

How to Answer a Request to Add a Co-Guardian to Your Guardianship

FIRST, ANSWER THESE TWO QUESTIONS:

1. Did a North Dakota court appoint a guardian for you?
2. Did your guardian ask the court in writing to appoint, or add, a co-guardian to your guardianship?

If you said YES to both questions, this information will help you understand how to tell the North Dakota district court if you want a hearing, and what you think about adding the co-guardian.

STEPS FOR ANSWERING A REQUEST TO ADD A CO-GUARDIAN

Since a North Dakota district court appointed your guardian, only the North Dakota district court can make changes to your guardianship.

In North Dakota, requests to make changes to your guardianship are called “**motions.**” Motions are usually made in writing.

When your guardian makes a motion to make changes to your guardianship, you may tell the district court what you think. This is called an “**answer to the motion.**” Answers to motions are usually made in writing.

You may answer the motion in writing and it send to the district court, **but you only have 14 days!**

As part of your answer, you may ask the district court to hold a hearing **before** deciding.

- If you do not want a hearing in front of the court, the district court will decide whether to add a co-guardian based on the documents filed by:
 - Your guardian;
 - The person who wants to be added as your co-guardian; and
 - You, if you answer in writing.

Step One – Write Your Answer

When your guardian makes a motion to the district court to add a co-guardian, you may answer in writing to tell court:

- If you want a hearing in front of the court, before the court makes a decision.
- What you think about adding the co-guardian.

Write your answer soon!

You only have 14 days from the day you got copies of your guardian’s motion!

If you don’t know which North Dakota district court is in charge of your guardianship, look on the first page of the motion documents your guardian gave you.

The name of the district court and your case number are on the top of the first page.

You can hand-write or type your answer.

If you hand-write your answer, make sure you write your words neatly, so your words are easy to read.

Use a pen that has blue or black ink. Do not use a pencil.

You may use the form at the end of these instructions to write your answer.

In your answer:

- Type or write the case number for your guardianship.
- Type or write your first and last name.
- Type or write your current address.
- Type or write your current telephone number, if you have one.
- Tell the district court if you want a hearing in front of the court **before** the court decides whether to add a co-guardian.

- If you do not want a hearing in front of the court, the district court will decide based on the documents filed by:
 - Your guardian;
 - The person who wants to be added as your co-guardian; and
 - You, if you answer in writing.
- Type or write the reasons you **want** the co-guardian added to your guardianship, **OR** the reasons why you **do not want** the co-guardian added.

Sign your first, middle, and last name at the bottom of your answer.

Write the date you signed your answer next to your signature.

Print your first, middle, and last name after your signature.

Step Two – Make a Copy of Your Answer; Keep for Your Records

Make a copy of your answer, or have someone you trust make a copy for you.

Step Three – Take or Mail Your Answer to the North Dakota District Court

You may take your answer in-person to the North Dakota district court that is in charge of your guardianship.

Or, you may have someone you trust take your answer in-person.

If you or someone you trust can't get to the court in-person, you may mail your answer.

Here are some ways to find the phone number and address for a North Dakota district court:

- Go to www.ndcourts.gov/court-locations and click on the name of the County.
- Look for the name of the County in the phone book.
- Go to a public library near you and ask how to find the phone number and address.

Step Four – Follow the Instructions from the North Dakota District Court

Wait one week, if you don't get something in the mail from the North Dakota district court, call and ask about your answer.

After you send your answer to the North Dakota district court, you will get information in the mail about your answer.

The information you get in the mail from the North Dakota district court will tell you if you need to do anything else.

If the North Dakota district court decides to have a hearing, the information you get in the mail will tell you when the hearing will be and where the hearing will be.

If a hearing is scheduled, you MUST go to the hearing in person, unless the court decides you do not need to go to the hearing in person.

You don't have to hire a lawyer, but you can choose to hire a lawyer to represent you.

At the hearing, you will have a chance to tell the North Dakota district court what you think about adding a co-guardian to your guardianship.

You can show the North Dakota district court your own proof that you can take care of yourself and make good decisions about your life.

Step Five – The North Dakota District Court Decides if the Co-Guardian Should be Added to Your Guardianship

The North Dakota district court will decide if the co-guardian should be added to your guardianship.

You will get the North Dakota district court decision in the mail.

If the District Court decides to add the co-guardian, you will have both your current guardian and the new co-guardian making decisions about you and your guardianship.

If the District Court decides **not** to add the co-guardian, you will still have your current guardian making decisions about you and your guardianship.

HOW TO FIND A LAWYER

You don't have to hire a lawyer, but you can choose to hire a lawyer to represent you.

Here are some ways to look for a lawyer:

Legal Services of North Dakota may be able to be your lawyer for free.

- First, you will need to fill out their application to see if you qualify.
- The phone number is (800) 634-5263 and the website is www.legalassist.org.

The State Bar Association provides a lawyer referral service.

- The lawyer referral service matches paying clients with lawyers.
- The phone number is (866) 450-9579 and the website is www.sband.org.

The North Dakota Supreme Court website has a list of lawyers in North Dakota.

- Go to www.ndcourts.gov/Lawyers.

THE NORTH DAKOTA LEGAL SELF HELP CENTER

The North Dakota Legal Self Help Center can give information about the North Dakota state court system to people who don't have lawyers.

The North Dakota Legal Self Help Center cannot be your lawyer or give you any advice.

- The phone number is (701) 328-1852 and the website is www.ndcourts.gov/legal-self-help.

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

(Type or write the name of the County)

(Type or write the name of the Judicial District)

IN THE MATTER OF THE GUARDIANSHIP OF

(Type or write your first, middle and last name)

Case No. _____
(Type or write your case number)

ANSWER TO MOTION TO ADD A CO-GUARDIAN

1. My name is _____.
(type or write your first, middle and last name)

2. I live at: (type or write your address where you live)

3. My telephone number is: (type or write your telephone numbers)

4. I currently have a guardian. My guardian asked this court to appoint a co-guardian for me.

5. (Tell the court if you want a hearing. Put a checkmark (✓) in ONLY ONE box below.)

I request that the court schedule a hearing. I want the court to hold a hearing **before** deciding whether to appoint a co-guardian for me.

I **do not want** the court to hold a hearing before deciding whether to appoint a co-guardian for me.

