



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3995

Introduced 1/8/2020, by Rep. Allen Skillicorn - Andrew S. Chesney - Daniel Didech - Jonathan Carroll

SYNOPSIS AS INTRODUCED:

20 ILCS 205/205-203 new
725 ILCS 5/Art. 113A heading new
725 ILCS 5/113A-1 new

Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution of a case involving the injury, health, or safety of a cat or dog, the court may, on its own motion or motion of any party, appoint a special advocate to assist the court, as deemed appropriate by the court, and represent the interests of justice regarding the health or safety of the cat or dog. Amends the Department of Agriculture Law of the Civil Administrative Code of Illinois. Provides that the Department of Agriculture shall compile a list comprised of pro bono attorneys and law students from each county who may serve as special advocates for these cases.

LRB101 15476 RLC 64819 b

1 AN ACT concerning special advocates in animal cases.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Agriculture Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 205-203 as follows:

7 (20 ILCS 205/205-203 new)

8 Sec. 205-203. Compilation of special advocates for animal
9 cases. The Department of Agriculture shall compile a list of
10 pro bono attorneys and law students from each county who may
11 serve as special advocates in the prosecution of cases
12 involving the injury, health, or safety of a cat or dog as
13 provided in Section 113A-1 of the Code of Criminal Procedure of
14 1963. In this Section, "law student" means a law student
15 licensed under Supreme Court Rule 711 or attached to a legal
16 aid bureau, legal assistance program, organization, or clinic
17 chartered by this State or approved by a law school approved by
18 the American Bar Association.

19 Section 10. The Code of Criminal Procedure of 1963 is
20 amended by adding Article 113A as follows:

21 (725 ILCS 5/Art. 113A heading new)

1 ARTICLE 113A. SPECIAL ADVOCATES

2 (725 ILCS 5/113A-1 new)

3 Sec. 113A-1. Special advocates.

4 (a) In a prosecution of a case involving the injury,
5 health, or safety of a cat or dog, the court may, on its own
6 motion or motion of any party, appoint a special advocate to
7 assist the court, as deemed appropriate by the court, and
8 represent the interests of justice regarding the health or
9 safety of the cat or dog. If the court appoints a special
10 advocate in the case, the court may consult with a list of pro
11 bono attorneys and law students compiled by the Department of
12 Agriculture for that purpose.

13 (b) The advocate may:

14 (1) monitor the case;

15 (2) consult any person with information that could aid
16 the court and review records relating to the condition of
17 the cat or dog and the defendant's actions, including, but
18 not limited to, records from animal control officers,
19 veterinarians, and police officers;

20 (3) attend hearings; and

21 (4) present information or recommendations to the
22 court pertinent to determinations that relate to the
23 interests of justice, provided that information shall be
24 based solely on the duties undertaken under this subsection

25 (b).