

# JUVENILE FITNESS TO STAND TRIAL (JFST) - SB1655

*Cognitively Appropriate and Trauma-Informed Assessment*

FACT SHEET

2025

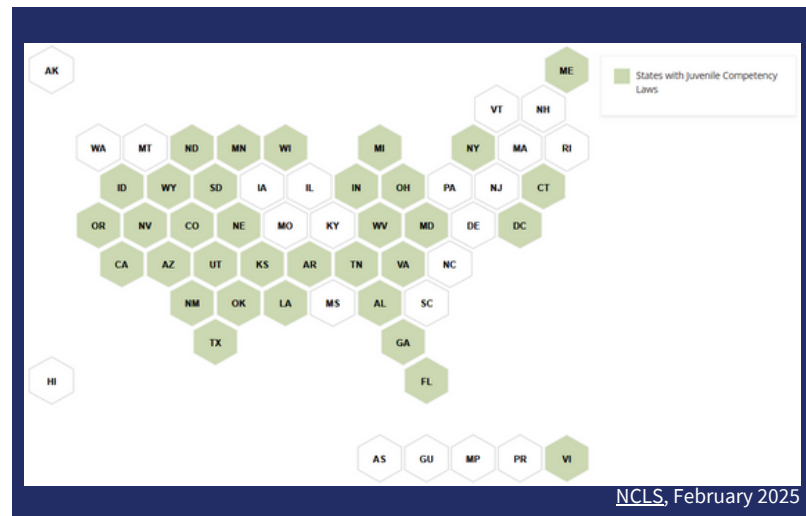
## THE PROBLEM

Under current Illinois law, the court standard for assessing whether a young person has the mental capacity to participate in their defense, when charged with a crime, is the same standard to assess adults. Using a blanket standard does not incorporate the practical differences between young people and adults, and completely ignores the limited developmental and cognitive capacity of young people due to a natural lack of functional, social, adaptive, and intellectual ability.

**SB1655 establishes a developmentally appropriate and trauma-informed standard for assessing the mental health status of young people involved in the criminal justice system.**

### Fitness Standard

- Expands determination of 'unfitness' beyond mental illness diagnosis;
- Additional criteria included in the evaluation: traumatic stress, substance use disorder, and chronological, developmental, and relative immaturity;
- Higher burden of proof standard when assessing a child under the age of 14; and
- Applies to all individuals under 21 years old.



## THE SOLUTION

Supporting the **creation of a new juvenile fitness standard that is both developmentally appropriate and trauma-informed** will ensure that the judicial system appropriately assesses children and young adults in the justice system to protect their right to a fair trial.



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## CALL TO ACTION

**Support SB1655 (Sen. Collins) amend the Juvenile Court Act of 1987 and create an appropriate fitness standard for assessing young people in court delinquency proceedings.**

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