

# STATE OF MAINE

\_\_\_\_\_ COUNTY PROBATE COURT

DOCKET NO. \_\_\_\_\_

In Re: \_\_\_\_\_  
Minor or Incapacitated Person

PETITION FOR: (Check Where Appropriate)  
 TERMINATION OF GUARDIANSHIP  
 REMOVAL OF GUARDIAN  
 RESIGNATION OF GUARDIAN

1. Name, address and telephone number of petitioner:
  
  
  
  
  
  
  
  
  
  
2. Interest of petitioner:<sup>1</sup>
  
  
  
  
  
  
  
  
  
  
3. Name and residence address of the ward:
  
  
  
  
  
  
  
  
  
  
4. Petitioner believes: (check where applicable)
  - a. \_\_\_\_\_ The guardianship should be terminated for the following reason(s):<sup>2</sup>
  
  
  
  
  
  
  
  - b. \_\_\_\_\_ The guardian should be removed for the following reasons(s):<sup>3</sup>
  
  
  
  
  
  
  
  - c. \_\_\_\_\_ The resignation of the guardian should be accepted for the following reason(s):<sup>3</sup>
  
  
  
  
  
  
  
  
  
  
5. Is a new or continuing guardianship required? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, state the proposed subsequent proceeding(s) and the reason(s) for such request(s):<sup>4</sup>
  
  
  
  
  
  
  
  
  
  
6. At the time of adjudication of incapacity or minority, was an attorney, guardian ad litem, or visitor appointed for the ward? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, give the attorney's name, address and telephone number:
  
  
  
  
  
  
  
  
  
  
7. Will the ward attend the hearing? \_\_\_\_\_ Yes \_\_\_\_\_ No. If no, state the reason why not:<sup>5</sup>

8. Is the appointment of a visitor, guardian ad litem or attorney required? \_\_\_\_ Yes \_\_\_\_ No. If no, state on what basis said appointment is believed unnecessary. If yes, state what funds are available in the ward's estate to pay the cost of said appointment:<sup>6</sup>
9. Does the ward reside in the county in which the initial appointment was made? \_\_\_\_ Yes \_\_\_\_ No. If no, identify both the county of current residence and the county in which the appointment was made, stating why this Court should have jurisdiction over this proceeding.<sup>7</sup>
10. Names and current addresses of all persons who must be notified, including the ward if applicable, and stating the relationship of each such person to the ward.<sup>8</sup> (Indicate if waivers of notice have been or are to be filed.)

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>	<u>WAIVERS</u>
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11. REQUEST FOR ORDER OR ORDERS:

- \_\_\_\_\_ I request a judicial finding and order that this guardianship be terminated.
- \_\_\_\_\_ I request a judicial finding and order that the current guardian be removed.
- \_\_\_\_\_ I request a judicial finding and order that the current guardian's resignation be accepted by the Court.

Under the penalty of perjury, I, the undersigned, state that all of the foregoing facts and statements are complete and accurate as far as I know or am informed.<sup>9</sup>

Dated \_\_\_\_\_

\_\_\_\_\_  
 Petitioner or Attorney  
 "Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name." See Rule 11.

Name address and telephone number of attorney for petitioner, if any:

Attorneys appearing for other parties:

Name of attorney

Name of Party

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<sup>1</sup> Any interested person is defined in 18-A MRSA § 1-201 (20), specifically including the ward, his personal representative, or his guardian. See also 18-A MRSA § 5-212 (for minor) or § 5-306 and § 5-307 (for adult).

<sup>2</sup> See 18-A MRSA § 5-210 (for minor) or § 5-306 (for adult).

<sup>3</sup> See 18-A MRSA § 5-212 (for minor) or § 5-307 (for adult).

<sup>4</sup> If a new or continuing guardianship is required, a new petition for the appointment of a guardian or successor guardian should accompany this petition.

<sup>5</sup> See 18-A MRSA § 5-206 (for minor) or § 5-210 and § 5-309(b) (for adult).

<sup>6</sup> See 18-A MRSA § 5-207(d) and § 5-212(c) (for minor) or § 5-307 (for adult).

<sup>7</sup> See 18-A MRSA § 5-211(b) and § 5-313(b). The court where this petition is filed must notify the other court with jurisdiction.

<sup>8</sup> See 18-A MRSA § 5-212 (for minor) or § 5-307(c) § 5-309 (for adult).

<sup>9</sup> See 18-A MRSA § 1-310.