



Rep. Jennifer Gong-Gershowitz

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10400HB4649ham002

LRB104 17337 KTG 36177 a

1 AMENDMENT TO HOUSE BILL 4649

2 AMENDMENT NO. _____. Amend House Bill 4649 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Adult Protective Services Act is amended
5 by changing Sections 13 and 13.5 as follows:

6 (320 ILCS 20/13)

7 Sec. 13. Access.

8 (a) In accord with established law and Department
9 protocols, procedures, and policies, the designated provider
10 agencies shall have access to eligible adults who have been
11 reported or found to be victims of abuse, abandonment,
12 neglect, financial exploitation, or self-neglect in order to
13 assess the validity of the report, assess other needs of the
14 eligible adult, and provide services in accordance with this
15 Act.

16 (a-5) A representative of the Department or a designated

1 provider agency that is actively involved in an abuse,
2 abandonment, neglect, financial exploitation, or self-neglect
3 investigation under this Act shall be allowed access to the
4 financial records, mental and physical health records, and
5 other relevant evaluative records of the eligible adult which
6 are in the possession of any individual, financial
7 institution, health care provider, mental health provider,
8 educational facility, or other facility if necessary to
9 complete the investigation mandated by this Act. The provider
10 or facility shall provide such records to the representative
11 upon receipt of a written request and certification from the
12 Department or designated provider agency that an investigation
13 is being conducted under this Act and the records are
14 pertinent to the investigation.

15 Any records received by such representative, the
16 confidentiality of which is protected by another law or rule,
17 shall be maintained as confidential, except for such use as
18 may be necessary for any administrative or other legal
19 proceeding.

20 (b) Where access to an eligible adult is denied, including
21 the refusal to provide requested records, the Office of the
22 Attorney General, the Department, or the provider agency may
23 petition the court for an order to require appropriate access
24 where:

25 (1) a caregiver or third party has interfered with the
26 assessment or service plan, or

1 (2) the agency has reason to believe that the eligible
2 adult is denying access because of coercion, extortion, or
3 justifiable fear of future abuse, abandonment, neglect, or
4 financial exploitation.

5 (c) The petition for an order requiring appropriate access
6 shall be afforded an expedited hearing in the circuit court.

7 (d) If the provider agency has substantiated financial
8 exploitation against an eligible adult, and has documented a
9 reasonable belief that the eligible adult will be irreparably
10 harmd as a result of the financial exploitation, the Office
11 of the Attorney General, the Department, or the provider
12 agency may petition for a temporary restraining order or any
13 other relief outlined in subsection (e) ~~an order freezing the~~
14 ~~assets of the eligible adult~~. The petition shall be filed in
15 the county or counties in which the assets are located. The
16 court's order shall prohibit the sale, gifting, transfer, or
17 wasting of the assets of the eligible adult, both real and
18 personal, owned by, or vested in, the eligible adult, without
19 the express permission of the court. The petition to freeze
20 the assets of the eligible adult shall be afforded an
21 expedited hearing in the circuit court.

22 (e) Temporary restraining order; service; hearing.

23 (1) (A) The court may grant a temporary restraining
24 order ex parte, pending a full hearing, and may grant such
25 relief as the court deems proper if the court finds that:

26 (i) An immediate and present danger of

1 exploitation of the eligible adult exists.

2 (ii) There is a likelihood of irreparable harm and
3 nonavailability of an adequate remedy at law.

4 (iii) There is a substantial likelihood of success
5 on the merits.

6 (iv) The threatened injury to the eligible adult
7 outweighs possible harm to the respondent.

8 (v) Granting a temporary restraining order will
9 not disserve the public interest.

10 (vi) The temporary restraining order provides for
11 the eligible adult's physical or financial safety.

12 (B) Such relief the court deems proper may include,
13 but is not limited to, any of the following:

14 (i) Restraining the respondent from committing any
15 acts of exploitation against the eligible adult.

16 (ii) Awarding to the eligible adult the temporary
17 exclusive use and possession of the dwelling that the
18 eligible adult and the respondent share, or barring
19 the respondent from the residence of the eligible
20 adult. The court shall confirm the availability of any
21 required services or alternative caregivers that may
22 be necessary to ensure the eligible adult's safety.

23 (iii) Freezing any assets of the eligible adult in
24 any depository or financial institution whether titled
25 solely in the eligible adult's name, solely in the
26 respondent's name, jointly with the respondent, in

1 guardianship, in trust, or in a Totten trust, provided
2 that:

3 (I) Assets held by a guardian for the eligible
4 adult may be frozen only by an order entered by the
5 court overseeing the guardianship proceeding.

6 (II) Assets held by a trust may be frozen only
7 by an order of the court if all the trustees of the
8 trust are served with process and are given
9 reasonable notice before any hearing on the
10 petition.

11 (III) Assets held solely in the name of the
12 respondent may only be frozen on an ex parte basis
13 if the petition and affidavit demonstrate to the
14 court probable cause that such assets are
15 traceable to the unlawful exploitation of the
16 eligible adult, that such assets are likely to be
17 returned to the eligible adult after a final
18 evidentiary hearing, and that no other adequate
19 remedy at law is reasonably available.

20 (iv) Freezing any line of credit of the eligible
21 adult at any depository or financial institution
22 whether listed solely in the eligible adult's name or
23 jointly with the respondent.

24 (I) Lines of credit held by a guardian for the
25 eligible adult may be frozen only by an order
26 entered by the court overseeing the guardianship

1 proceeding.

2 (II) Lines of credit held by a trust may be
3 frozen only by an order of the court if all the
4 trustees of the trust are served with process and
5 are given reasonable notice before any hearing on
6 the petition.

7 (v) Prohibiting the respondent from having direct
8 or indirect contact with the eligible adult.

9 (vi) Providing directives to law enforcement
10 agencies.

11 (vii) If the court has ordered an asset and credit
12 freeze, ordering that specified living expenses of the
13 eligible adult continue to be paid.

14 (viii) Ordering any financial institution holding
15 assets of the eligible adult to pay the clerk of the
16 circuit court from unencumbered assets of the eligible
17 adult, if any, a fee of \$75 if the assets of the
18 eligible adult are between \$1,500 and \$5,000 or a fee
19 of \$200 if the assets are in excess of \$5,000. The
20 court may rely on the estimate of the value of the
21 assets in the petition when assessing the fee. The fee
22 shall be taxed as costs against the respondent if the
23 court enters a temporary restraining order.

24 (2) Except as provided in Section 10-60 of the
25 Illinois Administrative Procedure Act, in a hearing ex
26 parte for the purpose of obtaining an ex parte temporary

1 restraining order, the petitioner can present any relevant
2 evidence, including, but not limited to, verified
3 pleadings, affidavits, police reports, medical reports,
4 financial records, verbal testimony, still photos, audio
5 recordings, and video recordings.

6 (3) A denial of a petition for an ex parte temporary
7 restraining order must be by written order and must note
8 the legal grounds for denial. When the only ground for
9 denial is failure to demonstrate appearance of an
10 immediate and present danger of exploitation of an
11 eligible adult, the court must set a full hearing on the
12 petition for a temporary restraining order at the earliest
13 possible date. Nothing in this paragraph affects a
14 petitioner's right to promptly amend any petition
15 consistent with court rules.

16 (4) An ex parte temporary restraining order may be in
17 effect for a fixed period not to exceed 15 days unless good
18 cause is shown to extend the order. The ex parte temporary
19 restraining order may be extended one time for up to an
20 additional 30 days. A full hearing, as provided by this
21 Section, must be set for a date no later than the date when
22 the ex parte temporary restraining order ceases to be in
23 effect.

24 (f) Reasonable cause. In determining whether a petitioner
25 has reasonable cause to believe that the eligible adult is, or
26 is in imminent danger of becoming, a victim of exploitation,

1 the court shall consider and evaluate all relevant factors,
2 including, but not limited to, any of the following:

3 (1) The existence of a verifiable order of protection
4 issued previously or from another jurisdiction.

5 (2) Any history of exploitation by the respondent upon
6 the eligible adult in the petition or any other eligible
7 adult.

8 (3) Any history of the eligible adult being previously
9 exploited or unduly influenced.

10 (4) The capacity of the eligible adult to make
11 decisions related to his or her finances and property.

12 (5) Susceptibility of the eligible adult to undue
13 influence.

14 (6) Any criminal history of the respondent or previous
15 probable cause findings by the adult protective services
16 program, if known.

17 (g) Notice of petition and restraining order.

18 (1) The respondent shall be personally served, in
19 accordance with Section 2-203 of the Code of Civil
20 Procedure, with a copy of the petition, notice of hearing,
21 and temporary restraining order, if any, before the final
22 hearing.

23 (2) If the petitioner is acting in a representative
24 capacity, the eligible adult shall also be served with a
25 copy of the petition, notice of hearing, and temporary
26 restraining order, if any, before the final hearing.

1 (3) If any assets or lines of credit are ordered to be
2 frozen, the depository or financial institution must be
3 served as provided in Section 2-204 of the Code of Civil
4 Procedure.

5 (h) Final hearing on petition.

6 (1) (A) The court may grant such relief as the court
7 deems proper when, upon notice and hearing, it appears to
8 the court that:

9 (i) The eligible adult is the victim of
10 exploitation or that the eligible adult is in imminent
11 danger of becoming a victim of exploitation.

12 (ii) There is a likelihood of irreparable harm and
13 nonavailability of an adequate remedy at law.

14 (iii) The threatened injury to the eligible adult
15 outweighs possible harm to the respondent.

16 (iv) Where the restraining order freezes assets of
17 the respondent, the court finds probable cause that
18 exploitation has occurred, the freeze only affects the
19 proceeds of such exploitation, and there is a
20 substantial likelihood that such assets will be
21 ordered to be returned to the eligible adult.

22 (v) The relief provides for the eligible adult's
23 physical or financial safety.

24 (B) Such relief may include, but need not be limited
25 to, any of the following:

26 (i) Continuing the temporary restraining order in

1 part or in whole.

2 (ii) Restraining the respondent from committing
3 any acts of exploitation.

4 (iii) Awarding to the eligible adult the exclusive
5 use and possession of the dwelling that the eligible
6 adult and the respondent share or excluding the
7 respondent from the residence of the eligible adult.
8 The court shall confirm the availability of any
9 required services or alternative caregivers that may
10 be necessary to ensure the eligible adult's safety.

11 (iv) Ordering the respondent to participate in
12 treatment, intervention, or counseling services to be
13 paid for by the respondent.

14 (v) Directing that assets under temporary freeze
15 by a restraining order be returned to the eligible
16 adult, or directing that those assets remain frozen
17 until ownership can be determined; and directing that
18 the temporary freeze on any line of credit be lifted.

19 (vi) Where the court has found that the respondent
20 has engaged in exploitation of the eligible adult,
21 entering a final cost judgment against the respondent
22 and in favor of the petitioner for all taxable costs,
23 and entering a final cost judgment against the
24 respondent and in favor of the clerk of the circuit
25 court for all the clerk's filing fees and service
26 charges that were waived by operation of this Section.

1 (vii) Ordering such other relief as the court
2 deems necessary for the protection of a victim of
3 exploitation, including injunctions or directives to
4 law enforcement agencies, as provided in this Section.

5 (2) The court must allow an advocate from a State's
6 Attorney's Office or a law enforcement agency to be
7 present with the petitioner or the respondent during any
8 court proceedings or hearings related to the temporary
9 restraining order, provided the petitioner or the
10 respondent has made such a request and the advocate is
11 able to be present.

12 (3) The terms of a temporary restraining order as
13 provided in paragraph (1) remain in effect until the
14 temporary restraining order is modified or dissolved.

15 (i) Provisions required in any temporary restraining
16 order, preliminary injunction, or permanent injunction. A
17 temporary restraining order, preliminary injunction, or
18 permanent injunction entered by a court must, on its face,
19 indicate:

20 (1) That the temporary restraining order, preliminary
21 injunction, or permanent injunction is valid and
22 enforceable in all counties of this State.

23 (2) That law enforcement officers may use their arrest
24 powers under the Code of Criminal Procedure of 1963 to
25 enforce the terms of the temporary restraining order,
26 preliminary injunction, or permanent injunction.

1 (3) That the court had jurisdiction over the parties
2 and subject matter under State law and that reasonable
3 notice and opportunity to be heard were given to the
4 person against whom the temporary restraining order,
5 preliminary injunction, or permanent injunction was
6 sought, in a manner that was sufficient to protect that
7 person's right to due process.

8 (4) If any assets or lines of credit are ordered to be
9 frozen, the date that the depository or financial
10 institution was served with the temporary restraining
11 order, preliminary injunction, or permanent injunction as
12 provided in Section 2-204 of the Code of Civil Procedure.

13 (5) The date the respondent was served with the
14 petition for a temporary restraining order, preliminary
15 injunction, or permanent injunction.

16 (j) Transmittal to sheriff; service.

17 (1) (A) The clerk of the circuit court shall furnish a
18 copy of the petition, the financial affidavit, the notice
19 of hearing, and any temporary restraining order to the
20 sheriff or a law enforcement agency of the county in which
21 the respondent resides or can be found, who shall serve it
22 upon the respondent as soon thereafter as possible on any
23 day of the week and at any time of the day or night. At the
24 request of the sheriff, the clerk of the circuit court may
25 transmit a facsimile copy of a temporary restraining order
26 that has been certified by the clerk of the circuit court

1 in accordance with paragraph (4), and this facsimile copy
2 may be served in the same manner as a certified copy. The
3 clerk of the circuit court shall also furnish to the
4 sheriff such information on the respondent's physical
5 description and location as is required by the Illinois
6 State Police to comply with the verification procedures
7 set forth in subparagraph (B).

8 (B) Upon receiving a facsimile copy, the sheriff must
9 verify receipt with the clerk of the circuit court before
10 attempting to serve it upon the respondent. If the sheriff
11 is in possession of a temporary restraining order that has
12 been certified by the clerk of the circuit court, the
13 sheriff may transmit a facsimile copy of that temporary
14 restraining order to a law enforcement officer who shall
15 serve it in the same manner as a certified copy.

16 (C) Notwithstanding any other provision of law, the
17 chief judge of each judicial circuit, in consultation with
18 the appropriate sheriff, may authorize a law enforcement
19 agency within the jurisdiction to effect service. A law
20 enforcement agency performing service in accordance with
21 this Section shall use service and verification procedures
22 consistent with those of the sheriff.

23 (2) (A) Except where the eligible adult is the
24 petitioner, the clerk of the circuit court shall furnish a
25 copy of the petition, the financial affidavit, the notice
26 of hearing, and any temporary restraining order to the

1 sheriff or a law enforcement agency of the county in which
2 the eligible adult resides or can be found, who shall
3 serve it upon the eligible adult as soon thereafter as
4 possible on any day of the week and at any time of the day
5 or night. At the request of the sheriff, the clerk of the
6 circuit court may transmit a facsimile copy of a temporary
7 restraining order that has been certified by the clerk of
8 the circuit court in accordance with paragraph (4), and
9 this facsimile copy may be served in the same manner as a
10 certified copy. The clerk of the circuit court shall also
11 furnish to the sheriff such information on the eligible
12 adult's physical description and location as is required
13 by the Illinois State Police to comply with the
14 verification procedures set forth in subparagraph (B).

15 (B) Upon receiving a facsimile copy, the sheriff must
16 verify receipt with the clerk of the circuit court before
17 attempting to serve it upon the eligible adult. If the
18 sheriff is in possession of a temporary restraining order
19 that has been certified by the clerk of the circuit court,
20 the sheriff may transmit a facsimile copy of that
21 temporary restraining order to a law enforcement officer,
22 who shall serve it in the same manner as a certified copy.

23 (C) Notwithstanding any other provision of law, the
24 chief judge of each judicial circuit, in consultation with
25 the appropriate sheriff, may authorize a law enforcement
26 agency within the jurisdiction of the judicial circuit to

1 effect service. A law enforcement agency performing
2 service in accordance with this Section shall use service
3 and verification procedures consistent with those of the
4 sheriff.

5 (3) When a temporary restraining order, preliminary
6 injunction, or permanent injunction is issued by a court
7 to protect against the exploitation of an eligible adult,
8 if the petitioner requests that a law enforcement agency
9 assist the eligible adult, the court may order that an
10 officer from the appropriate law enforcement agency
11 accompany the eligible adult and assist in the service or
12 execution of the temporary restraining order, preliminary
13 injunction, or permanent injunction, including returning
14 possession of a dwelling or residence to the eligible
15 adult. A law enforcement officer shall accept a copy of
16 the temporary restraining order, preliminary injunction,
17 or permanent injunction, certified by the clerk of the
18 circuit court in accordance with paragraph (4), from the
19 petitioner and immediately serve it upon a respondent who
20 has been located but not yet served. The law enforcement
21 agency must also serve any temporary restraining order,
22 preliminary injunction, or permanent injunction freezing
23 assets on a financial institution where assets subject to
24 dissipation are held, or where a credit line may be
25 exploited. Service upon the depository or financial
26 institution must be served as provided in Section 2-204 of

1 the Code of Civil Procedure.

2 (4) The clerk of the circuit court shall certify a
3 copy of all orders issued, changed, continued, extended,
4 or vacated subsequent to the original service of the
5 original petition, notice of hearing, or temporary
6 restraining order and deliver the certified copy to the
7 parties at the time of the entry of the order. The parties
8 may acknowledge receipt of a certified order in writing on
9 the face of the original order. If a party fails or refuses
10 to acknowledge the receipt of a certified copy of an
11 order, the clerk of the circuit court must note on the
12 original petition that service was effected. If delivery
13 at the hearing during which an order is issued is not
14 possible, the clerk of the circuit court shall mail
15 certified copies of the order to the parties at their
16 respective last known mailing addresses; except that
17 service upon a depository or financial institution must be
18 served as provided in Section 2-204 of the Code of Civil
19 Procedure. Service by mail is complete upon mailing. When
20 an order is served in accordance with this paragraph, the
21 clerk of the circuit court shall notify the sheriff of the
22 service and prepare a written certification to be placed
23 in the court file specifying the time, date, and method of
24 service.

25 (5) If the respondent has been previously served with
26 the temporary restraining order and has failed to appear

1 at the initial hearing on the temporary restraining order,
2 any subsequent petition for a temporary restraining order
3 or preliminary injunction seeking an extension of time may
4 be served on the respondent by the clerk of the court by
5 certified mail in lieu of personal service by a law
6 enforcement officer.

7 (6) (A) Within 24 hours after the court issues a
8 temporary restraining order, preliminary injunction, or
9 permanent injunction to protect an eligible adult against
10 exploitation or changes, continues, extends, or vacates
11 such an order or injunction, the clerk of the circuit
12 court must forward a certified copy of the temporary
13 restraining order, preliminary injunction, or permanent
14 injunction to the sheriff with jurisdiction over the
15 residence of the petitioner for service in accordance with
16 this subsection.

17 (B) Within 24 hours after service of a temporary
18 restraining order, preliminary injunction, or permanent
19 injunction upon a respondent to protect an eligible adult
20 against exploitation, the law enforcement officer who
21 served the temporary restraining order, preliminary
22 injunction, or permanent injunction must forward the
23 written proof of service to the sheriff with jurisdiction
24 over the residence of the petitioner.

25 (C) Within 24 hours after the sheriff receives a
26 certified copy of the temporary restraining order,

1 preliminary injunction, or permanent injunction to protect
2 an eligible adult against exploitation, the sheriff must
3 make information related to the order or injunction
4 available to this State's law enforcement agencies by
5 electronically transmitting such information to the
6 Illinois State Police.

7 (D) Within 24 hours after the sheriff or other law
8 enforcement officer has made service upon the respondent
9 and the sheriff has been so notified, the sheriff must
10 make information relating to the service available to
11 other law enforcement agencies by electronically
12 transmitting such information to the Illinois State
13 Police.

14 (E) Within 24 hours after a temporary restraining
15 order, preliminary injunction, or permanent injunction is
16 terminated or otherwise rendered no longer effective by
17 ruling of the court, the clerk of the circuit court must
18 notify the sheriff receiving original notification of the
19 temporary restraining order, preliminary injunction, or
20 permanent injunction as provided in subparagraph (A). The
21 sheriff shall, within 24 hours after receiving such
22 notification from the clerk of the circuit court, notify
23 the Illinois State Police of such court action.

24 (k) Enforcement.

25 (1) As to the respondent, the court may enforce a
26 violation of a temporary restraining order, preliminary

1 injunction, or permanent injunction issued to protect an
2 eligible adult against exploitation through a civil or
3 criminal contempt proceeding, and the State's Attorney may
4 prosecute it as a criminal violation. Any assessment or
5 fine ordered by the court enforcing the temporary
6 restraining order, preliminary injunction, or permanent
7 injunction shall be collected by the clerk of the circuit
8 court and transferred on a monthly basis to the State
9 Treasurer for deposit into the Domestic Violence Fund.

10 (2) If the respondent is arrested by a law enforcement
11 officer, the respondent must be held in custody until he
12 or she is brought before the court, which must occur as
13 expeditiously as possible, for the purpose of enforcing
14 the temporary restraining order, preliminary injunction,
15 or permanent injunction and for admittance to bail in
16 accordance with the applicable rules of criminal
17 procedure, pending a hearing.

18 (1) Judgment for damages. Actual damages may be assessed
19 against the petitioner in a proceeding under this Section if
20 the court finds that the petition lacks substantial factual or
21 legal support.

22 (m) Modification or dissolution of a temporary restraining
23 order, preliminary injunction, or permanent injunction. The
24 petitioner, respondent, or eligible adult may move at any time
25 to modify or dissolve the temporary restraining order,
26 preliminary injunction, or permanent injunction in part or in

1 whole. No specific allegations are required for modification
2 or dissolution of the temporary restraining order, preliminary
3 injunction, or permanent injunction, which may be granted in
4 addition to other civil or criminal penalties. The court shall
5 promptly hear a motion to modify or dissolve a temporary
6 restraining order, preliminary injunction, or permanent
7 injunction.

8 (Source: P.A. 102-244, eff. 1-1-22.)

9 (320 ILCS 20/13.5)

10 Sec. 13.5. Commencement of action for access; filing fees;
11 process; notice; duration of orders.

12 (a) Actions for orders seeking access to an eligible adult
13 or for any other relief outlined in subsection (e) of Section
14 13 freezing assets of an eligible adult are commenced:

15 (1) independently, by filing a petition for access to
16 an eligible adult or freezing the assets of an eligible
17 adult in the circuit court;

18 (2) in conjunction with other civil proceedings, by
19 filing a petition for access to an eligible adult or
20 freezing the assets of an eligible adult under the same
21 case number as another civil proceeding involving the
22 parties, including, but not limited to:

23 (i) a guardianship proceeding under the Probate
24 Act of 1975;

25 (ii) a proceeding for involuntary commitment under

1 the Mental Health and Developmental Disabilities Code;

2 (iii) any other proceeding, provided that the
3 eligible adult or the respondent is a party to or the
4 subject of that proceeding.

5 (b) No fee shall be charged by the clerk for filing
6 petitions or certifying orders. No fee shall be charged by a
7 sheriff for service by the sheriff of such a petition, rule,
8 motion, or order in an action commenced under this Section.

9 (c) Any action for an order for access to an eligible adult
10 or freezing assets of an eligible adult, whether commenced
11 independently or in conjunction with another proceeding, is a
12 distinct cause of action and requires that a separate summons
13 be issued and served, except that in pending cases the
14 following methods may be used:

15 (1) Delivery of the summons to respondent personally
16 in open court in pending civil or criminal cases.

17 (2) Mailing to the defendant, or, if represented, to
18 the defendant's attorney of record in the civil cases in
19 which the defendant has filed a general appearance. The
20 summons shall be in the form prescribed by subsection (d)
21 of Supreme Court Rule 101, except that it shall require
22 the respondent to answer or appear within 7 days.
23 Attachments to the summons or notice shall include the
24 petition for access to an eligible adult or freezing
25 assets of an eligible adult and supporting affidavits, if
26 any, and any emergency order for access to an eligible

1 adult or freezing assets of an eligible adult that has
2 been issued.

3 (d) Summons may be served by a private person over 18 years
4 of age and not a party to the action. The return by that
5 private person shall be by affidavit. The summons may be
6 served by a sheriff or other law enforcement officer, and if
7 summons is placed for service by the sheriff, it shall be made
8 at the earliest time practicable and shall take precedence
9 over other summonses except those of a similar emergency
10 nature.

11 (e) Except as otherwise provided in this Section, notice
12 of hearings on petitions or motions shall be served in
13 accordance with Supreme Court Rules 11 and 12 unless notice is
14 excused by the Code of Civil Procedure, Supreme Court Rules,
15 or local rules, as now or hereafter amended.

16 (f) Original notice of a hearing on a petition for access
17 to an eligible adult or freezing assets of an eligible adult
18 may be given, and the documents served, in accordance with
19 Supreme Court Rules 11 and 12. When, however, an emergency
20 order is sought in such a case on an ex parte application, the
21 notice rules set forth in Section 11-101 of the Code of Civil
22 Procedure shall apply.

23 (g) An order entered in accordance with Sections 13 and
24 13.5 shall be valid for a fixed period of time, not to exceed 2
25 years.

26 (Source: P.A. 91-731, eff. 6-2-00.)

1 Section 10. The Code of Civil Procedure is amended by
2 adding Section 2-203.3 as follows:

3 (735 ILCS 5/2-203.3 new)

4 Sec. 2-203.3. Service on third party platform; financial
5 exploitation. In cases of financial exploitation where the
6 alleged perpetrator is unknown or unascertainable, such that
7 service is impracticable under items (1) and (2) of subsection
8 (a) of Section 2-203, service upon the alleged perpetrator may
9 be made on the platform or third party through which the
10 alleged financial exploitation occurred. Notice shall be
11 provided by the same method used by the alleged perpetrator to
12 communicate with the protected party, and documentation of
13 identifying information and all service attempts shall be
14 filed with the court. The court may order any further
15 reasonable measures to effectuate notice and provide an
16 opportunity to be heard."