

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

Illinois



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Identification

Initial Custody

Process Following Initial Custody

Abused/Neglected/
Dependent Child

Authority for Initial Custody:

By LE/DCFS employee/medical provider if abused/neglected. If suspected of prostitution, protective custody pending referral to DCFS.

Placement:

- Release to parent/guardian
- Placement in foster home
- Placement in shelter facility

Where is child referred after initial custody?

DCFS may do investigation or family assessment. Family services may be offered.

When and how does court assume jurisdiction?

A law enforcement or public officer will file a petition with the court.

Child Requiring
Authoritative
Intervention

Authority for Initial Custody:

For 6hrs by LE if believed to be runaway, beyond control of parents, or sick and in need of immediate care.

Placement:

Release to parent/guardian; foster care/shelter care; interim crisis intervention services agency; placed with DCFS

Where is child referred after initial custody?

To interim crisis intervention services, or juvenile PO, for possible station adjustment.

When and how does court assume jurisdiction?

If not diverted, any adult may file a petition, or the court may direct the filing of a petition for authoritative intervention.

Addicted Minor

Authority for Initial Custody:

By LEO if an addicted minor, has escaped from court ordered commitment, or found in public and needs medical assistance.

Placement:

Temporary custody: shelter care, licensed foster home, group home, or other institution. May not be placed in detention.

Where is child referred after initial custody?

Station adjustment, referral to community-based services, informal monitoring, or court.

When and how does court assume jurisdiction?

Minor delivered to the court by law enforcement; any adult with knowledge may file a petition.

Child Identified as
Delinquent (immune
from prostitution

Authority for Initial Custody:

LE with probable cause for delinquency, but a child suspected of prostitution must be referred to DCFS for abuse investigation.

Placement:

- Release to parent/guardian
- Release to foster care/shelter care
- Detention if age 10+ (up to 40 hours)

Where is child referred after initial custody?

If not DCFS, LEO must notify parent/guardian, decide if station adjustment offered.

When and how does court assume jurisdiction?

If a child is not diverted, the state's attorney will file a petition with the court alleging delinquency.

Trafficking Victims in Illinois

Placement Process Pending Adjudication/ Investigation

When must placement hearing be held after initial custody?

Temporary custody hearing within 48 hours.

What are the placement options?

- Release to child's parents/guardian
- Placement in shelter care

When must placement hearing be held after initial custody?

Shelter hearing within 48 hours.

What are the placement options?

- Release to parent/guardian
- Placement in designated shelter facility

When must placement hearing be held after initial custody?

Within 48 hours (excluding Sat/Sun/holiday).

What are the placement options?

- release to parent/guardian, with DHS evaluation and treatment order
- if necessary, continued temporary custody in shelter care, licensed foster home, group home

When must placement hearing be held after initial custody?

Shelter or detention hearing within 40 hours.

What are the placement options?

- Release to parent/guardian
- Placement in shelter care facility
- Placement in detention facility

Adjudication or Referral to Alternate Process

Adjudication:

The court will determine whether a child is abused, neglected, or dependent as alleged.

Or Alternate Process

N/A

Adjudication:

Court rules on authoritative intervention.

Or Alternate Process

Habitually truant minors and minors involved in electronic dissemination of indecent visual depictions may be adjudicated as in need of supervision.

Adjudication:

Within 120 days; 10 days if in shelter care; probable cause standard

Or Alternate Process

Preliminary conference with probation officer for informal adjustment. If eligible, probation officer formulates a non-judicial adjustment plan for treatment and services.

Adjudication:

The court will determine whether the child has committed the offenses as alleged.

Or Alternate Process

The child may be offered a station adjustment, probation adjustment, or the opportunity to participate in a community mediation program.

Placement Following Adjudication

Dispositional Outcomes

- Release to parent/guardian or relative
- Custody to probation officer or DCFS
- Emancipation

Dispositional Outcomes

N/A

Dispositional Outcomes

- To parent/guardian under supervision
- Commitment to DCFS
- Emancipation

Dispositional Outcomes

Truant: referral to services; fine, public service, or suspended DL. Indecent depictions: counseling/community service.

Dispositional Outcomes

Release to family/guardian/relative w. agreement to complete treatment or if nec. for protection of minor, shelter care.

Dispositional Outcomes

Informal supervision and/or refer to educational, counseling, rehabilitative, or residential treatment programs

Dispositional Outcomes

- Release to parents (possible supervision)
- Probation or guardianship of DCFS
- Placement in detention facility

Dispositional Outcomes

If the child meets conditions of the alternative process, the child avoids adjudication and possible detention.