

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

IN THE MATTER OF THE GUARDIANSHIP OF

AN INCAPACITATED INDIVIDUAL

Case No. _____

NOTICE OF MOTION FOR CHANGE OF VENUE

The following Motion for Change of Venue is brought in accordance with Rule 3.2, N.D.R.Ct. You have 14 days after service of this Motion upon you within which to serve and file a response or objection to the Court granting the motion.

Dated this _____ day of _____, 20_____.

Signature of Attorney for Guardian/Movant
(ND Bar ID # _____)

Printed Name

Address

City, State, Zip Code

Telephone Number

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Case No. _____

MOTION FOR CHANGE OF VENUE

1. My name is _____.
2. My address is _____
_____.
3. On _____, 20____, I was appointed guardian for the above-named ward.
4. The ward no longer resides in _____ County and has moved to _____, _____ County; has continuously resided there since _____, 20____, and is expected to continue residing at the location.
5. I request that the guardianship of the ward and all subsequent proceedings and all related court files be transferred to _____ County, North Dakota.
6. I certify that on _____, 20____, a true and correct copy of this notice and motion was mailed, by first class mail, postage prepaid, or hand-delivered to the following interested persons designated in the Order appointing me as guardian and to other persons interested in this guardianship:

Guardian/Movant

STATE OF NORTH DAKOTA)
_____ COUNTY)

_____,
being first duly sworn, states as follows:

That he/she is the Guardian/Movant in the above document and that he/she has read the Motion and the facts stated are true to the best of his/her knowledge.

Guardian/Movant

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public
State of North Dakota
My Commission Expires:_____

Dated this _____ day of _____, 20____.

Attorney for Guardian/Movant
(ND Bar ID#_____)

Instructions for Notice and Motion for Change of Venue

ND Legal Self Help Center staff and court employees cannot help you fill out the forms.

Do not include these instructions when you mail or file the completed forms.

Purpose

These forms may be used by a Guardian to ask the North Dakota District Court that currently has jurisdiction over the guardianship to change the venue of the guardianship to the North Dakota District Court in the county where the Ward currently resides.

[North Dakota Century Code Section 30.1-28-02](#) relates to venue in proceedings for guardianship of an adult.

If you are a Guardian representing yourself, you complete and sign the forms. If you are unsure how to proceed or unsure if these forms are suitable for your situation, you should consult an attorney.

Mail or Hand-Deliver Copies of the Completed Notice of Motion and Motion for Change of Venue Forms

All interested persons designated in the order appointing you as Guardian and other persons interested in this guardianship must receive a copy of each of the completed Notice of Motion and Motion for Change of Venue forms.

Copies may be mailed by first class, postage prepaid, or hand-delivered.

Before the court act on your motion for change of venue, you must provide proof that copies of the completed documents were mailed or hand-delivered to all interested persons. An affidavit of service gives the court proof that copies were provided.

For information about service of documents and blank affidavit of service forms, go “Service After a Civil Action Has Started” by clicking on the Service link at www.ndcourts.gov/ndlshc/.

Notice of Motion for Change of Venue Form

- **Top of Form (Caption)**
 - Enter the county and district court names.
 - Fill in legal name of the ward.
 - Enter the case number from your Letters of Guardianship.
- **Signature**
 - Sign the form and complete the lines following the signature line.
 - Cross out the line that says “(ND Bar ID# _____).” This is only required for attorneys.

Motion for Change of Venue Form

- **Top of Form (Caption)**
 - Enter the county and district court names.
 - Fill in legal name of the ward.
 - Enter the case number from your Letters of Guardianship.
- **Complete Paragraphs 1 through 6 of the Form**
- **Signature**
 - Sign the form on the line directly after Paragraph 6.
- **Notarization**
 - The Guardian must sign and date the statement below the Signature line in the presence of a Notary Public or a clerk of court. A notary public may be available at your local bank, credit union or district court.
- **Attorney Date and Signature**
 - This is required if you are represented by an attorney.
 - If you are representing yourself, cross out the attorney date and signature lines.

File the Original, Completed Forms with the Clerk of Court

File the original, completed notice of motion and motion for change of venue forms, and the affidavit(s) of service with the clerk of court of the North Dakota District Court that currently has jurisdiction of the guardianship.

You may be required to pay a filing fee. Contact the Clerk of Court for the amount, if any.

After the Original, Completed Forms are Filed

The people who received copies of the completed forms have 14 days to serve and file a response or objection to your request to change the venue of the guardianship.

You will be notified if a hearing on your request is scheduled, or if the court requires you to do something before the court will make a decision.

Do not include these instructions when you mail or file the completed forms.