



Rep. Dennis M. Reboletti

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09700HB2227ham001

LRB097 08134 AJ0 52783 a

1 AMENDMENT TO HOUSE BILL 2227

2 AMENDMENT NO. _____. Amend House Bill 2227 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Probate Act of 1975 is amended by changing
5 Section 11a-9 as follows:

6 (755 ILCS 5/11a-9) (from Ch. 110 1/2, par. 11a-9)
7 Sec. 11a-9. Report.)

8 (a) The petition for adjudication of disability and for
9 appointment of a guardian should be accompanied by a report
10 which contains (1) a description of the nature and type of the
11 respondent's disability and an assessment of how the disability
12 impacts on the ability of the respondent to make decisions or
13 to function independently; (2) an analysis and results of
14 evaluations of the respondent's mental and physical condition
15 and, where appropriate, educational condition, adaptive
16 behavior and social skills, which have been performed within 3

1 months of the date of the filing of the petition; (3) an
2 opinion as to whether guardianship is needed, the type and
3 scope of the guardianship needed, and the reasons therefor; (4)
4 a recommendation as to the most suitable living arrangement
5 and, where appropriate, treatment or habilitation plan for the
6 respondent and the reasons therefor; (5) the signatures of all
7 persons who performed the evaluations upon which the report is
8 based, one of whom shall be a licensed physician unless the
9 evaluation and report are completed by a licensed clinical
10 psychologist and the evaluation is limited to the respondent's
11 mental condition, and a statement of the certification,
12 license, or other credentials that qualify the evaluators who
13 prepared the report.

14 (b) If for any reason no report accompanies the petition,
15 the court shall order appropriate evaluations to be performed
16 by a qualified person or persons and a report prepared and
17 filed with the court at least 10 days prior to the hearing.

18 (c) Unless the court otherwise directs, any report prepared
19 pursuant to this Section shall not be made part of the public
20 record of the proceedings but shall be available to the court
21 or an appellate court in which the proceedings are subject to
22 review, to the respondent, the petitioner, the guardian, and
23 their attorneys, to the respondent's guardian ad litem, and to
24 such other persons as the court may direct.

25 (Source: P.A. 89-396, eff. 8-20-95.)".