

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

File No. _____

Estate of

_____ **A Person with a Disability**

ORDER APPOINTING LIMITED 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 Limited 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 the 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) lacks some but not all understanding or capacity to make or communicate responsible decisions concerning the care of his or her person;

(b) lacks some but not all of the ability to manage his or her estate or financial affairs;

4. Limited Guardianship will 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 legal disabilities to which the Respondent is subject are as follows: _____

8. The factual basis for the above findings of the Court is as follows: _____

IT IS ORDERED that:

A. _____
[printed name of the proposed Guardian]
be appointed as Limited Guardian of the _____ of the Respondent.
(estate) (estate and person)

B. _____
[printed name of the proposed Guardian]
be appointed as Limited Guardian of the person of the Respondent.

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

D. In the case of the Limited Guardian of the **estate**, the authority specifically reserved to the respondent be as follows:

