

**Order Appointing Limited Co-Guardians
of a Person with a Disability (1/4/23) CCP 0232 A**

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

File No. _____

Estate of _____

A Person with a Disability.

**ORDER APPOINTING LIMITED CO-GUARDIANS
OF A PERSON WITH A DISABILITY¹**

On the Petition of _____ for the appointment of
(printed name of the Petitioner)

_____ as Limited Co-Guardian of
(printed name of proposed Limited Co-Guardian)

the estate person estate and person of _____
(printed name of the Person with a Disability)

“the Respondent”) and _____ as Limited
(printed name of proposed Limited Co-Guardian)

Co-Guardian of the estate person estate and person of the Respondent,

the Court finds that:

1. The proposed Limited Co-Guardian: _____
(printed name of proposed Limited Co-Guardian)

of the estate person estate and person is

a. An individual

i. Information on Residency

1. who is a resident of Illinois

2. who is a nonresident of Illinois and has complied with §1-11 of the
Probate Act of 1975 (“Probate Act”) [755 ILCS 5/1-11] by filing with the
Court a Designation of Resident Agent to accept service of process, notice
or demand required by law to be served upon the Guardian

and

ii. Information on Criminal Background

1. who has not been convicted of a felony

2. who has been convicted of a felony, but the conviction shall not prevent
the appointment because:

1. If there are more than two co-guardians, complete two separate co-guardian order forms.

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- a. The appointment is in the Respondent's best interests, after considering the nature and date of the offense and the evidence of the proposed Limited Co-Guardian's rehabilitation, and
- b. The offense is not one which, under §11a-5(a)(5) of the Probate Act [755 ILCS 5/11a-5(a)(5)], would prohibit the appointment

and

- iii. who is qualified to act as Limited Co-Guardian under §11a-5(a) of the Probate Act [755 ILCS 5/11a-5(a)].
 - b. a public agency or not for profit corporation and is not directly providing residential services to the ward and is qualified to act as Limited Co-Guardian under §11a-5(b) of the Probate Act [755 ILCS 5/11a-(b)].
 - c. a corporation qualified to accept and execute trusts in Illinois and is qualified to act as Limited Co-Guardian under §11a-5(c) of the Probate Act [755 ILCS 5/11a-(c)].
 - d. the State Guardian, and the appointment of the State Guardian is appropriate and required because there is no individual suitable and willing to accept the Limited Co-Guardianship appointment.
 - e. the Cook County Public Guardian who is qualified to act under §13-5 of the Probate Act [755 ILCS 5/13-5].
2. The proposed Limited Co-Guardian: _____

(printed name of proposed Limited Co-Guardian)

of the estate person estate and person is

a. An individual

i. Information on Residency

- 1. who is a resident of Illinois
- 2. who is a nonresident of Illinois and has complied with §1-11 of the Probate Act of 1975 ("Probate Act") [755 ILCS 5/1-11] by filing with the Court a Designation of Resident Agent to accept service of process, notice or demand required by law to be served upon the Limited Co-Guardian

and

ii. Information on Criminal Background

- 1. who has not been convicted of a felony
- 2. who has been convicted of a felony, but the conviction shall not prevent the appointment because:
 - a. The appointment is in the Respondent's best interests, after considering the nature and date of the offense and the evidence of the proposed Limited Co-Guardian's rehabilitation, and
 - b. The offense is not one which, under §11a-5(a)(5) of the Probate Act [755 ILCS 5/11a-5(a)(5)], would prohibit the appointment

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and

- iii. who is qualified to act as Limited Co-Guardian under §11a-5(a) of the Probate Act [755 ILCS 5/11a-5(a)].
 - b. a public agency or not for profit corporation and is not directly providing residential services to the ward and is qualified to act as Limited Co-Guardian under §11a-5(b) of the Probate Act [755 ILCS 5/11a-(b)].
 - c. a corporation qualified to accept and execute trusts in Illinois and is qualified to act as Limited Co-Guardian under §11a-5(c) of the Probate Act [755 ILCS 5/11a-(c)].
 - d. the State Guardian, and the appointment of the State Guardian is appropriate and required because there is no individual suitable and willing to accept the Limited Co-Guardianship appointment.
 - e. the Cook County Public Guardian who is qualified to act under §13-5 of the Probate Act [755 ILCS 5/13-5].
3. The Court has jurisdiction to appoint a Limited Co-Guardian under §§203-204 of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (“UAGPPJA”) [755 ILCS 8/203-204] because:
- a. Illinois is the Respondent’s “home state” as defined in §201(a)(2) of the UAGPPJA.
 - b. _____ is the Respondent’s “home state”, but Illinois is a “significant-connection state” as defined in §201(a)(3) of the UAGPPJA, and one of the additional requirements specified in §203(2)(A)-(B) of the UAGPPJA applies.
 - c. Illinois is not the Respondent’s “home state” or a “significant-connection state” as defined in §201(a)(2)-(3) of the UAGPPJA but the “home state” and “significant-connection state” have declined to exercise jurisdiction because Illinois is the most appropriate forum.
 - d. Illinois is not the Respondent’s “home state” or a “significant-connection state” as defined in §201(a)(2)-(3) of the UAGPPJA, but the circumstances involved constitute an “emergency” as defined in §201(a)(1) of the UAGPPJA, and, as a result, the Court has “special jurisdiction” under §204(a) of the UAGPPJA.
4. In accordance with §11a-3 and §11a-12 of the Probate Act, by clear and convincing evidence, the Respondent is a person with a disability and:
- a. lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the care of his or her person;
 - b. lacks some but not all of the ability to manage his or her estate or financial affairs.

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5. Limited Co-Guardianship will provide sufficient protection for the Respondent.
6. The appointment of a Guardian *ad litem* WAS WAS NOT necessary for the protection of the Respondent or to make a reasonably informed decision on the Petition.
7. (a) The Respondent was present at the hearing;
(b) The Respondent's presence at the hearing was excused for the reason that the record shows that the Respondent refuses to be present will suffer harm if required to attend.
8. The legal disabilities to which the Respondent is subject are as follows:

9. The appointment of separate Limited Guardian(s) of the person and Guardian(s) of the estate is in the best interests of the Respondent.
10. The appointment of Limited Co-Guardian(s) of the person, Limited Co-Guardian(s) of the estate, or both, is in the best interests of the Respondent, the Court having considered the proposed Limited Co-Guardians' history of cooperating and working together on behalf of the Respondent, and the proposed Limited Co-Guardians having agreed to serve together.
11. The factual basis for the above findings of the Court is as follows:

IT IS ORDERED that:

A. _____ and
(printed name of proposed Limited Co-Guardian)
_____ be appointed
(printed name of proposed Limited Co-Guardian)
as Limited Co-Guardians of the estate estate and person of the
Respondent.

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B. _____ and
(printed name of proposed Limited Co-Guardian)
_____ be appointed
(printed name of proposed Limited Co-Guardian)
as Limited Co-Guardians of the person of the Respondent.

C. Letters of Limited Co-Guardianship shall issue in accordance with the provisions of this Order.

D. In the case of the Limited Co-Guardianship of the **estate**, the authority specifically reserved to the Respondent be as follows:

E. In the case of Limited Co-Guardianship of the **person**, the authority specifically conferred upon the Limited Co-Guardians of the person be as follows:

F. The bond:
i. of the Limited Co-Guardian of the **estate** and surety therein, be approved.
ii. of the Limited Co-Guardian of the **person** be approved.

G. The Limited Co-Guardians of the **estate** shall appear and present:
i. an Inventory as required by §14-1 of the Probate Act and in the form prescribed by Cook Co. Cir. Ct. R. 12.9 (Sept. 3, 1996) and a proposed budget on

_____ at _____ AM PM **(not more than 60 days after the date of this Order).**

ii. a verified Account as required by §24-11(a) of the Probate Act and in the form prescribed by Cook Co. Cir. Ct. R. 12.13 (Sept. 3, 1996) on

_____ at _____ AM PM **(not more than 13 months after the date of this Order).**

H. The Limited Co-Guardians of the **person** shall file or mail an Annual Report as required by §11a-17(b) of the Probate Act, and annually thereafter, or shall appear before the Court on _____ at _____ AM PM (**not more than 13 months after the date of this Order**).

I. The Limited Co-Guardians of the **person**:

i. shall complete the training program as provided in Section 33.5 of the Guardianship and Advocacy Act (“GAA”) [20 ILCS 3955/33.5] and file with the Court a certificate of completion one year from the date of issuance of the Letters of Limited Co-Guardianship or shall appear before the Court on

_____ at _____ AM PM (**insert same 13-month Annual Report date as above**). The training program can be found at www.gac.illinois.gov/osg/guardianship-training.html and the Illinois Guardianship and Advocacy Commission can be contacted for further information by calling (866) 274-8023;

ii. is exempt from the training requirement set forth in §33.5 of the GAA, based upon §11a-12(e) of the Probate Act, as an employee of the Office of the State Guardian, a public guardian, an attorney currently authorized to practice law, a corporate fiduciary, or a person certified by the Center for Guardianship Certification;

iii. is exempt from the training requirement set forth in §33.5 of the GAA, based upon good cause shown.

J. The Clerk of the Circuit Court shall mail CCP-0214 to the Respondent at the address set forth below informing the Respondent of the Respondent’s rights under §11a-19 and §11a-20 of the Probate Act:

i. Full Name of Respondent: _____
Last Name First Name Middle Name

ii. Street Address: _____

iii. City/State/Zip: _____

