

STATE OF NORTH DAKOTA

IN DISTRICT COURT

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

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

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_  
**AN ALLEGED INCAPACITATED INDIVIDUAL**

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

**ORDER APPOINTING VISITOR**

**Name of proposed Ward:**

**Date Petition was filed:**

**Name of Judge:**

**Courthouse/Zoom in which to appear:**

**Date of Hearing:**

**Time of Hearing:**

**Name of Visitor:**

**Visitor's city of residence:**

1. The Petition for Appointment of Guardian was filed as indicated above and will be heard on the date and time and in the location listed above.
2. The visitor listed above is appointed visitor in this action. The visitor's responsibilities are:
  - a. To meet, interview, and consult with the proposed Ward regarding the guardianship proceeding, including explaining the purpose for the interview in a manner the proposed Ward can reasonably be expected to understand.
  - b. To ascertain the proposed Ward's views concerning the proposed guardian, the powers and duties of the proposed guardian, the proposed guardianship and its scope and duration.

- c. To interview the person seeking appointment as guardian.
- d. To visit the proposed Ward's present place of residence.
- e. To discuss an alternative resource plan with the proposed Ward, if appropriate.
- f. To obtain other relevant information as directed by the court.

**3. A Visitor's Report must be submitted to the court at least five (5) days before the hearing.**

4. The court shall determine who is responsible for the costs incurred for the visitor's service and report.

5. The report must include:

- a. A description of the nature and degree of any current impairment of the proposed Ward's understanding or capacity to make or communicate decisions.
- b. A statement of the qualifications and appropriateness of the proposed guardian, the proposed Ward's views regarding the proposed guardian, the powers and duties of the proposed guardian, the proposed guardianship and the scope and duration of the guardianship.
- c. Recommendations, if any, on the powers to be granted to the proposed guardian, including an evaluation of the proposed Ward's capacity to:
  - i. Vote
  - ii. Change marital status
  - iii. Obtain or retain a motor vehicle operator's license
  - iv. Use, own, control, or possess firearms
  - v. Others:

- d. An assessment of the capacity of the proposed Ward to perform the activities of daily living.
- e. An assessment of the proposed Ward's ability to attend the hearing either in person or by remote means.
- f. Other issues to be addressed are:

6. The visitor shall have access to the financial records and medical records, including psychiatric, mental health, psychological, and chemical dependence records, of the proposed Ward.

BY THE COURT:

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Judge of the District Court  
Judicial Referee of the District Court