

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

**IN THE MATTER OF THE CONSERVATORSHIP OF _____,
A MINOR CHILD.**

Case No. _____

**PETITION FOR APPOINTMENT OF A CONSERVATOR/CO-CONSERVATORS
FOR A MINOR CHILD (Child Under 18 Years Old)**

1. Your Petitioner(s), _____
(*full name(s)*), in accordance with Chapter 30.1-29 of the North Dakota Century Code (N.D.C.C.), respectfully request(s) appointment of a conservator/co-conservators under N.D.C.C. Section 30.1-29-01(1) for the above-named minor child because the child is not yet eighteen (18) years old. Further, I/we state to the Court:

Jurisdiction and Venue:

2. (*Choose one*)

- ☐ The minor child lives in North Dakota. This is the proper county for venue because the child lives in _____ County.
- ☐ The minor child does not live in North Dakota, but has property located in North Dakota. This is the proper county for venue because the child's property is located in _____ County.

Guardian Ad Litem:

3. (*Choose one; Paragraph 3 continues on Page 2*)

- ☐ The minor child's interests are adequately represented. Petitioner **does not** request court appointment of a guardian ad litem. (*On Page 2, explain how the minor child's interests are adequately represented and why appointment of a guardian ad litem isn't necessary.*)

- ☐ The minor child's interests **are not** adequately represented. Petitioner requests court appointment of a guardian ad litem. (*On the lines below, explain how the minor child's interests aren't adequately represented and why appointment of a guardian ad litem is necessary.*)

Petitioner's/Co-Petitioner's Information:

4. The Petitioner's legal name is: _____.
- The Petitioner's relationship to the minor child is: _____.
- _____.
- The Petitioner's address is: _____.
- _____.
- The Petitioner's telephone number is: _____.

5. (*Choose one*)

☐ There is no Co-Petitioner.

☐ The Co-Petitioner's information is as follows:

The Co-Petitioner's legal name is: _____.

The Co-Petitioner's relationship to the minor child is: _____.

_____.

The Co-Petitioner's address is: _____.

_____.

The Co-Petitioner's telephone number is: _____.

6. The Petitioner(s) interest in this conservatorship is: _____
_____.

7. The Petitioner(s) (*choose one*) ☐ **knows** ☐ **does not know** of any existing or pending guardianships, conservatorships, or other court cases relating to the minor child in this state or any other state or tribal court. If the Petitioner knows of any existing or pending cases, identify the court, the case number, and the type of case: _____

_____.

Minor Child's Information:

8. The minor child's name is: _____.
The minor child's address is: _____
_____.
The minor child lives with: _____
_____.

9. The minor child's birth year is _____ and the child is currently _____ years of age.
The child's full birthdate is listed on the Confidential Information Form filed with this Petition.

10. The name and address of the nearest relative of the minor child is: _____

_____.

11. The minor child currently (*choose one*) ☐ **has** ☐ **does not have** a guardian. If the child has a guardian, the name and address is: _____
_____.

12. The minor child currently (*choose one*) ☐ **has** ☐ **does not have** an attorney in fact, agent in a power of attorney, or a representative payee. If the child has an attorney in fact, agent in a power of attorney, or a representative payee, the name(s) and address(es) is/are: _____

Minor Child's First Parent Information:

13. The minor child's first parent is: _____
(*full name*), whose address and telephone number are:

Address: _____

City, State, Zip Code: _____

Telephone number: _____

This parent is the minor child's (*choose and complete one*):

☐ **mother** by (*choose one*) ☐ **birth**, ☐ **adoption**, or ☐ **other court order/judgment**.

☐ **father**. He is (*choose one*) ☐ **known to be**, ☐ **alleged to be**, or ☐ **presumed to be**
the child's father.

If the last known address and phone number of the first parent are not known, explain why:

_____.

Minor Child's Second Parent Information:

14. The minor child's second parent is: _____
(*full name*), whose address and telephone number are:

Address: _____

City, State, Zip Code: _____

Telephone number: _____

This parent is the minor child's (*choose and complete one; Paragraph 14 continues on Page 5*):

☐ mother by (choose one) ☐ birth, ☐ adoption, or ☐ other court order/judgment.

☐ father. He is (choose one) ☐ known to be, ☐ alleged to be, or ☐ presumed to be the child's father.

If the last known address and phone number of the second parent are not known, explain why:

Reasons a Conservatorship is Necessary:

15. The following less intrusive alternatives to conservatorship for the minor child have been considered or tried (*identify and explain each alternative considered or tried*):

16. The appointment of a conservator/co-conservators for the minor child is necessary and in the child's best interest because the child has is not yet eighteen (18) years old and (*select all that apply. You must choose at least one, Paragraph 16 continues on Page 6*):

☐ The child owns money or property that requires management or protection which cannot otherwise be provided.

☐ The child has or may have business affairs which may be jeopardized or prevented by the child's minority.

☐ The child needs funds for the child's support and education and protection is necessary or desirable to obtain or provide funds.

(*For each checkbox you selected, describe why the minor child needs a conservatorship and why appointing a conservator/co-conservators is in the best interests of the child.*) _____

[illegible]

17. Petitioner(s) requests (choose and complete one; Paragraph 17 continues on Page 7):

- ☐ A full conservatorship. The conservator/co-conservators should have control over all property presently held or acquired after appointment of the conservator/co-conservators. A full conservatorship is necessary because (*explain*): _____

Proposed Conservator/Co-Conservator Information:

18. The Petitioner(s) nominates _____ (*name*) as conservator because they are (*choose one*):

- ☐ The attorney in fact or agent in a power of attorney.
- ☐ The conservator, guardian of property, or other like fiduciary appointed or recognized by the appropriate court of another jurisdiction where the minor child resides.
- ☐ A parent of the minor child.
- ☐ A person nominated by the minor child's deceased parent in the deceased parent's will.
- ☐ A relative of the minor child with whom the minor child has resided for more than 6 months prior to filing the petition for conservatorship.
- ☐ A person nominated by the person who is caring for or paying benefits to the minor child.

The proposed conservator's address is: _____.

The proposed conservator's telephone number: _____.

The proposed conservator's email is: _____.

The proposed conservator's occupation is: _____.

The proposed conservator's qualifications to act as conservator are: _____.

19. (*Choose one, Paragraph 19 continues on Page 7*)

- ☐ There is no proposed co-conservator.
- ☐ The Petitioner(s) nominates _____ (*name*) as co-conservator because they are (*choose one*):
- ☐ The attorney in fact or agent in a power of attorney.

- ☐ The conservator, guardian of property, or other like fiduciary appointed or recognized by the appropriate court of another jurisdiction where the minor child resides.
- ☐ A parent of the minor child.
- ☐ A person nominated by the minor child's deceased parent in the deceased parent's will.
- ☐ A relative of the minor child with whom the minor child has resided for more than 6 months prior to filing the petition for conservatorship.
- ☐ A person nominated by the person who is caring for or paying benefits to the minor child.

The proposed co-conservator's address is: _____.

The proposed co-conservator's telephone number: _____.

The proposed co-conservator's email is: _____.

The proposed co-conservator's occupation is: _____.

The proposed co-conservator's qualifications to act as conservator are: _____

_____.

20. The proposed conservator/co-conservators (*choose one*) ☐ **has** ☐ **does not have** first priority for appointment. If not first in priority, the Court should appoint the proposed conservator/co-conservators for the following reasons: _____

21. (*Choose one; Paragraph 21 continues on Page 9*)

- ☐ The proposed conservator/co-conservators basis for compensation has not yet been determined.

☐ The proposed conservator/co-conservators basis for compensation is as follows (*describe in detail*): _____

Minor Child's Assets and Anticipated Income:

22. The minor child's assets are (*List all assets and approximate valuations known to the Petitioner including real property, personal property, bank accounts, etc*):

Description of Assets	Estimated Value
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

23. The minor child's income is (*list all income, approximate valuations, and if paid weekly, monthly, annually, or other. Income includes social security, wages, etc*):

Description of Income	Estimated Value	Frequency of Payment
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	

24. The Petitioner(s) requests a hearing be held on this Petition, and the Court appoint the above-indicated person(s) as conservator/co-conservators for the minor child.

Dated _____.

Petitioner Signature

Petitioner Printed Name

Address

City, State, Zip Code

Telephone Number: _____

Email Address: _____

(Use for co-petitioner. If no co-petitioner, write "N/A" on signature line.)

Dated _____.

Co-Petitioner Signature

Co-Petitioner Printed Name

Address

City, State, Zip Code

Telephone Number: _____

Email Address: _____