

STATE OF MAINE

_____ COUNTY PROBATE COURT DOCKET NO. _____

In Re: _____
 Incapacitated Person

PETITION FOR:

- TERMINATION OF GUARDIANSHIP/CONSERVATORSHIP**
 REMOVAL OF GUARDIANSHIP/CONSERVATORSHIP
 RESIGNATION OF GUARDIANSHIP/CONSERVATORSHIP

1. Name, address and telephone number of petitioner:

2. Interest of petitioner.¹

3. Name and residence address of the ward/protected person:

4. Petitioner believes: (Check where applicable)

- a. The guardianship and conservatorship should be terminated for the following reasons:²
- b. The guardian and conservator should be removed for the following reason(s):³
- c. The resignation of the guardian and conservator should be accepted for the following reason(s):³

5. Is a new or continuing guardianship and conservatorship required? Yes No. If yes, state the proposed subsequent proceeding(s) and the reason(s) for such request(s).⁴

6. Is the alleged incapacitated person currently represented by counsel? Yes No. If yes, state name, address and telephone number of said counsel. If no, an Attorney, visitor and/or guardian ad litem will be appointed by the Court. Also state what funds are available in the ward/protected person's estate to pay the cost of said appointment.⁵ If a visitor, guardian ad litem or attorney was appointed at the time of adjudication of incapacity or minority, give the name address and telephone number of said appointee.

7. Does the ward/protected person 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.⁶

8. All just claims against the estate and against the protected person arising and presented before or after the appointment of initial conservator have been paid or otherwise resolved. If not, explain.⁷

9. Explain the status of any account made or required and set forth any claim for expenses of administration here.⁸

10. Names and current addresses of all persons who must be notified, including the ward/ protected person, if applicable, and stating the relationship of each such person to the ward/protected person. Include corporate and personal sureties.⁹ (Indicate if waivers of notice have been or are to be filed).

NAME	ADDRESS	RELATIONSHIP	WAIVERS
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11. REQUEST FOR ORDER OR ORDERS:

- I request a judicial finding and order that the current guardianship and conservatorship be terminated.
- I request a judicial finding and order that the current guardian and conservator be removed.
- I request a judicial finding and order that the current guardian's and conservator's resignation be accepted by the court.
- I request a judicial finding and order that the bond be discharged.

Under 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.¹⁰

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, telephone number and Bar Registration Number of Attorney for petitioner, if any:

Attorneys appearing for other parties, if any:

Name of Attorney

Name of Party

¹ Any interested person as defined in 18-A M.R.S. §1-201(2), specifically including the ward/protected person, his personal representative or his guardian/conservator. See also 18-A M.R.S. §§5-212 (for minor) or §§5-306 and 5-307 (for adult); see also § 5-430.

² See 18-A M.R.S. § 5-210 (for minor) or §5-306 (for adult); see also §§5-415 and 5-430. Upon termination of the conservatorship an accounting may be required, § 5-419.

³ See 18-A M.R.S. § 5-212 (for minor) or § 5-307 (for adult); see also 18-A MRSA § 5-415. An accounting is required upon removal and resignation of the conservator. See § 5-419.

⁴ If a continuing guardianship and/or conservatorship is required, a new petition shall accompany this petition. See Form PP-205, or PP-201 or PP-401.

⁵ See 18-A M.R.S. §§ 5-207(d) and 5-212(c) (for minor) or §§ 5-307 (c) (for adult) and § 5-407(a) and (b).

⁶ See 18-A M.R.S. § 5-211(b) and 5-313(b). The Court where this petition is filed must notify the other Court with jurisdiction.

⁷ See 18-A M.R.S. § 5-428.

⁸ See 18-A M.R.S. §§ 5-415, 5-419 and 5-430. An accounting is required upon resignation or removal of the conservator. If no accounting is to be filed with the Court, state if an accounting has been given to the former protected person or to his personal representative.

⁹ Notice requirements are the same for the initial guardianship/conservatorship proceedings. See 18-A M.R.S. § 5-309 and 5-405. See also §§ 5-212, 5-307(c) and 5-430. If a bond was initially filed, sureties must be notified (both corporate and personal). See 18-A M.R.S. § 5-412(a)(3).

¹⁰ See 18-A M.R.S. § 1-310.