

# STATE OF MAINE

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

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

In Re: \_\_\_\_\_  
Minor

PETITION FOR APPOINTMENT OF  
 CONSERVATOR  
 SUCCESSOR CONSERVATOR  
FOR MINOR

1. Full legal name and address of Petitioner or Petitioners (designate both physical and mailing address, if applicable):

2. Relationship of each Petitioner to Minor and Petitioner's interest in the appointment (i.e. individual for whom conservatorship is sought):

3. Full legal name and address for each nominee to become conservator or successor conservator (If same as item 1, enter "same"):

4. Full legal name, address and current location of Minor (designate both physical and mailing addresses, if applicable):

5. Age of the Minor (approximate age if exact age is unknown):

6. Address where the Minor will reside (if different from above):

7. Relationship to the Minor of each nominee to become conservator or successor conservator:

8. Names and addresses of all persons who must be notified, including the Minor, as well as the relationship of each person to the Minor<sup>1</sup> (Attach additional sheet, if necessary). The Minor shall receive notice of a hearing and a copy of the petition. The following must be notified of the hearing, if applicable: (a) spouse or domestic partner or, if no spouse or domestic partner, any adult with whom the Minor has shared household responsibilities for more than 6 months in the 12-month period before filing the Petition; (b) each living parent and adult sibling of the Minor or, if no living parents or adult siblings, at least one adult nearest in kinship to the Minor who can be found with reasonable diligence; (c) any person responsible for the care or custody of the Minor; (d) any attorney for the Minor; (e) the Representative Payee appointed by the U.S. Social Security Administration for the Minor; (f) any guardian or conservator acting for the Minor in Maine or any other jurisdiction; (g) any trustee or custodian of a trust or



9. Is an emergency conservator requested?<sup>3</sup> YES  NO  If yes, please provide name and address of the suggested emergency conservator. (Note: Petitioner must also file the Affidavit of Emergency Conservatorship concurrently with this Petition setting forth the factual basis for the emergency, the specific powers requested and proof of notice pursuant to 18-C M.R.S. §5-413(3)).

10. Does Petitioner seek a limited or full conservatorship? LIMITED  FULL  If full conservatorship is sought, provide a brief description as to why limited conservatorship or a protective arrangement instead of conservatorship is inappropriate. If limited conservatorship is sought, provide a description of the property to be placed under the conservator's control and any other requested limitation on the authority of the conservator.

11. Provide a description of the following: (a) nature and extent of the Minor's alleged need based on the Minor's medical conditions, cognitive functioning, every day financial functioning and levels of supervision needed; (b) if the Petition alleges Minor is missing, detained or unable to return to the United States, the relevant circumstances, including the time and nature of the disappearance or detention and any search or inquiry concerning the Minor's whereabouts; (c) any protective arrangements instead of conservatorship or other less restrictive alternatives for meeting the Minor's alleged need which have been considered or implemented; (d) if no protective arrangements or less restrictive alternatives have been considered or implemented, the reason they have not been considered or implemented; and (e) the reason a protective arrangement or less restrictive alternatives are insufficient to meet the Minor's alleged need:

12. Provide a description of why each nominee conservator or successor conservator should be appointed.<sup>4</sup>

13. Is the Minor currently represented by an attorney? YES  NO  If yes, provide name and address of attorney.

14. Provide a general statement of the Minor's property with an estimate of its value, including any insurance or pension amounts, as well as the source and amount of any other anticipated income or receipts of the Minor:

<u>ASSET</u>	<u>ESTIMATED VALUE</u>

15. Does the Minor require an interpreter, translator or other form of support to communicate effectively with the Court or understand Court proceedings? YES  NO

16. Has any nominee conservator or successor conservator been a debtor in a bankruptcy, insolvency or receivership proceeding?<sup>5</sup> YES  NO

17. Has any nominee conservator or successor conservator been convicted of any of the following: (a) a felony; (b) a crime involving dishonesty, neglect, violence or use of physical force; or (c) any other crime relevant to the functions the individual would assume as conservator?<sup>6</sup> YES  NO

The Petitioner believes that the Minor owns money or property requiring management or protection that otherwise cannot be provided or it is in the best interest of the Minor to appoint a Conservator. Minor has or may have financial affairs that may be put at unreasonable risk or hindered because of Minor's age; or appointment is necessary or desirable to obtain or provide money needed for the support, care, education, health or welfare of the minor.

Dated \_\_\_\_\_

\_\_\_\_\_  
Petitioner or Attorney for Petitioner

\_\_\_\_\_  
Co-Petitioner (if any)

\_\_\_\_\_  
Attorney (Required by Rule 11)

Attorney for Petitioner(s), if any:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Maine Bar Number

\_\_\_\_\_  
Email Address

MARP

\_\_\_\_\_  
<sup>1</sup> 18-C M.R.S. § 5-402(2)(B) and 5-402(2)(C).  
<sup>2</sup> 18-C M.R.S. § 5-402(2)(B)(C).  
<sup>3</sup> 18-C M.R.S. § 5-413.  
<sup>4</sup> 18-C M.R.S. § 5-410(2), (3).  
<sup>5</sup> 18-C M.R.S. § 5-117.  
<sup>6</sup> 18-C M.R.S. § 5-117.