

**102ND GENERAL ASSEMBLY****State of Illinois****2021 and 2022****SB0080**

Introduced 2/3/2021, by Sen. Jil Tracy

SYNOPSIS AS INTRODUCED:

See Index

Amends the Probate Act of 1975. Provides that, in a case regarding temporary guardianship, if no limited or plenary guardian has been appointed in a case regarding temporary guardianship, the court may grant an extension up to an additional 60 days or until a limited or plenary guardian has been appointed. Provides that the court may appoint separate individuals or entities or co-guardians to act as the guardian of the person and the guardian of the estate of a person with a disability under certain circumstances. Provides that a guardian is entitled to reasonable and appropriate fees, if certain conditions are met. Provides that fees awarded to a guardian shall be considered as a first-class claim for administrative expenses and paid from the guardianship estate from the decedent's estate. Adds procedures regarding the succession of a new public guardian. Makes formatting changes in Sections concerning: definitions; statutory forms; short-term guardians; preliminary hearings; domestic violence orders of protection; sterilization of the ward; and notice of rights of the ward. Changes references to "best interest" to "best interests". Amends the Illinois Power of Attorney Act. Provides that if an agent seeks guardianship of the principal, the petition for guardianship must delineate the specific powers to be granted to the guardian that are not already included in the power of attorney.

LRB102 04047 LNS 14063 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Probate Act of 1975 is amended by changing
5 Sections 11a-1, 11a-3, 11a-3.1, 11a-3.2, 11a-4, 11a-5, 11a-8,
6 11a-10, 11a-10.1, 11a-12, 11a-17, 11a-17.1, 11a-18, 11a-18.3,
7 11a-19, 11a-20, 13-1, 18-10, 19-2, 25-4, and 27-1 and by
8 adding Section 11a-13.5 as follows:

9 (755 ILCS 5/11a-1) (from Ch. 110 1/2, par. 11a-1)

10 Sec. 11a-1. "Developmental disability" defined.†
11 "Developmental disability" means a disability which is
12 attributable to: (a) an intellectual disability, cerebral
13 palsy, epilepsy or autism; or to (b) any other condition which
14 results in impairment similar to that caused by an
15 intellectual disability and which requires services similar to
16 those required by persons with intellectual disabilities. Such
17 disability must originate before the age of 18 years, be
18 expected to continue indefinitely, and constitute a
19 substantial disability.

20 (Source: P.A. 99-143, eff. 7-27-15.)

21 (755 ILCS 5/11a-3) (from Ch. 110 1/2, par. 11a-3)

22 Sec. 11a-3. Adjudication of disability; Power to appoint

1 guardian.

2 (a) Upon the filing of a petition by a reputable person or
3 by the alleged person with a disability himself or on its own
4 motion, the court may adjudge a person to be a person with a
5 disability, but only if it has been demonstrated by clear and
6 convincing evidence that the person is a person with a
7 disability as defined in Section 11a-2. If the court adjudges
8 a person to be a person with a disability, the court may
9 appoint (1) a guardian of his person, if it has been
10 demonstrated by clear and convincing evidence that because of
11 his disability he lacks sufficient understanding or capacity
12 to make or communicate responsible decisions concerning the
13 care of his person, or (2) a guardian of his estate, if it has
14 been demonstrated by clear and convincing evidence that
15 because of his disability he is unable to manage his estate or
16 financial affairs, or (3) a guardian of his person and of his
17 estate. The court may appoint co-guardians in accordance with
18 Section 11a-15.

19 (b) Guardianship shall be utilized only as is necessary to
20 promote the well-being of the person with a disability, to
21 protect him from neglect, exploitation, or abuse, and to
22 encourage development of his maximum self-reliance and
23 independence. Guardianship shall be ordered only to the extent
24 necessitated by the individual's actual mental, physical and
25 adaptive limitations. The order shall conform with Sections
26 11a-12 and 11a-14.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 (755 ILCS 5/11a-3.1)

3 Sec. 11a-3.1. Appointment of standby guardian.

4 (a) The guardian of a person with a disability may
5 designate in any writing, including a will, a person qualified
6 to act under Section 11a-5 to be appointed as standby guardian
7 of the person or estate, or both, of the person with a
8 disability. The guardian may designate in any writing,
9 including a will, a person qualified to act under Section
10 11a-5 to be appointed as successor standby guardian of the
11 person or estate of the person with a disability, or both. The
12 designation must be witnessed by 2 or more credible witnesses
13 at least 18 years of age, neither of whom is the person
14 designated as the standby guardian. The designation may be
15 proved by any competent evidence. If the designation is
16 executed and attested in the same manner as a will, it shall
17 have prima facie validity. Prior to designating a proposed
18 standby guardian, the guardian shall consult with the person
19 with a disability to determine the preference of the person
20 with a disability as to the person who will serve as standby
21 guardian. The guardian shall give due consideration to the
22 preference of the person with a disability in selecting a
23 standby guardian.

24 (b) Upon the filing of a petition for the appointment of a
25 standby guardian, the court may appoint a standby guardian of

1 the person or estate, or both, of the person with a disability
2 as the court finds to be in the best interests ~~interest~~ of the
3 person with a disability. The court shall apply the same
4 standards used in determining the suitability of a plenary or
5 limited guardian in determining the suitability of a standby
6 guardian, giving due consideration to the preference of the
7 person with a disability as to a standby guardian. The court
8 may not appoint the Office of State Guardian, pursuant to
9 Section 30 of the Guardianship and Advocacy Act, or a public
10 guardian, pursuant to Section 13-5 of this Act, as a standby
11 guardian, without the written consent of the State Guardian or
12 public guardian or an authorized representative of the State
13 Guardian or public guardian.

14 (c) The standby guardian shall take and file an oath or
15 affirmation that the standby guardian will faithfully
16 discharge the duties of the office of standby guardian
17 according to law, and shall file in and have approved by the
18 court a bond binding the standby guardian so to do, but shall
19 not be required to file a bond until the standby guardian
20 assumes all duties as guardian of the person with a disability
21 under Section 11a-18.2.

22 (d) The designation of a standby guardian may, but need
23 not, be in the following form:

24 DESIGNATION OF STANDBY GUARDIAN

25 [IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

26 A standby guardian is someone who has been appointed

1 by the court as the person who will act as guardian of the
2 person with a disability when the guardian of the person
3 with a disability dies or is no longer willing or able to
4 make and carry out day-to-day care decisions concerning
5 the person with a disability. By properly completing this
6 form, a guardian is naming the person that the guardian
7 wants to be appointed as the standby guardian of the
8 person with a disability. Signing the form does not
9 appoint the standby guardian; to be appointed, a petition
10 must be filed in and approved by the court.]

11 1. Guardian and Ward. I, (insert name of designating
12 guardian), currently residing at (insert address of
13 designating guardian), am the guardian of the following
14 person with a disability: (insert name of ward).

15 2. Standby Guardian. I hereby designate the following
16 person to be appointed as standby guardian for my ward
17 listed above: (insert name and address of person
18 designated).

19 3. Successor Standby Guardian. If the person named in
20 item 2 above cannot or will not act as standby guardian, I
21 designate the following person to be appointed as
22 successor standby guardian for my ward: (insert name and
23 address of person designated).

24 4. Date and Signature. This designation is made this
25 (insert day) day of (insert month and year).

26 Signed: (designating guardian)

1 date of the appointment. The written instrument shall be
2 signed by, or at the direction of, the appointing guardian in
3 the presence of at least 2 credible witnesses at least 18 years
4 of age, neither of whom is the person appointed as the
5 short-term guardian. The person appointed as the short-term
6 guardian shall also sign the written instrument, but need not
7 sign at the same time as the appointing guardian. A guardian
8 may not appoint the Office of State Guardian or a public
9 guardian as a short-term guardian, without the written consent
10 of the State Guardian or public guardian or an authorized
11 representative of the State Guardian or public guardian.

12 (b) The appointment of the short-term guardian is
13 effective immediately upon the date the written instrument is
14 executed, unless the written instrument provides for the
15 appointment to become effective upon a later specified date or
16 event. A short-term guardian appointed by the guardian shall
17 have authority to act as guardian of the person with a
18 disability for a cumulative total of 60 days during any
19 12-month ~~12-month~~ period. Only one written instrument
20 appointing a short-term guardian may be in force at any given
21 time.

22 (c) Every appointment of a short-term guardian may be
23 amended or revoked by the appointing guardian at any time and
24 in any manner communicated to the short-term guardian or to
25 any other person. Any person other than the short-term
26 guardian to whom a revocation or amendment is communicated or

1 delivered shall make all reasonable efforts to inform the
2 short-term guardian of that fact as promptly as possible.

3 (d) The appointment of a short-term guardian or successor
4 short-term guardian does not affect the rights in the person
5 with a disability of any guardian other than the appointing
6 guardian.

7 (e) The written instrument appointing a short-term
8 guardian may, but need not, be in the following form:

9 APPOINTMENT OF SHORT-TERM GUARDIAN

10 [IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

11 By properly completing this form, a guardian is
12 appointing a short-term guardian of the person with a
13 disability for a cumulative total of up to 60 days during
14 any 12-month ~~12-month~~ period. A separate form shall be
15 completed each time a short-term guardian takes over
16 guardianship duties. The person or persons appointed as
17 the short-term guardian shall sign the form, but need not
18 do so at the same time as the guardian.]

19 1. Guardian and Ward. I, (insert name of appointing
20 guardian), currently residing at (insert address of
21 appointing guardian), am the guardian of the following
22 person with a disability: (insert name of ward).

23 2. Short-term Guardian. I hereby appoint the following
24 person as the short-term guardian for my ward: (insert
25 name and address of appointed person).

1 3. Effective date. This appointment becomes effective:
2 (check one if you wish it to be applicable)

3 () On the date that I state in writing that I am no
4 longer either willing or able to make and carry out
5 day-to-day care decisions concerning my ward.

6 () On the date that a physician familiar with my
7 condition certifies in writing that I am no longer willing
8 or able to make and carry out day-to-day care decisions
9 concerning my ward.

10 () On the date that I am admitted as an in-patient to
11 a hospital or other health care institution.

12 () On the following date: (insert date).

13 () Other: (insert other).

14 [NOTE: If this item is not completed, the appointment
15 is effective immediately upon the date the form is signed
16 and dated below.]

17 4. Termination. This appointment shall terminate on:
18 (enter a date corresponding to 60 days from the current
19 date, less the number of days within the past 12 months
20 that any short-term guardian has taken over guardianship
21 duties), unless it terminates sooner as determined by the
22 event or date I have indicated below: (check one if you
23 wish it to be applicable)

24 () On the date that I state in writing that I am
25 willing and able to make and carry out day-to-day care
26 decisions concerning my ward.

1 () On the date that a physician familiar with my
2 condition certifies in writing that I am willing and able
3 to make and carry out day-to-day care decisions concerning
4 my ward.

5 () On the date that I am discharged from the hospital
6 or other health care institution where I was admitted as
7 an in-patient, which established the effective date.

8 () On the date which is (state a number of days) days
9 after the effective date.

10 () Other: (insert other).

11 [NOTE: If this item is not completed, the appointment
12 will be effective until the 60th day within the past year
13 during which time any short-term guardian of this ward had
14 taken over guardianship duties from the guardian,
15 beginning on the effective date.]

16 5. Date and signature of appointing guardian. This
17 appointment is made this (insert day) day of (insert month
18 and year).

19 Signed: (appointing guardian)

20 6. Witnesses. I saw the guardian sign this instrument
21 or I saw the guardian direct someone to sign this
22 instrument for the guardian. Then I signed this instrument
23 as a witness in the presence of the guardian. I am not
24 appointed in this instrument to act as the short-term
25 guardian for the guardian's ward. (insert space for names,
26 addresses, and signatures of 2 witnesses)

1 7. Acceptance of short-term guardian. I accept this
 2 appointment as short-term guardian on this (insert day)
 3 day of (insert month and year).

4 Signed: (short-term guardian)

5 [END OF FORM].

6 (f) Each time the guardian appoints a short-term guardian,
 7 the guardian shall: (i) provide the person with a disability
 8 with the name, address, and telephone number of the short-term
 9 guardian; (ii) advise the person with a disability that he has
 10 the right to object to the appointment of the short-term
 11 guardian by filing a petition in court; and (iii) notify the
 12 person with a disability when the short-term guardian will be
 13 taking over guardianship duties and the length of time that
 14 the short-term guardian will be acting as guardian.

15 (Source: P.A. 99-143, eff. 7-27-15.)

16 (755 ILCS 5/11a-4) (from Ch. 110 1/2, par. 11a-4)

17 Sec. 11a-4. Temporary guardian.

18 (a) Prior to the appointment of a guardian under this
 19 Article, pending an appeal in relation to the appointment, or
 20 pending the completion of a citation proceeding brought
 21 pursuant to Section 23-3 of this Act, or upon a guardian's
 22 death, incapacity, or resignation, the court may appoint a
 23 temporary guardian upon a showing of the necessity therefor
 24 for the immediate welfare and protection of the alleged person
 25 with a disability or his or her estate on such notice and

1 subject to such conditions as the court may prescribe. In
2 determining the necessity for temporary guardianship, the
3 immediate welfare and protection of the alleged person with a
4 disability and his or her estate shall be of paramount
5 concern, and the interests of the petitioner, any care
6 provider, or any other party shall not outweigh the interests
7 of the alleged person with a disability. The temporary
8 guardian shall have the limited powers and duties of a
9 guardian of the person or of the estate which are specifically
10 enumerated by court order. The court order shall state the
11 actual harm identified by the court that necessitates
12 temporary guardianship or any extension thereof.

13 (b) The temporary guardianship shall expire within 60 days
14 after the appointment or whenever a guardian is regularly
15 appointed, whichever occurs first. No extension shall be
16 granted except:

17 (1) In a case where there has been an adjudication of
18 disability, an extension shall be granted:

19 (i) pending the disposition on appeal of an
20 adjudication of disability;

21 (ii) pending the completion of a citation
22 proceeding brought pursuant to Section 23-3;

23 (iii) pending the appointment of a successor
24 guardian in a case where the former guardian has
25 resigned, has become incapacitated, or is deceased; or

26 (iv) where the guardian's powers have been

1 suspended pursuant to a court order.

2 (2) In a case where there has not been an adjudication
3 of disability, an extension shall be granted pending the
4 disposition of a petition brought pursuant to Section
5 11a-8 so long as the court finds it is in the best
6 interests ~~interest~~ of the alleged person with a disability
7 to extend the temporary guardianship so as to protect the
8 alleged person with a disability from any potential abuse,
9 neglect, self-neglect, exploitation, or other harm and
10 such extension lasts no more than 120 days from the date
11 the temporary guardian was originally appointed.

12 The ward shall have the right any time after the
13 appointment of a temporary guardian is made to petition the
14 court to revoke the appointment of the temporary guardian.

15 (Source: P.A. 99-70, eff. 1-1-16; 99-143, eff. 7-27-15;
16 99-642, eff. 7-28-16.)

17 (755 ILCS 5/11a-5) (from Ch. 110 1/2, par. 11a-5)

18 Sec. 11a-5. Who may act as guardian.

19 (a) A person is qualified to act as guardian of the person
20 and as guardian of the estate of a person with a disability if
21 the court finds that the proposed guardian is capable of
22 providing an active and suitable program of guardianship for
23 the person with a disability and that the proposed guardian:

24 (1) has attained the age of 18 years;

25 (2) is a resident of the United States;

1 (3) is not of unsound mind;

2 (4) is not an adjudged person with a disability as
3 defined in this Act; and

4 (5) has not been convicted of a felony, unless the
5 court finds appointment of the person convicted of a
6 felony to be in the best interests of the person with a
7 disability, and as part of the best interests ~~interest~~
8 determination, the court has considered the nature of the
9 offense, the date of offense, and the evidence of the
10 proposed guardian's rehabilitation. No person shall be
11 appointed who has been convicted of a felony involving
12 harm or threat to a minor or an elderly person or a person
13 with a disability, including a felony sexual offense.

14 (b) Any public agency, or not-for-profit corporation found
15 capable by the court of providing an active and suitable
16 program of guardianship for the person with a disability,
17 taking into consideration the nature of such person's
18 disability and the nature of such organization's services, may
19 be appointed guardian of the person or of the estate, or both,
20 of the person with a disability. The court shall not appoint as
21 guardian an agency or employee of an agency that is directly
22 providing residential services to the ward. One person or
23 agency may be appointed guardian of the person and another
24 person or agency appointed guardian of the estate.

25 (b-5)(1) The court may appoint separate individuals or
26 entities to act as the guardian of the person and the guardian

1 of the estate of a person with a disability if the court finds
2 it is in the best interests of the person with a disability
3 that separate guardians be appointed. The court shall not
4 appoint a separate person or entity to act as guardian of the
5 person or guardian of the estate with a public guardian or the
6 Office of State Guardian unless the public guardian or the
7 Office of State Guardian agrees to such an appointment.

8 (2) The court may appoint co-guardians to act as guardian
9 of the person, guardian of the estate, or both the guardian of
10 the person and the guardian of the estate if the court finds it
11 is in the best interests of the person with a disability. When
12 considering appointing co-guardians, the court shall consider
13 the proposed co-guardians' history of cooperating and working
14 together on behalf of the person with a disability. The court
15 shall appoint only co-guardians who agree to serve together.
16 The court shall not appoint a public guardian or the Office of
17 State Guardian as a co-guardian for a person with a
18 disability.

19 (c) Any corporation qualified to accept and execute trusts
20 in this State may be appointed guardian of the estate of a
21 person with a disability.

22 (Source: P.A. 99-143, eff. 7-27-15; 100-756, eff. 1-1-19.)

23 (755 ILCS 5/11a-8) (from Ch. 110 1/2, par. 11a-8)

24 Sec. 11a-8. Petition. The petition for adjudication of
25 disability and for the appointment of a guardian of the estate

1 or the person or both of an alleged person with a disability
2 must state, if known or reasonably ascertainable: (a) the
3 relationship and interest of the petitioner to the respondent;
4 (b) the name, date of birth, and place of residence of the
5 respondent; (c) the reasons for the guardianship; (d) the name
6 and post office address of the respondent's guardian, if any,
7 or of the respondent's agent or agents appointed under the
8 Illinois Power of Attorney Act, if any; (e) the name and post
9 office addresses of the nearest relatives of the respondent in
10 the following order: (1) the spouse and adult children,
11 parents and adult brothers and sisters, if any; if none, (2)
12 nearest adult kindred known to the petitioner; (f) the name
13 and address of the person with whom or the facility in which
14 the respondent is residing; (g) the approximate value of the
15 personal and real estate; (h) the amount of the anticipated
16 annual gross income and other receipts; (i) the name, post
17 office address and in case of an individual, the age,
18 relationship to the respondent and occupation of the proposed
19 guardian. In addition, if the petition seeks the appointment
20 of a previously appointed standby guardian as guardian of the
21 person with a disability, the petition must also state: (j)
22 the facts concerning the standby guardian's previous
23 appointment and (k) the date of death of the guardian of the
24 person with a disability or the facts concerning the consent
25 of the guardian of the person with a disability to the
26 appointment of the standby guardian as guardian, or the

1 willingness and ability of the guardian of the person with a
2 disability to make and carry out day-to-day care decisions
3 concerning the person with a disability. A petition for
4 adjudication of disability and the appointment of a guardian
5 of the estate or the person or both of an alleged person with a
6 disability may not be dismissed or withdrawn without leave of
7 the court. A petitioner who seeks to revoke a power of attorney
8 for the alleged person with a disability must do so in
9 conformity with the Illinois Power of Attorney Act.

10 (Source: P.A. 99-143, eff. 7-27-15.)

11 (755 ILCS 5/11a-10) (from Ch. 110 1/2, par. 11a-10)

12 Sec. 11a-10. Procedures preliminary to hearing.

13 (a) Upon the filing of a petition pursuant to Section
14 11a-8, the court shall set a date and place for hearing to take
15 place within 30 days. The court shall appoint a guardian ad
16 litem to report to the court concerning the respondent's best
17 interests consistent with the provisions of this Section,
18 except that the appointment of a guardian ad litem shall not be
19 required when the court determines that such appointment is
20 not necessary for the protection of the respondent or a
21 reasonably informed decision on the petition. If the guardian
22 ad litem is not a licensed attorney, he or she shall be
23 qualified, by training or experience, to work with or advocate
24 for persons with developmental disabilities, the mentally ill,
25 persons with physical disabilities, the elderly, or persons

1 with a disability due to mental deterioration, depending on
2 the type of disability that is alleged in the petition. The
3 court may allow the guardian ad litem reasonable compensation.
4 The guardian ad litem may consult with a person who by training
5 or experience is qualified to work with persons with a
6 developmental disability, persons with mental illness, persons
7 with physical disabilities, or persons with a disability due
8 to mental deterioration, depending on the type of disability
9 that is alleged. The guardian ad litem shall personally
10 observe the respondent prior to the hearing and shall inform
11 him orally and in writing of the contents of the petition and
12 of his rights, including providing a copy of the notice of
13 rights required under subsection (e) ~~under Section 11a-11~~. The
14 guardian ad litem shall also attempt to elicit the
15 respondent's position concerning the adjudication of
16 disability, the proposed guardian, a proposed change in
17 residential placement, changes in care that might result from
18 the guardianship, and other areas of inquiry deemed
19 appropriate by the court. Notwithstanding any provision in the
20 Mental Health and Developmental Disabilities Confidentiality
21 Act or any other law, a guardian ad litem shall have the right
22 to inspect and copy any medical or mental health record of the
23 respondent which the guardian ad litem deems necessary,
24 provided that the information so disclosed shall not be
25 utilized for any other purpose nor be redisclosed except in
26 connection with the proceedings. At or before the hearing, the

1 guardian ad litem shall file a written report detailing his or
2 her observations of the respondent, the responses of the
3 respondent to any of the inquiries detailed in this Section,
4 the opinion of the guardian ad litem or other professionals
5 with whom the guardian ad litem consulted concerning the
6 appropriateness of guardianship, and any other material issue
7 discovered by the guardian ad litem. The guardian ad litem
8 shall appear at the hearing and testify as to any issues
9 presented in his or her report.

10 (b) The court (1) may appoint counsel for the respondent,
11 if the court finds that the interests of the respondent will be
12 best served by the appointment, and (2) shall appoint counsel
13 upon respondent's request or if the respondent takes a
14 position adverse to that of the guardian ad litem. The
15 respondent shall be permitted to obtain the appointment of
16 counsel either at the hearing or by any written or oral request
17 communicated to the court prior to the hearing. The summons
18 shall inform the respondent of this right to obtain appointed
19 counsel. The court may allow counsel for the respondent
20 reasonable compensation.

21 (c) If the respondent is unable to pay the fee of the
22 guardian ad litem or appointed counsel, or both, the court may
23 enter an order for the petitioner to pay all such fees or such
24 amounts as the respondent or the respondent's estate may be
25 unable to pay. However, in cases where the Office of State
26 Guardian is the petitioner, consistent with Section 30 of the

1 Guardianship and Advocacy Act, where the public guardian is
2 the petitioner, consistent with Section 13-5 of this Act,
3 where an adult protective services agency is the petitioner,
4 pursuant to Section 9 of the Adult Protective Services Act, or
5 where the Department of Children and Family Services is the
6 petitioner under subparagraph (d) of subsection (1) of Section
7 2-27 of the Juvenile Court Act of 1987, no guardian ad litem or
8 legal fees shall be assessed against the Office of State
9 Guardian, the public guardian, the adult protective services
10 agency, or the Department of Children and Family Services.

11 (d) The hearing may be held at such convenient place as the
12 court directs, including at a facility in which the respondent
13 resides.

14 (e) Unless he is the petitioner, the respondent shall be
15 personally served with a copy of the petition and a summons not
16 less than 14 days before the hearing. The summons shall be
17 printed in large, bold type and shall include the following
18 notice:

19 NOTICE OF RIGHTS OF RESPONDENT

20 You have been named as a respondent in a guardianship
21 petition asking that you be declared a person with a
22 disability. If the court grants the petition, a guardian will
23 be appointed for you. A copy of the guardianship petition is
24 attached for your convenience.

25 The date and time of the hearing are:

26 The place where the hearing will occur is:

1 The Judge's name and phone number is:

2 If a guardian is appointed for you, the guardian may be
3 given the right to make all important personal decisions for
4 you, such as where you may live, what medical treatment you may
5 receive, what places you may visit, and who may visit you. A
6 guardian may also be given the right to control and manage your
7 money and other property, including your home, if you own one.
8 You may lose the right to make these decisions for yourself.

9 You have the following legal rights:

10 (1) You have the right to be present at the court
11 hearing.

12 (2) You have the right to be represented by a lawyer,
13 either one that you retain, or one appointed by the Judge.

14 (3) You have the right to ask for a jury of six persons
15 to hear your case.

16 (4) You have the right to present evidence to the
17 court and to confront and cross-examine witnesses.

18 (5) You have the right to ask the Judge to appoint an
19 independent expert to examine you and give an opinion
20 about your need for a guardian.

21 (6) You have the right to ask that the court hearing be
22 closed to the public.

23 (7) You have the right to tell the court whom you
24 prefer to have for your guardian.

25 You do not have to attend the court hearing if you do not
26 want to be there. If you do not attend, the Judge may appoint a

1 guardian if the Judge finds that a guardian would be of benefit
2 to you. The hearing will not be postponed or canceled if you do
3 not attend. If you are unable to attend the hearing in person
4 or you will suffer harm if you attend, the Judge can decide to
5 hold the hearing at a place that is convenient. The Judge can
6 also follow the rule of the Supreme Court of this State, or its
7 local equivalent, and decide if a video conference is
8 appropriate.

9 IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO
10 NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE
11 PERSON NAMED IN THE GUARDIANSHIP PETITION TO BE YOUR GUARDIAN.
12 IF YOU DO NOT WANT A GUARDIAN OR IF YOU HAVE ANY OTHER
13 PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND
14 TELL THE JUDGE.

15 Service of summons and the petition may be made by a
16 private person 18 years of age or over who is not a party to
17 the action.

18 [END OF FORM]

19 (f) Notice of the time and place of the hearing shall be
20 given by the petitioner by mail or in person to those persons,
21 including the proposed guardian, whose names and addresses
22 appear in the petition and who do not waive notice, not less
23 than 14 days before the hearing.

24 (Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16;
25 100-201, eff. 8-18-17; 100-427, eff. 1-1-18.)

1 (755 ILCS 5/11a-10.1) (from Ch. 110 1/2, par. 11a-10.1)

2 Sec. 11a-10.1. Domestic Violence: Order of Protection. An
3 order of protection, as defined in the Illinois Domestic
4 Violence Act of 1986, ~~as amended~~, may be issued in conjunction
5 with a proceeding for adjudication of disability and
6 appointment of guardian if the petition for an order of
7 protection alleges that a person who is party to or the subject
8 of the proceeding has been abused by or has abused a family or
9 household member or has been neglected or exploited as defined
10 in the Illinois Domestic Violence Act of 1986, ~~as amended~~.

11 If the subject of the order of protection is a high-risk
12 adult with disabilities for whom a guardian has been
13 appointed, the court may appoint a temporary substitute
14 guardian under the provisions of this Act. The court shall
15 appoint a temporary substitute guardian if the appointed
16 guardian is named as a respondent in a petition for an order of
17 protection under the Illinois Domestic Violence Act of 1986, ~~as amended~~.
18 ~~as amended~~. The Illinois Domestic Violence Act of 1986 shall
19 govern the issuance, enforcement and recording of orders of
20 protection issued under this Section.

21 (Source: P.A. 86-542.)

22 (755 ILCS 5/11a-12) (from Ch. 110 1/2, par. 11a-12)

23 Sec. 11a-12. Order of appointment.†

24 (a) If basis for the appointment of a guardian as
25 specified in Section 11a-3 is not found, the court shall

1 dismiss the petition.

2 (b) If the respondent is adjudged to be a person with a
3 disability and to lack some but not all of the capacity as
4 specified in Section 11a-3, and if the court finds that
5 guardianship is necessary for the protection of the person
6 with a disability, his or her estate, or both, the court shall
7 appoint a limited guardian for the respondent's person or
8 estate or both. The court shall enter a written order stating
9 the factual basis for its findings and specifying the duties
10 and powers of the guardian and the legal disabilities to which
11 the respondent is subject.

12 (c) If the respondent is adjudged to be a person with a
13 disability and to be totally without capacity as specified in
14 Section 11a-3, and if the court finds that limited
15 guardianship will not provide sufficient protection for the
16 person with a disability, his or her estate, or both, the court
17 shall appoint a plenary guardian for the respondent's person
18 or estate or both. The court shall enter a written order
19 stating the factual basis for its findings.

20 (d) The selection of the guardian shall be in the
21 discretion of the court, which shall give due consideration to
22 the preference of the person with a disability as to a
23 guardian, as well as the qualifications of the proposed
24 guardian, in making its appointment. However, the paramount
25 concern in the selection of the guardian is the best interests
26 ~~interest~~ and well-being of the person with a disability.

1 (e) The order of appointment of a guardian of the person in
2 any county with a population of less than 3 million shall
3 include the requirement that the guardian of the person
4 complete the training program as provided in Section 33.5 of
5 the Guardianship and Advocacy Act that outlines the
6 responsibilities of the guardian of the person and the rights
7 of the person under guardianship and file with the court a
8 certificate of completion one year from the date of issuance
9 of the letters of guardianship, except that: (1) the chief
10 judge of any circuit may order implementation of another
11 training program by a suitable provider containing
12 substantially similar content; (2) employees of the Office of
13 the State Guardian, public guardians, attorneys currently
14 authorized to practice law, corporate fiduciaries, and persons
15 certified by the Center for Guardianship Certification are
16 exempt from this training requirement; and (3) the court may,
17 for good cause shown, exempt from this requirement an
18 individual not otherwise listed in item (2). For the purposes
19 of this subsection (e), good cause may be proven by affidavit.
20 If the court finds good cause to exempt an individual from the
21 training requirement, the order of appointment shall so state.
22 (Source: P.A. 99-143, eff. 7-27-15; 100-483, eff. 9-8-18.)

23 (755 ILCS 5/11a-13.5 new)

24 Sec. 11a-13.5. Guardian fees. A guardian is entitled to
25 reasonable and appropriate compensation for services related

1 to guardianship duties, but all fees must be reviewed and
2 approved by the court pursuant to a fee petition. In
3 considering the reasonableness of any fee petition brought by
4 a guardian under this Section, the court shall consider the
5 following:

6 (1) the powers and duties assigned to the guardian by
7 the court;

8 (2) the necessity of any services provided;

9 (3) the time required, the degree of difficulty, and
10 the experience needed to complete the task;

11 (4) the needs of the ward and the costs of
12 alternatives; and

13 (5) other facts and circumstances material to the best
14 interests of the ward or his or her estate.

15 Fees awarded under this Section shall be considered as a
16 first-class claim for administrative expenses and paid from
17 the guardianship estate or from the decedent's estate as set
18 forth in Section 18-10.

19 (755 ILCS 5/11a-17) (from Ch. 110 1/2, par. 11a-17)

20 Sec. 11a-17. Duties of personal guardian.

21 (a) To the extent ordered by the court and under the
22 direction of the court, the guardian of the person shall have
23 custody of the ward and the ward's minor and adult dependent
24 children and shall procure for them and shall make provision
25 for their support, care, comfort, health, education and

1 maintenance, and professional services as are appropriate, but
2 the ward's spouse may not be deprived of the custody and
3 education of the ward's minor and adult dependent children,
4 without the consent of the spouse, unless the court finds that
5 the spouse is not a fit and competent person to have that
6 custody and education. The guardian shall assist the ward in
7 the development of maximum self-reliance and independence. The
8 guardian of the person may petition the court for an order
9 directing the guardian of the estate to pay an amount
10 periodically for the provision of the services specified by
11 the court order. If the ward's estate is insufficient to
12 provide for education and the guardian of the ward's person
13 fails to provide education, the court may award the custody of
14 the ward to some other person for the purpose of providing
15 education. If a person makes a settlement upon or provision
16 for the support or education of a ward, the court may make an
17 order for the visitation of the ward by the person making the
18 settlement or provision as the court deems proper. A guardian
19 of the person may not admit a ward to a mental health facility
20 except at the ward's request as provided in Article IV of the
21 Mental Health and Developmental Disabilities Code and unless
22 the ward has the capacity to consent to such admission as
23 provided in Article IV of the Mental Health and Developmental
24 Disabilities Code.

25 (a-3) If a guardian of an estate has not been appointed,
26 the guardian of the person may, without an order of court,

1 open, maintain, and transfer funds to an ABLE account on
2 behalf of the ward and the ward's minor and adult dependent
3 children as specified under Section 16.6 of the State
4 Treasurer Act.

5 (a-5) If the ward filed a petition for dissolution of
6 marriage under the Illinois Marriage and Dissolution of
7 Marriage Act before the ward was adjudicated a person with a
8 disability under this Article, the guardian of the ward's
9 person and estate may maintain that action for dissolution of
10 marriage on behalf of the ward. Upon petition by the guardian
11 of the ward's person or estate, the court may authorize and
12 direct a guardian of the ward's person or estate to file a
13 petition for dissolution of marriage or to file a petition for
14 legal separation or declaration of invalidity of marriage
15 under the Illinois Marriage and Dissolution of Marriage Act on
16 behalf of the ward if the court finds by clear and convincing
17 evidence that the relief sought is in the ward's best
18 interests. In making its determination, the court shall
19 consider the standards set forth in subsection (e) of this
20 Section.

21 (a-10) Upon petition by the guardian of the ward's person
22 or estate, the court may authorize and direct a guardian of the
23 ward's person or estate to consent, on behalf of the ward, to
24 the ward's marriage pursuant to Part II of the Illinois
25 Marriage and Dissolution of Marriage Act if the court finds by
26 clear and convincing evidence that the marriage is in the

1 ward's best interests. In making its determination, the court
2 shall consider the standards set forth in subsection (e) of
3 this Section. Upon presentation of a court order authorizing
4 and directing a guardian of the ward's person and estate to
5 consent to the ward's marriage, the county clerk shall accept
6 the guardian's application, appearance, and signature on
7 behalf of the ward for purposes of issuing a license to marry
8 under Section 203 of the Illinois Marriage and Dissolution of
9 Marriage Act.

10 (b) If the court directs, the guardian of the person shall
11 file with the court at intervals indicated by the court, a
12 report that shall state briefly: (1) the current mental,
13 physical, and social condition of the ward and the ward's
14 minor and adult dependent children; (2) their present living
15 arrangement, and a description and the address of every
16 residence where they lived during the reporting period and the
17 length of stay at each place; (3) a summary of the medical,
18 educational, vocational, and other professional services given
19 to them; (4) a resume of the guardian's visits with and
20 activities on behalf of the ward and the ward's minor and adult
21 dependent children; (5) a recommendation as to the need for
22 continued guardianship; (6) any other information requested by
23 the court or useful in the opinion of the guardian. The Office
24 of the State Guardian shall assist the guardian in filing the
25 report when requested by the guardian. The court may take such
26 action as it deems appropriate pursuant to the report.

1 (c) Absent court order pursuant to the Illinois Power of
2 Attorney Act directing a guardian to exercise powers of the
3 principal under an agency that survives disability, the
4 guardian has no power, duty, or liability with respect to any
5 personal or health care matters covered by the agency. This
6 subsection (c) applies to all agencies, whenever and wherever
7 executed.

8 (d) A guardian acting as a surrogate decision maker under
9 the Health Care Surrogate Act shall have all the rights of a
10 surrogate under that Act without court order including the
11 right to make medical treatment decisions such as decisions to
12 forgo or withdraw life-sustaining treatment. Any decisions by
13 the guardian to forgo or withdraw life-sustaining treatment
14 that are not authorized under the Health Care Surrogate Act
15 shall require a court order. Nothing in this Section shall
16 prevent an agent acting under a power of attorney for health
17 care from exercising his or her authority under the Illinois
18 Power of Attorney Act without further court order, unless a
19 court has acted under Section 2-10 of the Illinois Power of
20 Attorney Act. If a guardian is also a health care agent for the
21 ward under a valid power of attorney for health care, the
22 guardian acting as agent may execute his or her authority
23 under that act without further court order.

24 (e) Decisions made by a guardian on behalf of a ward shall
25 be made in accordance with the following standards for
26 decision making. Decisions made by a guardian on behalf of a

1 ward may be made by conforming as closely as possible to what
2 the ward, if competent, would have done or intended under the
3 circumstances, taking into account evidence that includes, but
4 is not limited to, the ward's personal, philosophical,
5 religious and moral beliefs, and ethical values relative to
6 the decision to be made by the guardian. Where possible, the
7 guardian shall determine how the ward would have made a
8 decision based on the ward's previously expressed preferences,
9 and make decisions in accordance with the preferences of the
10 ward. If the ward's wishes are unknown and remain unknown
11 after reasonable efforts to discern them, the decision shall
12 be made on the basis of the ward's best interests as determined
13 by the guardian. In determining the ward's best interests, the
14 guardian shall weigh the reason for and nature of the proposed
15 action, the benefit or necessity of the action, the possible
16 risks and other consequences of the proposed action, and any
17 available alternatives and their risks, consequences and
18 benefits, and shall take into account any other information,
19 including the views of family and friends, that the guardian
20 believes the ward would have considered if able to act for
21 herself or himself.

22 (f) Upon petition by any interested person (including the
23 standby or short-term guardian), with such notice to
24 interested persons as the court directs and a finding by the
25 court that it is in the best interests ~~interest~~ of the person
26 with a disability, the court may terminate or limit the

1 authority of a standby or short-term guardian or may enter
2 such other orders as the court deems necessary to provide for
3 the best interests ~~interest~~ of the person with a disability.
4 The petition for termination or limitation of the authority of
5 a standby or short-term guardian may, but need not, be
6 combined with a petition to have another guardian appointed
7 for the person with a disability.

8 (g) (1) Unless there is a court order to the contrary, the
9 guardian, consistent with the standards set forth in
10 subsection (e) of this Section, shall use reasonable efforts
11 to notify the ward's known adult children, who have requested
12 notification and provided contact information, of the ward's
13 admission to a hospital, ~~or~~ hospice or palliative care
14 program, the ward's death, and the arrangements for the
15 disposition of the ward's remains.

16 (2) If a guardian unreasonably prevents an adult child,
17 spouse, adult grandchild, parent, or adult sibling of the ward
18 from visiting the ward, the court, upon a verified petition,
19 may order the guardian to permit visitation between the ward
20 and the adult child, spouse, adult grandchild, parent, or
21 adult sibling. In making its determination, the court shall
22 consider the standards set forth in subsection (e) of this
23 Section. The court shall not allow visitation if the court
24 finds that the ward has capacity to evaluate and communicate
25 decisions regarding visitation and expresses a desire not to
26 have visitation with the petitioner. This subsection (g) does

1 not apply to duly appointed public guardians or the Office of
2 State Guardian.

3 (Source: P.A. 100-1054, eff. 1-1-19; 101-329, eff. 8-9-19.)

4 (755 ILCS 5/11a-17.1)

5 Sec. 11a-17.1. Sterilization of ward.

6 (a) A guardian of the person shall not consent to the
7 sterilization of the ward without first obtaining an order
8 from the court granting the guardian the authority to provide
9 consent. For purposes of this Article XIa, "sterilization"
10 means any procedure that has as its purpose rendering the ward
11 permanently incapable of reproduction; provided, however, that
12 an order from the court is not required for a procedure that is
13 medically necessary to preserve the life of the ward or to
14 prevent serious impairment to the health of the ward and which
15 may result in sterilization.

16 (b) A guardian seeking authority to consent to the
17 sterilization of the ward shall seek such authority by filing
18 a verified motion. The verified motion shall allege facts
19 which demonstrate that the proposed sterilization is warranted
20 under subsection (f), (g) or (h) of this Section. The guardian
21 ad litem will notify the ward of the motion in the manner set
22 forth in subsection (c) of this Section.

23 (c) Upon the filing of a verified motion for authority to
24 consent to sterilization, the court shall appoint a guardian
25 ad litem to report to the court consistent with the provisions

1 of this Section. If the guardian ad litem is not a licensed
2 attorney, he or she shall be qualified, by training or
3 experience, to work with or advocate for persons with a
4 developmental disability, mental illness, physical disability,
5 or disability because of mental deterioration, depending on
6 the type of disability of the ward that is alleged in the
7 motion. The court may allow the guardian ad litem reasonable
8 compensation. The guardian ad litem may consult with a person
9 who by training or experience is qualified to work with
10 persons with a developmental disability, mental illness,
11 physical disability, or disability because of mental
12 deterioration, depending on the type of disability of the ward
13 that is alleged. The guardian ad litem may also consult with
14 health care providers knowledgeable about reproductive health
15 matters including sterilization, other forms of contraception,
16 and childbirth. Outside the presence of the guardian, the
17 guardian ad litem shall personally observe the ward prior to
18 the hearing and shall inform the ward orally and in writing of
19 the contents of the verified motion for authority to consent
20 to sterilization. Outside the presence of the guardian, the
21 guardian ad litem shall also attempt to elicit the ward's
22 position concerning the motion, and any other areas of inquiry
23 deemed appropriate by the court. At or before the hearing, the
24 guardian ad litem shall file a written report detailing his or
25 her observations of the ward; the responses of the ward to any
26 of the inquiries detailed in this Section; the opinion of the

1 guardian ad litem and any other professionals with whom the
2 guardian ad litem consulted concerning the ward's
3 understanding of and desire for or objection to, as well as
4 what is in the ward's best interests ~~interest~~ relative to,
5 sterilization, other forms of contraception, and childbirth;
6 and any other material issue discovered by the guardian ad
7 litem. The guardian ad litem shall appear at the hearing and
8 testify, and may present witnesses, as to any issues presented
9 in his or her report.

10 (d) The court (1) may appoint counsel for the ward if the
11 court finds that the interests of the ward will be best served
12 by the appointment, and (2) shall appoint counsel upon the
13 ward's request, if the ward is objecting to the proposed
14 sterilization, or if the ward takes a position adverse to that
15 of the guardian ad litem. The ward shall be permitted to obtain
16 the appointment of counsel either at the hearing or by any
17 written or oral request communicated to the court prior to the
18 hearing. The court shall inform the ward of this right to
19 obtain appointed counsel. The court may allow counsel for the
20 ward reasonable compensation.

21 (e) The court shall order a medical and psychological
22 evaluation of the ward. The evaluation shall address the
23 ward's decision-making ~~decision-making~~ capacity with respect
24 to the proposed sterilization, the existence of any less
25 permanent alternatives, and any other material issue.

26 (f) The court shall determine, as a threshold inquiry,

1 whether the ward has capacity to consent or withhold consent
2 to the proposed sterilization and, if the ward lacks such
3 capacity, whether the ward is likely to regain such capacity.
4 The ward shall not be deemed to lack such capacity solely on
5 the basis of the adjudication of disability and appointment of
6 a guardian. In determining capacity, the court shall consider
7 whether the ward is able, after being provided appropriate
8 information, to understand the relationship between sexual
9 activity and reproduction; the consequences of reproduction;
10 and the nature and consequences of the proposed sterilization
11 procedure. If the court finds that (1) the ward has capacity to
12 consent or withhold consent to the proposed sterilization, and
13 (2) the ward objects or consents to the procedure, the court
14 shall enter an order consistent with the ward's objection or
15 consent and the proceedings on the verified motion shall be
16 terminated.

17 (g) If the court finds that the ward does not have capacity
18 to consent or withhold consent to the proposed sterilization
19 and is unlikely to regain such capacity, the court shall
20 determine whether the ward is expressing a clear desire for
21 the proposed sterilization. If the ward is expressing a clear
22 desire for the proposed sterilization, the court's decision
23 regarding the proposed sterilization shall be made in
24 accordance with the standards set forth in subsection (e) of
25 Section 11a-17 of this Act.

26 (h) If the court finds that the ward does not have capacity

1 to consent or withhold consent to the proposed sterilization
2 and is unlikely to regain such capacity, and that the ward is
3 not expressing a clear desire for the proposed sterilization,
4 the court shall consider the standards set forth in subsection
5 (e) of Section 11a-17 of this Act and enter written findings of
6 fact and conclusions of law addressing those standards. In
7 addition, the court shall not authorize the guardian to
8 consent to the proposed sterilization unless the court finds,
9 by clear and convincing evidence and based on written findings
10 of fact and conclusions of law, that all of the following
11 factors are present:

12 (1) The ward lacks decisional capacity regarding the
13 proposed sterilization.

14 (2) The ward is fertile and capable of procreation.

15 (3) The benefits to the ward of the proposed
16 sterilization outweigh the harm.

17 (4) The court has considered less intrusive
18 alternatives and found them to be inadequate in this case.

19 (5) The proposed sterilization is in the best
20 interests ~~interest~~ of the ward. In considering the ward's
21 best interests ~~interest~~, the court shall consider the
22 following factors:

23 (A) The possibility that the ward will experience
24 trauma or psychological damage if he or she has a child
25 and, conversely, the possibility of trauma or
26 psychological damage from the proposed sterilization.

1 (B) The ward is or is likely to become sexually
2 active.

3 (C) The inability of the ward to understand
4 reproduction or contraception and the likely
5 permanence of that inability.

6 (D) Any other factors that assist the court in
7 determining the best interests ~~interest~~ of the ward
8 relative to the proposed sterilization.

9 (Source: P.A. 96-272, eff. 1-1-10.)

10 (755 ILCS 5/11a-18) (from Ch. 110 1/2, par. 11a-18)

11 Sec. 11a-18. Duties of the estate guardian.

12 (a) To the extent specified in the order establishing the
13 guardianship, the guardian of the estate shall have the care,
14 management and investment of the estate, shall manage the
15 estate frugally and shall apply the income and principal of
16 the estate so far as necessary for the comfort and suitable
17 support and education of the ward, his minor and adult
18 dependent children, and persons related by blood or marriage
19 who are dependent upon or entitled to support from him, or for
20 any other purpose which the court deems to be for the best
21 interests of the ward, and the court may approve the making on
22 behalf of the ward of such agreements as the court determines
23 to be for the ward's best interests. The guardian may make
24 disbursement of his ward's funds and estate directly to the
25 ward or other distributee or in such other manner and in such

1 amounts as the court directs. If the estate of a ward is
2 derived in whole or in part from payments of compensation,
3 adjusted compensation, pension, insurance or other similar
4 benefits made directly to the estate by the Veterans
5 Administration, notice of the application for leave to invest
6 or expend the ward's funds or estate, together with a copy of
7 the petition and proposed order, shall be given to the
8 Veterans' Administration Regional Office in this State at
9 least 7 days before the hearing on the application.

10 (a-5) The probate court, upon petition of a guardian,
11 other than the guardian of a minor, and after notice to all
12 other persons interested as the court directs, may authorize
13 the guardian to exercise any or all powers over the estate and
14 business affairs of the ward that the ward could exercise if
15 present and not under disability. The court may authorize the
16 taking of an action or the application of funds not required
17 for the ward's current and future maintenance and support in
18 any manner approved by the court as being in keeping with the
19 ward's wishes so far as they can be ascertained. The court must
20 consider the permanence of the ward's disabling condition and
21 the natural objects of the ward's bounty. In ascertaining and
22 carrying out the ward's wishes the court may consider, but
23 shall not be limited to, minimization of State or federal
24 income, estate, or inheritance taxes; and providing gifts to
25 charities, relatives, and friends that would be likely
26 recipients of donations from the ward. The ward's wishes as

1 best they can be ascertained shall be carried out, whether or
2 not tax savings are involved. Actions or applications of funds
3 may include, but shall not be limited to, the following:

4 (1) making gifts of income or principal, or both, of
5 the estate, either outright or in trust;

6 (2) conveying, releasing, or disclaiming his or her
7 contingent and expectant interests in property, including
8 marital property rights and any right of survivorship
9 incident to joint tenancy or tenancy by the entirety;

10 (3) releasing or disclaiming his or her powers as
11 trustee, personal representative, custodian for minors, or
12 guardian;

13 (4) exercising, releasing, or disclaiming his or her
14 powers as donee of a power of appointment;

15 (5) entering into contracts;

16 (6) creating for the benefit of the ward or others,
17 revocable or irrevocable trusts of his or her property
18 that may extend beyond his or her disability or life;

19 (7) exercising options of the ward to purchase or
20 exchange securities or other property;

21 (8) exercising the rights of the ward to elect benefit
22 or payment options, to terminate, to change beneficiaries
23 or ownership, to assign rights, to borrow, or to receive
24 cash value in return for a surrender of rights under any
25 one or more of the following:

26 (i) life insurance policies, plans, or benefits,

- 1 (ii) annuity policies, plans, or benefits,
2 (iii) mutual fund and other dividend investment
3 plans,
4 (iv) retirement, profit sharing, and employee
5 welfare plans and benefits;
- 6 (9) exercising his or her right to claim or disclaim
7 an elective share in the estate of his or her deceased
8 spouse and to renounce any interest by testate or
9 intestate succession or by inter vivos transfer;
- 10 (10) changing the ward's residence or domicile; or
- 11 (11) modifying by means of codicil or trust amendment
12 the terms of the ward's will or any revocable trust
13 created by the ward, as the court may consider advisable
14 in light of changes in applicable tax laws.

15 The guardian in his or her petition shall briefly outline
16 the action or application of funds for which he or she seeks
17 approval, the results expected to be accomplished thereby, and
18 the tax savings, if any, expected to accrue. The proposed
19 action or application of funds may include gifts of the ward's
20 personal property or real estate, but transfers of real estate
21 shall be subject to the requirements of Section 20 of this Act.
22 Gifts may be for the benefit of prospective legatees,
23 devisees, or heirs apparent of the ward or may be made to
24 individuals or charities in which the ward is believed to have
25 an interest. The guardian shall also indicate in the petition
26 that any planned disposition is consistent with the intentions

1 of the ward insofar as they can be ascertained, and if the
2 ward's intentions cannot be ascertained, the ward will be
3 presumed to favor reduction in the incidents of various forms
4 of taxation and the partial distribution of his or her estate
5 as provided in this subsection. The guardian shall not,
6 however, be required to include as a beneficiary or fiduciary
7 any person who he has reason to believe would be excluded by
8 the ward. A guardian shall be required to investigate and
9 pursue a ward's eligibility for governmental benefits.

10 (a-6) The guardian may, without an order of court, open,
11 maintain, and transfer funds to an ABLE account on behalf of
12 the ward and the ward's minor and adult dependent children as
13 specified under Section 16.6 of the State Treasurer Act.

14 (b) Upon the direction of the court which issued his
15 letters, a guardian may perform the contracts of his ward
16 which were legally subsisting at the time of the commencement
17 of the ward's disability. The court may authorize the guardian
18 to execute and deliver any bill of sale, deed or other
19 instrument.

20 (c) The guardian of the estate of a ward shall appear for
21 and represent the ward in all legal proceedings unless another
22 person is appointed for that purpose as guardian or next
23 friend. This does not impair the power of any court to appoint
24 a guardian ad litem or next friend to defend the interests of
25 the ward in that court, or to appoint or allow any person as
26 the next friend of a ward to commence, prosecute or defend any

1 proceeding in his behalf. Without impairing the power of the
2 court in any respect, if the guardian of the estate of a ward
3 and another person as next friend shall appear for and
4 represent the ward in a legal proceeding in which the
5 compensation of the attorney or attorneys representing the
6 guardian and next friend is solely determined under a
7 contingent fee arrangement, the guardian of the estate of the
8 ward shall not participate in or have any duty to review the
9 prosecution of the action, to participate in or review the
10 appropriateness of any settlement of the action, or to
11 participate in or review any determination of the
12 appropriateness of any fees awarded to the attorney or
13 attorneys employed in the prosecution of the action.

14 (d) Adjudication of disability shall not revoke or
15 otherwise terminate a trust which is revocable by the ward. A
16 guardian of the estate shall have no authority to revoke a
17 trust that is revocable by the ward, except that the court may
18 authorize a guardian to revoke a Totten trust or similar
19 deposit or withdrawable capital account in trust to the extent
20 necessary to provide funds for the purposes specified in
21 paragraph (a) of this Section. If the trustee of any trust for
22 the benefit of the ward has discretionary power to apply
23 income or principal for the ward's benefit, the trustee shall
24 not be required to distribute any of the income or principal to
25 the guardian of the ward's estate, but the guardian may bring
26 an action on behalf of the ward to compel the trustee to

1 exercise the trustee's discretion or to seek relief from an
2 abuse of discretion. This paragraph shall not limit the right
3 of a guardian of the estate to receive accountings from the
4 trustee on behalf of the ward.

5 (d-5) Upon a verified petition by the plenary or limited
6 guardian of the estate or the request of the ward that is
7 accompanied by a current physician's report that states the
8 ward possesses testamentary capacity, the court may enter an
9 order authorizing the ward to execute a will or codicil. In so
10 ordering, the court shall authorize the guardian to retain
11 independent counsel for the ward with whom the ward may
12 execute or modify a will or codicil.

13 (e) Absent court order pursuant to the Illinois Power of
14 Attorney Act directing a guardian to exercise powers of the
15 principal under an agency that survives disability, the
16 guardian will have no power, duty or liability with respect to
17 any property subject to the agency. This subsection (e)
18 applies to all agencies, whenever and wherever executed.

19 (f) Upon petition by any interested person (including the
20 standby or short-term guardian), with such notice to
21 interested persons as the court directs and a finding by the
22 court that it is in the best interests ~~interest~~ of the person
23 with a disability, the court may terminate or limit the
24 authority of a standby or short-term guardian or may enter
25 such other orders as the court deems necessary to provide for
26 the best interests ~~interest~~ of the person with a disability.

1 The petition for termination or limitation of the authority of
2 a standby or short-term guardian may, but need not, be
3 combined with a petition to have another guardian appointed
4 for the person with a disability.

5 (Source: P.A. 101-329, eff. 8-9-19.)

6 (755 ILCS 5/11a-18.3)

7 Sec. 11a-18.3. Duties of short-term guardian of a person
8 with a disability.

9 (a) Immediately upon the effective date of the appointment
10 of a short-term guardian, the short-term guardian shall assume
11 all duties as short-term guardian of the person with a
12 disability as provided in this Section. The short-term
13 guardian of the person shall have authority to act as
14 short-term guardian, without direction of the court, for the
15 duration of the appointment, which in no case shall exceed a
16 cumulative total of 60 days in any 12-month ~~12-month~~ period for
17 all short-term guardians appointed by the guardian. The
18 authority of the short-term guardian may be limited or
19 terminated by a court of competent jurisdiction.

20 (b) Unless further specifically limited by the instrument
21 appointing the short-term guardian, a short-term guardian
22 shall have the authority to act as a guardian of the person of
23 a person with a disability as prescribed in Section 11a-17,
24 but shall not have any authority to act as guardian of the
25 estate of a person with a disability, except that a short-term

1 guardian shall have the authority to apply for and receive on
 2 behalf of the person with a disability benefits to which the
 3 person with a disability may be entitled from or under
 4 federal, State, or local organizations or programs.

5 (Source: P.A. 99-143, eff. 7-27-15.)

6 (755 ILCS 5/11a-19) (from Ch. 110 1/2, par. 11a-19)

7 Sec. 11a-19. Notice of right to seek modification. At the
 8 time of the appointment of a guardian the court shall inform
 9 the ward of his right under Section 11a-20 to petition for
 10 termination of adjudication of disability, revocation of the
 11 letters of guardianship of the estate or person, or both, or
 12 modification of the duties of the guardian and shall give the
 13 ward a written statement explaining this right and the
 14 procedures for petitioning the court. The notice shall be in
 15 large, ~~bold~~ type and shall be in a format substantially
 16 similar to the following: ~~notice of rights required under~~
 17 ~~subsection (c) of Section 11a-10 of this Act.~~

18 IN THE CIRCUIT COURT OF THE ... JUDICIAL CIRCUIT OF ILLINOIS

19 ... COUNTY

20 IN RE THE ESTATE OF)

21)

22,) CASE NO.

23 a Person with a Disability,)

24 NOTICE TO WARD OF RIGHT TO SEEK MODIFICATION

1 [Insert name] was appointed your Guardian of the Person on
2 [insert date].

3 [Insert name] was appointed your Guardian of the Estate on
4 [insert date].

5 You have the right to ask the court to dismiss this
6 guardianship, to revoke the power of this guardian to act for
7 you, or to modify the duties of any such guardian.

8 You, or someone on your behalf, can make this request,
9 even by an informal letter, a telephone call, or a visit to the
10 court. You should send your letter to the court at the
11 following address; [insert name of judge and mailing address
12 of courthouse].

13 The court may appoint a Guardian ad Litem to investigate
14 and report to the court. You have the right to have a lawyer
15 appointed for you, to have a hearing before the court, to have
16 a jury of six persons decide the facts, to present evidence and
17 tell your story, and to ask witnesses any questions in
18 cross-examination.

19 Entered this.....day of....., 20....

20

21 JUDGE

22 [..] At the time of the appointment of the Guardian in this
23 cause, the court informed the ward of his or her rights under
24 Section 11a-20 of the Illinois Probate Act and gave the ward,

1 in open court, the above-written notice explaining these
2 rights and procedures.

3 or

4 [..] The Clerk of the Circuit Court shall mail a copy of the
5 above-written notice to the above-named person with a
6 disability at the residence address set forth in the petition
7 filed herein.

8 Copy Mailed:

9

10 Clerk of the Circuit Court

11 [END OF FORM].

12 (Source: P.A. 89-396, eff. 8-20-95.)

13 (755 ILCS 5/11a-20) (from Ch. 110 1/2, par. 11a-20)

14 Sec. 11a-20. Termination of adjudication of disability -
15 Revocation of letters - modification.†

16 (a) Except as provided in subsection (b-5), upon the
17 filing of a petition by or on behalf of a person with a
18 disability or on its own motion, the court may terminate the
19 adjudication of disability of the ward, revoke the letters of
20 guardianship of the estate or person, or both, or modify the

1 duties of the guardian if the ward's capacity to perform the
2 tasks necessary for the care of his person or the management of
3 his estate has been demonstrated by clear and convincing
4 evidence. A report or testimony by a licensed physician is not
5 a prerequisite for termination, revocation or modification of
6 a guardianship order under this subsection (a).

7 (b) Except as provided in subsection (b-5), a request by
8 the ward or any other person on the ward's behalf, under this
9 Section may be communicated to the court or judge by any means,
10 including but not limited to informal letter, telephone call
11 or visit. Upon receipt of a request from the ward or another
12 person, the court may appoint a guardian ad litem to
13 investigate and report to the court concerning the allegations
14 made in conjunction with said request, and if the ward wishes
15 to terminate, revoke, or modify the guardianship order, to
16 prepare the ward's petition and to render such other services
17 as the court directs.

18 (b-5) Upon the filing of a verified petition by the
19 guardian of the person with a disability or the person with a
20 disability, the court may terminate the adjudication of
21 disability of the ward, revoke the letters of guardianship of
22 the estate or person, or both, or modify the duties of the
23 guardian if: (i) a report completed in accordance with
24 subsection (a) of Section 11a-9 states that the person with a
25 disability is no longer in need of guardianship or that the
26 type and scope of guardianship should be modified; (ii) the

1 person with a disability no longer wishes to be under
2 guardianship or desires that the type and scope of
3 guardianship be modified; and (iii) the guardian of the person
4 with a disability states that it is in the best interests
5 ~~interest~~ of the person with a disability to terminate the
6 adjudication of disability of the ward, revoke the letters of
7 guardianship of the estate or person, or both, or modify the
8 duties of the guardian, and provides the basis thereof. In a
9 proceeding brought pursuant to this subsection (b-5), the
10 court may terminate the adjudication of disability of the
11 ward, revoke the letters of guardianship of the estate or
12 person, or both, or modify the duties of the guardian, unless
13 it has been demonstrated by clear and convincing evidence that
14 the ward is incapable of performing the tasks necessary for
15 the care of his or her person or the management of his or her
16 estate.

17 (c) Notice of the hearing on a petition under this
18 Section, together with a copy of the petition, shall be given
19 to the ward, unless he is the petitioner, and to each and every
20 guardian to whom letters of guardianship have been issued and
21 not revoked, not less than 14 days before the hearing.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 (755 ILCS 5/13-1) (from Ch. 110 1/2, par. 13-1)

24 Sec. 13-1. Appointment and term of public administrator
25 and public guardian.†

1 (a) Except as provided in Section 13-1.1, before the first
2 Monday of December, 1977 and every 4 years thereafter, and as
3 often as vacancies occur, the Governor, by and with the advice
4 and consent of the Senate, shall appoint in each county a
5 suitable person to serve as public administrator and a
6 suitable person to serve as public guardian of the county. The
7 Governor may designate, without the advice and consent of the
8 Senate, the Office of State Guardian as an interim public
9 guardian to fill a vacancy in one or more counties having a
10 population of 500,000 or less if the designation:

11 (1) is specifically designated as an interim
12 appointment for a term of the lesser of one year or until
13 the Governor appoints, with the advice and consent of the
14 Senate, a county public guardian to fill the vacancy;

15 (2) requires the Office of State Guardian to affirm
16 its availability to act in the county; and

17 (3) expires in a pending case of a person with a
18 disability in the county at such a time as the court
19 appoints a qualified successor guardian of the estate and
20 person for the person with a disability.

21 When appointed as an interim public guardian, the State
22 Guardian will perform the powers and duties assigned under the
23 Guardianship and Advocacy Act.

24 The Governor may appoint the same person to serve as
25 public guardian and public administrator in one or more
26 counties. In considering the number of counties of service for

1 any prospective public guardian or public administrator the
2 Governor may consider the population of the county and the
3 ability of the prospective public guardian or public
4 administrator to travel to multiple counties and manage
5 estates in multiple counties. Each person so appointed holds
6 his office for 4 years from the first Monday of December, 1977
7 and every 4 years thereafter or until his successor is
8 appointed and qualified.

9 (b) Within 14 days of notification to the current public
10 guardian of the appointment by the Governor of a new public
11 guardian pursuant to this Section, the outgoing public
12 guardian shall provide the incoming successor public guardian
13 with a list of current guardianships. Within 60 days of
14 receipt of the list of guardianships, the incoming public
15 guardian may petition the court for a transfer of a
16 guardianship to the incoming public guardian. The transfer of
17 a guardianship of the person, estate, or both shall be made if
18 it is in the best interests of the ward as determined by the
19 court on a case-by-case basis.

20 Factors for the court to consider include, but are not
21 limited to, the following:

22 (1) the ward's preference as to the transfer of the
23 guardianship;

24 (2) the recommendation of the guardian ad litem, the
25 ward's family members, and other interested parties;

26 (3) the length of time in which the outgoing public

1 guardian has served as guardian for the ward;

2 (4) the ward's relationship with the outgoing public
3 guardian's office;

4 (5) the nature and extent of the ward's disabilities;

5 (6) the ward's current residential placement, his or
6 her current support network, and ongoing needs;

7 (7) the costs involved in the transfer of the ward's
8 estate;

9 (8) the status of pending legal matters or other
10 matters germane to the ward's care or the management of
11 the ward's estate;

12 (9) the obligation to post bond and the cost thereof;

13 (10) the guardians' status with regard to
14 certification by the Center for Guardianship
15 Certification; and

16 (11) other good causes.

17 If the court approves a transfer to the incoming public
18 guardian, the outgoing public guardian shall file a final
19 account of his or her activities on behalf of the ward within
20 30 days or within such other time that the court may allow. The
21 outgoing public guardian may file a petition for final fees
22 pursuant to subsection (b) of Section 13-3.1.

23 (Source: P.A. 100-483, eff. 9-8-18.)

24 (755 ILCS 5/18-10) (from Ch. 110 1/2, par. 18-10)

25 Sec. 18-10. Classification of claims against decedent's

1 estate. All claims against the estate of a decedent are
2 divided into classes in the manner following:

3 1st: Funeral and burial expenses, expenses of
4 administration, fees awarded under Section 11a-13.5, 13-3,
5 13-3.1, or 27-1, and statutory custodial claims. For the
6 purposes of this paragraph, funeral and burial expenses paid
7 by any person, including a surviving spouse, are funeral and
8 burial expenses; and funeral and burial expenses include
9 reasonable amounts paid for a burial space, crypt or niche, a
10 marker on the burial space, care of the burial space, crypt or
11 niche, and interest on these amounts. Interest on these
12 amounts shall accrue beginning 60 days after issuance of
13 letters of office to the representative of the decedent's
14 estate, or if no such letters of office are issued, then
15 beginning 60 days after those amounts are due, up to the rate
16 of 9% per annum as allowed by contract or law.

17 2nd: The surviving spouse's or child's award.

18 3rd: Debts due the United States.

19 4th: Reasonable and necessary medical, hospital, and
20 nursing home expenses for the care of the decedent during the
21 year immediately preceding death; and money due employees of
22 the decedent of not more than \$800 for each claimant for
23 services rendered within 4 months prior to the decedent's
24 death.

25 5th: Money and property received or held in trust by
26 decedent which cannot be identified or traced.

1 6th: Debts due this State and any county, township, city,
2 town, village or school district located within this State.

3 7th: All other claims.

4 (Source: P.A. 100-1079, eff. 8-24-18.)

5 (755 ILCS 5/19-2) (from Ch. 110 1/2, par. 19-2)

6 Sec. 19-2. Lease, sale, mortgage or pledge of personal
7 estate of ward.➤ By leave of court a representative may lease,
8 sell, mortgage or pledge any personal estate of the ward, when
9 in the opinion of the court it is for the best interests
10 ~~interest~~ of the ward or his estate.

11 (Source: P.A. 79-328.)

12 (755 ILCS 5/25-4) (from Ch. 110 1/2, par. 25-4)

13 Sec. 25-4. Sale of small real estate interest of ward.➤ If
14 the interest of a ward in any parcel of real estate does not
15 exceed \$2,500 in value and a private sale thereof can be made
16 for cash, the interest may be sold as provided in this Section
17 instead of as prescribed elsewhere in this Act. The
18 representative of the estate of the ward may file a petition
19 setting forth: (a) the description of the real estate, the
20 interest of the ward therein and the value of the interest
21 sought to be sold; (b) the name and post office address of the
22 ward; (c) a private sale of the ward's interest can be made for
23 cash; and (d) it is for the best interests ~~interest~~ of the ward
24 that his interest in the real estate be sold. Upon the filing

1 of the petition the court shall set it for hearing not less
2 than 20 days thereafter. Not less than 15 days before the date
3 of hearing of the petition, the clerk of the court shall mail a
4 notice of the time and place of the hearing to the ward. No
5 guardian ad litem need be appointed for the ward unless the
6 court finds it necessary for the ward's protection. If on the
7 hearing the court finds that the ward's interest in the real
8 estate to be sold does not exceed \$2,500 in value, a private
9 sale of the ward's interest can be made for cash and it is for
10 the best interests ~~interest~~ of the ward that the sale be made,
11 the court shall direct the petitioner to sell the ward's
12 interest at private sale for cash for such price as the court
13 determines and upon receipt of the purchase price to execute
14 and deliver a deed to the purchaser. The court shall require
15 the representative to furnish a bond conditioned upon his
16 disposing of the proceeds of sale in the manner required by
17 law, and with or without sureties and in such amount as the
18 court directs; and it is the duty of the representative to file
19 the bond in and have it approved by the court.

20 (Source: P.A. 79-328.)

21 (755 ILCS 5/27-1) (from Ch. 110 1/2, par. 27-1)

22 Sec. 27-1. Fees of representative. A representative is
23 entitled to reasonable compensation for his services, but no
24 fees, charges or other compensation may be allowed a public
25 administrator for services performed in administering that

1 part of the estate of any United States war veteran which
2 consists of compensation, insurance or other monies due or
3 payable from the United States because of the veteran's war
4 service. No fees, charges or other compensation may be allowed
5 an employee of the Department of Human Services or the
6 Department of Children and Family Services designated under
7 paragraph (b) of Section 11-3 for services as guardian of the
8 estate of a patient or resident in a State mental health or
9 developmental disabilities facility or other State
10 institution. Fees awarded under this Section shall be
11 considered as a first-class claim for administrative expenses
12 and paid from the guardianship estate or from the probate
13 estate pursuant to Section 18-10. Fees awarded to guardians
14 shall be consistent with Section 11a-13.5.

15 (Source: P.A. 89-507, eff. 7-1-97.)

16 Section 10. The Illinois Power of Attorney Act is amended
17 by changing Section 2-10 as follows:

18 (755 ILCS 45/2-10) (from Ch. 110 1/2, par. 802-10)

19 Sec. 2-10. Agency-court relationship.

20 (a) Upon petition by any interested person (including the
21 agent), with such notice to interested persons as the court
22 directs and a finding by the court that the principal lacks
23 either the capacity to control or the capacity to revoke the
24 agency, the court may construe a power of attorney, review the

1 agent's conduct, and grant appropriate relief including
2 compensatory damages.

3 (b) If the court finds that the agent is not acting for the
4 benefit of the principal in accordance with the terms of the
5 agency or that the agent's action or inaction has caused or
6 threatens substantial harm to the principal's person or
7 property in a manner not authorized or intended by the
8 principal, the court may order a guardian of the principal's
9 person or estate to exercise any powers of the principal under
10 the agency, including the power to revoke the agency, or may
11 enter such other orders without appointment of a guardian as
12 the court deems necessary to provide for the best interests of
13 the principal.

14 (c) If the court finds that the agency requires
15 interpretation, the court may construe the agency and instruct
16 the agent, but the court may not amend the agency.

17 (d) If the court finds that the agent has not acted for the
18 benefit of the principal in accordance with the terms of the
19 agency and the Illinois Power of Attorney Act, or that the
20 agent's action caused or threatened substantial harm to the
21 principal's person or property in a manner not authorized or
22 intended by the principal, then the agent shall not be
23 authorized to pay or be reimbursed from the estate of the
24 principal the attorneys' fees and costs of the agent in
25 defending a proceeding brought pursuant to this Section.

26 (e) Upon a finding that the agent's action has caused

1 substantial harm to the principal's person or property, the
2 court may assess against the agent reasonable costs and
3 attorney's fees to a prevailing party who is a provider agency
4 as defined in Section 2 of the Adult Protective Services Act, a
5 representative of the Office of the State Long Term Care
6 Ombudsman, the State Guardian, a public guardian, or a
7 governmental agency having regulatory authority to protect the
8 welfare of the principal.

9 (f) As used in this Section, the term "interested person"
10 includes (1) the principal or the agent; (2) a guardian of the
11 person, guardian of the estate, or other fiduciary charged
12 with management of the principal's property; (3) the
13 principal's spouse, parent, or descendant; (4) a person who
14 would be a presumptive heir-at-law of the principal; (5) a
15 person named as a beneficiary to receive any property,
16 benefit, or contractual right upon the principal's death, or
17 as a beneficiary of a trust created by or for the principal;
18 (6) a provider agency as defined in Section 2 of the Adult
19 Protective Services Act, a representative of the Office of the
20 State Long Term Care Ombudsman, the State Guardian, a public
21 guardian, or a governmental agency having regulatory authority
22 to protect the welfare of the principal; and (7) the
23 principal's caregiver or another person who demonstrates
24 sufficient interest in the principal's welfare.

25 (g) Absent court order directing a guardian to exercise
26 powers of the principal under the agency, a guardian will have

1 no power, duty or liability with respect to any property
2 subject to the agency or any personal or health care matters
3 covered by the agency. If an agent seeks guardianship of the
4 principal pursuant to the Probate Act of 1975, the petition
5 for guardianship must delineate the specific powers to be
6 granted to the guardian that are not already included in the
7 power of attorney. The petition for temporary, limited, or
8 plenary guardianship of the principal under the Probate Act of
9 1975 may include a prayer for relief to suspend a power of
10 attorney or to revoke a power of attorney in accordance with
11 subsection (b).

12 (h) Proceedings under this Section shall be commenced in
13 the county where the guardian was appointed or, if no Illinois
14 guardian is acting, then in the county where the agent or
15 principal resides or where the principal owns real property.

16 (i) This Section shall not be construed to limit any other
17 remedies available.

18 (Source: P.A. 98-49, eff. 7-1-13; 98-562, eff. 8-27-13;
19 98-756, eff. 7-16-14.)

1

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2

Statutes amended in order of appearance

3	755 ILCS 5/11a-1	from Ch. 110 1/2, par. 11a-1
4	755 ILCS 5/11a-3	from Ch. 110 1/2, par. 11a-3
5	755 ILCS 5/11a-3.1	
6	755 ILCS 5/11a-3.2	
7	755 ILCS 5/11a-4	from Ch. 110 1/2, par. 11a-4
8	755 ILCS 5/11a-5	from Ch. 110 1/2, par. 11a-5
9	755 ILCS 5/11a-8	from Ch. 110 1/2, par. 11a-8
10	755 ILCS 5/11a-10	from Ch. 110 1/2, par. 11a-10
11	755 ILCS 5/11a-10.1	from Ch. 110 1/2, par. 11a-10.1
12	755 ILCS 5/11a-12	from Ch. 110 1/2, par. 11a-12
13	755 ILCS 5/11a-13.5 new	
14	755 ILCS 5/11a-17	from Ch. 110 1/2, par. 11a-17
15	755 ILCS 5/11a-17.1	
16	755 ILCS 5/11a-18	from Ch. 110 1/2, par. 11a-18
17	755 ILCS 5/11a-18.3	
18	755 ILCS 5/11a-19	from Ch. 110 1/2, par. 11a-19
19	755 ILCS 5/11a-20	from Ch. 110 1/2, par. 11a-20
20	755 ILCS 5/13-1	from Ch. 110 1/2, par. 13-1
21	755 ILCS 5/18-10	from Ch. 110 1/2, par. 18-10
22	755 ILCS 5/19-2	from Ch. 110 1/2, par. 19-2
23	755 ILCS 5/25-4	from Ch. 110 1/2, par. 25-4
24	755 ILCS 5/27-1	from Ch. 110 1/2, par. 27-1
25	755 ILCS 45/2-10	from Ch. 110 1/2, par. 802-10