



CIRCUIT COURT FOR _____, MARYLAND

City/County

Located at _____ Case No. _____

Court Address

In the Matter of

Name of Alleged Disabled Person

Docket Reference

PETITION FOR GUARDIANSHIP OF ALLEGED DISABLED PERSON (Md. Rule 10-112)

INSTRUCTIONS

- 1. Use this form of petition when a guardianship of an alleged disabled person... 2. If the subject of the petition is a minor... 3. If guardianship of more than one alleged disabled person... 4. If the petition is to be filed in the Circuit Court for Baltimore City...

Guardianship of Person Guardianship of Property Guardianship of Person and Property

The petitioner, _____, _____, whose address is _____, and whose telephone number is _____, and whose e-mail address (if available) is _____, represents to the court that:

1. The alleged disabled person _____, _____, born on the _____ day of _____, _____, a male or female resides at _____

2. If the alleged disabled person does not reside in the county in which this petition is filed, state the place in this county where the alleged disabled person is currently located _____

NOTE: For purposes of this form, "county" includes Baltimore City.

3. The relationship of petitioner to the alleged disabled person is _____

- 4. The alleged disabled person is a beneficiary of the Veterans Administration... is not a beneficiary of the Veterans Administration.

5. Complete Section 5 if the petitioner is asking the court to appoint the petitioner as the guardian.
(Check only one of the following boxes)

I have not been convicted of a crime listed in Code, Estates and Trusts Article, § 11-114.

I was convicted of such a crime, namely _____

_____. The conviction occurred in _____

_____, in the _____, in the _____

Year

Name of court

but the following good cause exists for me to be appointed as guardian: _____

6. Complete Section 6 if the petitioner is asking the court to appoint an individual other than the petitioner as the guardian.

6 a. Prospective Guardian of the Person (Complete section 6 a if seeking guardianship of the person.)

The name of the prospective guardian of the person is _____

and that individual's age is _____. The relationship of that individual to the alleged disabled person is _____

(Check only one of the following boxes)

_____ has not been convicted of a crime listed in

Name of prospective guardian

Code, Estates and Trusts Article, § 11-114.

_____ was convicted of such a crime, namely

Name of prospective guardian

The conviction occurred in _____, in the _____

Year

Name of court

but the following good cause exists for the individual to be appointed as guardian: _____

6 b. Prospective Guardian of the Property (Complete section 6 b if the prospective guardian of the property is different from the prospective guardian of the person or if guardianship of the person is not sought.)

The name of the prospective guardian of the property is _____

and that individual's age is _____. The relationship of that individual to the alleged disabled person is _____

(Check only one of the following boxes)

_____ has not been convicted of a crime listed in
Name of prospective guardian
Estates and Trusts Article, § 11-114.

_____ was convicted of such a crime, namely
Name of prospective guardian

The conviction occurred in _____, in the _____
Year Name of court
but the following good cause exists for the individual to be appointed as guardian:

7. If the alleged disabled person resides with the petitioner, then state the name and address of any additional person on whom initial service shall be made: _____

8. The following is a list of the names, addresses, telephone numbers, and e-mail addresses, if known, of all interested persons (see Code, Estates and Trusts Article, § 13-101(k)).

Person or health care agent designated in writing by alleged disabled person:

| Name | Address | Telephone Number | E-mail Address (if known) |
|-----------------|---------|------------------|---------------------------|
| Spouse: | | | |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Parents: | | | |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Adult children: | | | |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |

Adult grandchildren*:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Siblings*:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |
| Name | Address | Telephone Number | E-mail Address (if known) |

*Note: Adult grandchildren and siblings need not be listed unless there is no spouse and there are no parents or adult children.

Any other heirs at law:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Guardian (if appointed):

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Any person holding a power of attorney of the alleged disabled person:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Alleged disabled person's attorney:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Any other person who has assumed responsibility for the alleged disabled person:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Any government agency paying benefits to or for the alleged disabled person:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

Any person having an interest in the property of the alleged disabled person:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

All other persons exercising control over the alleged disabled person or the person's property:

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
| Name | Address | Telephone Number | E-mail Address (if known) |

A person or agency eligible to serve as guardian of the person of the alleged disabled person
(Choose A or B below):

A. Director of the local area agency on aging (if alleged disabled person is age 65 or over):

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
|------|---------|------------------|---------------------------|

B. Local department of social services (if alleged disabled person is under age 65):

| Name | Address | Telephone Number | E-mail Address (if known) |
|------|---------|------------------|---------------------------|
|------|---------|------------------|---------------------------|

9. The names and addresses of the persons with whom the alleged disabled person resides or has resided over the past five years and the approximate dates of the alleged disabled person's residence with each person are as follows:

| <u>Name</u> | <u>Address</u> | <u>Approximate Dates</u> |
|-------------|----------------|--------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

10. A brief description of the alleged disability and how it affects the alleged disabled person's ability to function is as follows:

11. (a) Guardianship of the Person is sought because

_____ cannot make or communicate responsible decisions concerning health care, food, clothing, or shelter, because of mental disability, disease, habitual drunkenness, addiction to drugs, or other addictions. State the relevant facts:

(b) Describe less restrictive alternatives that have been attempted and have failed (see Code, Estates and Trusts Article, § 13-705(b)):

12. (a) Guardianship of the Property is sought because _____
Name of alleged disabled person

cannot manage property and affairs effectively because of physical or mental disability, disease, habitual drunkenness, addiction to drugs or other addictions, imprisonment, compulsory hospitalization, detention by a foreign power, or disappearance. State the relevant facts:

(b) Describe less restrictive alternatives that have been attempted and have failed (see Code, Estates and Trusts Article, § 13-201):

13. If this petition is for Guardianship of the Property, the following is the list of all the property in which the alleged disabled person has any interest, including an absolute interest, a joint interest, or an interest less than absolute (e.g. trust, life estate):

| <u>Property</u> | <u>Location</u> | <u>Value</u> | <u>Sole Owner; Joint Owner, (specify type), Life Tenant, Trustee, Custodian, Agent, etc.</u> |
|-----------------|-----------------|--------------|----------------------------------------------------------------------------------------------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

14. The petitioner's interest in the property of the alleged disabled person listed in 13 is _____

15. If a guardian or conservator has been appointed for the alleged disabled person in another proceeding, the name and address of the guardian or conservator and the court that appointed the guardian or conservator are as follows:

| | |
|-------|---------|
| _____ | _____ |
| Name | Address |
| _____ | _____ |
| Court | |

16. All other proceedings regarding the alleged disabled person (including criminal) are as follows:

17. All exhibits required by the instructions below are attached.

WHEREFORE, petitioner requests that this court issue an order to direct all interested persons to show cause why a guardian of the person property person and property of the alleged disabled person should not be appointed, and (if applicable)

_____ should not be appointed as the guardian.
Name of prospective guardian

If there is no attorney:

Petitioner's Address

City, State, Zip Telephone Number

E-mail Fax

Petitioner solemnly affirms under the penalties of perjury that the contents of this document are true to the best of petitioner's knowledge, information, and belief.

Date Petitioner's Name

Petitioner's E-mail Petitioner's Signature

ADDITIONAL INSTRUCTIONS

1. The required exhibits are as follows:

(a) A copy of any instrument nominating a guardian;

(b) A copy of any power of attorney (including a durable power of attorney for health care) which the alleged disabled person has given to someone;

(c) Signed and verified certificates of competency from the following health care professionals licensed to practice medicine in the United States who have examined or evaluated the disabled person: 1) Two licensed physicians; or 2) One licensed physician, and one licensed psychologist, licensed certified social worker-clinical, or nurse practitioner. An examination or evaluation by at least one of the health care professionals must have occurred within 21 days before the filing of the petition (see Code, Estates and Trusts Article, §13-103 and §1-102 (a) and (b)).

2. Attach additional sheets to answer all the information requested in this petition, if necessary.