

## Instructions for Motion for Approval for Payment of Guardian Fees (Based on an Hourly Rate) from the Ward's Estate

### Important! Read Before Using these Forms and Instructions!

ND Legal Self Help Center staff and court employees can't help you fill out forms. If you're unsure if these forms and instructions suit your circumstances, consult a lawyer.

ND Legal Self Help Center forms aren't official court forms. Judges and courts aren't required to accept them. There's no guarantee Center forms will be accepted.

If you need legal advice or legal representation, consult a lawyer licensed to practice in North Dakota. Go to [ndcourts.gov/legal-self-help/finding-a-lawyer](https://ndcourts.gov/legal-self-help/finding-a-lawyer) to learn more about finding a lawyer to represent you.

When you represent yourself, you're expected to know and follow the law, including:

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
  - North Dakota Rules of Civil Procedure;
  - North Dakota Rules of Court;
  - North Dakota Rules of Evidence;
  - North Dakota Administrative Rules and Orders; and
  - Any local court rules.

Links to the state laws, case law, and court rules can be found at [ndcourts.gov](https://ndcourts.gov).

A glossary with definitions of legal terms is available at [ndcourts.gov/legal-self-help](https://ndcourts.gov/legal-self-help).

When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures

*These instructions and forms aren't a complete statement of the law. They cover the basic procedure for asking a North Dakota state district court to approve payment of fees a court-appointed guardian of an adult has incurred. The fees must be based on an hourly rate. There's no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. The Center isn't responsible for any consequences that may result from the forms or information provided.*

***Use these forms and instructions at your own risk.***

**Don't include these instructions when you serve or file the completed forms.**

## What are the Steps to Ask a Court to Approve Payment of a Guardian's Fees (Based on an Hourly Rate)

**Step One:** The Guardian Determines their Hourly Rate, Compiles the Guardian Services they've Provided, & Completes Exhibit A: Itemized Guardian Services and Hourly Rate

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**Step Two:** The Guardian Completes All 5 of the Remaining Forms

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**Step Three:** The Guardian Arranges Service of Copies of All 6 of the Completed Forms on the Ward and All Interested Persons

The Ward and all interested persons have 17 calendar days to answer the motion in writing.

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**Step Four:** The Guardian Files the Originals of All Forms with the Clerk of Court

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**Step Five (a):** If a Hearing is Scheduled, the Guardian, the Ward and All Interested Persons Will Receive Written Notice from the Court

Attend the hearing prepared to explain your hourly rate and the guardian services you provided to the Court.

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**Step Five (b):** If No Hearing is Scheduled, the Judge or Judicial Referee Will Make a Decision Based Only on the Documents Filed in the Guardianship Case

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**Step Six:** Findings of Fact and Order is Issued by the Judge or Judicial Referee:

- The Judge or Judicial Referee may approve full payment of your requested fees;
  - The Judge or Judicial Referee may approve partial payment of your requested fees; OR
  - The Judge or Judicial Referee may decide NOT to approve payment of any of your requested fees.
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## Who may use this packet of forms?

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

Court-appointed guardians of adults must get court approval to be paid for their guardian services from the Ward's estate.

**This packet of forms may be used by the Guardian when:**

- The Guardian has performed guardian services for the Ward; AND
- The Guardian's fees for the guardian services are based on an hourly rate.

[North Dakota Century Code Section 30.1-28-03\(14\)](#) includes the requirement that a court-appointed guardian of an adult must get approval from the court to receive payment for guardian services.

## What if I can't use this packet of forms?

**If you don't fit within the requirements to use this packet of forms, you may still make a request to the Court to approve payment for fees for your guardian services that aren't based on an hourly rate.**

**However**, forms packets aren't available to make requests for approval for payment of non-hourly rate fees for guardian services.

The Guardian must create their own request documents or retain a lawyer to do so.

## What types of guardian services might be considered for compensation?

Staff of the ND Legal Self Help Center used the following resources to gather the list of examples on Page 4:

- [Guidelines for New Guardians Packet](#) (North Dakota State Court Administration)
- [National Guardianship Association Standards](#) (National Guardianship Association)
- [The Fundamentals of Guardianship: What Every Guardian Should Know](#) (National Guardianship Association; American Bar Association)

**IMPORTANT!! Don't Rely Solely on this List Of Examples!!** This list of examples ISN'T an official court system approved list and ISN'T all inclusive. If you provided a guardian service that isn't included on this list, you may wish to include the service in your request.

<ul style="list-style-type: none"><li>• Managing finances</li><li>• Making financial transactions</li><li>• Paying bills</li><li>• Managing correspondence</li><li>• Managing paperwork</li><li>• Gathering the Ward's medical information</li><li>• Phone calls related to the guardianship</li><li>• Visits with the Ward</li><li>• Attending meetings</li></ul>	<ul style="list-style-type: none"><li>• Travel time</li><li>• Arranging for meal services</li><li>• Arranging for cleaning services</li><li>• Arranging for laundry services</li><li>• Taking the Ward to appointments</li><li>• Maintaining the Ward's health aids</li><li>• Maintaining safe living areas</li></ul>	<ul style="list-style-type: none"><li>• Locating and hiring caregiver</li><li>• Developing and implementing a written guardianship plan</li><li>• Monitoring the Ward's residential setting</li><li>• Locating and obtaining public benefits for which the Ward is eligible</li></ul>
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**NOTE:** A Guardian should make provision for the care, comfort, and maintenance of the Ward. A Guardian, whenever appropriate, should arrange for the Ward's training, education and health care services that help the Ward keep, learn, or improve their skills and functioning for daily living. ([N.D.C.C. § 30.1-28-12\(3\)](#))

Ultimately, the judge or judicial referee assigned to the guardianship case decides what is a guardian service, and if your fee approval request won't unreasonably jeopardize the Ward's well-being and estate.

## What may the court consider when deciding whether to approve payment to a Guardian for guardian services?

[Section 30.1-28-03\(12\) of the North Dakota Century Code \(N.D.C.C.\)](#) requires the judge or judicial referee assigned to the guardianship case to consider all of the following factors (*the list continues on Page 5*):

- The size and nature of the Ward's estate.
- The benefit to the Ward, or the Ward's estate, of your guardian services.
- The necessity of the guardian services you performed.
- The Ward's anticipated future needs and income.

- The time you spent performing the guardian services.
- Whether the guardian service you performed was routine or required more than ordinary skill or judgment.
- Whether you brought any unusual skill, expertise, or experience to the performance of your guardian services.
- Your estimate of the value of the guardian services you performed.
- The fee customarily charged in the community for similar services.
- The nature and length of your relationship with the Ward.
- Your experience, reputation, diligence and ability related to the guardian service you performed.
- Any conflict of interest you may have related to the guardian service you performed.
- Whether your appointment as Guardian prevents you from other employment.

In addition to the factors listed above, the judge or judicial referee is allowed to consider other factors they consider relevant.

The judge or judicial referee decides how much weight to give to each factor when deciding whether your fee approval request won't unreasonably jeopardize the Ward's well-being and estate.

### Forms in the packet

The forms in the Motion for Approval of Guardian Fees (Hourly Rate) packet are:

- Form 1.** Notice of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 2.** Motion for Approval of Guardian Fees (Hourly Rate);
- Form 3.** Brief in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 4.** Declaration in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 5.** Exhibit A: Itemized Guardian Services and Hourly Rate;
- Form 6.** Findings of Fact and Order on Motion for Approval of Guardian Fees (Hourly Rate) (Proposed); and
- Form 7.** Declaration of Service by Mail.

## Who can help me fill out this packet of forms?

As a self-represented individual, you make all decisions related to the forms, including:

- Whether you should use this packet of forms;
- What words to write; and
- Whether the words you've written are sufficient or correct.

If you'd like assistance filling out your forms, or deciding if these forms suit your situation, [consult a lawyer](#) licensed to practice in North Dakota.

### **STEP ONE: Determine your Hourly Rate; Compile the Guardian Services you've provided; and Complete Exhibit A: Itemized Guardian Services and Hourly Rate (Form 5)**

#### **Determine Your Hourly Rate:**

**IMPORTANT!!** You need to explain to court how you came up with your hourly rate for providing guardian services.

- See Paragraph 4 of the Declaration in Support of Motion for Approval of Guardian Fees (Form 4).

Keep good notes and copies of your research to support your hourly rate.

#### **Compile the Guardian Services You've Provided to the Ward:**

Gather your records. You should be keeping detailed records of the guardian services you've provided for which you want to be paid.

- See the list of examples of guardian services on Page 4 of these instructions.

*(This space left intentionally blank.)*

## Complete Exhibit A: Itemized Guardian Services and Hourly Rate (Form 5):

### Form 5: Exhibit A: Itemized Guardian Services and Hourly Rate

- **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 the Form**
  - **IMPORTANT!!** Be detailed when describing each guardian service you provided.
- **Date and Signature**
  - Date and sign the form.
  - Complete the lines following the signature line.

## STEP TWO: Complete All 5 of the Remaining Forms

### Form 1: Notice of Motion for Approval of Guardian Fees (Hourly Rate)

- **Top of Form (Caption)**
  - Fill in the Caption exactly as you filled in the Caption for Form 5: Exhibit A.
- **Date and Signature**
  - Date and sign the form.
  - Complete the lines following the signature line.

### Form 2: Motion for Approval of Guardian Fees (Hourly Rate)

- **Top of Form (Caption)**
  - Fill in the Caption exactly as you filled in the Caption for Form 5: Exhibit A.
- **Complete Paragraphs 1 of the Form**
- **Date and Signature**
  - Date and sign the form.
  - Complete the lines following the signature line.

### **Form 3. Brief in Support of Motion for Approval of Guardian Fees (Hourly Rate)**

- **Top of Form (Caption)**
  - Fill in the Caption exactly as you filled in the Caption for Form 5: Exhibit A.
- **Complete Paragraphs 1 through 7 of the Form**
- **Date and Signature**
  - Date and sign the form.
  - Complete the lines following the signature line.

### **Form 4. Declaration in Support of Motion for Approval of Guardian Fees (Hourly Rate)**

- **Top of Form (Caption)**
  - Fill in the Caption exactly as you filled in the Caption for Form 5: Exhibit A.
- **Complete Paragraphs 1 through 8 of the Form**
- **Date and sign the Declaration**
  - **When you sign this Declaration, you declare everything you stated in this Declaration is true and correct.**
  - Indicate the city, county, state, and country where you signed the declaration.
  - Print the date the declaration was signed;
  - Sign the declaration; and
  - Print your name, address, telephone number, and email address.

### **Form 6. Findings of Fact and Order on Motion for Approval of Guardian Fees (Hourly Rate) (Proposed)**

- **Top of Form (Caption)**
  - Fills in the Caption exactly as the Caption for Form 5: Exhibit A is filled in.
- **Paragraph 1**
  - Fill in your name as Guardian.
- **Leave the Rest of the Form Blank**
  - If the Judge or judicial referee assigned to the guardianship case uses this form as their Findings of Fact and Order, they complete and sign the form.

## **STEP THREE: Arrange Service of Copies of All 6 of the Completed Forms on the Ward and All Interested Persons**

The Ward and all interested persons designated in the order appointing you as Guardian must receive a copy of each of the following completed forms **and** any supporting documents you plan to file:

- Form 1. Notice of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 2. Motion for Approval of Guardian Fees (Hourly Rate);
- Form 3. Brief in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 4. Declaration in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 5. Exhibit A: Itemized Guardian Services and Hourly Rate; and
- Form 6. Findings of Fact and Order on Motion for Approval of Guardian Fees (Hourly Rate) (Proposed).

**Gather the names and current addresses of the following:**

- The Ward;
- Any Co-Guardians; and
- All interested persons.

**Arrange for service by first class mail.**

You may arrange for service by first class mail. (For other service options, see [Service Instructions and Forms After Adult Guardianship Established.](#))

The Judge or Judicial Referee assigned to the guardianship case requires proof that the persons listed above received a copy of the completed forms and any supporting documents. A Declaration of Service is your proof.

### **Form 7. Declaration of Service by Mail**

The person serving copies of all of the documents must be at least 18 years of age.

Postage must be first class and pre-paid. The person who mails the documents must complete the Declaration of Service by Mail. If the documents are mailed from a United States post office, the person who took the documents to the post office and paid the postage completes the Declaration of Service by Mail.

Service is complete upon mailing.

- **Top of Form (Caption)**
  - The person who mailed the documents fills in the Caption exactly as the Caption for Form 5: Exhibit A is filled in.
- **The Person who Mailed the Documents Completes Paragraphs 1 through 6 of the Form**
- **Date and Signature**
  - The person who mailed the documents signs the form and completes the lines following their signature line.

**The people you served have 17 calendar days to answer your motion in writing.** The date of service is the date the motion was mailed.

Begin counting from the day after the motion was mailed. If the 17<sup>th</sup> day lands on a Saturday, Sunday, or North Dakota state holiday, the period continues until the next day that ISN'T a Saturday, Sunday or North Dakota state holiday.

## **STEP FOUR: File the Originals of All Forms and Supporting Documentation (if any) with the Clerk of Court**

**File the following original, completed Forms with the Clerk of Court:**

- Form 1. Notice of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 2. Motion for Approval of Guardian Fees (Hourly Rate);
- Form 3. Brief in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 4. Declaration in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Form 5. Exhibit A: Itemized Guardian Services and Hourly Rate;
- Form 6. Findings of Fact and Order on Motion for Approval of Guardian Fees (Hourly Rate) (Proposed); and
- Form 7. Declaration of Service by Mail.

**If you have any supporting documentation, file copies with the Clerk of Court.** You may not have any supporting documentation.

**You won't be charged a filing fee.** Contact information for Clerks of Court is available at [ndcourts.gov/court-locations](https://ndcourts.gov/court-locations).

## **STEP FIVE (A): If a Hearing is Scheduled, You, the Ward and All Interested Persons Will Receive Written Notice from the Court**

After the deadline passes to answer, if a hearing to decide your motion is scheduled, you, the Ward, and all interested persons will receive written notice of the date, time and location.

**You must attend the hearing.** Be prepared to explain how you arrived at your hourly rate and the guardian services you provided.

If you want the judge or judicial referee to hear what someone else has to say about your hourly rate and guardian services you provided, that person **MUST** attend the hearing. You can't tell the judge or judicial referee what that person said or has to say.

You may force someone to attend the hearing by serving a subpoena on that person before the date of the hearing.

An Evidence Research Guide and a Subpoena Informational Guide are available at [ndcourts.gov/legal-self-help](https://ndcourts.gov/legal-self-help). Scroll to the "District Court Civil" section.

## **STEP FIVE (B): If NO Hearing is Scheduled, the Judge or Judicial Referee Will Make a Decision Based Only on the Documents Filed in the Guardianship Case**

After the deadline passes to answer, if **NO** hearing is scheduled, the Judge or Judicial Referee reviews the documents.

The motion is decided only on the documents filed with the court in the guardianship case.

## **STEP SIX: Findings of Fact and Order is Issued by the Judge or Judicial Referee**

If a hearing was held, following the hearing and review of the documents filed in the guardianship case, the judge or judicial referee makes a decision and issue findings of fact and an order deciding whether to approve your request for payment of fees.

If **NO** hearing was held, following the review of the documents filed in the guardianship case, the judge or judicial referee makes a decision and issue findings of fact and an order deciding whether to approve your request for payment of fees.

**You'll receive a copy of the Findings of Fact and Order with the decision, which may be any of the following:**

- The judge or judicial referee may approve full payment of your requested fees;
- The judge or judicial referee may approve partial payment of your requested fees; **OR**
- The judge or judicial referee may decide NOT to approve any of your requested fees.

**Don't include these instructions when you serve or file the completed forms.**

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_ JUDICIAL DISTRICT

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

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

**NOTICE OF MOTION FOR APPROVAL OF GUARDIAN FEES (Hourly Rate)**

1. The following Motion for Approval of Guardian Fees is brought in accordance with Rule 3.2, North Dakota Rules of Court, and Section 30.1-28-03(12)-(14) of the North Dakota Century Code (N.D.C.C.). The motion will be decided on the documents filed with the court unless a hearing is timely requested by a party or required by the Court.
2. You have fourteen days after service of this Motion upon you within which to serve and file an answer brief and other supporting papers. Upon the filing of an answer, or upon the expiration of the time for filing, the Motion is deemed submitted to the Court, unless a party timely requests oral argument or the taking of testimony.
3. A request for hearing must be made no later than seven days after expiration of the time for filing the answer brief. The party requesting a hearing must secure a time for the hearing and must serve notice of the time and place for the hearing upon all other parties.

Dated \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Guardian)

\_\_\_\_\_  
(Printed Name of Guardian)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Email Address)

STATE OF NORTH DAKOTA

IN DISTRICT COURT

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

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

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

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

**MOTION FOR APPROVAL OF GUARDIAN FEES (Hourly Rate)**

1. \_\_\_\_\_ (*name of Guardian*), the Guardian of the above-named Ward, makes this Motion for Approval of Guardian Fees in accordance with Section 30.1-28-03(12)-(14) of the North Dakota Century Code (N.D.C.C.) and Rule 3.2 of the North Dakota Rules of Court.
2. The Guardian respectfully requests that the Court enter an order approving the Guardian's fees for guardianship services to the Ward, detailed in the brief and declaration in support of the motion.
3. This motion is based on the brief and declaration in support of this motion, which are served and filed with the motion.

Dated \_\_\_\_\_.

\_\_\_\_\_  
(*Signature of Guardian*)

\_\_\_\_\_  
(*Printed Name of Guardian*)

\_\_\_\_\_  
(*Address*) (City, State, Zip Code)

\_\_\_\_\_  
(*Telephone Number*) (Email Address)

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_ JUDICIAL DISTRICT

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

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

**BRIEF IN SUPPORT OF MOTION FOR  
APPROVAL OF GUARDIAN FEES (Hourly Rate)**

1. As required by Rule 3.2 of the North Dakota Rules of Court and Section 30.1-28-03(12)-(14) of the North Dakota Century Code (N.D.C.C), \_\_\_\_\_  
(*name of Guardian*), the Guardian of the above-named Ward, submits this Brief in Support of Motion for Approval of Guardian Fees.

**FACTS**

2. The facts are stated in the Declaration in Support of Motion for Approval of Guardian Fees, which is filed with the Motion and incorporated by reference.

**LAW AND ARGUMENT**

3. N.D.C.C. Section 30.1-28-03(12) states, in part, as follows (*Paragraph 3 continues on next page*):

If the court approves a guardian or emergency guardian in a guardianship proceeding, that person may receive reasonable compensation and reimbursement from the ward's estate if the compensation and reimbursement will not unreasonably jeopardize the ward's well-being and estate. The court shall consider the following factors when determining what constitutes reasonable compensation and reimbursement:

- a. The size and nature of the ward's estate;
- b. The benefit to the ward, or the ward's estate, of the guardian's services;
- c. The necessity for the services performed;

- d. The ward's anticipated future needs and income;
- e. The time spent by the guardian in the performance of the services;
- f. Whether the services were routine or required more than ordinary skill or judgment;
- g. Any unusual skill, expertise, or experience brought to the performance of the services;
- h. The guardian's estimate of the value of the services performed;
- i. The fee customarily charged in the community for similar services;
- j. The nature and length of the relationship with the ward;
- k. The experience, reputation, diligence, and ability of the person performing the service;
- l. Any conflict of interest the guardian may have; and
- m. Whether the appointment as guardian precluded the guardian from other employment.

4. The Guardian needs court approval of their fees for providing guardianship services to the Ward because either no conservator is appointed for the Ward, or the conservator and guardian do not agree on the fees for guardianship services.

5. The Guardian requests that the Court approve a total payment of \$\_\_\_\_\_ for their services, based on an hourly rate of payment of \$\_\_\_\_\_. An itemization of the Guardian's services and fees is attached as Exhibit A and incorporated by reference.

6. As described in the Declaration in Support of Motion for Approval of Guardian Fees, based on the services provided and the Ward's total estate value or net worth, the Guardian's proposed fees for services are reasonable under the circumstances and will not unreasonably jeopardize the Ward's well-being and estate.

7. The Guardian respectfully requests that the Court enter an order approving the fees described in Paragraph 5.

Dated \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Guardian)

\_\_\_\_\_  
(Printed Name of Guardian)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Email Address)

IN DISTRICT COURT

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

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

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

## DECLARATION IN SUPPORT OF MOTION FOR APPROVAL OF GUARDIAN FEES (Hourly Rate)

1. My name is \_\_\_\_\_.
2. I was appointed the Guardian for the above-named Ward on \_\_\_\_\_ (date).
3. I am requesting approval of a total payment of \$\_\_\_\_\_ for providing guardianship services, based on an hourly rate of payment of \$\_\_\_\_\_. An itemization of the services I provided and the associated hourly rate is attached as Exhibit A and incorporated by reference.
4. This is how I determined the hourly rate of payment for providing my guardianship services (*explain in detail how you came up with the hourly rate you listed in Paragraph 3*): \_\_\_\_\_

[illegible]

5. (Choose one)

☐ I **am not** requesting payment for mileage.

☐ I **am** requesting payment for mileage as follows (*describe the amount you want to be paid for mileage, when payment for mileage would apply, and how you came up with the amount for mileage you want to be paid*): \_\_\_\_\_

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6. The Ward's total estate value or net worth is \$ \_\_\_\_\_. This is based on (*describe how you determined the total estate value or net worth. For example, the most recently filed Annual Report or the Beginning Inventory (if no Annual Report has been filed). If the Annual Report or Beginning Inventory aren't correct, describe the changes*): \_\_\_\_\_

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7. Based on the information I provided above, I believe the fees I request for guardian services are reasonable under the circumstances and will not unreasonably jeopardize the Ward's well-being and estate because (*Paragraph 7 continues on next page*): \_\_\_\_\_

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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_ JUDICIAL DISTRICT

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

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

**EXHIBIT A: ITEMIZED GUARDIAN SERVICES AND HOURLY RATE**

*You may use this form to itemize each guardian service, the date(s) you performed the service, the time spent on the service, and the payment you wish to receive for the service. To use this form, the payment amount must be based on an hourly rate.*

*The judge or judicial referee assigned to your case will review this form, along with all of the forms you're required to file for a motion to approve payment for guardian services.*

*The judge or judicial referee decides whether to approve the full payment you request, partial payment, or no payment.*

1. I, \_\_\_\_\_ (guardian name) am the  
Guardian for the above-named Ward

2. The hourly rate for which I am requesting approval is \$\_\_\_\_\_.

3. Following is an itemization of guardian services for which I am requesting approval for  
payment my Motion for Approval of Guardian Fees:

<b>Guardian Service Provided</b> (describe guardian services for which you're requesting approval for payment):	<b>Date(s) Service Provided:</b>	<b>Time Spent:</b>	<b>Payment</b> (Time Spent x Hourly Rate):



<b>Guardian Service Provided</b> ( <i>describe guardian services for which you're requesting approval for payment</i> ):	<b>Date(s) Service Provided:</b>	<b>Time Spent:</b>	<b>Payment</b> ( <i>Time Spent x Hourly Rate</i> ):
<b>TOTAL REQUESTED PAYMENT FOR GUARDIANSHIP SERVICES</b>			<b>\$</b>

4. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Exhibit A is true and correct.

Signed on \_\_\_\_\_ (date) in \_\_\_\_\_ (city),  
 \_\_\_\_\_ (county), \_\_\_\_\_ (state), \_\_\_\_\_ (country).

\_\_\_\_\_  
 (Signature of Guardian)

\_\_\_\_\_  
 (Printed Name of Guardian)

\_\_\_\_\_  
 (Address) (City, State, Zip Code)

\_\_\_\_\_  
 (Telephone Number) (Email Address)

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 FOR  
FOR APPROVAL OF GUARDIAN FEES (Hourly Rate)**

1. \_\_\_\_\_, the Guardian of the above-named Ward, filed a Section 30.1-28-03(12)-(14) of the North Dakota Century Code (N.D.C.C.) Motion for Approval of Guardian Fees.

2. Based on the record in this matter, the Court makes the following findings of fact:

**FINDINGS OF FACT**

3. Notice has been provided as required by law and proof of service is on file.

4. The Guardian requests court approval of \$\_\_\_\_\_ for providing their guardian services to the Ward:

5. In reviewing the request, the Court finds the following (*Paragraph 5 continues on next page*):

**ORDER**

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

6. The Guardian(s) requested fees:

**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:

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Judge of the District Court  
Judicial Referee of the District Court

STATE OF NORTH DAKOTA

IN DISTRICT COURT

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

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

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_.

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

**DECLARATION OF SERVICE BY MAIL**

*(May serve multiple persons ONLY IF envelopes are mailed same day from same Post Office.)*

**The person serving court documents by mail states:**

1. My name is \_\_\_\_\_ *(person who mailed documents)*. I am at least 18 years of age.

2. **List of Court Documents Served:**

- Notice of Motion for Approval of Guardian Fees (Hourly Rate);
- Motion for Approval of Guardian Fees (Hourly Rate);
- Brief in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Declaration in Support of Motion for Approval of Guardian Fees (Hourly Rate);
- Exhibit A: Itemized Guardian Services and Hourly Rate; and
- Findings of Fact and Order on Motion for Approval of Guardian Fees (Hourly Rate) (Proposed).

3. **Service by Mail:**

I served a true and correct copy of each of the court documents listed in Paragraph 2 by mailing them, enclosed in an envelope, by First-Class mail, postage prepaid, and by depositing them in the United States Mail, directed to each person listed in Paragraph 5.

4. **Date of Service by Mail:**

Date Court Documents Were Served by Mail: \_\_\_\_\_

5. **Person or Persons Served by Mail:**

Name of Person Served: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Name of Person Served: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Name of Person Served: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

6. I declare, under penalty of perjury under the law of North Dakota, that everything I  
stated in this Declaration of Service by Mail is true and correct.

Signed on \_\_\_\_\_ (date) in \_\_\_\_\_ (city),  
\_\_\_\_\_ (county), \_\_\_\_\_ (state), \_\_\_\_\_ (country).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Email Address