

# Minors, Consent and Sexual Assault

**Illinois Coalition Against Sexual Assault**

**August 2018**

How old do you have to be to:	Age	Citations
Consent to sexual activity?	<p style="text-align: center;">17</p> <p style="text-align: center;">18 if the other party is in a position of trust, authority or supervision</p> <p style="text-align: center;">18 if the other party is a family member</p>	<p style="text-align: center;">720 ILCS 5/11-1.50(b) &amp; (c) 720 ILCS 5/11-1.60(c) &amp; (d)</p> <p style="text-align: center;">720 ILCS 5/11-1.20(a)(4) 720 ILCS 5/11-1.60(f)</p> <p style="text-align: center;">720 ILCS 5/11-1.20(a)(3) 720 ILCS 5/11-1.60(b)</p>
Consent to advocacy at a rape crisis center?	12 – 16	limited services
Make a report to police without your parents?	<p style="text-align: center;">Any age</p> <p style="text-align: center;">Law enforcement may not force anyone to make a report, but you could be subpoenaed to provide information</p>	<p style="text-align: center;">*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</p>
Consent to healthcare at the hospital?	Any age, if victim of sexual assault or abuse or needs emergency treatment	<p style="text-align: center;">410 ILCS 210/3(b) 410 ILCS 70/5(b) 410 ILCS 210/3(a)</p>
Consent to evidence collection at the hospital?	Any age	410 ILCS 70/5(b)

How old do you have to be to:	Age	Citations
Consent to release an evidence collection kit for testing?	<p>13</p> <p>A kit completed on a minor must be held by law enforcement until 5 years after their 18<sup>th</sup> birthday and they have until their 23<sup>rd</sup> birthday to consent to release the kit for testing</p>	<p>410 ILCS 70/6.5(a)(1)</p> <p>410 ILCS 70/6.5(c)</p>
Consent to counseling at a rape crisis center?	<p>12 – 16: 8 initial sessions, up to 90 minutes each, then 4-factor well-being test</p>	<p>405 ILCS 5/3–5A–105 (replaces 405 ILCS 5/3-501(a))</p>
Decide whether your parents can be part of your rape crisis center counseling sessions or see your file?	<p>12</p>	<p>735 ILCS 5/8-802.1(c)(2)</p>
Waive/choose not to waive privilege at a rape crisis center?	<p>12</p>	<p>735 ILCS 5/8-802.1(c)(4) 735 ILCS 5/8-802.1(c)(2)</p>
File a petition for a Civil No Contact Order, Domestic Violence Order of Protection, or Stalking No Contact Order?	<p>Any age</p> <p>*In Cook County, a minor must be accompanied by an adult who will petition on behalf of the minor</p>	<p>CNCO: 740 ILCS 22/201(b)(1) &amp; (2) 740 ILCS 22/213(a)</p> <p>OP: 750 ILCS 60/201(b)(i) 750 ILCS 60/214(a)</p> <p>SNCO: 740 ILCS 21/15(1) &amp; (2) 740 ILCS 21/80(a)</p>
Obtain birth control?	<p>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</p>	<p>325 ILCS 10/1</p>