

Kane County Local Rule

IV. JUVENILE PROCEEDINGS

ARTICLE 15. GENERAL PROVISIONS

15.00 PURPOSE AND POLICY

These rules set forth procedures for the Juvenile Court in Kane County. They supplement the Juvenile Court Act [705 ILCS 405/1-1 et seq.](#), the Code of Civil Procedure [735 ILCS 5/1-101 et seq.](#) and the [Rules of the Illinois Supreme Court](#). They are designed to facilitate the movement of cases through the Court by reducing unnecessary delay, strengthening case flow management, and encouraging involvement of parents and other parties so as to ensure the best interests of the children.

15.01 JUVENILE COURT JUDGES

All Juvenile Court matters, including both shelter and detention hearings shall be heard by the assigned Juvenile Court Judge, or by any Judge sitting in his or her stead. The Judge entering the adjudicatory order shall, whenever possible, conduct the dispositional hearing.

15.02 SUBSTITUTION OF JUDGES

All substitution of Judge requests shall be governed by [735 ILCS 5/2-1001](#) and shall be transferred to the Presiding Judge of the Division for reassignment.

15.03 RELEASE OF CONFIDENTIAL INFORMATION

All requests for release of information of juvenile law enforcement and juvenile court records shall be governed by [705 ILCS 405/1-7](#) and [705 ILCS 405/1-8](#) of the Juvenile Court Act.

15.04 EXPUNGEMENTS

All requests for expungement of law enforcement and juvenile court records shall be governed by [705 ILCS 405/1-9](#) and [705 ILCS 405/5-915](#) of the Juvenile Court Act and shall be heard by the Chief Judge or a Judge designated by the Chief Judge.

15.05 INTERSTATE COMPACT ON JUVENILES

All requests for return of a minor pursuant to the Interstate Compact on Juveniles Act [45 ILCS 10/0.01 et seq.](#) requiring Court approval shall be heard by the assigned Juvenile Court Judge or by any Judge sitting in his or her stead.

15.06 FILING OF PETITIONS

The filing of petitions for abuse, neglect and dependency shall be governed by [705 ILCS 405/2-13](#) of the Juvenile Court Act. The filing of petitions for delinquency shall be governed by [705 ILCS 405/5-520](#) of Juvenile Court Act.

15.07 APPOINTMENT OF COUNSEL

- (a) If any Respondent in a juvenile court action qualifies for counsel by statute or the rules for court appointed counsel, the Public Defender shall be first appointed.

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- (b) If any other Respondent qualifies for court-appointed counsel and a conflict exists, counsel shall be appointed pursuant to the Chief Judge's General Order in effect at the time designating conflict counsel.
- (c) If any other minor Respondent in a delinquency case qualifies for court-appointed counsel and after the Public Defender and all conflict counsel options have been exhausted then the Multiple Defender's Division (MDD) shall be appointed.

15.08 APPOINTMENT OF A GUARDIAN AD LITEM (GAL)

- (a) The court may appoint CASA as the Guardian *Ad Litem* (GAL) of the child(ren) alleged to have been abused and/or neglected, pursuant to [705 ILCS 405/2-17.1](#) of the Juvenile Court Act, and as amended by [General Order No. 14-31](#).
- (b) The Court may then appoint counsel to represent CASA, pursuant to [705 ILCS 405/2-17](#) of the Juvenile Court Act and said counsel as designated by the Chief Judge's General Order in effect at the time, and further certified, pursuant to [Illinois Supreme Court Rule 906](#).

15.09 ATTENDANCE AT HEARINGS

- (a) Attendance at juvenile court hearings shall be governed by [705 ILCS 405/1-5](#).
- (b) Representatives of the Department of Children and Family Services, CASA, the Department of Corrections and Kane County Court Services who have a direct interest in the case may be admitted to court hearings and conferences unless expressly excluded by the Court.
- (c) Any other interested party may be present by leave of Court.