

**ILLINOIS JUVENILE COURT ACT
1899**

ILL. LAWS 131

§ 6. Such judges may, with like privileges as the judges of circuit and county courts, interchange with each other, and with the judges of circuit, superior, county and probate courts, and may hold court for each other, and for judges of circuit, superior, county and probate courts, and perform each other's duties, and the duties of judges of circuit, superior, county and probate courts, when they find it necessary or convenient.

APPROVED April 21, 1899.

JUVENILE COURTS.

FOR DEPENDENT, NEGLECTED AND DELINQUENT CHILDREN.

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| <p>§ 1. Applies to children under 16 years of age not inmates of a State institution—definitions.</p> <p>§ 2. Jurisdiction of courts.</p> <p>§ 3. Juvenile court—juvenile record.</p> <p>§ 4. Petition to court.</p> <p>§ 5. Summons—notification to parents or guardian—warrant.</p> <p>§ 6. Probation officers—appointment—duties.</p> <p>§ 7. Disposition of dependent or neglected children.</p> <p>§ 8. Guardianship—adoption—guardianship not to include guardianship of any estate of the child.</p> <p>§ 9. Disposition of delinquent children.</p> <p>§ 10. Provides for transfer of cases against children from justices and police magistrates to juvenile court.</p> <p>§ 11. Children under 12 years not to be committed to jail nor to be confined in building or yard with adult convicts.</p> <p>§ 12. Agents of juvenile reformatories—appointment—duties—compensation.</p> | <p>§ 13. State Commissioners of Public Charities to supervise associations—association to report to commissioners annually contents of report.</p> <p>§ 14. Incorporation of associations for care of dependent, neglected or delinquent children—requirements.</p> <p>§ 15. Surrender of dependent children by parent or guardian—adoption.</p> <p>§ 16. Foreign corporations to furnish guarantee—contents—penalty for receiving child from association not filing guarantee.</p> <p>§ 17. Child to be placed in care of person or association having same religious faith as parents.</p> <p>§ 18. County boards of visitors—appointment—duties—reports—compensation.</p> <p>§ 19. Powers of juvenile court.</p> <p>§ 20. Industrial and training schools, State Reformatory and State Home for Juvenile Female Offenders not affected by this act.</p> <p>§ 21. Construction of act.</p> |
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AN ACT to regulate the treatment and control of dependent, neglected and delinquent children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* DEFINITIONS.] This act shall apply only to children under the age of 16 years not now or hereafter inmates of a State institution, or any training school for boys or industrial school for girls or some institution incorporated under the laws of this State, except as provided in sections twelve (12) and eighteen (18). For the purposes of this act the words dependent child and neglected child shall mean any child who for any reason is

destitute or homeless or abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill fame or with any vicious or disreputable person; or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such a child; and any child under the age of 8 years who is found peddling or selling any article or singing or playing any musical instrument upon the streets or giving any public entertainment. The words delinquent child shall include any child under the age of 16 years who violates any law of this State or any city or village ordinance. The word child or children may mean one or more children, and the word parent or parents may be held to mean one or both parents, when consistent with the intent of this act. The word association shall include any corporation which includes in its purposes the care or disposition of children coming within the meaning of this act.

§ 2. JURISDICTION.] The circuit and county courts of the several counties in this State shall have original jurisdiction in all cases coming within the terms of this act. In all trials under this act any person interested therein may demand a jury of six, or the judge of his own motion may order a jury of the same number, to try the case.

§ 3. JUVENILE COURT.] In counties having over 500,000 population the judges of the circuit court shall, at such times as they shall determine, designate one or more of their number whose duty it shall be to hear all cases coming under this act. A special court room, to be designated as the juvenile court room, shall be provided for the hearing of such cases, and the findings of the court shall be entered in a book or books to be kept for that purpose and known as the "Juvenile Record," and the court may, for convenience, be called the "Juvenile Court."

§ 4. PETITION TO THE COURT.] Any reputable person, being resident in the county, having knowledge of a child in his county who appears to be either neglected, dependent or delinquent, may file with the clerk of a court having jurisdiction in the matter a petition in writing, setting forth the facts, verified by affidavit. It shall be sufficient that the affidavit is upon information and belief.

§ 5. SUMMONS.] Upon the filing of the petition a summons shall issue requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall be not less than 24 hours after service. The parents of the child, if living, and their residence is [if] known, or its legal guardian, if one there be, or if there is neither parent nor guardian, or if his or her residence is not known, then some relative, if there be one and his residence is known, shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. If the person summoned as herein provided shall fail, without reasonable cause, to appear and abide the order of the court, or to bring the

§ 11. CHILDREN UNDER TWELVE YEARS NOT TO BE COMMITTED TO JAIL.] No court or magistrate shall commit a child under twelve (12) years of age to a jail or police station, but if such child is unable to give bail it may be committed to the care of the sheriff, police officer or probation officer, who shall keep such child in some suitable place provided by the city or county outside of the inclosure of any jail or police station. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced it shall be unlawful to confine such child in the same building with such adult convicts, or to confine such child in the same yard or inclosure with such adult convicts, or to bring such child into any yard or building in which such adult convicts may be present.

§ 12. AGENTS OF JUVENILE REFORMATORIES.] It shall be the duty of the superintendent of the State Reformatory at Pontiac and the board of managers of the State Home for Juvenile Female Offenders at Geneva, and the board of managers of any other institution to which juvenile delinquents may be committed by the courts, to maintain an agent of such institution, whose duty it shall be to examine the homes of children paroled from such institution for the purpose of ascertaining and reporting to said court whether they are suitable homes; to assist children paroled or discharged from such institution in finding suitable employment, and to maintain a friendly supervision over paroled inmates during the continuance of their parole; such agents shall hold office subject to the pleasure of the board making the appointment, and shall receive such compensation as such board may determine out of any funds appropriated for such institution applicable thereto.

§ 13. SUPERVISION BY STATE COMMISSIONERS OF PUBLIC CHARITIES.] All associations receiving children under this act shall be subject to the same visitation, inspection and supervision of the Board of State Commissioners of Public Charities as the public charitable institutions of this State. The judges of the courts hereinbefore mentioned may require such information and statistics from associations desiring to have children committed to their care under the provisions of this act as said judges deem necessary in order to enable them to exercise a wise discretion in dealing with children. Every such association shall file with the Board of State Commissioners of Public Charities an annual printed or written report, which shall include a statement of the number of children cared for during the year, the number received, the number placed in homes, the number died, the number returned to friends; also a financial statement showing the receipts and disbursements of the associations. The statement of receipts shall indicate the amount received from public funds, the amount received from donations and the amount received from other sources, specifying the several sources. The statement of disbursements shall show the amount expended for salaries and other expenses, specifying the same, the amount expended for lands, buildings and investments. The secretary of the board of public charities shall furnish to the judge of each of the county courts a list of associations filing such annual reports, and no child

shall be committed to the care of any association which shall not have filed a report for the fiscal year last preceding with the State Board of Commissioners of Public Charities.

§ 14. INCORPORATION OF ASSOCIATIONS.] No association whose objects may embrace the caring for dependent, neglected or delinquent children shall hereafter be incorporated unless the proposed articles of incorporation shall first have been submitted to the examination of the Board of State Commissioners of Public Charities, and the Secretary of State shall not issue a certificate of incorporation unless there shall first be filed in his office the certificate of said Board of State Commissioners of Public Charities that said board has examined the said articles of incorporation and that, in its judgment, the incorporators are reputable and responsible persons, the proposed work is needed, and the incorporation of such association is desirable and for the public good; amendments proposed to the articles of incorporation or association having as an object the care and disposal of dependent, neglected or delinquent children shall be submitted in like manner to the Board of State Commissioners of Public Charities, and the Secretary of State shall not record such amendment or issue his certificate therefor unless there shall first be filed in his office the certificate of said Board of State Commissioners of Public Charities that they have examined the said amendment, that the association in question is, in their judgment, performing in good faith the work undertaken by it, and that the said amendment is, in their judgment, a proper one and for the public good.

§ 15. SURRENDER OF DEPENDENT CHILDREN — ADOPTION.] It shall be lawful for the parents, parent, guardian or other person having the right to dispose of a dependent or neglected child to enter into an agreement with any association or institution incorporated under any public or private law of this State for the purpose of aiding, caring for or placing in homes such children, and being approved as herein provided, for the surrender of such child to such association or institution, to be taken and cared for by such association or institution or put into a family home. Such agreement may contain any and all proper stipulations to that end, and may authorize the association or institution, by its attorney or agent, to appear in any proceeding for the legal adoption of such child, and consent to its adoption, and the order of the court made upon such consent shall be binding upon the child and its parents or guardian or other person the same as if such parents or guardian or other person were personally in court and consenting thereto, whether made party to the proceeding or not.

§ 16. FOREIGN CORPORATIONS.] No association which is incorporated under the laws of any other state than the State of Illinois shall place any child in any family home within the boundaries of the State of Illinois, either with or without indenture, or for adoption, unless the said association shall have furnished the Board of State Commissioners of Public Charities with such guarantee as they may require that no child shall be brought into the State of Illinois by such society or its agents having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious

character, and that said association will promptly receive and remove from the State any child brought into the State of Illinois by its agent which shall become a public charge within the period of five (5) years after being brought into this State. Any person who shall receive, to be placed in a home, or shall place in a home, any child in behalf of any association incorporated in any other state than the State of Illinois which shall not have complied with the requirements of this act, shall be imprisoned in the county jail not more than thirty days, or fined not less than \$5.00 or more than one hundred (100) dollars, or both in the discretion of the court.

§ 17. RELIGIOUS PREFERENCES.] The court in committing children shall place them as far as practicable in the care and custody of some individual holding the same religious belief as the parents of said child, or with some association which is controlled by persons of like religious faith of the parents of the said child.

§ 18. COUNTY BOARDS OF VISITORS.] The county judge of each county may appoint a board of six reputable inhabitants, who will serve without compensation, to constitute a board of visitation, whose duty it shall be to visit as often as once a year all institutions, societies and associations receiving children under this act. Said visits shall be made by not less than two of the members of the board, who shall go together or make a joint report; the said board of visitors shall report to the court from time to time the condition of children received by or in the charge of such associations and institutions, and shall make an annual report to the Board of State Commissioners of Public Charities in such form as the board may prescribe. The county board may, at their discretion, make appropriations for the payment of the actual and necessary expenses incurred by the visitors in the discharge of their official duties.

§ 19. POWERS OF JUVENILE COURT.] The powers and duties herein provided to be exercised by the county court or the judges thereof may, in counties having over 500,000 population, be exercised by the circuit courts and their judges as hereinbefore provided for.

§ 20. INDUSTRIAL AND TRAINING SCHOOLS NOT AFFECTED.] Nothing in this act shall be construed to repeal any portion of the act to aid industrial school[s] for girls, the act to provide for and aid training schools for boys, the act to establish the Illinois State Reformatory or the act to provide for a State Home for Juvenile Female Offenders. And in all commitments to said institutions the acts in reference to said institutions shall govern the same.

§ 21. CONSTRUCTION OF THE ACT.] This act shall be liberally construed, to the end that its purpose may be carried out, to-wit: That the care, custody and discipline of a child shall approximate as nearly as may be that which should be given by its parents, and in all cases where it can properly be done the child be placed in an improved family home and become a member of the family by legal adoption or otherwise.

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