

State of Minnesota

District Court
Probate Division

County of _____

Judicial District: _____

Court File No. _____

Case Type: Guardianship/Conservatorship

In Re: Guardianship
 Conservatorship of

**Notice of Hearing
and Notice of Rights**

A petition has been filed requesting appointment of _____ as Guardian of the person; _____ as Conservator of the estate; of _____ (Respondent herein). A copy of the petition is attached. Appointment of a Guardian or Conservator is not evidence of incompetence.

Respondent's Rights and Obligations: The Respondent must be physically present at the hearing unless excused by the court. The Respondent has a right to attend the hearing, to be represented by an attorney, to oppose the petition and to present evidence. If the Respondent wishes to be represented by an attorney, the Respondent must either obtain one of Respondent's own choosing or if the Respondent has no funds to pay an attorney, the Respondent may call the Court to request an attorney at _____ (phone number) Monday through Friday, 8:00 a.m. to 4:30 P.M.

Petition for Guardian: If the petition is granted, the Respondent will be found unable to manage Respondent's personal affairs and the proposed Guardian or some other suitable and competent person or persons will be appointed Guardian. Several of the Respondent's rights will be given to the Guardian, including the right to make health care decisions for the Respondent, determine where the Respondent shall live, and if no conservator is appointed, to make contracts for the Respondent.

Petition for Conservator: If the petition is granted, the Respondent will be found unable to manage Respondent's financial affairs and the proposed Conservator or some other suitable and competent person or persons will be appointed Conservator. Several of the Respondent's rights will be given to the Conservator, including the right to manage and control money and other property, and to make contracts for Respondent.

YOU ARE HEREBY NOTIFIED that a hearing on the petition will be held at _____
o'clock m. on _____ at _____.

Dated: _____

Court Administrator

By: _____

This Notice must be personally served on the Respondent with a copy of the petition by the Court Visitor at least fourteen days prior to the hearing; and this Notice must also be served on all interested persons as defined in M.S. § 524.5-102, subd. 7 by mail postmarked not less than fourteen days prior to the hearing.

Court File No. _____

AFFIDAVIT OF SERVICE

_____ says that on _____, _____, the undersigned court visitor served the foregoing Notice of Hearing and Notice of Rights upon _____ by handing to and leaving a true and correct copy of this Notice with the Respondent, and displaying the signature of the court on the original Notice to Respondent.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116

Dated

Signature

County and state where signed

Name: _____
Address: _____
City/State/Zip: _____
Telephone: _____
Email: _____

State of Minnesota

District Court
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**Waiver of Right to Court Appointed
Attorney**

I have been notified of my right to be represented by an attorney at the hearing on the petition requesting the appointment of a Guardian or Conservator, and I hereby waive my right for a Court appointed attorney.

I understand that the court can appoint an attorney for me and that the attorney fee will be paid by the County but I do not want to be represented by an attorney.

Dated: _____, 20_____

Signed

Court Visitor Certification: I read this notice and waiver of right to attorney to the proposed person subject to guardianship and/or conservatorship and explained this notice to such person. I believe the proposed person subject to guardianship/conservatorship has made a knowing and informed waiver of the right to an attorney.

Court Visitor

Date