

Juvenile Fitness to Stand Trial (JFST) Talking Points

2026

The JFST legislation creates a juvenile-specific standard for assessing whether a young person is mentally fit to stand trial that is developmentally appropriate and trauma-informed. The bill expands the criteria in fitness evaluations to include child traumatic stress, substance use disorder, and chronological, developmental, and relative immaturity. This initiative was developed by a coalition of justice and youth advocacy organizations led by ICOY.

Bill Numbers: [HB5270](#) & [SB3526](#)

Talking Points:

- Being 'fit to stand trial' is the ability to understand court proceedings and to work with a lawyer to assist in one's defense. As a young person's brain is still developing, they need a standard that considers their limited capacities.
- The current standard treats youth like adults. We know there are various facets to youth attaining fitness, the bill expands the types of services the court can offer.
- The bill requires that youth services be provided in the least restricted environment possible. This is a critical component of successful restoration services. Youth grow best when they are supported in their own communities.
- Factors considered in determining fitness must align with developmental science and modern neuroscience.
- The Illinois justice system needs to take adolescent development into account. Kids are not miniature adults, and we cannot treat them as such.