

The Circuit Court of Cook County Guardianship Assistance Desk for Minors may be able to help you prepare court forms to file for the guardianship of a minor.

Please call 312.603.0135 to make an appointment or visit us at:

69 West Washington Street
Room 1020
Chicago, Illinois 60602
(directly across the street from the Daley Center Plaza)

Appointments are scheduled from 8 a.m. to 4 p.m.
Walk-in clients are accepted from 9 a.m. to 3 p.m.

PLEASE NOTE:

- **SEEKING THE GUARDIANSHIP OF A MINOR IS A SERIOUS LEGAL PROCEEDING. IT IS TIME CONSUMING AND MAY REQUIRE PAYMENT OF COURT COSTS.**
- **A PERSON APPLYING FOR GUARDIANSHIP OF A MINOR IN THE CIRCUIT COURT OF COOK COUNTY MUST BE A RESIDENT OF COOK COUNTY.**
- **ALL INFORMATION GIVEN TO THE COURT IS UNDER OATH AND SUBJECT TO A PERJURY CHARGE IF FALSE. PERJURY IS A CLASS 3 FELONY, PUNISHABLE BY 5 TO 9 YEARS IN THE PENITENTIARY.**

Please consider carefully before you begin proceedings.

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State of Illinois Circuit Court of Cook County



GUARDIANSHIP FOR MINORS: What Prospective Guardians Need to Know

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Honorable Timothy C. Evans
Chief Judge

Honorable Henry A. Budzinski
Presiding Judge
Probate Division

WHAT IS A GUARDIAN?

A guardian is:

- * given legal responsibility for the care of the child;
- * appointed by the court; and
- * responsible for the child until removed by the court or until the child turns 18 years old.

WHO IS ELIGIBLE TO BE A GUARDIAN?

The Probate Act states a guardian must:

- * be at least 18 years old;
- * be of sound mind;
- * be a resident of the United States; and
- * not be adjudicated disabled.

WHO NEEDS A GUARDIAN?

A guardian is appointed for a minor currently living in Cook County:

- * whose parents cannot or will not care for him or her;
- * whose parents are deceased or their whereabouts are unknown;
- * whose parents agree to the guardianship; or
- * whose parents do not agree to the guardianship but the minor has been living with the prospective guardian for a significant amount of time.

A minor cannot have a guardian appointed in the Probate Division if he or she currently is the subject of juvenile, divorce, or parentage proceedings.

A GUARDIAN'S RIGHTS AND RESPONSIBILITIES

A guardian is entitled to:

- * custody of the child;
- * the right to enroll the child in school;
- * the right to consent to medical treatment for the child; and
- * the right to apply and receive public benefits that may be available for the child.

It is important to note that a guardianship does not assure any public benefits will be paid. Guardianship does not improve the immigration status of the child or the guardian.

A guardian is responsible for:

- * providing food, clothing, and shelter for the child;
- * ensuring the child attends school;
- * paying all expenses unless child support can be obtained from the parent/s or the child is eligible for public benefits; and
- * obeying all court orders concerning the child.

TERMINATING A GUARDIANSHIP

Prospective guardians should also be aware that:

- * the parent or parents can always ask the court to end guardianship and return the child;
- * only the court can remove a guardian;
- * generally, the court will not let a guardian resign unless a parent is capable of caring for the child and agrees to do that or some other appropriate person is willing to take responsibility.

The Illinois Probate Act covers guardianship of minors. The law is found at 755 Illinois Compiled Statutes 5/11-1 to 5/11-18.

HOW CAN WE HELP?

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or

You can obtain a "Do It Yourself" Guardianship Information packet and fill out the forms yourself. You can also request to have the packet mailed to you.

You will need to bring the following with you for your appointment:

- * the minor's certified birth certificate;
- * \$119 filing fee;
- * your valid picture identification card;
- * a notarized consent from the parents;
- * the last known address of the parents so that a "Notice of Motion" can be sent by certified mail (if an address is not available, a published notice will be necessary for a \$180 fee); and
- * a death certificate if the parent or parents are deceased.

Note: If the minor is between the ages of 14 and 17, he/she must accompany you on the court date and must bring his/her picture identification card.

For more information call or visit:

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