5-02/050.25 - Review of Juvenile Petition Request Denial

When a juvenile petition request with affidavit has been submitted to the Probation Department or DCFS (pursuant to sections 329 WIC or 653 WIC) to commence juvenile court proceedings and the petition is not filed within 21 court days, or in 602 WIC cases, not forwarded to the district attorney in 36 calendar days, a review of the decision not to file may be requested by law enforcement.

In 602 WIC cases, the district attorney reviews the probation officer's decision and may either affirm the decision or the district attorney may commence juvenile court proceedings.

In 300 WIC cases, the juvenile court reviews the social worker's decision and may either affirm the decision or order the social worker to commence juvenile court proceedings.

The investigating detective, in those cases that a petition should be filed, has the responsibility to determine if a petition has been filed in 43 calendar days.