

## **INSTRUCTIONS FOR COMPLETING A PRIVATE GUARDIAN'S PRO SE SUPPLEMENTAL PETITION TO REINSTATE WARDSHIP**

These instructions outline the steps that you should follow when you wish to ask the court to reopen a case and to replace you as guardian for the child or children. These instructions only apply when your child's case closed after the judge appointed you as the child's legal guardian. If the judge closed the case for any other reason, you should consult with an attorney or research the law further to figure out your options and how to proceed. These instructions are intended to provide guidance and not legal advice. If you have any questions, you should talk to an attorney or research the law on your own. Remember that when you act as your own attorney, the court will hold you to the same standard to which it holds attorneys.

### **Filling out the Supplemental Petition**

The first step in this process, is filling out the paperwork properly. You should have two forms: 1) Private Guardian's Pro Se Supplemental Petition to Reinstate Wardship under 705 ILCS 405/2-33 and Terminate Private Guardianship and Return the Minor(s) to the Guardianship of D. Jean Ortega Piron, DCFS Administrator, and 2) Notice of Motion

- 1) Private Guardian's Pro Se Supplemental Petition to Reinstate Wardship under 705 ILCS 405/2-33 and Terminate Private Guardianship and Return the Minor(s) to the Guardianship of D. Jean Ortega Piron, DCFS Administrator.

This form is called the Supplemental Petition for short. To fill out the Supplemental Petition, start at the top and fill in the blanks. Put the child's or children's names wherever the form has a blank above or after minor(s). Put your name wherever the form has a blank above or after movant. For paragraphs two, three and five, make sure you use the exact dates that the court entered the orders. If you do not have all the information that you need, don't worry, you can go to the Clerk of the Circuit Court of Cook County's file room on the concourse level (basement) of the Juvenile Court Building and ask to look at the court file. The clerk may also be able to look up some information (such as case numbers, court calendar, judge's name, and the date that the guardian was appointed and the case was closed). When you go to the Clerk's Office make sure that you have a photo ID with you. When filling out the form, try to be as complete and as detailed as possible.

**(OVER)**

## 2) The Notice of Motion

The Notice of Motion is important because it lets everyone in the case know when and where the judge will hear the Supplemental Petition. It also shows the judge that you notified all the parties in the case about the Supplemental Petition. The Notice of Motion must be filled out and stapled on top of the Supplemental Petition before you file it with the clerk. The next step will show you how to get the court date and time that you need to complete the Notice of Motion. The last step will show you how to complete the Certificate of Service.

### **Scheduling and Filing the Supplemental Petition**

To schedule your Supplemental Petition, contact the court coordinator assigned to the courtroom where the petition will be heard. You may contact the coordinator in person or you may call the coordinator. (Court coordinator phone numbers are available through the Clerk's Office.) The court coordinator will give you a date for a hearing before the judge. This is the date that you will put on the Notice of Motion.

Bring your original Notice of Motion and Supplemental Petition to the Clerk's Office file room on the concourse level of the Juvenile Court Building to file them. The Clerk's Office may, but is not required to, make copies of the Notice of Motion and Supplemental Petition for you. It is best for you to bring enough copies so that there is one for you, the judge (the copy for the judge is called a courtesy copy, you do not "serve" it but deliver it to the court coordinator so that judge may read it before the hearing), the parents, and one for each of the attorneys in the case. The Clerk's Office will file stamp the original and copies for you. The Clerk's Office will keep the original for the court file and will return the file stamped copies for you.

### **Serving the Supplemental Petition**

The last thing that you need to do is serve the Notice of Motion and the Supplemental Petition. This should be done the same day that you file them with the Clerk's Office. This will allow you to complete and sign the Certificate of Service, which is the proof of service, prior to filing. If you are going to serve everyone in person, ask them to sign your copy of the Notice of Motion where it says "Received" next to their office or name. Be prepared to give your copy with all the original signatures to the courtroom clerk on the day you go to court. (This means you should make another copy for yourself). If you mail the Notice of Motion and the Supplemental Petition or do not have everyone sign that they received it, you will have to have your signature notarized.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
JUVENILE JUSTICE AND CHILD PROTECTION DEPARTMENT
CHILD PROTECTION DIVISION

In the interest of:

Minor(s)

No. \_\_\_\_\_

Calendar \_\_\_\_\_

Judge \_\_\_\_\_

NOTICE OF MOTION

To: State's Attorney, Calendar \_\_\_\_\_ (6th floor)

Received: \_\_\_\_\_

Public Guardian, Calendar \_\_\_\_\_ (4th floor)

Received: \_\_\_\_\_

DCFS Attorney, Calendar \_\_\_\_\_ (3rd floor)

Received: \_\_\_\_\_

Mother \_\_\_\_\_

Received: \_\_\_\_\_

Father \_\_\_\_\_

Received: \_\_\_\_\_

The Honorable \_\_\_\_\_, Calendar \_\_\_\_\_

On \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. or as soon thereafter as this case may be heard, I shall appear before the Honorable \_\_\_\_\_ or any Judge sitting in his/her stead, in Calendar \_\_\_\_\_ located at 2245 W. Ogden Avenue, Chicago Illinois, and present the following motion:

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that the above notices and any attached pleadings were personally delivered on \_\_\_\_\_, \_\_\_\_\_

[ ] (at least three days prior to date set for motion) or placed in the U.S. mail on \_\_\_\_\_, \_\_\_\_\_

[ ] (at least five days prior to date set for motion), with first class postage prepaid and directed to the parties at the addresses set forth above.

Movant's Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

SUBSCRIBED and SWORN to before me this \_\_\_\_\_

day of \_\_\_\_\_, \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

Residing in \_\_\_\_\_

My commission expires: \_\_\_\_\_

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
JUVENILE JUSTICE AND CHILD PROTECTION DEPARTMENT
CHILD PROTECTION DIVISION

In the interest of:

No. \_\_\_\_\_

Calendar \_\_\_\_\_

Judge \_\_\_\_\_

Minor(s)

PRIVATE GUARDIAN'S PRO SE SUPPLEMENTAL PETITION TO REINSTATE WARDSHIP UNDER
705 ILCS 405/2-33 TERMINATE PRIVATE GUARDIANSHIP AND RETURN THE MINOR-
RESPONDENT TO THE GUARDIANSHIP OF \_\_\_\_\_,
DCFS ADMINISTRATOR

NOW COMES the court-appointed Private Guardian, \_\_\_\_\_, pro se, and respectfully
petitions this Honorable Court to reinstate wardship of the above minor(s) under 705 ILCS 405/2-33, to reinvest jurisdic-
tion in the Juvenile Court, and to terminate the private guardianship and return the minor(s) to the full care, custody, and
guardianship of \_\_\_\_\_. In support of this motion the Private Guardian
states the following upon best information and belief.

1. The minor(s) \_\_\_\_\_ is/are \_\_\_\_\_
years old and was/were born on \_\_\_\_\_.

2. On \_\_\_\_\_, the minor(s) was/were removed from \_\_\_\_\_
\_\_\_\_\_ custody, wardship was then established, and guardianship of the minor(s)
was/were later granted to the DCFS Guardianship Administrator.

3. On \_\_\_\_\_, wardship and guardianship under the Juvenile Court Act were vacated
as to minor(s), and private Guardianship under the Probate Act of 1975 was granted to \_\_\_\_\_
\_\_\_\_\_ by a Child Protection Division Judge in Cook County.
The case was then closed.

4. At this time the minor(s) is/are not presently a ward of the court under Article II of the Juvenile Court Act, nor
is/are there any pending petition for adjudication of wardship.

5. Since the private guardianship was granted, Private Guardian has encountered the following problems in caring
for the minor(s):

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

6. Because of the problems encountered by the Private Guardian in caring for the minor(s), it is now in the best interest of the minor(s) that the private guardianship(s) be terminated and the minor(s) be returned to the full care, custody, and guardianship of \_\_\_\_\_, the current DCFS Guardianship Administrator.

WHEREFORE, for the reasons stated, the Private Guardian, \_\_\_\_\_, respectfully requests that this Court reinstate wardship of the minor under 705 ILCS 405/2-33, terminate the private guardianship, and return the minor(s) to the full care, custody, and guardianship of \_\_\_\_\_, the current DCFS Guardianship Administrator.

Respectfully submitted,

\_\_\_\_\_  
Movant-Private Guardian

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number