

POVERTY IS NOT NEGLECT - HB3799

Include exemption for financial inability to provide for a child in the definition of neglect

FACT SHEET

2023

THE PROBLEM

Families with financial inability to provide for their children are more likely to encounter the child and family well-being system, which creates an intersection between poverty and child maltreatment, or neglect. In the Juvenile Court Act of 1987 (705 ILCS 405/) and the Abused and Neglected Child Reporting Act (325 ILCS 5/), neglect is defined in a way that puts low-income families at risk for unwarranted referrals to the child protection system which leads to unnecessary family surveillance, separation, and trauma, most often disproportionately impacting children and families of color.

- Conditions such as inadequate clothing, shelter, and food--absent any evidence that a child has been harmed-- meets the criteria of neglect.
- Inadequate income or poverty should not be considered neglect.
- Alternative systems of support should be explored and offered to families that experience financial hardships.
- Inclusion of income-related factors in definitions of neglect without any exemptions, may funnel families into the child welfare system



THE SOLUTION

Supporting the **amendment of the definition of neglect in the Juvenile Court Act of 1987 and the Abused and Neglected Child Reporting Act (ANCRA)** to include an exemption for financial inability to provide for a child.



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CALL TO ACTION

Support HB3799 which will amend the Juvenile Court Act of 1987 and ANCRA by adding an exemption for financial inability to the existing neglect definition

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