

# JUVENILE FITNESS TO STAND TRIAL (JFST) - HB5270/SB3526

*The Urgent Need for a Developmentally Appropriate and Trauma-Informed Juvenile Fitness Standard*

FACT SHEET

2026

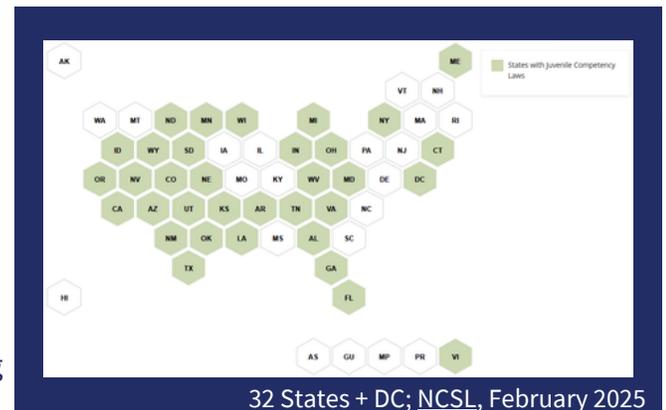
## THE PROBLEM

Under current Illinois law, the standard used to assess whether a young person is mentally fit to participate in their defense is identical to the standard used for adults. This “one-size-fits-all” approach fails to recognize the natural limitations in functional, social, adaptive, and intellectual abilities that are inherent to youth. Implementing a trauma-informed and developmentally appropriate fitness standard will protect young people’s right to a fair trial, promote rehabilitation, and reduce the risk of harmful long-term outcomes.

Recent federal actions, such as the current administration calling for children as young as 14 to be tried as adults, signals a troubling shift in the juvenile justice system away from a lens of rehabilitation and into the punitive realm of adult court. Now, more than ever, Illinois must take decisive action to protect young people by solidifying safeguards and ensuring developmentally appropriate services. By adopting these standards, Illinois would join the **32 other states** that have implemented juvenile fitness statutes, bringing the state in alignment with best practices.

### Key Features of Proposed Fitness Standard

- **Expands Determination of ‘Unfitness’:** No longer requires a mental illness diagnosis and recognizes a broader range of factors for unfitness.
- **Additional Criteria for Evaluation:** Includes traumatic stress, substance use disorder, and considerations of chronological, developmental, and relative immaturity.
- **Broadens Treatment Services:** Enables evaluators to recommend services to address conditions contributing to unfitness.



## THE SOLUTION

The time to act is now. Implement an **assessment standard that is both developmentally appropriate and trauma-informed** and help ensure that our youth are treated justly. Young people are not miniature adults and should not be treated like adults.



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## CALL TO ACTION

*Support **HB5270/SB3526** (Rep. Slaughter & Sen. Collins) amend the Juvenile Court Act of 1987 and create an appropriate fitness standard for assessing young people in court delinquency proceedings.*

ICOY promotes the safety, health, and success of Illinois’ children, youth, and families by acting as a collective voice for policy and practice, and by connecting and strengthening the organizations that serve them. Visit [ICOYouth.org](http://ICOYouth.org).

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