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| **STATE OF ILLINOIS**  **COUNTY OF {{child.county}}** | **)**  **)**  **)** |

**ILLINOIS SHORT FORM**

**APPOINTMENT OF SHORT-TERM GUARDIAN**

IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

By properly completing this form, a parent or the guardian of the person of the child is appointing a guardian of a child of the parent (or a minor ward of the guardian, as the case may be) for a period of up to 365 days. A separate form should be completed for each child. The person appointed as the guardian must sign the form, but need not do so at the same time as the parent or parents or guardian.

If you are a parent or guardian who is a member of the Armed Forces of the United States, including any reserve component thereof, or the commissioned corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the Armed Forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on State active duty, you may appoint a short-term guardian for your child for the period of your active duty service plus 30 days. When executing this form, include the date your active duty service is scheduled to begin in part 3 and the date your active duty service is scheduled to end in part 4.

This form may not be used to appoint a guardian if there is a guardian already appointed for the child, except that if a guardian of the person of the child has been appointed, that guardian may use this form to appoint a short-term guardian. Both living parents of a child may together appoint a guardian of the child, or the guardian of the person of the child may appoint a guardian of the child, for a period of up to 365 days through the use of this form. If the short-term guardian is appointed by both living parents of the child, the parents need not sign the form at the same time.

**1. {{capitalize(parent\_or\_guardian)}} and Child.**

I, {{users[0].name.full(middle=’full’)}}, currently residing at {{users[0].address.address}}, am {{parent\_or\_guardian}}of the following child{% if born\_yet == False %} yet to be born{% endif %}:

|  |  |
| --- | --- |
| **Name:** | {{child.name.full(middle=’full’)}} |
| **{% if born\_yet == False %}Expected {% endif %}Birthdate:** | {{child.birth\_date}}. |

**2. Guardian.** I hereby appoint the following person as the short-term guardian for the child:

|  |  |
| --- | --- |
| **Name:** | {{guardian.name.full(middle=’full’)}} |
| **Address:** | {{guardian.address.line\_one(bare=True)}} |
|  |  |
|  | {{guardian.address.line\_two()}} |

**3. Effective date**. This appointment becomes effective:

|  |  |
| --- | --- |
| **{% if start\_date == “writing” %}X{% endif %}** | On the date that I state in writing that I am no longer either willing or able to make and carry out day-to-day child care decisions concerning the child. |
| **{% if start\_date == “physician” %}X{% endif %}** | On the date that a physician familiar with my condition certifies in writing that I am no longer willing or able to make and carry out day-to-day child care decisions concerning the child. |
| **{% if start\_date == “patient” %}X{% endif %}** | On the date that I am admitted as an in-patient to a hospital or other health care institution. |
| **{% if start\_date == “choose” %}X{% endif %}** | On the following date: {% if start\_date == “choose” %}{{specific\_start\_date}}{% endif %}  . |
| **{% if start\_date == “signed” %}X{% endif %}** | On the date the form is signed and dated below. |
| **{% if start\_date == “active duty” %}X{% endif %}** | On the date my active duty service begins: {% if start\_date == “active duty” %}{{specific\_start\_date}}{% endif %} |
| **{% if start\_date == “administrative” %}X{% endif %}** | Upon an administrative separation, as defined below.\* |
| **{% if start\_date == “event” %}X{% endif %}** | Other: {% if start\_date == “other” %}{{start\_date\_event}}{% endif %} |

**4. Termination**. This appointment shall terminate 365 days after the effective date, unless it terminates sooner as determined by the event or date I have indicated below:

|  |  |
| --- | --- |
| **{% if end\_date == “writing” %}X{% endif %}** | On the date that I state in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child. |
| **{% if end\_date == “physician” %}X{% endif %}** | On the date that a physician familiar with my condition certifies in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child. |
| **{% if end\_date == “patient” %}X{% endif %}** | On the date that I am discharged from the hospital or other health care institution where I was admitted as an in-patient, which established the effective date. |
| **{% if end\_date == “choose” %}X{% endif %}** | On the date which is {% if end\_date == “choose” %}{{length\_in\_days}}{% else %}\_\_\_\_\_{% endif %} days after the effective date. |
| **{% if end\_date == “active duty” %}X{% endif %}** | On the date no more than 30 days after my active duty service is scheduled to end: {% if end\_date == “active duty” %}{{specific\_end\_date}}{% endif %} |
| **{% if end\_date == “administrative” %}X{% endif %}** | In the event the administrative separation, as defined below,\* has been resolved. |
| **{% if end\_date == “event” %}X{% endif %}** | Other: {% if end\_date == “other” %}{{end\_date\_event}}{% endif %} |

**\* "Administrative separation"** means a parent's, legal guardian's, legal custodian's, or primary caretaker's:

1. arrest, detention, incarceration, removal, or deportation in connection with federal immigration enforcement, or
2. receipt of official communication by federal, State, or local authorities regarding immigration enforcement that gives reasonable notice that care and supervision of the child by the parent, legal guardian, legal custodian, or primary caretaker will be interrupted or cannot be provided.

**5. Date and signature of appointing parent or guardian.**

This appointment is made this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

({{users[0].name.full(middle=”full”)}})

**6. Witnesses.**

I saw {{ users[0].name.full(middle=”full”)}} sign this instrument or I saw {{ users[0].name.full(middle=”full”)}} direct someone to sign this instrument on their behalf. Then I signed this instrument as a witness in the presence of the {{users[0].name.full(middle=”full”)}}. I am not appointed in this instrument to act as the short-term guardian for the child.

|  |  |
| --- | --- |
| Witness 1: | Signed: |
|  | Name: {% if first\_witness\_known %}{{witnesses[0].name.full(middle=’full’)}}{% endif %} |
|  | Address: {% if first\_witness\_known %} {{witnesses[0].address.on\_one\_line(bare=True)}}{% endif %} |
|  |  |
| Witness 2: | Signed: |
|  | Name: {% if second\_witness\_known %}{{witnesses[1].name.full(middle=’full’)}}{% endif %} |
|  | Address: {% if second\_witness\_known %} {{witnesses[1].address.on\_one\_line(bare=True)}}{% endif %} |

**7. Acceptance of Short-Term guardian.** I accept this appointment as short-term guardian on

this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

({{guardian.name.full(middle=’full’)}})

**{% if include\_other\_parent\_info == True %}**

**8. Consent of child's other parent.** I, {{other\_parent.name.full(middle=’full’)}}, currently residing at {{other\_parent.address.on\_one\_line(bare=True)}}, hereby consent to this appointment on this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

({{other\_parent.name.full(middle=’full’)}})

**{% else %}**

**8. Consent of child's other parent.** I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, currently residing at

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby consent to this appointment on this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**{% endif %}**

NOTE: The signature of a consenting parent is not necessary if one of the following applies:

1. the child's other parent has died,
2. the whereabouts of the child's other parent are not known,
3. the child's other parent is not willing or able to make and carry out day-to-day child care decisions concerning the child, or
4. the child's parents were never married and no court has issued an order establishing parentage.

(Source: P.A. 95-568, eff. 6-1-08)

755 ILCS 5/11-13.2 Duties of a short term guardian of a minor.

(a) Immediately upon the effective date of the appointment of a short-term guardian, the short-term guardian of the minor shall assume all duties as short-term guardian of the minor as provided in this Section. The short-term guardian of the person shall have authority to act as short-term guardian, without direction of court, for the duration of the appointment, which in no case shall exceed a period of 365 days. The authority of the short-term guardian may be limited or terminated by a court of competent jurisdiction.

(b) Unless further specifically limited by the short-term guardian, a short-term guardian shall have the authority to act as guardian of the person of a minor as prescribed in Section 11-13, but shall not have any authority to act as guardian of the estate of a minor, except that a short-term guardian shall have the authority to apply for and receive on behalf of the minor benefits to which the child may be entitled from or under federal, State, or local organizations or programs.

755 ILCS 5/11-13.3 Reliance on authority of guardian, standby guardian, short-term guardian.

(a) Every health care provider and other person (reliant) has the right to rely on any decision or direction made by the guardian, standby guardian, or short-term guardian that is not clearly contrary to the law, to the same extent and with the same effect as though the decision or direction had been made or given by the parent. Any person dealing with the guardian, standby guardian, or short-term guardian may presume in the absence of actual knowledge to the contrary that the acts of the guardian, standby guardian, or short-term guardian conform to the provisions of the law. A reliant shall not be protected if the reliant has actual knowledge that the guardian, standby guardian, or short-term guardian is not entitled to act or that any particular action or inaction is contrary to the provisions of the law.

(b) A health care provider (provider) who relies on and carries out a guardian's, standby guardian's, or short-term guardian's directions and who acts with due care and in accordance with the law shall not be subject to any claim based on lack of parental consent, or to criminal prosecution, or to discipline for unprofessional conduct. Nothing in this Section shall be deemed to protect a provider from liability for the provider's own negligence in the performance of the provider's duties or in carrying out any instructions of the guardian, standby guardian, or short-term guardian, and nothing in this Section shall be deemed to alter the law of negligence as it applies to the acts of any guardian, standby guardian, or short-term guardian or provider.

(c) A guardian, standby guardian, or short-term guardian who acts or refrains from acting is not subject to criminal prosecution or any claim based upon lack of his or her authority or failure to act, if the act or failure to act was with due care and in accordance with law. The guardian, standby guardian, or short-term guardian shall not be liable merely because he or she may benefit from the act, has individual or conflicting interests in relation to the care and affairs of the parent, or acts in a different manner with respect to the parent's and guardian's, standby guardian's, or short-term guardian's own care or interests.