

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Policy Guide 2014.18

ACCEPTANCE OF DELINQUENT MINORS  
FOR PLACEMENT AND SERVICES

**DATE:** December 30, 2014  
**TO:** All DCFS and Private Agency Child Welfare Workers and Supervisors  
**FROM:** Bobbie Gregg, Acting Director *Bobbie Gregg*  
**EFFECTIVE:** January 1, 2015

**I. PURPOSE**

The purpose of this Policy Guide is to alert Permanency Workers, supervisors and managers of recent changes in Illinois law that affects the Department's responsibility to accept and provide services for certain delinquent youth. This Policy Guide supersedes **Rule and Procedures 304, Access to and Eligibility for Services** regarding criteria for acceptance of delinquent children and youth for placement and services. Rules and Procedures 304 will be updated in the near future to reflect the information set out below.

**II. PRIMARY USERS**

Primary users are DCFS and POS Child Welfare Staff, and their Supervisors and Managers.

**III. BACKGROUND**

Recent amendments to the Child and Family Services Act and the Juvenile Court Act of 1987 have altered the Department's responsibility regarding services to delinquent youth and their families. Effective January 1, 2015, DCFS must accept for care and provide child welfare services to:

- children under the age of 16 who are adjudicated delinquent and their families.

This is a new responsibility that was added into the C&FS and Juvenile Court Acts by Public Act 98-803.

The Department currently accepts, and will continue to accept, for care and provide services to:

- children under the age of 18 who are adjudicated delinquent and there is an independent basis of abuse, neglect, or dependency. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances that give rise to a charge or adjudication of delinquency; and



- a child or youth under age 21 for whom the Juvenile Court has reinstated wardship. Examples include former wards i) who were in a subsidized or KinGap guardianship living arrangement, ii) who were emancipated in accordance with the Emancipation of Mature Minors Act, or iii) who aged out of foster care after attaining age 19 and have not yet reached age 21.

The instructions that follow are intended to ensure Permanency Workers comply with these legal requirements.

#### **IV. INSTRUCTIONS**

- A. Case Opening.** When notified that a Juvenile Court has entered a dispositional order committing a delinquent youth to DCFS custody, a Permanency Worker shall be assigned. The Permanency Worker shall open family and child cases and ensure that the youth is placed in an appropriate living arrangement.
- B. Development of Service Plan.** The Integrated Assessment shall serve as a main source to develop the Family Service Plan. In collaboration with the family, the Permanency Worker shall develop the Family Service Plan. The Permanency Worker shall file the Family Service Plan with the Juvenile Court within 45 days of Shelter Care. The Permanency Worker shall ensure that the youth is promptly referred for all services indicated as necessary and appropriate in the Family Service Plan.

These instructions do not apply to children and youth who are currently in DCFS custody or guardianship. This Policy Guide applies only to children and youth referred by the Juvenile Court who do not currently have an open placement or service case.

#### **V. QUESTIONS**

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to [cfpolicy@idcfs.state.il.us](mailto:cfpolicy@idcfs.state.il.us).

#### **VI. FILING INSTRUCTIONS**

Place this Policy Guide immediately after Rule 304, Access to and Eligibility for Child Welfare Services.