



Sen. Ira I. Silverstein

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1 AMENDMENT TO SENATE BILL 2894

2 AMENDMENT NO. _____. Amend Senate Bill 2894 on page 1,
3 line 5, by replacing "Sections 31 and 32" with "Section 31";
4 and

5 on page 1 by deleting line 22; and

6 by deleting all of page 2; and

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

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

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

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

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

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

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

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

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

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

8 by deleting all of pages 11 through 14.