will jeopardize the child's health or safety or
20 presents an imminent risk of harm to the minor's life.

21 (d) The court may grant standing to any foster parent if
22 the court finds that it is in the best interest of the child
23 for the foster parent to have standing and intervenor status.

24 (3) Parties respondent are entitled to notice in
25 compliance with Sections 2-15 and 2-16, 3-17 and 3-18, 4-14
26 and 4-15 or 5-525 and 5-530, as appropriate. At the first

1 appearance before the court by the minor, his parents,
2 guardian, custodian or responsible relative, the court shall
3 explain the nature of the proceedings and inform the parties
4 of their rights under the first 2 paragraphs of this Section.

5 If the child is alleged to be abused, neglected or
6 dependent, the court shall admonish the parents that if the
7 court declares the child to be a ward of the court and awards
8 custody or guardianship to the Department of Children and
9 Family Services, the parents must cooperate with the
10 Department of Children and Family Services, comply with the
11 terms of the service plans, and correct the conditions that
12 require the child to be in care, or risk termination of their
13 parental rights.

14 Upon an adjudication of wardship of the court under
15 Sections 2-22, 3-23, 4-20 or 5-705, the court shall inform the
16 parties of their right to appeal therefrom as well as from any
17 other final judgment of the court.

18 When the court finds that a child is an abused, neglected,
19 or dependent minor under Section 2-21, the court shall
20 admonish the parents that the parents must cooperate with the
21 Department of Children and Family Services, comply with the
22 terms of the service plans, and correct the conditions that
23 require the child to be in care, or risk termination of their
24 parental rights.

25 When the court declares a child to be a ward of the court
26 and awards guardianship to the Department of Children and

1 Family Services under Section 2-22, the court shall admonish
2 the parents, guardian, custodian, or responsible relative that
3 the parents must cooperate with the Department of Children and
4 Family Services, comply with the terms of the service plans,
5 and correct the conditions that require the child to be in
6 care, or risk termination of their parental rights.

7 (4) No sanction may be applied against the minor who is the
8 subject of the proceedings by reason of his refusal or failure
9 to testify in the course of any hearing held prior to final
10 adjudication under Section 2-22, 3-23, 4-20 or 5-705.

11 (5) In the discretion of the court, the minor may be
12 excluded from any part or parts of a dispositional hearing
13 and, with the consent of the parent or parents, guardian,
14 counsel or a guardian ad litem, from any part or parts of an
15 adjudicatory hearing.

16 (6) The general public except for the news media and the
17 crime victim, as defined in Section 3 of the Rights of Crime
18 Victims and Witnesses Act, shall be excluded from any hearing
19 and, except for the persons specified in this Section only
20 persons, including representatives of agencies and
21 associations, who in the opinion of the court have a direct
22 interest in the case or in the work of the court shall be
23 admitted to the hearing. However, the court may, for the
24 minor's safety and protection and for good cause shown,
25 prohibit any person or agency present in court from further
26 disclosing the minor's identity. Nothing in this subsection

1 (6) prevents the court from allowing other juveniles to be
2 present or to participate in a court session being held under
3 the Juvenile Drug Court Treatment Act.

4 (7) A party shall not be entitled to exercise the right to
5 a substitution of a judge without cause under subdivision
6 (a)(2) of Section 2-1001 of the Code of Civil Procedure in a
7 proceeding under this Act if the judge is currently assigned
8 to a proceeding involving the alleged abuse, neglect, or
9 dependency of the minor's sibling or half sibling and that
10 judge has made a substantive ruling in the proceeding
11 involving the minor's sibling or half sibling.

12 (Source: P.A. 101-147, eff. 1-1-20.)

13 (705 ILCS 405/1-6.5 new)

14 Sec. 1-6.5. Counsel appointed for minors subject to
15 Article II proceedings. Counsel appointed by a court to
16 represent a minor in neglect or abuse proceedings under
17 Article II of this Act shall have a minimum of one in-person
18 contact with the minor prior to each hearing and at least one
19 in-person contact every quarter. For good cause shown, the
20 court may allow video or telephonic contact in lieu of
21 face-to-face interviews required under this Section or may
22 excuse face-to-face interviews required under this Section if
23 the minor's location is unknown to the Department or the
24 minor's counsel.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.