



Access to Orders of Protection

In Illinois, minors can obtain Orders of Protection (OPs),¹ and courts can issue OPs against minor abusers.² Illinois also allows people in dating relationships to seek OPs against their abusers.³

Procedure

State law does not specify whether minors can petition for OPs on their own behalf. Any person may petition for an OP on the minor's behalf.⁴ If a minor is able to file on their own behalf, Illinois law does not specify whether the parent or guardian of the minor will be notified about the OP.

Definition of Abuse

A judge may issue an OP when the respondent has physically abused, sexually abused, threatened to physically abuse or harassed the petitioner.⁵ The statute fails to explicitly recognize stalking as a form of abuse that qualifies for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁶ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support;
- participate in a counseling or batterers' intervention program;
- not possess a gun;
- pay attorneys' fees;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Order of Protection is modifiable.⁷

Minors' Access to Sensitive Services^{8,9}

All minors can consent to:

- HIV/STI testing and treatment*
- Prenatal care
- Adoption
- Medical care for minor child(ren)

*Physicians may inform a minor's parents.

Some minors can consent to contraceptive services. Minors can access abortion services, but their parents will be notified.

School Response to Dating Violence¹⁰

Illinois law permits the inclusion of teen dating violence as part of the curriculum for grades 8 – 12.

Recommendations for Immediate Policy Change

In order to improve Illinois' response to teen dating violence, the following changes are recommended:

- Allow minors to petition for OPs on their own behalf and explicitly describe the procedure for doing so.
- Allow victims of intimate partner stalking to access OPs.
- Allow all minors to access all sensitive services without parental involvement.

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References

¹ 750 ILL. COMP. STAT. 60/201(a); 60/214(a) (2009).

² *Id.* 60/214(a).

³ *Id.* 60/103(6).

⁴ *Id.* 60/201(b).

⁵ *Id.* 60/103(1), (7)(vi), (14); 60/214(b)(1).

⁶ *Id.* 60/103(13), (14.5); 60/214(b)(3); 60/214(b)(2); 60/214(b).

⁷ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

⁸ Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf, accessed December 1, 2009.

⁹ 105 ILL. COMP. STAT. 110/3.

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Empowering Youth to End
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