

# Instructions for Objecting to a Motion for Authorization to Sell the Protected Person's Real Property (Real Estate)

## Important! Read Before Using These Forms And Instructions

ND Legal Self Help Center staff and Court employees **can't** help you fill out the form(s). 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 Center forms. There's no guarantee Center forms will be accepted. Use at your own risk.

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](http://ndcourts.gov/legal-self-help/finding-a-lawyer) for information 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](http://ndcourts.gov).

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

**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 process for objecting to a guardian's request to a North Dakota state district court to authorize the sale of the Protected Person's real property (real estate). 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 at your own risk.**

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

## Who May Use this Packet of Forms?

These forms may be used by the Co-Conservator (if any), Protected Person, Guardian(s) (if any), and any interested person designated in the order of the court to object to the Conservator's motion to the District Court for authorization to sell the Protected Person's real property, and to demand a hearing.

**Important! You have Limited time to object to the motion. See page 7.**

If you're the Co-Conservator (if any), Protected Person, Guardian(s) (if any), or an Interested Person, you have **Only** 10 or 13 days to Object to the Motion in Writing.

**If You Miss the Deadline, the District Court Won't Consider Your Objection.**

## What if I Don't Meet the Requirements to Use this Packet of Forms?

Forms for common and uncomplicated matters that may come up throughout a conservatorship of adults and minor children are available at [ndcourts.gov/legal-self-help/conservatorship](http://ndcourts.gov/legal-self-help/conservatorship). Forms **aren't** available for every situation or circumstance.

If you don't find a form that suits your circumstances, a form isn't available. You may wish to consult a lawyer to help you decide what to do next.

## Who Can Help Me Fill Out this Packet of Forms?

**As a self-represented individual, you must 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.

**ND Legal Self Help Center staff and Court employees:**

- Can't assist you in any decision-making related to the forms;
- Can't fill out any forms for you or tell you what words to write; and
- Can't tell you if the words you've written, or are planning to write, are sufficient or correct.

Answers to these questions require Center staff and Court employees to take your situation, apply the law and tell you what you should do. This is legal advice and can't be provided by the ND Legal Self Help Center or any Court System employees under any circumstances.

**If you need help filling out your forms, or deciding if these forms suit your situation, consult a lawyer licensed to practice in North Dakota.**

## Lawyer Resources

You're not required to hire an attorney to access the state court system. When you represent yourself, you must follow all of the rules, laws and procedures a lawyer is required to follow.

**If you want to learn more about finding an attorney to represent you, go to [ndcourts.gov/legal-self-help/finding-a-lawyer](http://ndcourts.gov/legal-self-help/finding-a-lawyer).**

## What Laws and Rules Do I Need to Know to Use this Packet?

[Section 30.1-29-22](#) of the North Dakota Century Code governs motions for authorization to sell the Protected Person's real property (real estate).

[Rule 3.2 of the North Dakota Rules of Court](#) governs motions in North Dakota state district court cases.

[Rule 5 of the North Dakota Rules of Civil Procedure](#) governs service of motion documents filed in a District Court conservatorship case.

**Laws constantly change through legislation, court rules, and court decisions.** To determine how a law applies to your situation, review the applicable law or laws, court rules, and court decisions.

Only a lawyer licensed to practice in North Dakota who has agreed to represent you can give you legal advice. Legal advice includes interpreting how the laws and rules apply to your situation.

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## What Definitions Do I Need to Know to Use this Packet of Forms?

\*\*\*The following definitions are intended to be helpful, But they're **Not** intended to constitute legal advice or address every possible meaning of the terms in this section.\*\*\*

**Guardian (or Co-Guardians)** – An individual or nonprofit corporation appointed by a North Dakota state district court to make personal decisions for the Ward (person under guardianship).

**Interested Person** – Includes the following:

- 1) The spouse, parent, adult children, or siblings of the protected person;
- 2) An adult relative (**only if** the spouse, parent, adult children, or siblings of the protected person **can't** be found);
- 3) An adult individual who has lived with a protected person for a period of more than six months;
- 4) A lawyer for the protected person;
- 5) A representative payee for the protected person; and
- 6) Any other person designated by the North Dakota State District Court.

**Judicial Referee** – A judicial officer, appointed by the presiding District Court Judge, who has the authority to preside in District Court conservatorship proceedings. The findings and order of the Judicial Referee have the effect of the findings and order of a District Court Judge until superseded by a written order of a District Court Judge.

**Motion** – A written request to a North Dakota state district court Judge or Judicial Referee to issue an order for a specific purpose. For example, a written request for an order authorizing the Conservator to sell the Protected Person's real property.

**Moving Party** – The Conservator making the motion.

**Objecting Party** – The Co-Conservator (if any), Protected Person, the Guardian (if any), and any interested person designated in the order of the court who objects to the motion in writing within 13 days of being served the motion. Also referred to as the Opposing Party.

**Protected Person** – A minor or other adult individual for whom a conservator or limited conservators has been appointed by the court, or other protective order has been made.

**Real Property** – land either with or without buildings on it. For example, a home is real property. Also generally referred to as real estate.

**Ward** – An adult individual for whom a North Dakota state district court appointed a guardian.

## A Judicial Referee May Hear and Decide Your Motion

Rule 13 of the North Dakota Supreme Court Administrative Rules allows adult conservatorship cases in District Court to be heard and decided by a Judicial Referee, rather than a District Court Judge.

If a Judicial Referee is assigned to the conservatorship case, any party to the case may request that a District Court Judge hear and decide the case instead. **The party must file a written request with the Clerk of Court within seven days after service of the notice of hearing.**

If the conservatorship case is heard and decided by a Judicial Referee, the Judicial Referee issues findings of fact and an order. The Judicial Referee's findings of fact and order have the same effect as the findings of fact and order of a District Court Judge until superseded (replaced) by a written order of a District Court Judge.

If any party to the conservatorship case wants a review of the Judicial Referee's findings of fact and order, **the party must file a written request for a review, stating the specific reasons for the review, with the Clerk of Court within seven days after service of notice of the right to review.**

The party requesting the review must give notice of their request to all other parties. Any party who wishes to respond to the request for review must file their written response within fourteen days after service of the notice of the request for review.

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## Forms in the Packet

**4 Forms you need to object to the motion – All must be completed.**

Form Title	Purpose
<b>Objection to Authorization to Sell Real Property and Demand for Hearing</b>	This is a written objection to the Conservator's motion for authorization from the Court to sell the Protected Person's real property. This includes the required demand for hearing on the motion.  Completed and signed by the Objecting Party.
<b>Declaration of Service by Mail</b>	This is the proof of service by mail of copies of the completed <b>Objection</b> on the Co-Conservator(s), Protected Person, Guardian(s) (if any), and every interested person designated in the Court's order.  Completed by the person who served copies by mail
<b>Notice of Hearing on Motion for Authorization to Sell Real Property</b>	This is the notice of hearing with the date, time, and location of the hearing on the motion.  Completed by the Objecting Party.
<b>Declaration of Service by Mail</b>	This is the proof of service by mail of copies of the completed <b>Notice of Hearing</b> on the Co-Conservator(s), Protected Person, Guardian(s) (if any), and every interested person designated in the Court's order.  Completed by the person who served copies by mail.

## STEPS IN THE PROCESS

**You Must complete All steps. Don't skip steps!**

**Step One: Within 10 or 13 Days of Service of the Motion for Authorization to Sell Real Property, the Objecting Party Serves Copies of the Completed Objection Form; Files the Original, Completed Objection Form and Proof of Service; Gets a Hearing Date.**

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**Step Two:** At Least 14 Days Before the Hearing, The Objecting Party Arranges for Service of Copies of the Completed Notice of Hearing Form on the Co-Conservator(s), Protected Person, Guardian(s) (if any), and any interested persons designated in the order of the court.

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**Step Three:** The Objecting Party Files the Originals of the Completed and Signed Notice of Hearing and Proof of Service Forms with the Clerk of Court

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**Step Four:** A Hearing is Held Before the District Court Judge or Judicial Referee Makes a Decision

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

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See the following pages for instructions to complete Steps 1 through 5.

**Step One:** Within 10 or 13 Days of Service of the Motion for Authorization to Sell Real Property, Serve Copies of Completed Objection Form; File the Original Completed Objection Form and Proof of Service; Get a Hearing Date.

**Important!** You have **Limited** time to object to the motion.

If you're the Co-Conservator (if any), Protected Person, the Guardian(s) (if any), or any interested person designated in the order of the court, you have **Only** 10 or 13 days to file your **written** objection and demand for hearing form with the Clerk of Court.

**Hand Delivery 10 Day Deadline:**

If you were served the motion documents by hand delivery, you have 10 calendar days from the day after you were handed the documents to file your written opposition to the motion.

**Mail 13 Day Deadline:**

If you were served the motion documents by mail, you have 13 calendar days from the day after the postmarked date on the envelope to file your written opposition to the motion.

**Calculate your Deadline:**

Count calendar days from the day **after** you were served.

If the last calendar day lands on a Saturday, Sunday, or North Dakota State holiday, count forward to the next day that **Isn't** a Saturday, Sunday, or North Dakota State holiday.

## **First, Complete the Objection Form:**

### **Tips For Completing Forms**

- Complete every paragraph that requires you to type or write in a space, unless the instructions specifically tell you to leave a space blank.
  - If a space doesn't apply to you or your circumstances, type or write "Not Applicable," or "N/A."
- Write in your own words why you're asking the District Court to authorize the sale of the Protected Person's real property.
- Stick with the facts: who, what, when, where and how.
  - Avoid opinions.
- If you're unable to complete the fillable forms online, you may print the forms set and handwrite.
  - You must use blue or black ink. Don't use pencil.
  - Your handwriting **Must** be readable.

### **Objection to Authorization to Sell Real Property and Demand for Hearing Form**

The Objecting Party completes and signs this form.

- **Top of Form (Caption)**

Refer to the motion documents you were served by the Conservator of the Protected Person.

- **County** – the North Dakota county where the case is currently filed.
- **Judicial District** – the name of the Judicial District where the case is currently filed. (The county is within the Judicial District.) County and Judicial District information and maps are available at [ndcourts.gov/court-locations](http://ndcourts.gov/court-locations).
- **In the Matter of the Conservatorship of** – the Conservator's full name.
- **Case Number** – the case number of the current District Court conservatorship.

- **To complete the Objection**

- Read the paragraphs carefully.
- Complete all paragraphs that require you to type or write information.

- **Date and Signature**

- The Opposing Party signs and dates this form.
- Complete the lines following the signature line.

### **Second, Serve the Completed Objection and Demand for Hearing Form:**

**Important! Before Serving the Objection and Demand for Hearing Form, make a copy of your completed and signed Objection form for your records, And make a copy for the Co-Conservator(s), Protected Person, Guardian(s) (if any), and any interested person designated in the order of the court.**

The Co-Conservator(s), the Protected Person, Guardian(s) (if any), and any interested person designated in the order of the court must receive a copy of the following completed and signed form:

- Objection to Authorization to Sell Real Property Form and Demand for Hearing.

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

- Co-Conservator(s);
- The Protected Person;
- Guardian(s) (if any); and
- Any interested persons designated in the order of the court.

**You Don't serve yourself.**

**Arrange to serve copies of the completed form.**

You may arrange for service by first class mail.

The District Court Judge or Judicial Referee requires proof that the persons listed above received a copy of the completed and signed form. A Declaration of Service is your proof of service.

#### **Declaration of Service by Mail**

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

Postage must be first class and pre-paid. The person who takes copies of the document to the post office and pays the postage must complete the Declaration of Service by Mail. Service is complete upon mailing.

- **Top of Form (Caption)**
  - The person who took copies of the Objection form to the post office and paid the postage fills in the Caption exactly as the Caption of the Objection Form is filled in.
- **Complete and Review Paragraphs 1 through 6 of the Form**
  - The person who took copies of the Objection Form to the post office and paid the postage completes Paragraphs 1 through 6.
- **Date and Signature**
  - The person who took copies of the Objection Form to the post office and paid the postage dates and signs the form and completes the lines following their signature.

**Important!** Make a copy of each completed and signed proof of service form for your records.

### **Third, File the Original Completed Objection Form and Proof of Service Forms:**

The contact information for Clerks of Court by North Dakota county is available at [ndcourts.gov/court-locations](http://ndcourts.gov/court-locations).

#### **File the following with the Clerk of Court:**

- Your Objection to Authorization to Sell Real Property and Demand for Hearing Form; and
- All Proof of Service Forms.

### **Fourth, Get a Hearing Date:**

If your Objection is approved for filing by the Clerk of Court, ask the Clerk of Court how to schedule an evidentiary hearing on the motion.

Follow the Clerk of Court's instructions for scheduling an evidentiary hearing on the motion.

**\*\*You may want to take your Notice of Hearing form with you so you can fill out the information the clerk gives you.**

**Step Two: No Later than **14 Days** Before the Hearing, Serve the Signed Notice of Hearing Form on the Co-Conservator(s), Protected Person, Guardian(s) (if any), and Any Interested Person Designated in the Order of the Court.**

**First, Complete the Notice of Hearing Form:**

**At least 14 days before the date and time of the hearing:**

**You need the following information to fill out your Notice of Hearing Form:**

- The name of the Judge or Judicial Referee who will hear and decide the motion.
- The date, time, and location of the hearing.
  - If the hearing is in person at the courthouse, get the name and address of the courthouse.
  - If the hearing is remote by Zoom, get the Zoom information and instructions from the Clerk of Court.

**Notice of Hearing on Motion for Authorization to Sell Real Property Form**

The Opposing Party completes and signs this form.

- **Top of Form (Caption)**
  - Fill out **exactly** as you filled out the Caption of the Objection Form.
- **TO:** List the names of the Co-Conservator(s), the Protected Person, the Guardian(s) (if any), and any interested person designated in the order of the court.
- **Complete Paragraph 2 of your Notice of Hearing Form:**
  - Read the paragraph carefully.
  - Fill in the name of the Judge or Judicial Referee and checkmark the appropriate box.
  - Fill in the date and time of the scheduled hearing.
    - Checkmark the appropriate box for the type of hearing and fill in the details.
- **Review Paragraph 3 of your Notice of Hearing Form** which states if a Referee has been appointed to hear this motion, you may request a Judge.
- **Date and Signature**
  - You, the objecting party sign and date this form.
  - Complete the lines next to and below your signature.

**Important! Make a copy of your completed and signed Notice of Hearing form for your records, And a copy for the Co-Conservator(s), the Protected Person, Guardian(s) (if any), and any interested person designated in the order of the court.**

## **Second, At Least 14 Days Before the Hearing Date Arrange for Service:**

The Co-Conservator(s), the Protected Person, Guardian(s) (if any), and any interested person designated in the order of the court must receive a copy of the following completed and signed form:

- Notice of Hearing on Motion for Authorization to Sell Real Property Form.

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

- Co-Conservator(s);
- The Protected Person;
- Guardian(s) (if any); and
- Any interested persons designated in the order of the court.

**You Don't serve yourself.**

**Arrange to serve copies of the completed forms**

You may arrange for service by first class mail.

The District Court Judge or Judicial Referee requires proof that the persons listed above received a copy of the completed and signed form. A Declaration of Service is your proof of service.

### **Declaration of Service by Mail**

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

Postage must be first class and pre-paid. The person who takes copies of the document to the post office and pays the postage must complete the Declaration of Service by Mail. Service is complete upon mailing.

- **Top of Form (Caption)**

- The person who took copies of the documents to the post office and paid the postage fills in the Caption exactly as the Caption of the Objection Form is filled in.

- **Complete Paragraphs 1 through 6 of the Form**
  - The person who took copies of the documents to the post office and paid the postage completes Paragraphs 1 through 6.
- **Date and Signature**
  - The person who took copies of the documents to the post office and paid the postage dates and signs the form and completes the lines following their signature.

**Important!** Make a copy of each completed and signed proof of service forms for your records.

### **Step Three: File the Originals of the Completed and Signed Notice of Hearing and Proof of Service Forms with the Clerk of Court**

**File the following with the Clerk of Court:**

- Notice of Hearing on Motion for Authorization to Sell Real Property Form
- Declaration of Service by Mail Form (for all persons served by mail),

**Caution:** If you don't file proof of service of copies of your Objection and Notice of Hearing for every person required to be served, the Judge or Judicial Referee may decide to take any of the following actions:

- Postpone the hearing until you provide appropriate proof of service;
- Cancel the hearing and make a decision only on the documents provided; or
- Dismiss your objection.

### **Step Four: A Hearing is Held Before the District Court Judge or Judicial Referee Makes a Decision**

**Prepare your case for the evidentiary hearing.**

Be prepared to prove everything you typed or wrote in your Objection.

Organize the information, documents, etc. that you think you need for the hearing. At minimum, prepare an outline of your remarks and arguments.

**Subpoenas:** Review [Rule 45 of the North Dakota Rules of Civil Procedure](#) carefully! If you require a witness to appear at the hearing or require production of documents, electronically stored information or other tangible things, you may need the Clerk of District Court to issue a subpoena. Only a Clerk of District Court or a lawyer for a party may issue a subpoena.

More information about subpoenas is available at [ndcourts.gov/legal-self-help/subpoenas](#).

**Evidence:** You're required to follow the North Dakota Rules of Evidence when presenting your own evidence **and** when objecting to the evidence presented by other parties.

An [Evidence Research Guide](#) is available at [ndcourts.gov/legal-self-help](#).

You may also wish to review the guides for self-represented individuals for gathering and presenting evidence at [rcdvcpc.org/resources/self-represented-litigants-series.html](#).

**Review pre-trial and trial guidebooks for self-represented litigants and lawyers.** Your local public or academic library may have resources available.

ODIN is a shared library database of many North Dakota academic, public, state agency, and special libraries. Search ODIN for resources that may be available in a North Dakota library near you. ([polaris.odinlibrary.org](#))

If the book is available for interlibrary loan through ODIN, ask library staff of your local North Dakota library how to request the book.

**If the Hearing will be Held in Person, Attend the Hearing in Person:**

If you need to request to appear at the hearing some other way, a set of forms is available at [ndcourts.gov/legal-self-help](#).

**Arrive Early to the Courthouse on the Date of the Hearing:**

If your hearing is in-person at the courthouse, arrive early so you don't miss your hearing date and time. If you have a serious, unavoidable reason you can't get to court on the date and time scheduled for trial, call the Clerk of District Court as soon as you can.

**If the Hearing will be Held by Zoom, Make Sure You Can Connect to the Zoom Hearing:**

If your hearing is held electronically by Zoom, well before the hearing begins, make sure you can connect and understand how to function in Zoom.

Don't be late to the Zoom hearing. If you have a serious, unavoidable reason you can't attend the hearing on the date and time scheduled for trial, call the Clerk of District Court as soon as you can.

### **Conduct of the Hearing:**

The Judge, or Judicial Referee, hears both sides and then issues the findings of fact and order. Sometimes, the findings of fact and order is issued at the end of the hearing. Often, the findings of fact and order is issued at a later date.

In general, a hearing proceeds in the following order:

- Opening Statements
  - Each party gives an opening statement. Usually, the Moving Party (Conservator) goes first.
- Moving Party Presents Witnesses and Evidence
  - The Moving Party presents their case first. The Objecting Party may cross-examine witnesses and object to the Moving Party's evidence.
- Objecting Party Presents Witnesses and Evidence
  - The Objecting Party presents their case after the Moving Party. The Moving Party may cross-examine witnesses and object to the Objecting Party's evidence.
- Closing Arguments
  - Each party gives a closing statement. Usually the Objecting Party goes first.

### **Before You Leave the Hearing:**

Make sure you understand what happens next. Ask if you aren't sure what, if anything, you need to do next.

### **Step Five: Findings of Fact and Order is Issued by the District Court**

Until the Judge or Judicial Referee signs an order authorizing the sale of the Protected Person's real property, the property can't be sold.

The Judge or Judicial Referee makes their decision after the hearing and after reviewing the documents filed with the court. The Judge or Judicial Referee then issues findings of fact and an order.

You receive a copy of the Findings of Fact and Order signed and dated by the Judge or Judicial Referee by mail or email.

**The Judge or Judicial Referee may order any of the following:**

- Authorize the sale with the terms and conditions requested by the Conservator;
- Authorize the sale and add additional terms and conditions the Conservator must meet;

**Or**

- Dismiss the motion entirely and not authorize the sale.

State Of North Dakota

In District Court

County Of \_\_\_\_\_

Judicial District \_\_\_\_\_

**In the Matter of the Conservatorship of**

\_\_\_\_\_.

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

**Objection to Authorization to Sell Real Property  
and Demand for Hearing**

1. I am \_\_\_\_\_,  the Protected Person  
 Co-Conservator (if any)  Guardian  an interested person designated by the Court in the conservatorship order.
2. My objection is made within ten days of service of the Motion for Authorization to Sell Real Property of the Protected Person.
3. I object to the Motion for Authorization to Sell Real Property because (*provide specific facts demonstrating reasons for objection*):

4. The sale of the real property is not in the best interests of the Protected Person because:

5. I request that the court immediately set a date for hearing and I understand that if I do not appear at the hearing, my Objection will be overruled. **I understand that I will receive a Notice of Hearing when I file my Objection with the Court. After I receive the Notice of Hearing from the Clerk of Court, it is my responsibility to mail a copy of this Objection, and the Notice of Hearing to all persons entitled to notice.**

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

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Signature

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Printed Name

---

Address

---

City, State, Zip Code

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Telephone Number

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Email Address

**State Of North Dakota**

**In District Court**

**County Of** \_\_\_\_\_

\_\_\_\_\_ **Judicial District**

**In the Matter of the Conservatorship 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 Document Served:**

- Objection to Authorization to Sell Real Property and Demand for Hearing.

**3. Service by Mail:**

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

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

Date Court Document was Served by Mail: \_\_\_\_\_

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

1. Name of Person Served: \_\_\_\_\_

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

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

2. Name of Person Served: \_\_\_\_\_

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

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

3. 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 \_\_\_\_\_ (*County*),  
\_\_\_\_\_ (*State*), \_\_\_\_\_ (*Country*).

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
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 Conservatorship of**

\_\_\_\_\_.

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

**Notice of Hearing on Motion for Authorization to Sell Real Property**

To: \_\_\_\_\_  
(List names of parties to receive notice of hearing)

1. **You Are Hereby Given Notice** that a hearing to present evidence will be held on the Motion for Authorization to Sell Real Property of the Protected Person before the Court pursuant to Rule 3.2, North Dakota Rules of Court and Section 30.1-29-22.

2. The hearing will be held before the Honorable \_\_\_\_\_, District Court  Judge/  Judicial Referee at Date: \_\_\_\_\_ Time: \_\_\_\_\_

The hearing will be held by **Zoom Video Conference**, not at the courthouse. To attend the hearing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The hearing will be held in-person at the \_\_\_\_\_ **County Courthouse** at \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3.** A Judicial Referee may decide whether the Conservator may sell the Protected Person's real property. If a Judicial Referee will hear this petition, you are entitled to have the petition heard by a Judge of the District Court, instead of a Referee, by filing a written request for a Judge with the Clerk of this Court within seven (7) days after receiving this Notice of Hearing.

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

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Signature

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Printed Name

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Address

---

City, State, Zip Code

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Telephone Number

---

Email Address

**State Of North Dakota**

**In District Court**

**County Of \_\_\_\_\_ Judicial District**

**In the Matter of the Conservatorship 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 Document Served:**

- Notice of Hearing on Motion for Authorization to Sell Real Property.

**3. Service by Mail:**

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

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

Date Court Document was Served by Mail: \_\_\_\_\_

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

1. Name of Person Served: \_\_\_\_\_

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

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

2. Name of Person Served: \_\_\_\_\_

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

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

3. 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 \_\_\_\_\_ (*County*),  
\_\_\_\_\_ (*State*), \_\_\_\_\_ (*Country*).

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Address

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

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

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