

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

IN THE MATTER OF THE GUARDIANSHIP/CONSERVATORSHIP OF

AN INCAPACITATED INDIVIDUAL/PROTECTED PERSON

Case No. _____

**FINAL ORDER ACCEPTING TRANSFER OF ☐GUARDIANSHIP ☐CONSERVATORSHIP
FROM ANOTHER STATE**

THE COURT FINDS:

1. The ☐guardian/co-guardians ☐conservator/co-conservators filed a Petition to Accept Transfer of Guardianship/Conservatorship from Another State.
2. The court entered a Provisional Order Granting Petition to Accept Transfer of Guardianship/Conservatorship from Another State.
3. The guardian/co-guardians motioned the court of _____
(County, State) to issue a final order confirming transfer of the ☐guardianship ☐conservatorship and terminating the ☐guardianship ☐conservatorship in that state.
4. The other state court entered a final order transferring the ☐guardianship ☐conservatorship to North Dakota.
5. The ☐guardian/co-guardians ☐conservator/co-conservators filed a certified copy of the other state court's final order confirming transfer of the ☐guardianship ☐conservatorship and terminating the ☐guardianship ☐conservatorship in that state.
6. This court recognizes the ☐guardianship ☐conservatorship order from the other state, including ☐ the determination of the ward's incapacity and the appointment of the guardian **or**

☐the determination of the basis for appointment of a conservator and the appointment of the conservator.

7. ☐The order transferred from the other state is a conservatorship **only**. The conservator/co-conservators are not required to comply with Rule 59 of the North Dakota Supreme Court Administrative Rules.

☐The guardian/co-guardians completed the requirements of Rule 59 of the North Dakota Supreme Court Administrative Rules and filed all necessary documents with the court.

THEREFORE, THE COURT ORDERS:

8. This court accepts jurisdiction of over the ward/protected person and ☐guardian/co-guardians ☐conservator/co-conservators.

9. This court accepts the ☐guardianship ☐conservatorship order from _____ (State), including the determination of the incapacitated or protected person's incapacity and the appointment of the ☐guardian/co-guardians ☐conservator/co-conservators.

10. **The Letters issued by _____ (State) are effective for 90 days from the date of this order.**

11. A review hearing under Section 28-35-16(6) and Section 30.1-28-04(5) of the North Dakota Century Code (N.D.C.C.) will be set within 10 days.

12. The ward/protected person ☐has been ☐has not been adjudicated as a mental defective and the federal firearms restrictions under 18 U.S.C. §922(d)(4)(g)(4) ☐do ☐do not apply.

IF THE FEDERAL FIREARMS RESTRICTIONS APPLY, the ward/protected person is given

NOTICE that the Ward/Protected Person is prohibited by federal law [18 U.S.C.

§922(d)(4) and (g)(4)] from possessing or receiving any firearm or ammunition or selling

or disposing of any firearm or ammunition to a person the Ward/Protected Person knows or has reasonable cause to know the person had been found to be a mental defective or has been committed to a mental institution. Respondent is prohibited by North Dakota law [N.D.C.C. §62.1-02-01(1)(c)] from purchasing a firearm or having a firearm in possession or under control.

If co-guardians/co-conservators, add this:

13. The signature of one co-guardian/co-conservator ☐ is ☐ is not sufficient to authorize any matter.

NOTICE TO WARD/PROTECTED PERSON AND GUARDIAN AD LITEM:

YOU ARE HEREBY GIVEN NOTICE OF YOUR RIGHT TO REVIEW OF A JUDICIAL REFEREE'S FINDINGS AND ORDER BY A DISTRICT COURT JUDGE. TO REQUEST A REVIEW, YOU MUST FILE A WRITTEN REQUEST STATING THE REASONS FOR THE REVIEW WITHIN SEVEN (7) DAYS AFTER SERVICE OF THIS NOTICE.

YOU ARE HEREBY GIVEN NOTICE OF YOUR RIGHT TO APPEAL THIS ORDER APPOINTING A GUARDIAN OR CONSERVATOR FOR YOUR PERSON, WITHIN 60 DAYS FROM THE DATE OF SERVICE OF THIS ORDER UPON YOU AND YOUR GUARDIAN AD LITEM AND OF YOUR RIGHT TO SEEK ALTERATION OR TERMINATION OF THIS GUARDIANSHIP OR CONSERVATORSHIP AT ANY TIME.

BY THE COURT:

Judge/Judicial Referee of the District Court