

STATE OF ILLINOIS)
)SS.
COUNTY OF KENDALL)

16 MR 1

FILED
AUG 10 2016
ROBYN INGEMUNSON
CIRCUIT CLERK KENDALL CO.

IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT
KENDALL COUNTY, ILLINOIS

ADMINISTRATIVE ORDER 16 - 6

Use of Restraints on a Juvenile.

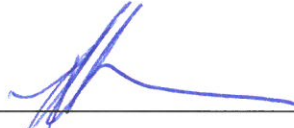
Instruments of restraint, such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, and other similar items, may not be used on a juvenile during a court proceeding and must be removed prior to the juvenile being brought into the courtroom and appearing before the court unless the court finds that:

- (1) The use of restraints is necessary due to one of the following factors:
 - (A) Instruments of restraint are necessary to prevent physical harm to the juvenile or another person;
 - (B) The juvenile has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on himself or others as evidenced by recent behavior; or
 - (C) There is a founded belief that the juvenile presents a substantial risk of flight from the courtroom; and
- (2) There are no less restrictive alternatives to restraints which will prevent flight or physical harm to the juvenile or another person, including, but not limited to, court personnel, law enforcement officers, or bailiffs.
- (3) In making the determination that instruments of restraint are necessary, the factors that can be considered are:
 - A. Any past escapes or attempted escapes by the juvenile;
 - B. Evidence of a present plan of escape by the juvenile;
 - C. Any believable threats by the juvenile to harm others during court;
 - D. Any believable threats by the juvenile to harm himself during court;
 - E. Evidence of self-injurious behavior on the part of the juvenile;
 - F. The possibility of rescue attempts by other offenders still at large;
- (4) Where detention staff asks for the juvenile to be placed in any form of restraints in the courtroom, such a request must be made in writing by a staff member holding a supervisory role to the court for approval. The request must name and explain the factors ((3)A.-F.) that were considered in making the request. The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of restraints. If

restraints are ordered, the court shall make written findings of fact in support of the order.

- (5) If the only risk found is (1)(C), the court may only authorize the use of leg restraints.
- (6) Any restraints shall allow the juvenile limited movement of the hands to read and handle documents and writings necessary to the hearing. A juvenile shall not be restrained to a stationary object or another person, unless so ordered by the Court as a result of extraordinary circumstances.

Dated this 10th day of August, 2016.



Judge Timothy J. McCann
Presiding Judge - Kendall County