

1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
4 COUNTY DEPARTMENT - PROBATE DIVISION

5 IN THE MATTER OF THE ESTATE)
)
6 OF) No. 09 P 4585
)
7 GLORIA SYKES,)
)
8 A DISABLED PERSON.)

9
10 REPORT OF PROCEEDINGS

11 had at the hearing of the above-entitled cause, before
12 the Honorable MAUREEN CONNORS, Judge of said court, on
13 the 21st day of September, A.D. 2009.

14 PRESENT:

15 MR. ADAM STERN &
16 MS. CYNTHIA FARENGA,
Guardians Ad Litem;

17 MS. WENDY CAPPELLETTO,
18 Appeared on behalf of the Office
of the Public Guardian;

19 MR. HARVEY JACK WALLER,
20 Appeared on behalf of Caroline Thorpe;

21 MS. GLORIA SYKES,
Appeared pro se.

22 Patricia M. Kovats, C.S.R., R.P.R.
23 Official Court Reporter
License #084-003455
24

1 THE COURT: We'll start with the lawyers.

2 MS. FARENGA: Miss Sykes is profoundly hard of
3 hearing. She reads lips. I don't know if she could
4 read the Court's lips from here or if the Court needs
5 to step down.

6 THE COURT: Can you read my lips very much?

7 MS. M. G. SYKES: Yes.

8 THE COURT: Tell me if you can't understand.

9 MS. M. G. SYKES: Okay. I will stop you.

10 THE COURT: Mrs. Sykes has informed me she could
11 read my lips from this distance.

12 MS. FARENGA: Great.

13 THE COURT: As a courtesy to Mrs. Sykes, those
14 persons that are talking should be speaking at her so
15 she could read the lips as well.

16 MS. M. G. SYKES: Thank you.

17 THE COURT: Let's start one at a time now. We'll
18 get everyone's name.

19 MR. WALLER: Harvey Jack Waller on behalf of
20 daughter, Caroline Thorpe, petitioner.

21 THE COURT: Counsel you are?

22 MR. STERN: Adam Stern. I was special guardian ad
23 litem. I have not been discharged.

24 MS. CAPALETTA: Wendy Cappelletto from the Office

1 of the Public Guardian.

2 MS. FARENGA: Cynthia Farenga, guardian ad litem.

3 THE COURT: Your name please?

4 MS. M. G. SYKES: Mary Grace Sykes.

5 THE COURT: Thank you. Over here.

6 MR. THORPE: Fred Thorpe, son-in-law.

7 MS. THORPE: Caroline Thorpe, daughter.

8 MS. MACLENNAN: Betty MacLennan,

9 M-a-c-l-e-n-n-a-n.

10 THE COURT: Your name?

11 MS. G. J. SYKES: Gloria Jean Sykes. Mary's
12 daughter.

13 MS. Y. BAKKEN: Yolanda Bakken. I am her sister.

14 MS. K. BAKKEN: Kathy Bakken, niece.

15 MR. EVANS: Scott Evans, friend of the Sykes
16 family since 1995.

17 THE COURT: Where are you living now, Mrs. Sykes?

18 MS. M. G. SYKES: 1614 North Avondale, Chicago,
19 Illinois.

20 THE COURT: Is that your house?

21 MS. M. G. SYKES: Yes.

22 THE COURT: How is everything over there?

23 MS. M. G. SYKES: Fine.

24 THE COURT: Do you know how long you have been

1 back there now?

2 MS. M. G. SYKES: Well, quite a few years.

3 THE COURT: Were you staying with your daughter
4 for awhile?

5 MS. M. G. SYKES: For awhile, yes. I like to
6 visit with them. Stay for a week or two and come back
7 home and go to the other one.

8 THE COURT: Is there any problem with the move
9 back home?

10 MS. THORPE: No, your Honor.

11 THE COURT: We have service since August 31. Do
12 we have a doctor's report?

13 MR. WALLER: Yes, your Honor. I just received it
14 this morning.

15 THE COURT: Has everyone else seen this?

16 MS. FARENGA: Yes, your Honor, I have.

17 MS. G. J. SYKES: I haven't.

18 THE COURT: I don't think Gloria, the other
19 daughter, has seen it. Madam, you were represented by
20 an attorney, is that right?

21 MS. G. J. SYKES: Yes.

22 THE COURT: But you are no longer represented by
23 that counsel?

24 MS. G. J. SYKES: No. I am representing myself

1 right now until such time I will need an attorney.

2 MS. FARENCA: I received a notice of motion for
3 withdrawal. I presume it was granted.

4 MR. STERN: It was granted.

5 THE COURT: So you've been able to talk about
6 trying to get this settled?

7 MS. FARENCA: There is not going to be a
8 settlement between the parties. There may be something
9 worked out with a number of people's help.

10 THE COURT: Are we gonna try to get that
11 accomplished?

12 MS. FARENCA: For the first time today I am filing
13 my written report which I transmitted a copy of over
14 the weekend. I have tendered that to everyone, all of
15 the parties.

16 THE COURT: So her opinion as to guardianship?

17 MS. FARENCA: There is a profound need for
18 guardianship. Mrs. Sykes knows a number of things.
19 She knows where she is when she is in her home. She
20 knows her family. She knows that she wants to be in
21 her home.

22 MS. M. G. SYKES: Correct.

23 MS. FARENCA: There is severe memory impairment
24 and extreme voluntary ability to undue influence. I

1 have had a lengthy conversation with everyone present
2 about various alternatives and I should not take all of
3 the time right now, but my bottom line position today
4 is that I would like to leave with a temporary care
5 plan in place in which either Mrs. Sykes is living in
6 her home with a paid caregiver and I will discuss where
7 those funds might come from, or I know that counsel for
8 Caroline Thorpe has his own position.

9 The public guardian wishes to have
10 approximately two weeks to investigate whether its
11 involvement is appropriate. And Thomas Kleinhenz from
12 Rehab Assist will be joining us when he can.

13 The current arrangement of Mrs. Sykes living
14 with Gloria as her de facto caregiver is that I believe
15 the agitation to Mrs. Sykes is extreme. I believe
16 there is a great deal of agitation.

17 THE COURT: Is it a -- Is it two flat?

18 MS. FARENGA: Yes.

19 THE COURT: Gloria lives --

20 MS. FARENGA: She's agreed to be on-sight 24-hour
21 caregiver.

22 THE COURT: I thought there was an order on that.

23 MS. FARENGA: Okay. I am prefacing this by saying
24 both daughters love their mom enormously. There is

1 without a doubt a background of financial concern over
2 wills that had been made and signed or not signed.
3 That really is the backdrop for the dynamic movement.

4 THE COURT: Okay. The doctor recommends 24-hour
5 care, right?

6 MS. FARENKA: Yes, your Honor.

7 THE COURT: What do you think about the care plan
8 that's in place right now?

9 MR. WALLER: Your Honor, the Court asked my client
10 to return her mother last -- two weeks ago, whenever.
11 There was a condition of the refrigerator that GAL is
12 interested in sending them back to. We have a
13 different plan.

14 THE COURT: Which is?

15 MR. WALLER: My client is a psychologist for a
16 school district.

17 MS. THORPE: High school guidance counselor.

18 THE COURT: She works ten minutes away from the
19 house.

20 MR. WALLER: Her husband is retired. He is in the
21 home to take care of mom. They live in Naperville.
22 They have a daughter that's how old?

23 MS. THORPE: 22.

24 MR. WALLER: That goes to college.

1 MS. THORPE: She graduated already.

2 MR. WALLER: Our plan is since my client was named
3 four-and-a-half years ago under power of attorneys
4 health care and property is first power of attorney
5 when mom perhaps was in a mentally sound position. She
6 would like to have her live there and take care of her.
7 The funds are very scant.

8 THE COURT: That's your care plan?

9 MR. WALLER: Yes.

10 THE COURT: What's your care plan?

11 MS. G. J. SYKES: First, I'd like to address --

12 THE COURT: No. I want to know --

13 MS. G. J. SYKES: My care plan is this. There has
14 been absolutely no undue stress --

15 THE COURT: I want to know your care plan for
16 taking care of your mother.

17 MS. G. J. SYKES: What we've been doing since we
18 left court last time, unfortunately, she came home with
19 a 102 fever.

20 THE COURT: I want to know who will be in place
21 taking care of her 24 hours a day.

22 MS. G. J. SYKES: She is -- She will be going to
23 Regency.

24 THE COURT: Regency what?

1 MS. G. J. SYKES: Regency Daycare which she
2 doesn't like, but she started Regency Daycare.

3 THE COURT: How many days a week does she go?

4 MS. G. J. SYKES: She can go five days.

5 THE COURT: Is she going five days?

6 MS. G. J. SYKES: She will start. She's been
7 under medical attention so she has a home nurse coming.
8 She has a physical therapist coming who will be there
9 this afternoon. And the home nurse is there tomorrow.
10 Everyone is coming twice a week. She has to go to the
11 doctor --

12 THE COURT: Who would be providing 24-hour care
13 for your mother is my question?

14 MS. G. J. SYKES: I would be.

15 THE COURT: You will be there 24 hours a day?

16 MS. G. J. SYKES: If I'm -- I am there normally
17 working out of the house. She does go with me places.

18 THE COURT: The doctor says she needs 24-hour
19 care. I need to know who will be with her 24 hours a
20 day.

21 MS. G. J. SYKES: I will be. She will be at
22 Regency Daycare. If I cannot be there, we have family
23 that will come over; in the evening let's say or --

24 THE COURT: It sounds like it is loose. You can't

1 possibly be with her 24 hours a day. I need to know in
2 writing what your care plan would be.

3 MR. WALLER: I forgot something. My client makes
4 her own schedule at the school. If her husband can't
5 handle it, she could be there.

6 THE COURT: It is a simple call if she agrees, but
7 I don't know if she does.

8 MR. STERN: For the record, I met Mary Sykes three
9 times; one in the Naperville home, twice in court.
10 There's been a lot of commotion in the hallway, both
11 court appearances. It is a complete contrast from when
12 I saw her in the Naperville home where she was calm and
13 pleasant and did not seem to be unduly burdened by
14 everything that's been going on from guardianship and
15 the will and everything.

16 I had concerns with Mary Sykes going back to
17 her home and being in the environment without
18 supervision, without anyone else being around. And
19 from what I've seen today and from his report, I see my
20 fears coming true. The situation where something --
21 somebody needs to step in. I don't know what it is,
22 but I have -- I share Miss Farenga's concerns. I did
23 not talk to her until late last week. For her to make
24 her own assessment of the situation -- I wanted her to

1 have someone else to make an assessment of the
2 situation. I think Miss Farenga and I who are
3 experienced in these areas, come to the same
4 conclusion. It's a situation that something will
5 happen if not addressed.

6 MS. FARENGA: Since counsel showed me those
7 photographs, since I was walking into the courtroom, it
8 is unfair to say I want to send Mrs. Sykes back to that
9 condition, if Mrs. Sykes returns home or stays at home.
10 It is my opinion that Gloria Sykes could not be
11 involved with her care and if it were necessary to get
12 an order of protection to accomplish that, then that
13 might be necessary.

14 THE COURT: What are the reasons you have she
15 should not be involved in her mother's care?

16 MS. FARENGA: She is a constant source of
17 agitation. Gloria Sykes, every sentence to me, begins
18 with, "this wouldn't have happened if my sister hadn't
19 changed the will from 50/50." Then we take it from
20 there. She cannot handle her emotional concerns.

21 I have a doctor's report from the treating
22 doctor, Vatel (phonetic spelling), that actually Gloria
23 Sykes, I think, accidentally gave to me that said after
24 he examined Mrs. Sykes one day he saw Gloria begin to

1 dispute with his office manager some of the contents of
2 his notes. Then I received a letter that was
3 supposedly written yesterday by Mrs. Sykes saying, "why
4 are you ..." -- It's impossible for me to believe
5 Mrs. Sykes came up with this on her own. "My daughter
6 Caroline stated yesterday is up to her tricks. Every
7 time she pulls off her tricks, same old thing, I don't
8 need her in my life. I have all the help I need."
9 Then when Gloria calls me which she does fairly often,
10 she's agitated and I will hear her mother in the
11 background getting agitated.

12 Further, the Regency, last week Gloria said
13 she reported to me her mother was dehydrated, had a
14 kidney infection for which she will be receiving IV
15 treatment and has kidney failure which was caught in
16 the nick of time. I am supposed to be receiving
17 medical records about that which I have not received.
18 Gloria said her mother because of the illness did not
19 attend Regency. The one or two days she did attend she
20 hated it. So I don't see her going in five days a week
21 as a reasonable solution.

22 With regard to assets to pay for a caregiver,
23 based on questioning before this hearing, Gloria owes
24 her mother money on mortgage -- If the court wants

1 details I could provide that, but I think that is --

2 THE COURT: Is it a reverse mortgage on the
3 residence?

4 MS. FARENGA: No. When Gloria bought her home at
5 the back lot of this two-flat, her mother obtained a
6 mortgage on her own home and at some point Gloria
7 stopped paying that mortgage because of a dispute with
8 Caroline, I believe.

9 THE COURT: In any event, there is a lot of back
10 months or more owed from that.

11 I would like a nice conversation with
12 Mrs. Sykes with only the guardian present. Everybody
13 step out. (Compliance.)

14 MS. M. G. SYKES: I have my own telephone. I have
15 my own laundry. I have my dog.

16 THE COURT: What kind of dog is it?

17 MS. M. G. SYKES: I throw my garbage out.

18 THE COURT: Mrs. Sykes, I'm a little concerned
19 about about Gloria.

20 MS. M. G. SYKES: What about Gloria? Doesn't she
21 sometimes argue with you?

22 MS. G. J. SYKES: Who's the one that's causing all
23 this problem?

24 THE COURT: I don't know. That's what I'm trying

1 to find out. Does she live with you?

2 MS. M. G. SYKES: Gloria lives upstairs. She
3 takes very good care of me. She goes out of her way
4 sometimes leaving her job and she is self-employed.
5 She'll come down and take care of me. If I'm not up to
6 par, she'll say, all right, let's go upstairs, mom.
7 The dog is up there which I love very dearly. We
8 either play cards or something to distract my mind from
9 anything.

10 THE COURT: Remember when you were at your other
11 daughter's house?

12 MS. M. G. SYKES: My other daughter's house?

13 THE COURT: Yes.

14 MS. M. G. SYKES: Tell you the truth, vaguely. I
15 had a good time.

16 THE COURT: Okay.

17 MS. M. G. SYKES: Nothing went wrong as far as I
18 know.

19 THE COURT: Here's the problem we have though. It
20 is not a big deal. I want to make sure you are okay.
21 The doctor tells us that you need to have somebody with
22 you all the time. They are worried about you a little
23 bit. We need to have someone who stays with you all
24 the time so you don't fall, they get food for you.

1 What do you think about that?

2 MS. M. G. SYKES: That would be wonderful.

3 THE COURT: I think Gloria is kind of busy doing
4 other things, isn't she?

5 MS. M. G. SYKES: She makes time.

6 THE COURT: I don't know.

7 MS. M. G. SYKES: If she has to drop whatever she
8 is doing, I come first.

9 THE COURT: I know, but sometimes she's not at
10 home.

11 MS. M. G. SYKES: She's not at home. I am at my
12 home downstairs. I have the fire deparment two doors
13 away from me. Even if I have to crawl there. I mean
14 for instance --

15 THE COURT: I know.

16 MS. M. G. SYKES: All I have to do is walk over
17 and they are taking care of me like a baby.

18 THE COURT: This is the same thing we talked about
19 the last time.

20 MS. FARENGA: And the position on the daughters
21 changes depending who she's been with. Most recently,
22 an hour ago, she had the daughters completely confused.
23 However, I can tell the Court that Betty MacLennan from
24 Catholic Charities, I spoke to her before the hearing

1 will say she believes Mrs. Sykes wants to be at home.
2 Now, how that can be accomplished because of Gloria,
3 I'm not sure, another public guardian.

4 THE COURT: Does she have money to pay for it?

5 MS. FARENGA: No. She has income of \$1,300. She
6 has no more than \$3,000 in the bank. But Gloria told
7 me outside of the courtroom that she had the money to
8 repay the mortgage that the mom has been paying.

9 THE COURT: How much does she owe her?

10 MS. FARENGA: Who knows. According to -- Caroline
11 just whispered, it is a year's worth at approximately
12 \$904 a month.

13 THE COURT: Well.

14 MS. FARENGA: The other thing is that Mrs. Sykes
15 told me that she's -- sometimes she needs help being
16 accompanied to the toilet.

17 THE COURT: She needs full time 24-hour care.

18 MS. FARENGA: A female might be involved.

19 THE COURT: Can't we get her a reverse mortgage?

20 MR. STERN: I don't know how much equity --

21 THE COURT: They claim it is worth 400.

22 MR. STERN: There's two buildings, front building
23 and back which are separate PINS.

24 THE COURT: What's her PIN worth?

1 MR. STERN: I don't know.

2 MS. FARENGA: It is a two-flat. It has a \$168,000
3 mortgage.

4 THE COURT: I thought it was just 68.

5 Mrs. Sykes, here's the problem. You need to
6 have someone with you every minute of the day because
7 people are worried you might get hurt. We want to get
8 that done for you, get somebody to help you. The
9 problem is you have to pay for that. Your daughter who
10 lives in Naperville says you could stay with her for
11 awhile and then we could try to work out getting you
12 back into your house and getting a mortgage on the
13 house. Do you want to try that for awhile?

14 MS. M. G. SYKES: My home is almost paid for.

15 THE COURT: It's really not.

16 MR. STERN: It's not.

17 MS. M. G. SYKES: Well, I was hoping to. I have a
18 few dollars in my bank.

19 THE COURT: There's only this many dollars in your
20 bank. Not much at all. So money is a little problem
21 right now. I'm thinking you could stay at your
22 daughter's for awhile and then we'll get the money part
23 all straightened out and figure out if we can get more
24 money out of that house so you could move back in. Do

1 you want to try that?

2 MS. M. G. SYKES: It don't sound right to me.

3 THE COURT: I can't leave you alone in your home.

4 MS. M. G. SYKES: Gloria owns the one in the back.

5 THE COURT: We have to get it straightened out.

6 MS. M. G. SYKES: My home goes to both of them, I
7 think.

8 THE COURT: Don't even worry about that.

9 Did you come to an opinion on this?

10 MR. STERN: Yes. There is no choice.

11 THE COURT: Do you want to talk to Mrs. Sykes?

12 MS. FARENGA: We could try.

13 MS. M. G. SYKES: My daughter lives upstairs from
14 me. She doesn't pay me any rent.

15 THE COURT: And she should be.

16 MS. M. G. SYKES: I could use it.

17 THE COURT: There's been no voluntary --

18 MS. M. G. SYKES: Little things here and there.

19 THE COURT: All right. Bring them in.

20 Anything else you want to talk about?

21 MS. M. G. SYKES: When I die, it goes to both my
22 daughters. That's all I know. What they do with it
23 afterwards --

24 THE COURT: I'm worried about right now having a

1 good life. Forget about later.

2 MS. M. G. SYKES: Right now I like both my
3 daughters to get along and if they can't help me each
4 one a little time, little time here, just say so and I
5 can go to the corner to the fire department and they'll
6 have a social worker come and take care of me.

7 MS. FARENGA: There have been allegations she
8 filed bankruptcy twice.

9 THE COURT: The daughter?

10 MS. FARENGA: This one. The other sister is
11 paying bills and paying penalties.

12 Miss Sykes, we're talking about a tiny period
13 of time that you might stay at Caroline's. Would it
14 help if you could bring Hannah with you, your dog?

15 MS. M. G. SYKES: Yes.

16 MS. FARENGA: Would that make you feel better?

17 MS. M. G. SYKES: Is it necessary for me to go to
18 my daughter's home?

19 MS. FARENGA: Just for a short while.

20 MS. M. G. SYKES: For a short while? That's a
21 promise? Because I have my home to take care of that.

22 MS. FARENGA: I think we could make that promise.
23 The judge will make sure.

24 MS. M. G. SYKES: Is she agreeable to that?

1 MS. FARENGA: I am going to ask her right now.

2 MS. M. G. SYKES: I won't leave my dog.

3 THE COURT: Off the record.

4 (Whereupon, a discussion was had
5 off the record.)

6 THE COURT: I am concerned the doctor has on his
7 report that mother needs 24-hour care. What I'm
8 concerned about is the quality of the care that she's
9 getting now. I don't think it's 24 hour. I don't know
10 if the quality is up to what she needs.

11 So we've discussed the overall plan would be
12 for her to live in her home with a 24-hour caregiver.
13 She's agreed to that, is that right?

14 MR. STERN: That's correct.

15 THE COURT: But in order to get to that point, we
16 have to figure out what's the situation with her home,
17 what's the mortgage all about, what's the deal with the
18 finances. So in order to get that straightened out and
19 keep her safe --

20 MS. M. G. SYKES: I'm fine financially.

21 THE COURT: For at least temporarily while we get
22 this all straightened out, we talked about you staying
23 at your daughter Caroline's house while we get all the
24 finances straightened out. Once we find out, we can

1 get a reverse mortgage on the home, get a caregiver in
2 the home, then she'll return to her home. How's that?

3 MS. G. J. SYKES: I object.

4 THE COURT: One at a time. If finances are not
5 there then it's a different story.

6 MR. WALLER: Let me talk to my client about it.

7 MS. M. G. SYKES: I don't want to get to -- I
8 don't want to go to my daughter's -- other daughter's
9 house. My daughter Gloria takes very best care of me.

10 THE COURT: I need someone other than your
11 daughter. Madam, what do you think?

12 MS. MACLENNAN: I went to see Mrs. Sykes on
13 Friday. She clearly said she was very happy to be
14 home. But I'm not sure how her meal preparation is
15 being done. When I came she hadn't had any breakfast
16 yet. That was a little after nine. They explained
17 that she had slept late and that Gloria normally would
18 prepare food upstairs. She said the stove downstairs
19 is broken. I'm not sure what that is about.

20 Gloria indicated she takes her mother out to
21 restaurants at least once a day. I guess there is a
22 nearby vegan health food restaurant she takes her to.
23 Sometimes they get carryout. So I'm not sure what kind
24 of meal preparation or balanced diet Mrs. Sykes is

1 getting.

2 THE COURT: Did you look in the refrigerator?

3 MS. MACLENNAN: No, I hadn't.

4 THE COURT: Let me ask about the quality or
5 quantity of food in refrigerator when you --

6 MS. M. G. SYKES: I don't mind going to my
7 daughter Caroline's home.

8 THE COURT: Those photographs that were tendered,
9 who took those?

10 MS. THORPE: I did when I brought Mother back on
11 September 4.

12 THE COURT: Was this refrigerator food?

13 MS. THORPE: Refrigerator food. I went in to put
14 things into the refrigerator and this is what I found
15 in the refrigerator. I started taking everything out.
16 Mother was very upset, but I took it all out and I
17 just -- I took pictures first because Cynthia Farenga
18 suggested to me that I do numerous dropins on Mom and
19 document what I had found and what I had seen.

20 There was no bedding. There was hair and
21 crumbs all over her bed. In the two weeks we had been
22 here at court, your Honor, there had been no
23 preparation to receive Mother back into a clean home.

24 THE COURT: So let's talk about those photographs.

1 Did you see those?

2 MS. G. J. SYKES: Yes. Number one, they were
3 taken on or about the 10th of last month --

4 THE COURT: Is that when the pictures were taken?

5 MS. THORPE: Mother was very upset. So I put
6 everything -- I threw it into the back of my car. I
7 took it home and I laid it out and I took photos of it.
8 Yes, your Honor.

9 THE COURT: When was that?

10 MS. THORPE: It was September 4 when I took
11 everything out.

12 MS. G. J. SYKES: That was not in my mother's
13 refrigerator. When she looked in there on that day
14 there was -- By the way, Vegan Restaurant works with a
15 lot of cancer survivors and people who are trying to
16 lose weight. It is very well-rounded food. It is
17 incredible food. When Carol came home, there was
18 literally three things of food from --

19 THE COURT: I am concerned about what was in the
20 refrigerator.

21 MS. G. J. SYKES: There was -- I had --

22 THE COURT: Who has the pictures?

23 MR. WALLER: Pickup date is September 9.

24 THE COURT: Who has the photographs?

1 MS. G. J. SYKES: That's what I was looking for.
2 Did you give them to me?

3 MR. STERN: I gave them to Gloria.

4 THE COURT: I want to see the picture.

5 MS. G. J. SYKES: The refrigerator was empty other
6 than basic foods. Basic foods were in there.

7 THE COURT: Are the pictures close by?

8 MR. STERN: They were in Gloria's bag.

9 THE COURT: Did you look at these pictures?

10 MS. G. J. SYKES: Yeah, that's not my mother's
11 refrigerator.

12 THE COURT: Do you have any idea where this food
13 came from?

14 MS. G. J. SYKES: Yeah. I was gone for a month.
15 Mom was not back at the house. It was probably in
16 there from when we came back. When I came back, I had
17 cleaned out most of the refrigerator in terms of that
18 food left.

19 THE COURT: Ma'am, raise your right hand.
20 (Caroline Thorpe sworn in.)

21 THE COURT: I have six pictures, mostly rotted
22 food, is that right?

23 MS. THORPE: Yes, Ma'am.

24 THE COURT: Who took these photographs?

1 MS. THORPE: I took the photographs.

2 THE COURT: These pictures represent food from
3 where?

4 MS. THORPE: From my mother's refrigerator that I
5 took out on September 4.

6 THE COURT: Are you telling me this under oath, is
7 that right?

8 MS. THORPE: Yes, Ma'am.

9 THE COURT: What did you do with the food after
10 you took these photos?

11 MS. THORPE: I threw it out. There are china --
12 my mother's china is in there too. We would document
13 that they were from her refrigerator, cups and saucers.

14 THE COURT: Miss Gloria, I am concerned about your
15 mother's safety.

16 MS. G. J. SYKES: Can I go under oath?

17 THE COURT: No. I don't have any issues to ask
18 you under oath.

19 MS. G. J. SYKES: Carol shoved my mom. I saw
20 Carol manhandle my mom. They have a tendency to put
21 their hands on the back of her shoulders and squat in
22 front of the chair to prevent her --

23 THE COURT: How many times have you seen
24 Mrs. Sykes interact with her daughter Caroline?

1 MS. G. J. SYKES: What type of timeframe?

2 THE COURT: Last three months.

3 MS. G. J. SYKES: The last three months I've seen
4 her probably with Carol three times.

5 THE COURT: Three times. So how many times have
6 you seen this pushing or --

7 MS. G. J. SYKES: I saw when they almost knocked
8 her down on the 27th. That was the first time. I saw
9 also the way they just basically put their hands on her
10 shoulder and manipulate. She wants to get up. Their
11 hands are on the back of her shoulders.

12 THE COURT: Mr. Stern, could you tell me about
13 your observation of her in the home?

14 MR. STERN: I was in the home for approximately
15 two hours. I spent probably an hour talking to Miss
16 Sykes and then an hour talking to everybody. Miss
17 Sykes seemed very comfortable. She had free reign of
18 the home. She went to the kitchen. Went to the
19 bathroom with her granddaughter's help.

20 I wanted to talk to Caroline alone. We were
21 talking about Gloria, and Miss Sykes overheard. I
22 asked the daughter to take her out of the home and she
23 loves walks. So she was very excited to take a walk
24 with her granddaughter. She took a walk with her

1 son-in-law earlier that day. She mentioned that
2 several times during the visit. She seemed very
3 comfortable.

4 She spoke highly of Caroline and her
5 son-in-law. None of the negativity I seen today that's
6 coming out of her was not being exposed at that time.

7 THE COURT: As guardian ad litem, counsel, do you
8 have any objection to the Court's overall plan to get
9 her back in her home, if she has finances to stay with
10 Caroline?

11 MR. STERN: I fully support it.

12 THE COURT: Miss Farenga, any comment?

13 MS. FARENGA: My only decision would be to see if
14 there is a social service agency. I think there was
15 one already involved in Dupage County that might make,
16 maybe, one unannounced visit.

17 THE COURT: Your name?

18 MS. MACLENNAN: Betty MacLennan from Catholic
19 Charities.

20 THE COURT: Any objection to what I propose?

21 MS. MACLENNAN: No. Mrs. Sykes prefers to be in
22 her own home. I would make a comment. I did see
23 Mrs. Sykes. She came to my office. Caroline brought
24 her one time. I called her repeatedly when she was at

1 Caroline's house and she repeatedly told me that she
2 treats her like a queen and that she was well cared
3 for, but in terms of the temporary arrangement, if it
4 works.

5 MR. WALLER: Your Honor, the police were called to
6 my client's home because there was an attempt to take
7 her physically out of the home by I'm not sure. They
8 attempted to take her out of the home and take her back
9 to Chicago. We have significant concerns about putting
10 her back in an environment in Chicago because of the
11 free reign of this family to do the same things.

12 THE COURT: Temporarily she will --

13 MS. G. J. SYKES: Your Honor, please. I don't
14 know why you won't let me go under oath here. I have
15 to tell you something. I not only pay for somebody to
16 come in and help clean Mother's house; my sister, this
17 is a little trick on my sister because I asked her to
18 come and help clean out -- I was going to empty out the
19 refrigerator totally. I have a new refrigerator. I
20 asked her help to flip out refrigerators. When my
21 sister returned to that house it didn't have all that
22 stuff in it. She had one cup that's actually mine
23 because my mother would do stuff. I have taken care of
24 my mother. I did have -- I didn't plan my sister

1 bringing my mother home.

2 THE COURT: I want a professional person to take
3 care of your mother in the home.

4 MS. G. J. SYKES: Please don't take her out of the
5 home.

6 THE COURT: Enough. Mrs. Sykes.

7 MS. M. G. SYKES: Don't take me away from my home.

8 THE COURT: No.

9 MS. M. G. SYKES: My daughter has been the best
10 care in the world.

11 THE COURT: Mrs. Sykes, we talked about this a
12 minute ago.

13 Just for a short period of time. I want to
14 find out if you have the money to get a caregiver in
15 your home full-time. If you do, then you're probably
16 going to go home.

17 MS. G. J. SYKES: I will put up the money to pay
18 for it.

19 THE COURT: Do you want to put something in
20 writing and propose it to see what we can work out?

21 MS. M. G. SYKES: Please do that. I want to stay
22 with my daughter Gloria, but yet I want to keep my
23 family too.

24 THE COURT: This is so sad.

1 Mrs. Sykes, you agreed earlier when I was
2 here talking with you and these other lawyers you would
3 go for a short period of time to Caroline's.

4 MS. M. G. SYKES: Short visit with Caroline and
5 bring the dog. That would be nice.

6 THE COURT: There you go. Why not?

7 Who will be investigating assets here? She
8 has power of attorney.

9 MR. WALLER: Yes.

10 THE COURT: Mrs. Sykes --

11 MS. M. G. SYKES: I don't want my daughter to feel
12 sad.

13 THE COURT: If you disagree with my ruling, I'm
14 sorry, but my ruling is going to stand so don't try and
15 make your mother unhappy about it. We will try to work
16 on this and get her home as soon as possible.

17 MS. G. J. SYKES: She has doctors' appointments
18 and caregiving and people --

19 THE COURT: You will be able to get her to the
20 doctors' appointments?

21 MS. THORPE: Sure.

22 THE COURT: Will you figure out the reverse
23 mortgage?

24 MR. STERN: Yes. No problem.

1 MS. M. G. SYKES: I own my home. I want to keep
2 my home.

3 THE COURT: So do we.

4 MS. M. G. SYKES: I want to keep my daughter
5 Gloria with me at all times. If there's any
6 discrepancy or something that I don't feel well or
7 whatever, I have a right to say, no, I am not coming.

8 THE COURT: Here's the problem, Mrs. Sykes. The
9 doctor says you need someone with you 24 hours a day.
10 I am a little concerned about the care you're getting
11 there. So we want to get somebody to be with you 24
12 hours a day. That's what we want to do, but I don't
13 know if you have the money to do it.

14 And straighten the money part out, Mr. Stern?

15 MR. STERN: Yes, your Honor.

16 THE COURT: In the next couple weeks. It is a
17 short period of time. We hope that you will stay with
18 your daughter. You will bring the dog with you.

19 Don't put your mother in distress.

20 MS. G. J. SYKES: I am just standing here.

21 MS. M. G. SYKES: I love my daughter Gloria very
22 much and I love my other daughter. But if they're
23 trying to get for a few dollars I have in the bank,
24 that's not fair. I am trying to be with my daughter

1 Gloria as much as possible.

2 MS. FARENGA: Your Honor --

3 MS. M. G. SYKES: I love my home and I love my
4 dog.

5 MS. FARENGA: I will tell Gloria Sykes of the
6 element of the care plan she has to come up with. When
7 we set the return date for the results of the
8 investigation, we should include language that Gloria,
9 by a time before then, will specifically present the
10 information about her assets and the amount that she
11 can contribute so all the information is in to
12 Mr. Stern.

13 THE COURT: About her own assets.

14 MS. FARENGA: Yes, in advance. We'll also include
15 the language in which the -- in which Mrs. Sykes leaves
16 the home and there is no one else present other than
17 the people she's going with.

18 THE COURT: That would be fine as well. We want
19 to make this a smooth transition, nobody crying or
20 upset. She will stay at your sister's house.

21 Mrs. Sykes, step out for a minute. Can you
22 do that? This is really sad to see this woman like
23 this. She loves both of her daughters. Do you
24 understand what's going to happen now?

1 MS. G. J. SYKES: Yes. I understand. I don't
2 agree.

3 THE COURT: I understand. A lot of people
4 disagree with me every day. As far as you pursuing
5 your request for guardianship, are you asking to be
6 mother's guardian of the person and of her estate?

7 MS. G. J. SYKES: Yes.

8 THE COURT: You have to be represented by an
9 attorney.

10 MS. G. J. SYKES: I understand that.

11 THE COURT: I will not appoint you as guardian of
12 her estate without an attorney.

13 MS. G. J. SYKES: I understand that.

14 THE COURT: Are you going to get an attorney?

15 MS. G. J. SYKES: Yes.

16 THE COURT: You better get moving on that if you
17 want to have some relief that would be in your favor
18 because I won't do it without an attorney.

19 MS. G. J. SYKES: Okay. No problem. I've got one
20 in the wings right now.

21 MS. FARENGA: I am wondering, your Honor, if I
22 asked Mr. Kleinhenz to step up because I am wondering
23 if for purposes of this transition if someone neutral
24 needs to be overseeing it.

1 THE COURT: Would you consider something like
2 this, Mr. Kleinhenz? I don't know if you heard much.
3 A lovely lady who has dementia who loves both of her
4 daughters, who really want to stay in her home and I
5 want to help her stay in her home, I don't know if she
6 has the money to do it. We have to figure out the
7 finances. I'm concerned about the care plan that's in
8 place now. I don't think it's perfectly appropriate
9 for her. So she's agreed to stay at least temporarily
10 with her daughter in the suburbs with her dog to get
11 the money straightened out.

12 For now we want to transition a short time,
13 visit with her daughter and her family who she loves
14 and loves being out there but she feels pulled. Could
15 you be there?

16 MS. FARENGA: What the Court is saying is that
17 when your mom leaves the house no one else is to be
18 present. We will try to avoid the trauma to her. She
19 is going to leave. Mr. Kleinhenz or someone from his
20 staff will be present to help her. He is a
21 professional case manager and nurse which is good
22 because one of the medical reports said she experiences
23 shortness of breath. We'll get the dog. We'll get the
24 clothes and when do we think this could happen?

1 MS. THORPE: Immediately.

2 THE COURT: Mr. Kleinhenz, do you have anybody
3 available today?

4 MR. KLEINHENZ: Yes.

5 MS. FARENGA: We'll prepare an order.

6 THE COURT: What timeframe are we looking at?

7 MS. THORPE: We can go to her house from here,
8 your Honor.

9 MR. STERN: In Chicago, Norwood Park.

10 MR. EVANS: Your Honor --

11 THE COURT: State your name.

12 MR. EVANS: Scott Evans.

13 THE COURT: You are?

14 MR. EVANS: Friend of the Sykes family.

15 THE COURT: Friend of Mrs. Sykes.

16 MR. EVANS: I've known Mary and her husband
17 Charles.

18 THE COURT: How did you make their acquaintance?

19 MR. EVANS: Friend of my mother's first who --

20 MS. FARENGA: You and Gloria are friends also?

21 MR. EVANS: We are on hiatus. We have our own
22 problems. Miss Farenga assumed the statement, the
23 journal Mary did, I was on the phone with Gloria when
24 this happened. I suggested journal because Mary was

1 agitated. Gloria was on the phone all the time with
2 me. Mary came back and interrupted Gloria to tell me
3 what she had written.

4 THE COURT: I'm confused. Mrs. Sykes we are
5 talking about?

6 MR. EVANS: Yes. Point is, Ms. Farenga says this
7 was dictated by Gloria and it's 100 percent wrong.

8 THE COURT: All right.

9 MR. EVANS: I've watched Gloria take care of her
10 mom for years and years and years. She's occasionally
11 drafted my mother and me to actually help. We spend a
12 couple days over there once in awhile. Gloria has
13 given exemplary care to the point of hovering frankly.
14 This is not just Gloria. This is over the years. Not
15 just recently. Gloria has given exemplary care to my
16 mother when I am away on duty. I am since retired from
17 the military, but the insinuation she doesn't give good
18 care --

19 THE COURT: I didn't say she didn't give good
20 care. How do you explain the food in the refrigerator?

21 MR. EVANS: I know Mary's refrigerator. I am
22 intimately -- I am in there couple times a month.

23 THE COURT: Were you there on September 4?

24 MR. EVANS: No.

1 THE COURT: Are you suggesting they made this up?

2 MR. EVANS: I don't know how it happened.

3 THE COURT: How else would it occur?

4 MR. EVANS: As typical, Gloria goes through Mary's
5 refrigerator on a regular basis and throws stuff out.
6 There was a gap there.

7 THE COURT: That's a pretty big glitch, rotting
8 food.

9 MS. G. J. SYKES: I hadn't been home.

10 THE COURT: Anything else, sir?

11 MR. EVANS: Basically I understand and appreciate
12 the constant care for Mary. This has gone way past
13 arguing over the will.

14 THE COURT: I don't even care about the will.

15 MR. EVANS: I don't either. We are here for Mary.

16 MR. WALLER: In January he wrote my client. At
17 the end of the letter which I will read. "If the power
18 of attorney and executor isn't changed..." --

19 THE COURT: Sir, you sent a threatening letter to
20 her?

21 MR. EVANS: No.

22 MS. G. J. SYKES: That's the letter we gave to the
23 guardian regarding what's going on and letters of
24 support.

1 THE COURT: All right. We know what the ruling is
2 today. Thank you, Mr. Kleinhenz. Let's get this
3 accomplished. We really need financial information.

4 MR. STERN: I will work on that, your Honor.

5 THE COURT: We're finished. Thank you.

6 (Which were all the proceedings
7 had in the aforementioned cause.)

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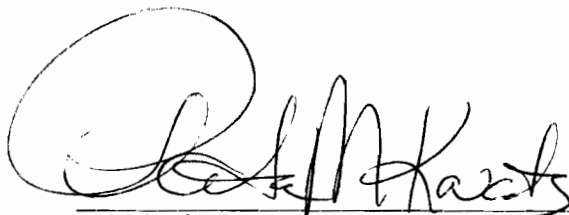
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I, PATRICIA M. KOVATS, Official Shorthand Reporter of the Circuit Court of Cook County, County Department - Probate Division, do hereby certify that I reported in shorthand the proceedings had in the above-entitled cause, and that the foregoing is a true and correct transcript of the proceedings had.



Official Shorthand Reporter
Circuit Court of Cook County
County Department
Probate Division
License No. 084-003455