

Minors, Consent and Sexual Assault
Illinois Coalition Against Sexual Assault
August 2022

How old does an individual have to be to:	Age	Citations
Consent to sexual activity?	<p style="text-align: center;">17</p> <p style="text-align: center;">18 if:</p> <p style="text-align: center;">1) The other party is in a position of trust, authority, or supervision or 2) The other party is a family member</p>	<p>720 ILCS 5/11-1.50(b) & (c) 720 ILCS 5/11-1.60(c) & (d)</p> <p>720 ILCS 5/11-1.20(a)(4) 720 ILCS 5/11-1.60(f)</p> <p>720 ILCS 5/11-1.20(a)(3) 720 ILCS 5/11-1.60(b)</p>
Consent to counseling at a rape crisis center?	<p style="text-align: center;">12 –16: 8 initial sessions, up to 90 minutes each, then 4-factor well-being test</p>	<p>405 ILCS 5/3–550 (citation renumbered effective 8/21/2021)</p>
Decide whether a parent or guardian can be part of a minor’s rape crisis center counseling sessions or see minor’s file?	<p style="text-align: center;">12</p>	<p>735 ILCS 5/8-802.1(c)(2)</p>
Waive/choose not to waive privilege at a rape crisis center?	<p style="text-align: center;">12</p>	<p>735 ILCS 5/8-802.1(c)(4)</p>
Consent to advocacy at a rape crisis center?	<p style="text-align: center;">12 – 16</p>	<p>Limited services consistent with 405 ILCS 5/3-550</p>

How old does an individual have to be to:	Age	Citations
Make a report to police without a parent or guardian?	<p>Any age</p> <p>Law enforcement may not force anyone to make a report, but you could be subpoenaed to provide information.</p> <p>12 to get help from a rape crisis center</p>	<p>725 ILCS 203/20: SAIPA has no age restriction and requires “a law enforcement officer shall complete a written police report” when a person reports they were sexually assaulted or abused.</p> <p>*As of 8/11/17, victims under age of 18 have no statute of limitations for sexual assault, aggravated sexual assault, predatory sexual assault of a child, aggravated sexual abuse, or felony sexual abuse. 720 ILCS 5/3-6(j)(1)</p>
Consent to healthcare at the hospital?	<p>Any age if:</p> <p>A victim of sexual assault or abuse or needs emergency treatment</p>	<p>410 ILCS 210/3(b)</p> <p>410 ILCS 70/5-1(b)</p> <p>410 ILCS 210/3(a)</p>
Consent to evidence collection at the hospital?	<p>Any age</p>	<p>410 ILCS 70/5-1(b)</p>

How old does an individual have to be to:	Age	Citations
Consent to release an evidence collection kit for testing?	13; a kit completed on a minor must be held by law enforcement for 10 years from the date the minor turns 18; they have until their 28 th birthday to consent to release the kit for testing.	410 ILCS 70/6.5-1(a)(1) 410 ILCS 70/6.5-1(c)
File a petition for a Civil No Contact Order (CNCO), Domestic Violence Order of Protection (OP), or Stalking No Contact Order (SNCO)?	Any age* *In some counties, including Cook County, a minor must be accompanied by an adult who will petition on behalf of the minor.	<u>CNCO</u> : 740 ILCS 22/201(b)(1) & (2) 740 ILCS 22/213(a) <u>OP</u> : 750 ILCS 60/201(b)(i) 750 ILCS 60/214(a) <u>SNCO</u> : 740 ILCS 21/15(1) & (2) 740 ILCS 21/80(a)
Obtain birth control?	Any age if: (1) married, (2) a parent, (3) pregnant, (4) have parent/guardian consent, (5) failure to provide would create serious health hazard or (6) referred by physician, clergy, or planned parenthood agency	325 ILCS 10/1