

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

IN THE MATTER OF THE GUARDIANSHIP OF

AN ALLEGED INCAPACITATED INDIVIDUAL

Case No. _____

DECLARATION OF PROPOSED PROFESSIONAL GUARDIAN (ENTITY)

I, _____, state the following pursuant to Rule 59(C) of the North Dakota Supreme Court Administrative Rules:

1. I am the _____ (Title), of _____ (Name of Entity), the proposed professional guardian of the alleged incapacitated individual.

2. The following individuals will provide guardianship services for the alleged incapacitated individual if a guardianship is established: _____

3. _____ (Name of Entity)

possesses does not possess accreditation through the Council on Accreditation.

4. The following individuals who will provide guardianship services for the alleged incapacitated individual if a guardianship is established possess certification through the Center for Guardianship Certification: _____

5. All individuals employed by the entity to provide guardianship services have completed the online North Dakota Adult Guardianship Training course established by the North Dakota Supreme Court.

6. *(Choose one.)*

No individuals providing guardianship services under the auspices of the entity have been investigated for a criminal offense related to fraud, theft, or abuse, neglect or exploitation of an adult or child.

The following individuals providing guardianship services under the auspices of the entity **have been investigated** for a criminal offense related to fraud, theft, or abuse, neglect or exploitation of an adult or child. Explain:

7. *(Choose one.)*

No individuals providing guardianship services under the auspices of the entity have had a substantiated instance of abuse, neglect, or exploitation of an adult or child by the guardian.

The following individuals providing guardianship services under the auspices of the entity **have had a substantiated instance** of abuse, neglect, or exploitation of an adult or child by the guardian. Explain:

8. (Choose one.)

No individuals providing guardianship services under the auspices of the entity have been the subject of a substantive disciplinary order issued by a licensing entity or by an agency accredited through the Council on Accreditation.

The following individuals providing guardianship services under the auspices of the entity **have been the subject** of a substantive disciplinary order issued by a licensing entity or by an agency accredited through the Council on Accreditation. Explain:

9. _____ (Name of Entity)

obtained a release authorizing access to any record information maintained by an agency in this or another state or a federal agency, a criminal history record check report, and the results of a background inquiry for offenses related to the abuse, neglect or exploitation of an adult or child, or theft or fraud with respect to each individual providing guardianship services in this case under the auspices of the entity. The results of the report and inquiry are *(this paragraph cannot be left blank)*:

10. _____ (*Name of Entity*)

will notify the trial court administrator of the administrative unit in which the entity is appointed if an individual providing guardianship services in this case under the auspices of the entity is charged with a criminal offense related to fraud, theft, or abuse, neglect or exploitation of an adult or child or if there is a substantiated instance of abuse, neglect, or exploitation of an adult or child them.

11. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration of Proposed Professional Guardian (Entity) is true and correct.

Signed on _____ (*date*) in _____ (*city*),
_____ (*county*), _____ (*state*), _____ (*country*).

(*Signature*)

(*Printed Name*)

(*Address*) _____ (*City, State, Zip Code*)

(*Telephone Number*) _____ (*Email Address*)