

INSTRUCTIONS: HOW TO FILL OUT THE PETITION FOR DISCHARGE AND/OR TERMINATION IN A CASE OF GUARDIAN/CONSERVATORSHIP OF AN ADULT

COMPLETE THIS PETITION to ask the court to remove yourself or someone else from serving as guardian and/or conservator for an adult, and/or to close (“terminate”) the case with the court if a guardian or conservator is no longer needed.

DECIDE IF YOU NEED TO DISCHARGE, OR TERMINATE, OR BOTH.

- Complete the sections relating to “Discharge” if you want to ask the court to release you or someone else from serving as guardian or conservator.
- Complete the sections relating to “Termination” if the case should be closed because the incapacitated or protected adult no longer needs a guardian or conservator, and no replacement (“successor”) guardian or conservator needs to be appointed.

NOTE

1. In guardianship matters, the court refers to the person for whom the guardian was appointed as “the ward,” or “the incapacitated adult.”
2. In conservatorships, the person for whom a conservator is appointed is known as “the protected person” or “the protected adult.”
3. On this petition, all of these terms are used to refer to the adult for whom the guardian and/or conservator was appointed.

CAPTION: Fill in the information requested at the top left of the page about you, the person filing this petition. Then check the box to indicate whether this petition is concerning a guardianship, a conservatorship, or both, and write in the name of the protected adult and the case number.

1. Write in or check the boxes to indicate the following:
 - The name of the person currently serving as guardian and/or conservator.
 - Whether that person is serving as guardian and conservator, just guardian, or conservator only.

NOTE that this form assumes that you want to remove one person from serving as guardian and/or conservator. If this is NOT the case and there are separate persons serving as guardian and conservator and you want to remove BOTH persons from their duties, you will need to add to or modify this form to provide the same information as in this (1.) section about the second person.

2. Write in the name and date of birth of the incapacitated or protected adult (“the Ward”).
3. **TERMINATION.** If there is no longer a need for either a guardian or conservator and the case should be closed, check one of the boxes to indicate “why.” Attach any documents related to the reason you selected that are listed on the form. If the incapacitated or protected person still needs a guardian or conservator, skip this section (3) and go to 4.
4. **DISCHARGE.** Read carefully and check the appropriate box to indicate why the guardian and/or conservator should be discharged and released from his or her duties. Again, if there are separate persons serving as guardian and conservator, and you want to discharge BOTH, this form will need to be added to or modified to handle that situation. If you check the third box (at top of page 2), EXPLAIN. WRITE NEATLY.

5. **(A)** Provide the information requested about any restricted bank or financial account. List only the last 4 digits of any account number. Check the box only to indicate there is more than one account and provide the same information as requested in this section (5(A)) on an attached page for each additional account. You may list more than one account on the attached page.

(B) Provide the information requested about any real property ("real estate" (land)). Check the box only to indicate there is more than one property and provide the same information as requested in this section (5(B)) on an attached page for each additional property. You may list more than one property on the attached page.

6. **STATEMENT ABOUT RESTRICTED FUNDS.** Check one of the boxes to indicate whether you have or have not made any withdrawals from any restricted or protected account without a written court order. If you have, EXPLAIN. Include the date and the amount of the withdrawal and the reason (what it was used for). If more space is required, write-in "continues on attached page" and continue there.

7. **REQUEST CONCERNING RESTRICTED FUNDS.** If there is any money or other assets left in any restricted account, read this section (7) carefully. Check the box and provide any requested information to indicate what you want done with those funds or other financial assets (such as stocks, bonds, CDs (certificates of deposit), etc.).

If the first two choices do not adequately handle the situation, use the "Other" section to write-in how you want any remaining restricted funds to be handled. WRITE NEATLY.

8. Check the box for this section (8) if both sentences are true.

- **Before proceeding, make sure you understand the difference between "discharge" and "terminate" as explained on the preceding page.**
- **Do not request an order terminating and closing the case if a successor (replacement) guardian or conservator should be appointed because the incapacitated or protected adult still needs protection.**

9. **I WANT THE COURT TO ORDER...** Carefully check the appropriate boxes under "A" and/or "B" to indicate exactly what you want the court to order. Your selections should reflect the same choices as you indicated earlier under numbers "3" and "4" on the first page regarding discharge and/or termination.

WHAT TO DO NEXT: Read and follow the instructions on the last document in this packet: *"PROCEDURES: How to ask the Court to Discharge a Guardian or Conservator..."*