

This is a private record

My Name _____

Address _____

City, State, Zip _____

Phone _____

Email _____

In the District Court of _____ County, Utah

Court Address _____

In the Matter of Protection for

Respondent

**Notice of Hearing, Rights and
Adverse Consequences of a
Guardianship**

Case Number

Judge

To:

Interested Person Name and Address _____

This court has received the attached petition claiming that the respondent is incapacitated, which means that the petitioner claims that the respondent is unable to make or communicate responsible decisions. The petition asks that this court appoint _____ (name) as guardian to make decisions for the respondent.

The court has scheduled a hearing on the petition at the following date and time.

Date _____ Time _____ : _____ [] a.m. [] p.m.

Room _____

Judge _____

At the hearing the court will decide whether the respondent is incapacitated, who the guardian will be, and what authority the guardian will have. The respondent must attend the hearing, and must be represented by a lawyer. The respondent has the following rights:

- the right to choose his or her own attorney; (or the court will appoint a lawyer.)
- the right to nominate a guardian;
- the right to limit the guardian's authority to that needed for protection;
- the right to receive written reasons for appointing a guardian;
- the right to demand that the hearing be open or closed to the public;
- the right to present evidence;
- the right to ask questions of witnesses;
- the right to be examined by a court-appointed physician;
- the right to be interviewed by a court-appointed visitor and to ask that the visitor interview the proposed guardian;
- the right to ask that the visitor visit the respondent's current home and proposed home; and
- the right to trial by jury.

The respondent and any person interested in the respondent have the right to ask the court for a hearing to end the guardianship, to appoint a different guardian, or to change the guardian's authority.

If a guardian is appointed, the guardian will make decisions for the respondent in the areas in which the court decides the respondent needs protection. The guardian may have the authority to make decisions about:

- where the respondent lives;
- the respondent's healthcare, including end of life choices;
- the respondent's finances, like investing or spending money;
- the respondent's business and property.

In addition, if the court finds that the respondent is incapacitated, the respondent may no longer be able to:

- drive a car;
- make a will;
- marry or divorce; or

