

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

Case No. \_\_\_\_\_

**FINDINGS OF FACT AND ORDER ON MOTION TO REMOVE VISITATION,  
COMMUNICATION, OR INTERACTION RESTRICTIONS**

1. \_\_\_\_\_, the Moving Party, filed a Section 30.1-28-12.2 of the North Dakota Century Code (N.D.C.C.) motion to remove visitation, communication, or interaction restrictions with the above-named Ward that were put in place by the Guardian(s).

2. The following individuals were present at the hearing:

\_\_\_\_\_, current Guardian of the above-named Ward

\_\_\_\_\_, current Co-Guardian of the Ward

\_\_\_\_\_, Ward

\_\_\_\_\_, Moving Party

\_\_\_\_\_, Ward's Spouse

\_\_\_\_\_, Interested Party

\_\_\_\_\_, Interested Party

3. Following the hearing, the Court makes the following findings of fact:

**FINDINGS OF FACT**

4. Notice has been provided as required by law.

5. The current Guardian(s) is/are restricting the Moving Party's visitation, communication, or interaction with the Ward. The restrictions are as follows:

6. The Guardian's restrictions ☐ are ☐ are **not** in the best interests of the Ward based on the following findings:

7. The Court considered the Ward's wishes for visitation, communication, or interaction with the Moving Party.

8. The Court finds the Guardian's restrictions to visitation, communication, or interaction between \_\_\_\_\_ and the Ward:

☐ **Remain in place.**

☐ **Are removed** based on the following findings:

☐ **Are removed with conditions** imposed based on the following findings:

☐ **Are amended to prohibit visitation, communication, and interaction** with the Ward,  
based on the following findings:

9. The Guardian ☐ is ☐ is **not** unreasonably or arbitrarily restricting or denying visitation, communication, or interaction between the Moving Party and the Ward and this motion ☐ was ☐ was **not** frivolous, based on the following findings:

## ORDER

**IT IS ORDERED, ADJUDGED, AND DECREED** that:

10. The Guardian's restrictions to visitation, communication, or interaction between \_\_\_\_\_ and the Ward:

- ☐ **Remain in place.**
- ☐ **Are removed.**
- ☐ **Are removed with the following conditions** on visitation, communication, or interaction between the Moving Party and the Ward:
- ☐ **Are amended to prohibit visitation, communication, or interaction** between the Moving Party and the Ward.

11. Reasonable costs and attorney's fees:

☐ **Are not awarded** to either the Moving Party or the Guardian(s).

☐ **Are awarded to** \_\_\_\_\_. Submit an affidavit outlining the Costs and attorney's fees within \_\_\_\_\_ days.

**NOTICE:**

**IF THE FINDINGS AND ORDER WERE MADE BY A JUDICIAL REFEREE, YOU ARE HEREBY GIVEN NOTICE OF YOUR RIGHT TO REVIEW OF A JUDICIAL REFEREE'S FINDINGS AND ORDER BY A DISTRICT COURT JUDGE. TO REQUEST A REVIEW, YOU MUST FILE A WRITTEN REQUEST STATING THE REASONS FOR THE REVIEW WITHIN SEVEN (7) DAYS AFTER SERVICE OF THIS FINDINGS AND ORDER.**

BY THE COURT:

\_\_\_\_\_  
Judge of the District Court  
Judicial Referee of the District Court