

Notice to Proposed Guardians/Conservators Regarding Background Check Requirements

Minn. Stat. § 524.5-118 requires a background study on proposed guardians and conservators for the purpose of assisting the court in determining whether an appointment as a guardian or conservator is in the best interests of the respondent / person subject to guardianship / person subject to conservatorship. The study is waived if the proposed guardian or conservator is:

1. a state agency or county;
2. a parent or guardian of a person who has a developmental disability, if the parent or guardian has raised the person in the family home until the time the petition is filed, unless counsel appointed for the person recommends a background study; or
3. a bank with trust powers, bank and trust company, or trust company.

If applicable, the enclosed form (Background Study) should be completed immediately and submitted, with the appropriate fee, to the Department of Human Services.