

§5-504. Petition

1. Petition contents. A petition for one or more protective arrangements instead of guardianship or conservatorship must set forth the petitioner's name, principal residence, current street address, if different, relationship to the respondent and interest in the protective arrangements and state or contain the following to the extent known:

- A. The respondent's name, age, principal residence, current street address, if different, and, if different, address of the dwelling in which it is proposed that the respondent will reside if the petition is granted; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]
- B. The name and address of the respondent's:
 - (1) Spouse or domestic partner or, if the respondent has none, any adult with whom the respondent has shared household responsibilities for more than 6 months in the 12-month period before the filing of the petition;
 - (2) Adult children or, if the respondent has none, each parent and adult sibling of the respondent or, if the respondent has none, at least one adult nearest in kinship to the respondent who can be found with reasonable diligence; and
 - (3) Adult stepchildren whom the respondent actively parented during the stepchildren's minor years and with whom the respondent had an ongoing relationship within 2 years before the filing of the petition; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]
- C. The name and current address of each of the following, if applicable:
 - (1) A person responsible for care or custody of the respondent;
 - (2) Any attorney currently representing the respondent;
 - (3) The representative payee appointed by the United States Social Security Administration for the respondent;
 - (4) A guardian or conservator acting for the respondent in this State or in another jurisdiction;
 - (5) A trustee or custodian of a trust or custodianship of which the respondent is a beneficiary;
 - (6) The United States Department of Veterans Affairs fiduciary for the respondent;
 - (7) An agent designated under a power of attorney for health care in which the respondent is identified as the principal;
 - (8) An agent designated under a power of attorney for finances in which the respondent is identified as the principal;
 - (9) A person nominated as guardian or conservator by the respondent;
 - (10) A person nominated as guardian by the respondent's parent or spouse or domestic partner in a will or other signed record;
 - (11) A proposed guardian and the reason the proposed guardian should be selected;
 - (12) A person known to have routinely assisted the respondent with decision making within the 6 months before the filing of the petition; and
 - (13) If the respondent is a minor:
 - (a) An adult with whom the respondent resides if not otherwise listed; and
 - (b) Any person not otherwise listed that had primary care or custody of the respondent for 60 or more days during the 2 years immediately preceding the filing of the petition or any person that had primary care or custody of the respondent for at least 730 days during the

5 years immediately preceding the filing of the petition; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

D. The nature of the protective arrangement or protective arrangements sought; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

E. The reason a protective arrangement sought is necessary, including a brief description of:

(1) The nature and extent of the respondent's alleged need;

(2) Any less restrictive alternatives for meeting the respondent's alleged need that have been considered or implemented and, if there are none, the reason they have not been considered or implemented; and

(3) The reason other less restrictive alternatives are insufficient to meet the respondent's alleged need; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

F. The name and current address, if known, of any person with whom the petitioner seeks to limit the respondent's contact; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

G. Whether the respondent needs an interpreter, translator or other form of support to communicate effectively with the court or understand court proceedings; [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

H. If one or more protective arrangements instead of conservatorship are sought, a general statement of the respondent's property with an estimate of its value, including any insurance or pension, and the source and amount of other anticipated income or receipts; and [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

I. If one or more protective arrangements instead of guardianship are sought and the respondent has property other than personal effects, a general statement of the respondent's property with an estimate of its value, including any insurance or pension, and the source and amount of any other anticipated income or receipts. [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

2. Attorney for petitioner. A petition under subsection 1 must state the name and address of an attorney representing the petitioner, if any.

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

SECTION HISTORY

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

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