



**In The Circuit Court  
For The Seventh Judicial Circuit of Illinois  
Sangamon County, Springfield, Illinois**

IN THE MATTER OF:

\_\_\_\_\_  
Alleged Disabled Person



Case No. \_\_\_\_\_

**NOTICE OF RIGHTS**

This Notice will advise you that a Petition has been filed in the Circuit Court of the \_\_\_\_\_  
Judicial Circuit, \_\_\_\_\_ County, Illinois, by \_\_\_\_\_ to have

\_\_\_\_\_

appointed as the Guardian of you Person and Estate on the basis that you are not fully capable of managing  
your estate and person because (Here set forth cause of disability).

A copy of the Petition is attached to this Notice. The Court has appointed me to act as Guardian Ad Litem for you at the hearing on the Petition under the provisions of an Act entitled "Guardians for Disabled Adults", which may be found in the 755 ILCS 5/11a-1 etseq.

It is my responsibility to provide you with copies of the Petition, together with a copy of your rights as an alleged disabled adult as such rights are set forth under the provisions of Section 11a-11, and to further advise you orally on the contents of the Petition and of your rights under said Section 11a-11.

Your rights as provided under the provisions of Section 11a-11 are set forth immediately below in writing. The word "respondent" as it from time to time appears refers to you. The word "petitioner" as it sometimes appears refers to the person who filed the Petition asking that a guardian be appointed for you as a disabled adult.

**755 ILCS 5/11a-11**

(a) The respondent is entitled to be represented by counsel, to demand a jury of six persons, to present evidence, and to confront and cross-examine all witnesses. The hearing may be closed to the public on request of the respondent, his Guardian Ad Litem, or his counsel. Unless excused by the Court upon good cause shown, the respondent shall be present at the hearing.

(b) When the respondent is represented by counsel, the Office of the State's Attorney of the county in which the action is brought shall present the case for the petitioner, unless the petitioner is represented by counsel who will present the matter to the Court.

(c) Upon oral or written motion by the respondent, or the Guardian Ad Litem, or on the Court's own motion, the Court shall appoint one or more independent experts to examine the respondent. Upon the filing with the Court of a verified statement of services rendered by the expert or experts, the court shall determine reasonable fees for the service performed. If the respondent is unable to pay the fee, the court shall enter an Order upon the State to pay the entire fee or such amount as the respondent is unable to pay, from funds appropriated by the General Assembly for that purpose.

(d) In an uncontested proceeding for the appointment of a guardian, the person who prepared the report required by Section 11a-9 will only be required to testify at trial upon order of court for cause shown.

(e) At the hearing the Court shall inquire regarding: (1) the nature and extent of the respondent's general intellectual and physical functioning; (2) the extent of the impairment of his adaptive behavior if he is developmentally disabled, or the nature and severity of his mental illness if he is mentally ill; (3) the understanding and capacity of the respondent to make and communicate responsible decisions concerning this person; (4) the capacity of the respondent to manage his estate and financial affairs; and (5) the appropriateness of proposed and alternate living arrangements; and (6) any other area of inquiry deemed appropriate.

(f) an authenticated transcript of the evidence taken in a judicial proceeding concerning the respondent under the Mental Health and Developmental Disabilities Code in evidence at the hearing.

(g) If the Petition is for appointment of a Guardian for a disabled beneficiary of the Veterans Administration, a certificate of the Administrator of Veterans Affairs or his representative stating that the beneficiary has been determined to be incompetent by the Veterans Administration examination, in accordance with the laws and regulations governing the Veterans Administration effect upon the date of issuance of the certificate and that the appointment of a Guardian is a condition precedent to the payment of any money due the beneficiary by the Veterans Administration, is prima facie evidence of the necessity for such appointment.

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Guardian Ad Litem

## **PROOF OF SERVICE**

The undersigned certifies that on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ (s) he delivered a copy of the foregoing Notice of Rights and attached Petition to \_\_\_\_\_ at his/her place of residence at \_\_\_\_\_, Illinois, after observing him/her and orally informing him/her of the contents of the Petition and of his/her rights under 755 ILCS 5/11a-11.