

# How to Ask a Court to End Your Guardianship

## FIRST, ANSWER THESE TWO QUESTIONS:

1. Did a North Dakota court appoint a guardian for you?
2. Do you want to end your guardianship because you don't need a guardian anymore?

If you said YES to both questions, this information will help you understand how to ask a North Dakota district court to end your guardianship.

## STEPS FOR ENDING YOUR GUARDIANSHIP

In North Dakota, ending your guardianship is called “**terminating.**”

Since a North Dakota district court appointed your guardian, only the North Dakota district court can end, or terminate, your guardianship.

You will have to ask the North Dakota district court in charge of your guardianship to end your guardianship.

### Step One – Write Your Letter

To ask the North Dakota district court to end your guardianship, send a letter to the North Dakota district court in charge of your guardianship.

If you don't know which North Dakota district court is in charge of your guardianship, look on the first page of the annual report your guardian gave you. The name of the district court and your case number are on the first page.

**You can hand-write or type your letter.**

If you hand-write your letter, make sure you write your words neatly, so your words are easy to read. Use a pen that has blue or black ink. Do not use a pencil.

**You may use the form at the end of these instructions to write your letter.**

In your letter:

- Type or write the case number for your guardianship.
- Type or write your first and last name.
- Type or write your current address.
- Type or write your current phone number, if you have one.
- If you have talked to other people or your doctor and they agree with you about ending your guardianship, type or write their names and who they are.
  - If you can, get a letter from each person or your doctor to include with the letter you write.
- Type or write the reasons you believe you don't need a guardian anymore.
  - You can include:
    - Decisions you are making for yourself right now.
    - How you will take care of yourself in the future and make good decisions about your life.

Sign your first, middle, and last name at the bottom of your letter.

Write the date you signed your letter next to your signature.

Print your first, middle, and last name after your signature.

## **Step Two – Make a Copy of Your Letter; Keep for Your Records**

Make a copy of your letter, or you may have someone you trust make a copy for you.

If you have letters from other people or your doctor, make a copy of each.

### Step Three – Take or Mail Your Letter to the North Dakota District Court



You may take your letter in-person to the North Dakota district court that is in charge of your guardianship.

Or, you may have someone you trust take your letter in-person.

If you or someone you trust can't get to the court in-person, you may mail your letter.

Here are some ways to find the phone number and address for a North Dakota district court:

- Go to [www.ndcourts.gov/court-locations](http://www.ndcourts.gov/court-locations) and click on the name of the County.
- Look for the name of the County in the phone book.
- Go to a public library near you and ask how to find the phone number and address.

### Step Four – Follow the Instructions from the North Dakota District Court



**Wait two weeks, if you don't get something in the mail from the North Dakota district court, call and ask about your letter.**

After you send your letter to the North Dakota district court, you will get information in the mail about your letter.

The information you get in the mail from the North Dakota district court will tell you if you need to do anything else.

**If the North Dakota district court decides to have a hearing, the information you get in the mail will tell you when the hearing will be and where the hearing will be.**

You don't have to hire a lawyer, but you can choose to hire a lawyer to represent you.

At the hearing, you will have a chance to show the North Dakota district court why you no longer need a guardian.

You can show the North Dakota district court your own proof that you can take care of yourself and make good decisions about your life.

### **Step Five – The North Dakota District Court Decides if Your Guardianship Should End**

The North Dakota district court will decide if your guardianship should end, or if your guardianship should continue.

You will get the North Dakota district court decision in the mail.

If the District Court decides your guardianship should end, you will no longer have a guardian.

If the District Court decides your guardianship should continue, you will still have a guardian.

### **HOW TO FIND A LAWYER**

You don't have to hire a lawyer, but you can choose to hire a lawyer to represent you.

#### **Here are some ways to look for a lawyer:**

Legal Services of North Dakota may be able to be your lawyer for free.

- First, you will need to fill out their application to see if you qualify.
- The phone number is (800) 634-5263 and the website is [www.legalassist.org](http://www.legalassist.org).

The State Bar Association provides a lawyer referral service.

- The lawyer referral service matches paying clients with lawyers.
- The phone number is (866) 450-9579 and the website is [www.sband.org](http://www.sband.org).

The North Dakota Supreme Court website has a list of lawyers in North Dakota.

- Go to [www.ndcourts.gov/Lawyers](http://www.ndcourts.gov/Lawyers).
- You can search by your city by clicking on "Cities" in the blue NAVIGATION box in the upper left of the webpage.

## **THE NORTH DAKOTA LEGAL SELF HELP CENTER**

The North Dakota Legal Self Help Center can give information about the North Dakota state court system to people who don't have lawyers.

The North Dakota Legal Self Help Center cannot be your lawyer or give you any advice.

- The phone number is (701) 328-1852 and the website is [www.ndcourts.gov/legal-self-help](http://www.ndcourts.gov/legal-self-help).

STATE OF NORTH DAKOTA

IN DISTRICT COURT

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

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

*(Type or write the name of the County)*

*(Type or write the name of the Judicial District)*

**IN THE MATTER OF THE GUARDIANSHIP OF**

\_\_\_\_\_  
*(Type or write your first, middle and last name)*

**Case No.** \_\_\_\_\_  
*(Type or write your case number)*

**PETITION TO TERMINATE GUARDIANSHIP**

1. My name is \_\_\_\_\_.  
*(type or write your first, middle and last name)*

2. I live at: *(type or write your address where you live)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. My telephone number is: *(type or write your telephone numbers)*  
\_\_\_\_\_

4. I currently have a guardian. I believe that I am able to make decisions about my life and I do not need a guardian anymore.

5. The following people also believe I am able to make decisions about my life and do not need a guardian anymore: *(Type or write the names of other people you have talked to who agree you do not need a guardian.)* \_\_\_\_\_  
\_\_\_\_\_

6. The reasons I do not need a guardian anymore are: *(type or write the reasons why you do not need a guardian.)*

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

7. I request that the court hold a hearing to decide if I still need a guardian.

\_\_\_\_\_  
*(Sign your first, middle and last name)*

\_\_\_\_\_  
*(Write the date you signed)*

\_\_\_\_\_  
*(Print your first, middle and last name)*