**Section 1600.431 Indirect Payments to Minors and Legally Disabled Persons**

Purpose. Sections 15-145(c), 15-190 and 15-191 of the Code allow SURS to make indirect payments to minors and persons under legal disability. This Section provides clarification of terms used in the statutory provisions and sets forth the procedure for handling these indirect payments.

a) Person Under Legal Disability. For purposes of Section 15-190 of the Illinois Pension Code:

1) A "person under legal disability" means a person age 18 or over who meets the definition of a "disabled person" under Section 11a-2 of the Illinois Probate Act of 1975 [755 ILCS 5/11a-2]. Any person acting or applying for benefits on behalf of the person under legal disability must provide SURS with a certified copy of a valid court order finding legal disability or an evaluation certifying legal disability signed by a licensed physician.

2) "Guardian" means a person who has been appointed the guardian over the property of the person under legal disability, or the guardian's successor. Any person acting in the capacity of guardian must provide SURS with a certified copy of the letters of appointment.

b) Minor Recipients. For purposes of Section 15-191 of the Illinois Pension Code:

1) "Minor" means an unmarried person under age 18.

2) "Guardian" means a person who has been appointed the guardian over the person or property of the minor, or the guardian's successor, by a court. Any person acting in the capacity of guardian must provide SURS with a certified copy of the letters of appointment.

(Source: Added at 32 Ill. Reg. 16515, effective September 25, 2008)