

STATE OF NORTH DAKOTA

IN DISTRICT COURT

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

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

**IN THE MATTER OF THE GUARDIANSHIP OF \_\_\_\_\_,  
AN ALLEGED INCAPACITATED INDIVIDUAL**

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

**NOTICE OF HEARING AND STATEMENT OF RIGHTS**

**Courthouse/city in which hearing will be held:**

**Date of Hearing:**

**Time of Hearing:**

**Name of court-appointed guardian ad litem:**

**Address:**

**Telephone No.**

**Name of Proposed Guardian/Co-Guardians:**

**ATTENTION PROPOSED WARD:**

**1. A hearing will be held on the date and at the time listed above. This hearing will be to determine whether a guardian should be appointed for you. If it is in your best interests, the hearing may be held some place other than the courthouse.**

**2. A petition is attached that explains why someone is asking to be appointed your guardian. You can review it before the hearing or at the hearing. Some of your rights may be affected by having a guardian appointed for you. Some rights that may be affected include your right to vote, to refuse prescribed medications, obtain or retain a driver's license, seek to change marital status, or possess a firearm.**

**3. You MUST attend this hearing unless excused by the court.**

**4. You may be assisted by the guardian ad litem appointed by the Court. The guardian ad litem's address and phone number are listed above. The guardian ad litem is an attorney appointed to advocate for your best interests and to explain what may happen as a result of the hearing.**

**5. You may hire an attorney to represent you and present your point of view about whether a guardian should be appointed.**

**6. The Court has also appointed an expert examiner to examine you and has appointed a visitor to interview you and the proposed guardian.**

**7. Other people who are interested parties have a right to respond or object to the petition to appoint a guardian for you. Interested parties may hire an attorney to represent them at the hearing.**

**8. You, the person who filed the petition, and others who are permitted to participate in the hearing have the right to present evidence and to call and ask questions of witnesses, including the court-appointed physician and court-appointed visitor.**

**9. A Judicial Referee may decide whether you are in need of a guardian. You have the right to have your case decided by a Judge of the District Court, instead of a Referee. If you want a Judge of the District Court to decide whether you are in need of a guardian, you must file a written request with the Clerk of this Court within seven (7) days after receiving this Notice of Hearing and Statement of Rights.**

**10. If the Court finds that you are in need of a guardian, the Court will consider whether the person proposed above to be your guardian should be appointed. The Court will also consider whether some other qualified person should be appointed as your guardian. The Court will also determine whether there should be any limits on the powers and duties of the guardian so that you keep control over certain activities.**

**Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
Signature of Petitioner/Attorney for Petitioner(s)  
(ND Bar ID #) \_\_\_\_\_

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

\_\_\_\_\_  
Address

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

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

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