

IN THE MATTER OF

Amended

**Petition for
Review of Conduct
of Guardian**

SAMPLE

CHILD'S FIRST AND LAST NAME

CHILD'S DATE OF BIRTH
Date of Birth

Case No. _____

UNDER OATH, I STATE THAT:

1. I am: the ward.
 a person acting on the ward's behalf: _____
 the ward's guardian.
 Other: _____

CHECK ONE

2. I petition for a review of the conduct of (name) _____, guardian because:

- A. the guardian has:
- failed to file timely an inventory or account that is accurate or complete.
 - committed fraud, waste, or mismanagement.
 - abused or neglected the ward or knowingly permitted others to do so.
 - engaged in self-dealing.
 - failed to provide adequately for the personal needs of the ward from the ward's available assets and income, including any available public benefits.
 - failed to exercise due diligence and reasonable care ensuring that the ward's personal needs are being met in the least restrictive environment consistent with the ward's needs and incapacities.
 - failed to act in the best interest of the ward.
 - failed to disclose conviction for a crime that would have prevented appointment of the person as guardian.
 - failed to disclose that the guardian is listed in the Caregiver Misconduct Registry under §146.40(4g)(a)2.
 - failed to perform any duties of a guardian or performed acts prohibited to a guardian as specified in §§54.18, 54.19, 54.20, 54.22, 54.25, and 54.62.

- B. Changed circumstances indicate that a previously unavailable volunteer guardian is available to serve as guardian and that the change is in the best interests of the ward.

- C. Other: **IF FILING TO ENFORCE VISITATION RIGHTS, CHECK THIS BOX, AND WRITE WHAT VISITS YOU SEEK TO ENFORCE.**

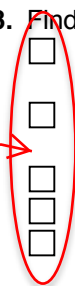
CHECK ONE

3. The specific factual basis for review of the conduct of the guardian is as follows: See attached.
PROVIDE A STATEMENT OF FACTS ABOUT THE CURRENT GUARDIAN'S CONDUCT SUPPORTING YOUR NEED TO HAVE THE COURT REVIEW THE MATTER.

I REQUEST THAT THE COURT:

1. Order a hearing on this petition.
2. Designate the persons who are entitled to notice of the hearing and designate the manner in which the notice shall be given.
3. Find cause for court action against the guardian and provide a remedy as follows:
 - Order the guardian to file an inventory other report (specify) _____ account required of the guardian.
 - Require the guardian to reimburse the ward or, if deceased, the ward's estate for losses incurred as the result of the guardian's breach of a duty to the ward.
 - Impose forfeiture up to \$10,000 on the guardian, or deny compensation for the guardian or both.
 - Remove the guardian.
 - Enter any other order that may be necessary or appropriate to compel the guardian to act in the best interests of the ward or to otherwise carry out the guardian's duties as follows: _____
4. Remove the paid guardian in that changed circumstances indicate that a previously unavailable volunteer guardian is available to serve and that the change is in the best interests of the ward.
5. Award appropriate fees and costs.

CHECK ONE



Subscribed and sworn to before me
 on _____

 Notary Public/Court Official

My commission expires: _____

SIGNATURE OF PETITIONER

 Signature of Petitioner

PRINTED NAME OF PETITIONER

 Name Printed or Typed

STREET ADDRESS

 Address

CITY, STATE, ZIP CODE

Name of Attorney	
Address	
Telephone Number	Bar Number

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MUST SIGN IN FRONT OF A NOTARY PUBLIC!