

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

File No. _____

Estate of

_____ **A Person with a Disability**

ORDER APPOINTING PLENARY GUARDIAN OF A PERSON WITH A DISABILITY

On the Petition of _____ for the appointment of
[printed name of the Petitioner]

[printed name of the proposed Guardian]

as Guardian of the _____ of
(estate) (person) (estate and person)

_____ (the "Respondent"),
[printed name of the Person with a Disability]

the Court finds that:

1. The proposed guardian is:

(a) an Individual

(i) Information on Residency

(A) who is a resident of Illinois

(B) who is a nonresident of Illinois and has complied with §1-11 of the Probate Act of 1975 ("Probate Act") [755 ILCS 5/1-11] by filing with the Court a Designation of Resident Agent to accept service of process, notice or demand required or permitted by law to be served upon the Guardian

and

(ii) Information on Criminal Background

(A) who has not been convicted of a felony

(B) who has been convicted of a felony, but the conviction shall not prevent the appointment because:

(1) the appointment is in the Respondent's best interests, after considering the nature and date of the offense and the evidence of the proposed Guardian's rehabilitation, and

(2) the offense is not one which, under §11a-5(a)(5) of the Probate Act [755 ILCS 5/11a-5(a)(5)], would prohibit the appointment

and

(iii) who is qualified to act as guardian under §11a-5(a) of the Probate Act [755 ILCS 5/11a-5(a)].

(b) a public agency or not-for-profit corporation and is not directly providing residential services to the ward and is qualified to act as guardian under §11a-5(b) of the Probate Act of 1975 [755 ILCS 5/11a-5(b)].

(c) a corporation qualified to accept and execute trusts in Illinois and is qualified to act as guardian under §11a-5(c) of the Probate Act of 1975 [755 ILCS 5/11a-5(c)].

(d) the State Guardian, and the appointment of the State Guardian is appropriate and required because there is no individual suitable and willing to accept the Guardianship appointment.

(e) the Cook County Public Guardian who is qualified to act under §13-5 of the Probate Act [755 ILCS 5/13-5].

- 2. The Court has jurisdiction to appoint a Guardian under §§203-204 of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (“UAGPPJA”) [755 ILCS 8/203-204] because:
 - (a) Illinois is the Respondent’s “home state” as defined in §201(a)(2) of the UAGPPJA.
 - (b) _____ is the Respondent’s “home state”, but Illinois is a “significant-connection state” as defined in §201(a)(3) of the UAGPPJA, and one of the additional requirements specified in §203(2)(A)-(B) of UAGPPJA applies.
 - (c) Illinois is not the Respondent’s “home state” or a “significant-connection state” as defined in §201(a)(2)-(3) of the UAGPPJA, but the “home state” and every “significant-connection state” have declined to exercise jurisdiction because Illinois is the most appropriate forum.
 - (d) Illinois is not the Respondent’s “home state” or a “significant-connection state” as defined in §201(a)(2)-(3) of the UAGPPJA, but the circumstances involved constitute an “emergency” as defined in §201(a)(1) of the UAGPPJA, and, as a result, the Court has “special jurisdiction” under §204(a) of the UAGPPJA.
 - 3. In accordance with §11a-3 and §11a-12 of the Probate Act, by clear and convincing evidence, the Respondent is a person with a disability and:
 - (a) totally lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the care of his or her person;
 - (b) is totally unable to manage his or her estate or financial affairs;
 - 4. Limited Guardianship will not provide sufficient protection for the Respondent.
 - 5. The appointment of a Guardian *ad litem* _____ necessary for the protection of the Respondent or to make a reasonably informed decision on the Petition;

(was) (was not)
 - 6. (a) The Respondent was present at the hearing;
 - (b) The Respondent’s presence at the hearing was excused for the reason that the record shows that the Respondent _____;

(refuses to be present) (will suffer harm if required to attend)
 - 7. The factual basis for the above findings of the Court was as follows: _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

IT IS ORDERED that:

A. _____
[printed name of the proposed Guardian]

be appointed as Plenary Guardian of the _____ of the Respondent.
(estate) (estate and person)

B. _____
[printed name of the proposed Guardian]

be appointed as Plenary Guardian of the person of the Respondent.

C. Letters of Plenary Guardianship issue in accordance with the provisions of this Order.

- D. i. The bond of the Plenary Guardian of the **estate** and the surety therein, be approved.
- ii. The bond of the Plenary Guardian of the **person** be approved.

E. The Plenary Guardian of the **estate** shall appear and present:

- i. an Inventory as required by Section §14-1 of the Probate Act and in the form prescribed by Cook Co. Cir. Ct. R. 12.9 (Sep 3, 1996) on _____ at _____ m.
(not more than 60 days after the date of this Order)
- ii. a verified Account as required by §24-11 (a) of the Probate Act and in the form prescribed by Cook Co. Cir. Ct. R. 12.13 (Sep 3, 1996) on _____ at _____ m.
(not more than 13 months after the date of this Order)

F. The Plenary Guardian of the **person** shall file or mail a Report as required by §11a-17(b) of the Probate Act, and annually thereafter, or shall appear before the Court on _____ at _____ m.
(not more than 13 months after the date of this Order)

G. The Clerk of the Circuit Court of Cook County shall mail CCP-0214 to the Respondent at the address set forth below informing the Respondent of the Respondent’s rights under §§11a-19 and 11a-20 of the Probate Act:

Respondent’s Name _____
 Street Address _____
 City/State/Zip _____

H. The Clerk of the Circuit Court of Cook County shall immediately notify the Department of State Police, Firearm Owner’s Identification Department (FOID), and forward a copy of this Court Order to the Department of State Police, Firearm Services Bureau, 801 S. 7th Street, Springfield, IL 62703, in accordance with §11a-24 of the Probate Act.

Full Name: _____ Gender _____
 [Last Name] [First Name] [Middle Name] (female) (male)
 Date of Birth: _____ FOID Number _____ (4826)

ENTERED:

Dated _____

Judge Judge’s No.

Attorney Number _____
 Name _____
 Firm Name _____
 Attorneys for _____
 Address _____
 City/State/Zip _____
 Telephone _____
 Email _____