

Article V – Rules on Trial Court Proceedings in Traffic & Conservation Offenses, Ordinance Offenses, Petty Offenses, Certain Misdemeanors – Bail Schedules, and Juvenile Court Hearings

Rule 557. Use of Restraints on a Child in Delinquency Proceedings Arising Under the Juvenile Court Act

- (a) Instruments of restraint must not be used on a child during a court proceeding unless the court finds, after a motion for the use of restraints has been made, that the use of restraints is necessary due to one of the following factors:
- (1) Instruments of restraint are necessary to prevent physical harm to the child or another person; or
 - (2) The child 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 herself or others as evidenced by recent behavior; or
 - (3) There is a well-founded belief that the child presents a substantial risk of flight from the courtroom; and
 - (4) There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the presence of court personnel, law enforcement officers, or bailiffs. The use of video conferencing is not an appropriate alternative to restraints.
- (b) The court must provide the child’s attorney an opportunity to be heard in a hearing before the court orders the use of restraints. If restraints are ordered, the court must make written findings of fact in support of the order.
- (c) Restraints must be removed prior to the child being brought into the courtroom unless the child requests to be present for the hearing provided in (b).
- (d) Any restraints authorized under this rule must be the least restrictive restraints necessary, and must allow the child limited movement of the hands to read and handle documents and writings necessary to the hearing. Under no circumstances should a child be restrained in a public area, or be restrained to another child, wall, the floor, or furniture.
- (e) For purposes of this rule:

- (1) “Instruments of restraint” and “restraints” are handcuffs, leg shackles, leg irons, belly belts, belly chains, or other restraint devices used to restrict a child’s free movement of limbs or appendages, including those made of cloth and leather; and
- (2) A child is an individual under the jurisdiction of the juvenile court, as provided in Article V of the Illinois Juvenile Court Act.