THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT

No. 125680

IN THE
SUPREME COURT OF ILLINOIS

IN RE: J.M.A., a minor (PEOPLE OF THE STATE OF ILLINOIS, Petitioner-Appellee v. J.M.A., a minor, Respondent-Appellant).	)	On Appeal from the Appellate of Illinois, Third District, No. 3-19-0346. There on Appeal from the Circuit Court of the Fourteen Judicial Circuit, Rock Island County, Illinois, No. 18 JD 113. The Honorable Theodore Kutsunis, Judge Presiding.

BRIEF OF PETITIONER-APPELLEE PEOPLE OF THE STATE OF ILLINOIS

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ORAL ARGUMENT REQUESTED

POINTS AND AUTHORITIES

NATURE OF THE CASE

The People filed a petition alleging that respondent was a delinquent because he had committed unlawful possession of a stolen motor vehicle, unlawful possession of a stolen firearm by a felon, and theft. C12, 28-30.[1] Respondent pleaded guilty, and the trial court committed him to the Illinois Department of Juvenile Justice (IDOJJ) for an indeterminate period not to exceed seven years, or until his 21st birthday, whichever occurred first. R15, C130-32. Respondent has since completed his sentence.[2]

On appeal, respondent argued that the trial court violated section 5-750(1) of the Juvenile Court Act (Act), 705 ILCS 405/5-750(1), by failing to make an explicit finding that commitment was the least restrictive sentencing alternative and in failing to review whether services in IDOJJ would meet his individualized needs. A8. The appellate court affirmed. A19. Respondent appeals the appellate court's judgment. No issue is raised on the pleadings.

ISSUES PRESENTED

1. Whether the respondent's challenge to his sentence is moot because he has completed his sentence.

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[1] Citations to the common law record, the report of proceedings, respondent's brief, and the appendix to respondent's brief appear as "C__," "R__," "Resp. Br. __," and "A__," respectively.

[2] On June 12, 2020, the undersigned Assistant Attorney General contacted an IDOJJ representative who confirmed that respondent was discharged from aftercare on April 3, 2020.

2. Whether, if the issue is not moot, the plain language of section 5-750(1) of the Juvenile Court Act does not require the court to make an explicit finding that commitment was the least restrictive alternative.

3. Whether, if the issue is not moot, the trial court found that commitment to IDOJJ was the least restrictive alternative, as required by the Act.

4. Whether, if the issue is not moot, the trial court properly considered evidence of services offered by IDOJJ that would meet respondent's individualized needs.

JURISDICTION

Jurisdiction lies under Supreme Court Rules 315 and 612(b)(2). On March 4, 2020, this Court granted respondent's petition for leave to appeal. *In re J.M.A.*, No. 123052 (Mar. 4, 2020).

STATEMENT OF FACTS

In August 2018, the State filed a delinquency petition alleging that respondent, then 14 years old, committed unlawful possession of a stolen motor vehicle, unlawful possession of a stolen firearm by a felon, theft, and other crimes. C12, 28-30. Respondent was detained after police officers investigating a car theft tracked the owner's cellphone to a house where respondent and other minors were found. R8. Officers found a revolver in respondent's pocket and detained him. R9. Respondent directed the officers to the stolen vehicle's location and admitted that he had driven it. *Id.* The

trial court found probable cause to believe that respondent was delinquent and ordered that he be detained in the Mary Davis Home. C23; R82-88. In a negotiated plea deal, respondent pleaded guilty to unlawful possession of a stolen vehicle, unlawful possession of a stolen firearm, and theft in exchange for the dismissal of the other charges. R3-7, 15.

Sentencing Hearing

At respondent's sentencing hearing, the People relied upon an October 2018 social history report and its subsequent addenda. R47. The report detailed respondent's criminal history and his frequent contacts with police in both Illinois and Iowa. C52-57. Less than a year before the present offense, in October 2017, respondent stole a bicycle in Iowa and was referred to a juvenile diversion program. C54. Three days after that incident, he was caught in a stolen vehicle with four other minors in Illinois. *Id.* They attempted to flee from police, and respondent fled on foot after the vehicle crashed. *Id.* Three days after that incident, respondent and three other minors stole a pickup truck in Iowa and crashed the vehicle into a fence. *Id.* In November 2017, respondent and another minor stole a pickup truck from an Iowa work site, drove into Illinois, and led Rock Island police on a "high speed chase" before crashing the vehicle and fleeing on foot. *Id.* Following these actions, respondent was adjudicated guilty of three counts of theft and one count of criminal mischief and was placed on probation. C52-54, 56. As part of that probation, respondent was released in December 2018 to home

detention in the custody of his mother in Iowa and required to wear an ankle monitor. C56. One week after returning home, respondent removed the monitoring device and fled to Illinois. *Id.* There, respondent broke into a car and a residence before he was arrested and returned to Iowa. C55.

In February 2018, respondent was arrested in Iowa after attempting to break into a car and fleeing from police. *Id.* He pleaded guilty to attempted burglary and was sentenced to probation. C57. As part of that probation, respondent began participating in day treatment programming. C57, 126-27. His participation was suspended after he missed five out of ten days of programming in July and his mother reported that he had run away. C127. He was unsuccessfully discharged from the program following his arrest in the current case. *Id.*

Respondent's social history report further noted that he lived with his mother and three siblings, although he had run away from home several times. C53, 59. While respondent maintained that his relationship with his mother was "good," the report noted that respondent's mother stated that his family environment was "somewhat unpredictable and stressful" and included "yelling and heated arguments." C59-60. She further stated that respondent was consistently disobedient and hostile to rules in the home, so there were no rules in place. C60. Respondent had no relationship with his father. *Id.*

The report further revealed that respondent's educational history included multiple absences, failing grades, and behavioral problems. *Id.* He received numerous suspensions for his insubordinate and sometimes violent behavior, including punching or kicking security guards on multiple occasions and once stabbing a teacher with a pencil. *Id.*

The social history report also detailed respondent's mental health history, identifying that he had been diagnosed with attention deficit hyperactivity disorder (ADHD) and oppositional defiant disorder (ODD), and was currently prescribed two medications. C57, 61. His mother reported that when respondent "is not on his meds it just seemed like everything would go wrong." C57. After a July 2018 mental health assessment, it was recommended that respondent "engage in psychiatry services in order to stabilize and manage his mental health symptoms." *Id.* Respondent and his mother also reported that respondent had bipolar disorder, though no documentation had been provided in support of that claim. C61-62.

The social history report recommended that respondent receive an indeterminate sentence in IDOJJ, where he could "receive services to address poor decision-making skills in a highly structured and confined setting." C63.

Also at the sentencing hearing, respondent's mother testified that he had been diagnosed with bipolar disorder, ODD, ADHD, and attention deficit disorder (ADD). R53. She had taken respondent to several psychiatrists; however, he missed several psychiatric appointments due to family moves,

his confinement in detention centers, and financial issues. R54-55. His mother further testified that if he were released, she would take him to receive mental health services covered by insurance. R55-56.

The trial court found that respondent was delinquent, his mother was "unable to care, protect, train, or discipline" him, and it was in the best interests of respondent and the public that he be made a ward of the court. R70. Explaining its decision, the court described the difficulty respondent's mother had disciplining him and his lengthy criminal history. R70-71. The court concluded:

> I've looked at the alternatives that could be imposed, and I'm finding the commitment to the [IDOJJ] is necessary to ensure the protection of the public from the consequences of criminal activity of the delinquent. I'm finding that reasonable efforts have been made to prevent or eliminate the need for the minor to be removed from the home. I'm finding that secure confinement is necessary after I reviewed the following factors: The age of the minor; the criminal background of the minor; the review of any results and assessments of the minor; the educational background of the minor including whether he was ever assessed for a learning disability, and, if so, what services were provided as well as any disciplinary incidents at school; the physical, mental, and emotional health of the minor indicating whether the minor has ever been diagnosed with a health issue, and, if so, what services were provided and whether the minor was compliant with the services; community services that have been provided to the minor and whether he was compliant with those services and whether they were successful. I'm finding that the services within [IDOJJ] will meet the individualized needs of the minor.

R72-73. Accordingly, the court sentenced respondent to an indeterminate term of up to seven years in IDOJJ, or until his 21st birthday, and ordered him to pay restitution. R73-74.

The court subsequently filed a written sentencing order on a preprinted form. C130-32. The court checked boxes finding that "Commitment to the [IDOJJ] is necessary to ensure the protection of the public from the consequences of criminal activity of the delinquent" and "Reasonable efforts have been made to prevent or eliminate the need for the minor to be removed from the home AND/OR Reasonable efforts cannot, at this time, for good cause, prevent or eliminate the need for removal." C130. The court left blank those lines on the preprinted form on which it might explain why "Commitment to the [IDOJJ] is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and those efforts were unsuccessful." *Id.*

Motion to Reconsider Sentence

Respondent moved to reconsider his sentence arguing that no evidence had been introduced showing that reasonable efforts toward less restrictive confinement had been made and that no evidence had been introduced showing that his commitment to IDOJJ would meet respondent's individualized needs. C135-39. Following a hearing, the trial court denied the motion. R116. Explaining that the least restrictive services were previously attempted, the court noted that respondent had twice been placed on probation, but was unsuccessfully discharged. R114. The court also considered that respondent committed other crimes while on probation, removed his ankle monitor when placed on home detention, and had run

away multiple times, as well as that his mother admitted that she could not control him. R114-115. Noting the dysfunction in respondent's family, the court stated that although a sentence to a detention home might benefit respondent, the time limitations on such placements would not give respondent a sufficient opportunity to address his issues. R115-16. The court concluded:

> He needs a structured environment. Structured environment is provided by the [IDOJJ]. He needs to be rehabilitated from his bad behavior issues. He needs to improve in his decision making. And I think for the protection of the public and in some instances for him, because of the type of behavior he's engaging in, I think it is the most reasonable sentence that this court could impose under all the circumstances.

R116.

The appellate court remanded for new proceedings on respondent's motion to reconsider sentence due to counsel's failure to file a Rule 604(d) certificate. C163. On remand, respondent's counsel filed an identical motion to reconsider and a Rule 604(d) certificate. C166-71. A hearing was held at which the trial court largely repeated its comments regarding the initial motion to reconsider. R122-25. In denying the motion, the court added that respondent "needs to be rehabilitated from his bad behavior issues, and I think they do have the services to try to do that." R124-25.

Appellate Proceedings

On appeal, respondent argued that the trial court failed to comply with the Act because (1) it did not make an express finding that commitment to

IDOJJ was the least restrictive sentencing alternative, (2) the evidence did not support such a finding, and (3) the court did not consider any evidence of IDOJJ services that would meet his individualized needs. A8. The appellate majority held that an express finding that commitment is the least restrictive alternative is not required by the Act, reasoning that requiring such "magic words" would elevate form over substance. A11-12. The majority further determined that the trial court "methodically considered the most viable alternatives to a term in the IDOJJ," but rejected them because they had been ineffective following respondent's previous crimes. A10. The majority also concluded that the trial court properly considered whether IDOJJ could provide services for respondent's needs by relying on the social history report, which contained the juvenile intake officer's conclusion that respondent's poor decision-making skills could be addressed by services at IDOJJ. A14-15. Accordingly, the majority affirmed the trial court's judgment. A19.

Respondent completed his sentence and was discharged from IDOJJ's aftercare on April 3, 2020. *See supra* at 1 n.2.

ARGUMENT

The sentencing issues raised by respondent are moot because he completed his sentence during the pendency of this appeal. The public interest exception may apply to respondent's claim that section 5-750(1) of the Act requires an express finding that commitment to IDOJJ is the least restrictive alternative because a split has developed among the districts of

the Illinois Appellate Court on this question of law and the issue is likely to recur in future juvenile cases. But no exception applies to respondent's remaining claims, which arise from the unique facts of his sentencing hearing.

In any event, the trial court made all the findings necessary to commit respondent to IDOJJ. The plain language of section 5-750(1) requires only that the trial court "find" that commitment is the least restrictive alternative; it does not require that the finding be expressly stated on the record or in a written order. And a requirement that trial courts must mechanically recite "magic words" in sentencing juvenile respondents would be contrary to the legislature's intent to provide individualized assessments for each respondent.

Here, although the trial court did not expressly state that it found commitment to be the least restrictive alternative, the record shows that the court made such a finding. The trial court explicitly considered less restrictive sentences and placements, but found that commitment was necessary given respondent's history of failing to rehabilitate when given less restrictive sentences.

The trial court also properly considered whether IDOJJ could provide services to address respondent's individualized needs when it relied upon the social history report's conclusion that he required improvement in his

decision-making skills and that IDOJJ had the services and structure necessary to serve those needs.

I. Standard of Review

A trial court's decision to commit a juvenile to IDOJJ is generally reviewed for an abuse of discretion. *In re Griffin*, 92 Ill. 2d 48, 54 (1982). However, whether the trial court complied with statutory requirements in making that determination is a question of law that is reviewed de novo. *See In re Marriage of Donald B. & Roberta B.*, 2014 IL 115463, ¶ 29. Moreover, respondent's arguments raise a question of statutory interpretation, which is also reviewed de novo. *People v. Hardman*, 2017 IL 121453, ¶ 19. The primary goal of such interpretation is "to determine and effectuate the legislature's intent." *Id.* The plain and ordinary meaning of the statutory language is the best indicator of the legislature's intent. *Id.* Where a statute is clear and unambiguous, courts cannot read into the statute conditions or terms not expressed by the legislature. *People v. Glisson*, 202 Ill. 2d 499, 505 (2002).

II. Respondent's Claims Are Moot.

Respondent's sentencing claims are moot because he has completed his sentence. *In re Shelby R.*, 2013 IL 114994, ¶ 15 (appeal challenging validity of sentence is rendered moot once sentence has been served); *Commonwealth Edison Co. v. Ill. Commerce Comm'n*, 2016 IL 118129, ¶ 10 (appeal is moot where "no actual controversy exists or when events have occurred that make it impossible for the reviewing court to render effectual relief").

Generally, this Court will "'not decide moot questions, render advisory opinions, or consider issues where the result will not be affected regardless of how those issues are decided.'" *Commonwealth Edison Co.*, 2016 IL 118129, ¶ 10 (quoting *In re Barbara H.,* 183 Ill. 2d 482, 491 (1998)). In limited instances, this Court has reviewed moot questions under the public interest exception. *See Shelby R.*, 2013 IL 114994, ¶ 18. But that exception is narrowly construed and requires a clear showing that "(1) the question presented is of a public nature; (2) there is a need for an authoritative determination for the future guidance of public officers; and (3) there is a likelihood of future recurrence of the question." *In re Alfred H.H.*, 233 Ill. 2d 345, 355 (2009).

Even if the public interest exception might apply to respondent's argument that the Act required the trial court to make an express finding that commitment to IDOJJ was the least restrictive alternative, *see* Resp. Br. 16-26, the exception does not apply to respondent's alternative argument that such a finding cannot be inferred from the record, *id.* at 27-30, or his argument that the court failed to review the individualized services available in IDOJJ, *id.* at 31-38. These arguments raise fact-based questions that are unique to respondent's case and do not raise questions of a public nature. *In re Rita P.*, 2014 IL 115798, ¶ 36 (public interest exception inapplicable to "case-specific inquiries.") And respondent's latter arguments do not require an authoritative determination because — in contrast to his first argument

— they do not "present a situation where the law is in disarray or there is conflicting precedent." *Alfred H.H.*, 233 Ill. 2d at 358. Finally, because respondent's latter arguments are tied to the unique facts of his sentencing hearing and the record of those proceedings, there is no likelihood of future recurrence of the question. Accordingly, the public interest exception does not apply to respondent's latter arguments.

The "capable of repetition, yet avoiding review" exception is equally inapplicable to respondent's fact-based claims. A court will address a moot question under this exception where (1) the challenged action is too brief to be fully litigated prior to its cessation, and (2) there is a reasonable expectation that the same party would be subjected to the same action again. *Id.* Here, respondent cannot reasonably expect to be subject to the same action again because his arguments depend on the specific facts that were established during his sentencing hearing. And even if respondent were to commit a new crime in the short period of time before he turns 18, and even if he were once again found delinquent under the Act, he would have a new sentencing hearing with different evidence and findings by the trial court. *See id.* Accordingly, the "capable of repetition" exception does not apply, and respondent's fact-based claims are moot.

III. The Trial Court Properly Found that Commitment Was the Least Restrictive Alternative.

A. The plain language of the Act does not require a trial court to make an express finding that commitment is the least restrictive alternative.

If the Court finds that the public interest exception to mootness applies, it should hold that the trial court was not required under the plain language of the Act to state the words — either orally or in its written sentencing judgment — "commitment is the least restrictive alternative." Section 5-750(1) of the Act provides that a court may commit a juvenile to IDOJJ if "it finds that . . . commitment to the Department of Juvenile Justice is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and the reasons why efforts were unsuccessful in locating a less restrictive alternative to secure confinement." 750 ILCS 405/5-750(1). The plain language of section 5-750(1) requires only that the trial court "find" that commitment is the least restrictive alternative. *Id.* *Black's Law Dictionary* defines "find" as "To determine a fact in dispute by verdict or decision." *Find*, *Black's Law Dictionary* (11th ed. 2019). Thus, section 5-750(1) does not require a court to explicitly set forth that "least restrictive alternative" determination either on the record or in a written order. *See* 750 ILCS 405/5-750(1).

Despite this plain language, two districts of the appellate court have held that section 5-750(1) requires an express finding that commitment is the least restrictive alternative. *In re Henry P.*, 2014 IL App (1st) 130241, ¶¶ 60-

62; *In re H.L.*, 2016 IL App (2d) 140486-B, ¶ 45 (relying on *Henry P.*). Both courts erroneously reasoned that the word "find" in section 5-750(1) plainly meant an express finding. *See Henry P.*, 2014 IL App (1st) 130241, ¶ 60; *H.L.*, 2016 IL App (2d) 140486-B, ¶¶ 45-46. Yet, such a reading impermissibly adds a word ("express") to the statute that the legislature did not include. *Glisson*, 202 Ill. 2d at 505. This was error, because an express finding is not the sole type of finding; findings may also be implicit. *See, e.g.*, *People v. Williams*, 209 Ill. 2d 227, 236 (2004).

Had the legislature intended to require the trial court to make an express finding, it could have included the word "express" or "explicit" in section 5-750(1), but it did not. A court should not read an unstated requirement into a statute, particularly where the legislature has made such a requirement explicit in related statutes. *See People v. Grant*, 2016 IL 119162, ¶ 26. Clearly, the legislature knows how to convey that an express finding is required; indeed, it included such a requirement in section 5-620 of the Act. *See* 705 ILCS 405/5-620. There, the legislature directly specified that a finding of guilt in juvenile adjudications must be made expressly. *Id.* Section 5-620 provides that "the court shall make *and note* . . . a finding of whether or not the minor is guilty." *Id.* (emphasis added). Because the plain language of section 5-750(1) requires no express findings, this Court should not read into the statute a requirement not specified by the legislature. *Glisson*, 202 Ill. 2d at 505.

Contrary to respondent's suggestion, Resp. Br. 16-17, section 5-705(4) does not require the trial court to recite the magic words "commitment is the least restrictive alternative," either. That section provides that "[w]hen commitment to the Department of Juvenile Justice is ordered, the court shall state the basis for selecting the particular disposition, and the court shall prepare such a statement for inclusion in the record." 705 ILCS 405/5-704(4). Thus, the plain language of that section merely requires the sentencing court to provide its *reasons* for choosing commitment; it does not require that it do so using any particular language. *See In re Nathan A.C.*, 385 Ill. App. 3d 1063, 1077 (4th Dist. 2008) ("[T]he court need not use any specific words" to render its decision or set forth the basis for that decision).

And in light of the purpose of the Act, it is clear that neither section 5-704(4) nor section 5-750(1) was intended to require a rote recitation of "magic words." As respondent details in his brief, Resp. Br. 17-23, the purpose of proceedings under the Act is to correct and rehabilitate, rather than punish, juveniles, *In re Rodney H.,* 223 Ill. 2d 510, 520 (2006). To that end, the Act requires individualized assessments, 705 ILCS 405/5-101(1)(c), and allows commitment only after a court has reviewed a host of factors regarding a juvenile's life and needs, 705 ILCS 405/5-750(1). Any requirement that courts recite a particular phrase in assessing each case is antithetical to the idea of an individualized determination and specifically-tailored placement. Nor would such a requirement prompt courts to resort to confinement less

frequently, as respondent suggests. Resp. Br. 24. Instead, as the appellate court below noted, the requirement proposed by respondent would merely elevate form over substance. A11. The required ritualized recitation of specific words or phrases would effectively change a court's sentencing ruling into a standardized presentation and encourage findings made out of habit rather than individualized consideration. Thus, section 5-750(1) is not properly interpreted to require trial courts to expressly recite specific words in rendering a juvenile's sentence.

B. The record shows that the trial court found commitment to IDOJJ to be the least restrictive alternative.

As discussed, this issue is moot because respondent has served his sentence. *See supra* at 11-13. But even if this Court were to find that a mootness exception applied, the argument is meritless, for the trial court's statements at both the sentencing hearing and the hearing on respondent's motion to reconsider clearly show that the court considered alternatives to commitment and determined that commitment to IDOJJ was the least restrictive alternative available for respondent.

As discussed, the plain language of section 5-750(1) requires only that the trial court "find" that commitment is the least restrictive alternative. 750 ILCS 405/5-750(1). The trial court is presumed to know and follow the law. *People v. Golden*, 229 Ill. 2d 277, 284 (2008). Thus, where, as here, the record shows that the trial court considered less restrictive measures before concluding that commitment was necessary, it is presumed that the trial

court followed the law and made the requisite finding that commitment was the least restrictive alternative.

At the sentencing hearing, the trial court noted that it relied upon the social history report and had reviewed the available sentencing alternatives. R72. The court further stated that it considered all of the individualized factors required by section 5-750(1). R73. Having reviewed the relevant evidence, the court found that commitment to IDOJJ was "necessary" to protect the public from respondent's continuing criminal activity. R72. The court also explained its findings at the hearing on respondent's motion to reconsider his sentence, where the court described how respondent had twice been unsuccessfully discharged from the less restrictive setting of probation, and that probation had not rehabilitated respondent, as evidenced by the fact that he continued committing crimes. R114-16. The court also noted that home detention was not a viable option, as respondent had previously removed his ankle monitor and run away. R115. It further reasoned that respondent could not remain in his home because his mother could not control him. *Id*. The court also explicitly considered sentencing respondent to a detention home, but determined that the time limitations on such a placement would not give respondent sufficient time to address his issues. R115-16. The court thus concluded that respondent needed the structured environment provided by IDOJJ in order to be rehabilitated. R116. According to the court, commitment was "the most reasonable sentence that

[it] could impose under all the circumstances." *Id.* Thus, the record clearly shows that the trial court found commitment to be the least restrictive alternative.

The fact that the trial court did not individually rule out every other conceivable alternative does not, as respondent suggests, Resp. Br. 30, show that the court failed to make the requisite finding. When respondent challenged whether commitment was the least restrictive alternative, the court explained that it had considered the alternatives, outlined several options of varying levels of severity, explained why it had not chosen the less restrictive options, and concluded that commitment was both necessary and the most appropriate sentence. *See* R122-125. The only reasonable conclusion to be drawn from this record is that the trial court found commitment to IDOJJ to be the least restrictive alternative.

IV. The Trial Court Properly Considered Whether Services Within IDOJJ Would Meet Respondent's Individualized Needs.

This claim is also moot. *See supra* at 11-13. And even if the Court were to apply an exception to mootness, the claim is meritless, for the trial court properly considered whether IDOJJ offered the services required to meet respondent's individualized needs before ordering his commitment.

Section 5-750(1) of the Act requires the circuit court to review seven factors before sentencing a minor to a term of commitment in IDOJJ, including "[s]ervices within [IDOJJ] that will meet the individualized needs of the minor." 750 ILCS 405/5-750(1)(G).

Here, the trial court explicitly stated that it found that the services within IDOJJ would meet respondent's individualized needs. R73. This express finding was supported by the court's review of the social history report that concluded "[t]he minor can receive services to address poor decision making skills in [the] highly structured and confined setting" of IDOJJ. C63. Although the report noted that respondent had been diagnosed with ADHD and ODD, it did not conclude that his offenses stemmed from either mental health condition. *See* C63-64. Nor did it recommend any specialized treatment beyond compliance with his prescribed medication regimen and meeting with a psychiatrist. *See* C57, 61-62. And the report did not include his mental health as a risk factor, instead listing factors like his dysfunctional home life and negative peer influences. C62.

Tellingly, respondent does not argue that IDOJJ lacks psychiatric services or that it is ill-equipped to provide mental health care. And he has not identified any need for psychiatric care beyond that identified in the social history report: taking his prescribed medication and seeing a psychiatrist. C57. The record before the trial court revealed that respondent's delinquent behavior stemmed from poor decision-making skills, and the court reasonably determined that respondent's primary individualized need was to address those deficits. Furthermore, there was evidence before the court that services to improve respondent's decision-

making skill were available at IDOJJ. C63. Accordingly, the trial court's review comported with section 5-750(1).

CONCLUSION

This Court should decline to review respondent's sentencing claims because they are moot: during the pendency of this appeal, respondent completed his sentence. Even if the Court were to find that one or more of respondent's claims satisfied an exception to the mootness doctrine, it should affirm the appellate court's judgment because all of respondent's claims are meritless.

June 30, 2020

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 21 pages.

/s/ Nicholas Moeller
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PROOF OF FILING AND SERVICE

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct. On June 30, 2020, the foregoing **Brief of Petitioner-Appellee** was filed with the Clerk of the Supreme Court of Illinois, using the court's electronic filing system, which provided notice to the following registered e-mail addresses:

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