

GUARDIANSHIP APPOINTMENTS – WHEN, WHY, and HOW

When your child attains 18 years of age, the laws of Illinois presume that your child is capable of making both personal and financial decisions. Consequently, your parental authority to make decisions regarding your child's education, medical care, and living arrangements expire when your child become an adult at age 18. Should you believe it is in your child's best interest for you to continue making personal and/or financial decisions on behalf of your child, you must be appointed as their Guardian.

STEPS REQUIRED TO BECOME GUARDIAN FOR YOUR CHILD

Step 1: I File a Petition For You to Become Guardian

To Serve as Guardian, one must be 18, a United States citizen, and not be a convicted felon.

Step 2: I Work With You To Set a Date for the Guardianship Hearing

You should pick a date when you, and preferably your child, are able to attend. If your child cannot attend this hearing, the court will appoint a Guardian Ad Litem instead. The Guardian Ad Litem's role is to represent the interests of your child and be the court's eyes and ears. Note: If you use a Guardian Ad Litem, you will be responsible for paying his fee.

Step 3: You Obtain a Doctor's Report

The "Doctor's Report" is a two-page form that must be completed by a Medical Doctor (M.D.) This report is the main piece of evidence the court uses to determine the extent to which your child can make personal or financial decisions and whether a guardianship is required.

Step 4: I Arrange for Notification of All Interested Parties

Once the hearing is scheduled, you must notify all interested parties of the time and location.

Interested Parties include: Your child, the child's other parent, and the child's siblings. This notice requires that your child be served a summons to appear in court.

Step 5: Guardianship Hearing

At the guardianship hearing, the judge will interview you and any other interested parties present, asking questions about your child, your child's daily needs, and your plans for the child. If your child is present, the judge will ask your child questions. If, instead, there is a guardian ad litem, they will read their report into the record and answer any questions, the judge may have. If all goes well, the judge will appoint you as guardian.

Step 6: Letters of Office

Within a few weeks of the hearing, you will receive "Letters of Office" confirming your authority to make decisions on behalf of your child.



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