

1 AN ACT concerning right to counsel.

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

4 Section 5. The Juvenile Court Act of 1987 is amended by  
5 changing Section 5-170 as follows:

6 (705 ILCS 405/5-170)

7 Sec. 5-170. Representation by counsel.

8 (a) In a proceeding under this Article, a minor who was  
9 under 13 years of age at the time of the commission of an act  
10 that if committed by an adult would be a violation of Section  
11 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 12-13, 12-14,  
12 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 must be  
13 represented by counsel during the entire custodial  
14 interrogation of the minor.

15 (b) In any court proceeding under this Article, a minor may  
16 not waive the right to the assistance of counsel in his or her  
17 defense.

18 (Source: P.A. 91-915, eff. 1-1-01; 92-16, eff. 6-28-01.)

19 Section 10. The Code of Criminal Procedure of 1963 is  
20 amended by adding Section 115-1.5 as follows:

21 (725 ILCS 5/115-1.5 new)

22 Sec. 115-1.5. Waiver of counsel in any court proceeding by  
23 persons under 17 years of age prohibited. A person under 17  
24 years of age may not waive the right to the assistance of  
25 counsel in his or her defense in any court proceeding.

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.