



Obtaining Guardianship of a Minor

Procedural information for obtaining **guardianship of the person** of a minor can be found below, and there is a **Help Desk** available to assist you with this process. To obtain **guardianship of the estate** (finances) of a minor, please note that there are additional requirements.

- **Help Desk** assistance is free of charge and staffed by volunteers and the Self-Represented Litigant Coordinator (SRL Coordinator). They **cannot give you legal advice**, but they can provide procedural information and forms assistance.
- The **Help Desk** is available by phone or email prior to your hearing as well as in person and via zoom on your court date. You should contact the SRL Coordinator before each court appearance to triage your case:
SRL@lakecountyil.gov

847-377-3734

Step 1: Fill out the documents

Two forms are needed to start the case

1. **Petition** for Appointment of the Guardian for a Minor
2. **Affidavit** of Petitioning Guardian of the Person for a Minor Child (one for each petitioner)

Q: *Where can I find these forms and any other forms I need?*

A: *Any of the following locations:*

- The Circuit Clerk's website: lakecountycircuitclerk.org
- The Probate division of the Circuit Clerk's Office: 18 N County St, Waukegan, IL
- The Law Library: 18 N County St, Waukegan, IL or lawlibrary@lakecountyil.gov

Important Note:

If there are multiple minors, you will need to repeat this process for each child.

Step 2: E-file the documents

Once you have completed the above two forms, you need to **e-file** and **pay**.

- E-filing can be done in person at the probate division of the circuit clerk's office courthouse or online with *Odyssey eFile IL*.
For information about e-filing go to: www.illinoiscourts.gov/self-help/how-to-e-file/
- There is a fee of **\$284.00** that must be paid when you e-file.
If you are unable to pay the fee, you can ask the court to waive it by filling out and e-filing an **Application for Waiver of Court Fees**.

Step 3: Attend your scheduled court date(s)

- Contact the Probate Clerk regarding scheduling: 847-377-3260
- Court appearances are held in person and remotely via Zoom. Zoom information can be found on the court's website:

www.19thcircuitcourt.state.il.us/2163/Remote-Court-Hearings

- There are typically **two court appearances**:
 1. The first appearance is for you to present your initial documents to the Judge for review. The Judge can grant **temporary guardianship** until a second hearing if everything is in order.
 2. The second hearing is for you to present the remaining documentation required to obtain **plenary guardianship***. If you were able to meet all of the requirements by the first hearing, then the second hearing may not be necessary. Please see the list of requirements below.

*Plenary Guardianship:

A guardianship that lasts until the minor's 18th birthday or until the guardian or another interested party asks the court otherwise.

If at some point a petition to discharge the guardian is filed, a hearing will be set for the Judge to hear both sides and make a decision in the best interest of the minor.



Requirements for Guardianship of the Person of a Minor

- **Birth Certificate:**

You can submit this in person at the courthouse or email it to the SRL Coordinator. If you do not have one, the judge may grant you the authority to obtain one.
- **Notice to Parents or Consent of Parents:**

You must send **Notice** to or obtain the notarized **Consent** of the parent(s) listed on the birth certificate and e-file these forms.

 - If a parent is deceased, then a **Death Certificate** is required following the same procedures above for providing a birth certificate.
 - If you are unable to locate a parent after a diligent search, the Judge may authorize **Publication** in a newspaper.

- **Nomination of Minor:**

If the minor is 14 years of age or older, a **nomination** form signed and notarized by the minor must be e-filed.
- **Background Check:**

You are required to obtain a background check at your own cost unless you are granted a fee waiver. You can do this at the Lake County Sheriff's Office located at 25 Martin Luther King Jr. Ave., Waukegan, IL. They will need file-stamped copies of your court paperwork.
- **Oath of Office:**

You can submit this form in person at the courthouse or email it to the SRL Coordinator.