

Model Petition for Guardianship of an Adult and/or Conservatorship

State of:

County of:

Name and address of attorney representing petitioner, if applicable:

- 1. Information about the person filing this petition (“the petitioner”).**
 - a. Name:
 - b. Principal residence:
 - c. Current address (if different):
 - d. Relationship to respondent:
 - e. How, if at all, would the protective arrangement sought benefit the petitioner?
 - f. Telephone number (optional):

- 2. Information about the person alleged to need protection (“the respondent”).** Provide the following information to the extent known.
 - a. Name:
 - b. Age:
 - c. Principal residence:
 - d. Current street address (if different):
 - e. Does the respondent need an interpreter or translator to communicate with the court or understand court proceedings?
 - f. Telephone number (optional):

- 3. People who are required to be notified of this petition.** Provide the name and address of any of the people listed in Appendix A.

- 4. Protective arrangement sought.** Check all that apply.

<input type="checkbox"/> Limited guardianship	<input type="checkbox"/> Limited conservatorship
<input type="checkbox"/> Full guardianship	<input type="checkbox"/> Full conservatorship

- 5. State why the protective arrangement sought is necessary.** Include a brief description of the nature and extent of the respondent’s alleged need, and explain why alternative means are not sufficient to meet the respondent’s alleged need.

- 6. State all alternative means of meeting the respondent’s alleged need that have been considered or implemented.** If no alternative means have been tried, state the reason they have not been tried.

- 7. Prove a general statement of the respondent’s property with an estimate of its value.** Include any insurance or pension, and the source and amount of any other anticipated income or receipts.

- 8. State the address at which the petitioner proposes the respondent will live if this petition is granted.**

- 9. For petitions seeking appointment of a guardian:**
 - a. If seeking a full guardianship, explain why a limited guardianship or other protective order is inappropriate.
 - b. If seeking a limited guardianship, state the powers the petitioner requests be granted to the guardian.
 - c. State the name and address of any proposed guardian and the reason why the proposed guardian should be selected.
 - d. State the name and address of any person nominated as guardian by the respondent, or by the respondent's parent or spouse [or domestic partner] in a will or other signed writing;

- 10. For petitions seeking appointment of a conservator:**
 - a. If seeking a full conservatorship, explain why a limited conservatorship or other protective order is inappropriate.
 - b. If seeking a limited conservatorship, state the property the petitioner requests be placed under the conservator's control and any proposed limitation on the conservator's powers and duties.
 - c. State the name and address of any proposed conservator and the reason why the proposed conservator should be selected.
 - d. State the name and address of any person nominated as conservator by the respondent if the respondent has attained 12 years of age.
 - e. If the petition alleges impairment in the respondent's ability to receive and evaluate information, provide brief description of the nature and extent of the respondent's alleged impairment;
 - f. If the petition alleges that the respondent is missing, detained, or unable to return to the United States, state the relevant circumstances, including the time and nature of the disappearance or detention and a description of any search or inquiry concerning the respondent's whereabouts.

- 11. If petitioner is represented by counsel in this matter, state the name, address, and telephone number of that attorney.**

VERIFICATION AND ACKNOWLEDGMENT

I declare under penalty of perjury under the laws of this state that the information above is true and correct to the best of my knowledge.

Signature of Petitioner

Date

Signature of Petitioner’s Attorney if
Petitioner is Represented by Counsel

Date

APPENDIX A:

People whose name and address must be listed in Section 3 of this petition.

- The respondent’s spouse [or domestic partner], or the respondent is not married [and does not have a domestic partner], any adult with whom the respondent has shared household responsibilities in the past six months;
- The respondent’s adult children, or, if the respondent has none, the respondent’s parents and adult brothers and sisters, or if the respondent has none, one or more adults nearest in kinship to the respondent who can be found;
- The respondent’s adult stepchildren whom the respondent actively parented during the stepchildren’s minor years and with whom the respondent had an ongoing relationship within two years of the petition;
- Any person responsible for the care or custody of the respondent;
- Any lawyer for the respondent, representative payee, a guardian or conservator acting for a respondent in this state or elsewhere, trustee or custodian of a trust or custodianship of which the respondent is a beneficiary, Veterans Administration fiduciary for the respondent, or an agent designated under a power of attorney, whether for health care or property, in which the respondent is identified as the principal;
- Any person known to have routinely provided the individual with decision-making support within six months of the petition.