

# STATE OF MAINE

\_\_\_\_\_ COUNTY PROBATE COURT                      DOCKET NO. \_\_\_\_\_

In Re: \_\_\_\_\_  
                    Respondent

ORDER OF APPOINTMENT OF  
VISITOR

The Court hereby appoints \_\_\_\_\_, of \_\_\_\_\_,  
to act as Visitor in a probate proceeding under 18-C M.R.S. § 5-304(1), 18-C M.R.S. § 5-405(1)(2) and/or § 5-506.

The nature of this proceeding is: \_\_\_\_\_  
\_\_\_\_\_.<sup>1</sup>

The reasons for this appointment are: \_\_\_\_\_  
\_\_\_\_\_.

Payment for the Visitor's services will be made by: \_\_\_\_\_.<sup>2</sup>

The Visitor shall serve the Petition and notice of hearing personally on the Respondent,<sup>3</sup> and shall interview the Respondent in person, and, in a manner the Respondent is best able to understand:

- A. Explain to the Respondent the substance of the petition, the nature, purpose and effect of the proceeding, the Respondent's rights at the hearing and the general powers and duties of a guardian/conservator;
- B. Determine the Respondent's views, preferences or values about the appointment or with respect to the order sought, including views about a proposed guardian/conservator, the guardian's/conservator's proposed powers and duties and the scope and duration of the proposed guardianship/conservatorship;
- C. Inform the Respondent of the Respondent's right to employ and consult with an attorney at the Respondent's expense and the right to request a court-appointed attorney;
- D. Inform the Respondent that all costs and expenses of the proceeding, including the Respondent's attorney's fees, may be paid from the Respondent's assets; and
- E. Interview the Petitioner and proposed guardian/conservator.

In addition, the Visitor shall:

- Visit the Respondent's present dwelling and any dwelling in which it is reasonably believed the Respondent will live if the appointment is made;
- Review financial records of the Respondent, if the Visitor recommends that an attorney should be appointed to represent the Respondent;
- Obtain information from any physician or other person known to have treated, advised or assessed the Respondent's relevant physical or mental condition;
- State whether the Respondent's needs could be met by a less restrictive alternative, including a protective arrangement instead of conservatorship and, if so, identify the less restrictive alternative;
- Investigate the allegations in the petition and any other matter relating to the petition as the Court directs; and
- Other:

The Visitor's Report shall be filed at least ten (10) days before the hearing scheduled for

\_\_\_\_\_.

Pursuant to M.R.Prob.P. 79(a) and at the specific direction of the Court, the Register shall enter on the docket that this Order is incorporated by reference.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of Probate

<sup>1</sup> 18-C M.R.S. §§ 5-302, 5-402 and 5-504.

<sup>2</sup> 18-C M.R.S. §§ 5-119 and 5-304(2)(D).

<sup>3</sup> 18-C M.R.S. §§ 5-303(2) or 5-403(2), and M.R.Prob.P. 4d(1)(B) and (E).

MARP