



Rep. Sara Feigenholtz

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09700HB4985ham001

LRB097 20061 JLS 66334 a

1 AMENDMENT TO HOUSE BILL 4985

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4985 on page 1, line  
3 5, by replacing "Sections 31 and 32" with "Section 31"; and

4 on page 1 by deleting line 22; and

5 by deleting all of page 2; and

6 on page 3 by deleting lines 1 through 14; and

7 on page 4, line 9, by replacing "public guardian" with "public  
8 guardian, any State agency under the jurisdiction of the  
9 Governor"; and

10 on page 7, line 5, by replacing "13-1, and 13-5" with "11a-20,  
11 and 13-1"; and

12 on page 9 by inserting immediately below line 1 the following:

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

2           Sec. 11a-20. Termination of adjudication of disability -  
3           Revocation of letters - modification.) (a) Upon the filing of a  
4           petition by or on behalf of a disabled person or on its own  
5           motion, the court may terminate the adjudication of disability  
6           of the ward, revoke the letters of guardianship of the estate  
7           or person, or both, or modify the duties of the guardian unless  
8           it has been demonstrated by clear and convincing evidence that  
9           the ward is incapable of performing ~~if the ward's capacity to~~  
10          ~~perform~~ the tasks necessary for the care of his person or the  
11          management of his estate ~~has been demonstrated by clear and~~  
12          ~~convincing evidence~~. A report or testimony by a licensed  
13          physician is not a prerequisite for termination, revocation or  
14          modification of a guardianship order.

15          (b) A request by the ward or any other person on the ward's  
16          behalf, under this Section may be communicated to the court or  
17          judge by any means, including but not limited to informal  
18          letter, telephone call or visit. Upon receipt of a request from  
19          the ward or another person, the court may appoint a guardian ad  
20          litem to investigate and report to the court concerning the  
21          allegations made in conjunction with said request, and if the  
22          ward wishes to terminate, revoke, or modify the guardianship  
23          order, to prepare the ward's petition and to render such other  
24          services as the court directs.

25          (c) Notice of the hearing on a petition under this Section,

1 together with a copy of the petition, shall be given to the  
2 ward, unless he is the petitioner, and to each and every  
3 guardian to whom letters of guardianship have been issued and  
4 not revoked, not less than 14 days before the hearing.

5 (Source: P.A. 86-605.)"; and

6 on page 10 by deleting lines 16 through 25; and

7 by deleting all of pages 11 through 14.