

IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
SIXTH JUDICIAL CIRCUIT, PROBATE DIVISION

In the matter of: _____)
 _____)
 Respondent _____) Estate Number: _____)

PETITION FOR APPOINTMENT OF GUARDIAN AND CONSERVATOR
(Incapacitated and/or Disabled Adult)

Comes now the Petitioner and states:

1. _____, age _____, is domiciled in _____, County, _____ whose present address is _____, _____ (Street address) _____ (City) _____, is unable by reason of: _____ (State) _____ (Zip)

_____ to receive and evaluate information or to communicate decisions to such an extent that Respondent lacks capacity (in part) to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness or disease is likely to occur. Respondent is also unable, as a result of the conditions described above, to receive and evaluate information or to communicate decisions to such an extent that Respondent lacks ability to manage (in part) Respondent's financial resources. That Respondent, by reason of the conditions described above, is unable to meet Respondent's essential daily needs of living and/or to manage Respondent's financial resources without supervision and that there are no less intrusive alternatives to (limited) guardianship and/or (limited) conservatorship available to provide for Respondent's care and financial needs.

2. The nature, extent, location, and estimated value of Respondent's assets is set forth in exhibit A which is attached to the Petition and incorporated by reference. Also list on Exhibit A the location and value of any real property outside the State of Missouri and owned by the Respondent.
3. On Exhibit B, (attached to this Petition and incorporated by reference), the following is listed:
 - a. Whether living or not living, the name and address of Respondent's parents, spouse, children and the children's ages and other close relatives.

b. The name and relationship of any adult living with the Respondent. If no living spouse, adult child or parent is listed, the names and addresses of the siblings and children of deceased siblings of the Respondent.

4. For the three (3) years prior to the filing of this Petition, the most recent addresses the Respondent lived prior to the most recent address:

a. _____

b. _____

c. _____

5. If any of the information requested in paragraphs 1,2,3,4 and 5 is unknown, what efforts have been made to ascertain these facts:

(attach additional pages if necessary)

5. If the Respondent has no domicile or place of residence in this State, the county in which the property or major part thereof of the Respondent is located:

6. The name and address of the Respondent's parents and whether they are living or dead.

7. The proposed guardian/conservator is not guardian or conservator for any other person except:

8. Attached to this Petition and incorporated herein by this reference as Exhibit C is the consent of the proposed guardian and/or conservator to act if appointed.

9. Attached to this Petition and incorporated herein by this reference as Exhibit D is the proposed guardian's and/or conservator's designation of resident agent's consent to act if the proposed guardian and/or conservator is a non-resident of the State of Missouri.

10. Attached to this Petition and incorporated herein by this reference as Exhibit E is a list of names and addresses of the witnesses who may be called to testify in support of this Petition.

Wherefore, petitioner prays that a hearing be held and if the court finds that respondent is (partially) incapacitated and/or (partially) disabled that the Court appoint:

as (limited) guardian of the person and (limited) conservator of the estate of respondent.

The undersigned swears that the matters set forth in the foregoing petition are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Petitioner

Address:

Telephone:

Attorney for Petitioner:

Bar number:

Address:

Telephone:

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
EXHIBIT A**

REAL PROPERTY (LIST LOCATION BY ADDRESS AND VALUE):

PERSONAL PROPERTY:

CHECKING ACCOUNTS	\$
SAVINGS ACCOUNTS	\$
CERTIFICATES OF DEPOSIT	\$
STOCKS AND BONDS	\$
VEHICLES	\$
HOUSEHOLD GOODS & FURNISHINGS	\$
OTHER:	\$

INCOME (MONTHLY):

SOCIAL SECURITY	\$
SUPPLEMENTAL SECURITY INCOME	\$
VETERANS ADMINISTRATION BENEFITS	\$
COMPANY PENSION	\$
INTEREST	\$
DIVIDENDS	\$
OTHER:	\$

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
EXHIBIT B**

PARENTS:

MOTHER _____

ADDRESS _____

FATHER _____

ADDRESS _____

SPOUSE:

NAME _____

ADDRESS _____

CHILDREN:

NAME _____

ADDRESS _____ AGE _____

NAME _____

ADDRESS _____ AGE _____

NAME _____

ADDRESS _____ AGE _____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

RELATIVES: LIST THE NAMES AND ADDRESSES OF RESPONDENT'S
CLOSEST KNOWN RELATIVES OTHER THAN THE ABOVE
PARTIES

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
EXHIBIT C (1)**

The undersigned hereby consents to serve as guardian and/or conservator of the above-named Respondent if appointed by the Court and in support thereof states:

1. The undersigned has never pled guilty to nor been convicted of a misdemeanor (except traffic convictions) or a felony.

2. The undersigned's spouse is _____.

3. The undersigned resides at _____.

4. The undersigned is presently employed by _____ located at _____.

5. The following listed persons will know the whereabouts of the undersigned:

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

6. The undersigned's social security number is _____.

7. The undersigned has read and understands the Information for Guardians and Conservators as set out on the reserve side of this statement, and acknowledges receipt of a copy thereof.

The undersigned swears that the matters set forth are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated: _____

Proposed Fiduciary

Address with Zip Code

Phone Number

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
EXHIBIT C (2)**

The undersigned hereby consents to serve as guardian and/or conservator of the above-named Respondent if appointed by the Court and in support thereof states:

1. The undersigned has never pled guilty to nor been convicted of a misdemeanor (except traffic convictions) or a felony.

2. The undersigned's spouse is _____.

3. The undersigned resides at _____.

4. The undersigned is presently employed by _____ located at _____.

5. The following listed persons will know the whereabouts of the undersigned:

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

6. The undersigned's social security number is _____.

7. The undersigned has read and understands the Information for Guardians and Conservators as set out on the reserve side of this statement, and acknowledges receipt of a copy thereof.

The undersigned swears that the matters set forth are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated: _____

Proposed Fiduciary

Address with Zip Code

Phone Number

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
EXHIBIT D**

DESIGNATION OF RESIDENT AGENT

I, _____, residing at _____,
City of _____, State of _____, desiring to serve
as guardian of the above named person, pursuant to Section 475.055, Laws 1983, hereby
appoint _____ as my agent for service of process upon me within the
State of Missouri concerning said matter.

The undersigned swears that the matter set forth in the foregoing document are
true and correct to the best knowledge and belief of the undersigned subject to the
penalties of making a false affidavit or declaration.

Dated: _____

Guardian/Conservator

ACCEPTANCE OF APPOINTMENT AS RESIDENT AGENT

I, _____ residing at _____,
in _____, Missouri, Telephone Number _____,
having been appointed, pursuant to Section 475.055., RSMo, to act as agent for service of
process on and receipt of notice to _____ within
the State of Missouri, concerning the above matter, hereby acknowledge such
appointment and consent to act as such agent and I will accept all service of process
brought against _____, within the State of Missouri.

The undersigned swears that the matter set forth in the foregoing document are
true and correct to the best knowledge and belief of the undersigned subject to the
penalties of making a false affidavit or declaration.

Dated: _____

IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI

In the Matter of: _____)
)
) Estate Number: _____)
)
Respondent.)

NOMINATION OF GUARDIAN/CONSERVATOR

The undersigned Respondent in the above captioned matter nominates the following persons to serve as my guardian and/or conservator:

GUARDIAN:

NAME: _____

ADDRESS: _____

CONSERVATOR:

NAME: _____

ADDRESS: _____

DATED: _____

Respondent

Witness

REQUIRED INFORMATION REGARDING PROPOSED WARD/PROTECTEE

Name: _____

Address: _____

Resident Address (Last 3 years): _____

Birth Date: _____ Sex: _____ Social Security #: _____

Marital Status: _____ Spouse's Name: _____

Name, Address and Dates (of employment) of current full-time employer and last two previous employers: _____

Member Armed Services: _____ Branch: _____

Service/Veteran's No. _____

Service Connected Disability: Yes _____ No _____ If "yes" give details:

Is proposed ward known to any public agency or Court? Yes _____ No _____

If "yes", give details: _____

INFORMATION FOR GUARDIANS AND CONSERVATORS

To help you perform your duties properly, described below are the general duties and obligations of a guardian and conservator.

1. If you have been appointed guardian, you have charge of the Respondent's person and Respondent is known as a ward. If you have been appointed conservator, you have charge of the Respondent's property and Respondent is known as a protectee. If you have been appointed both guardian and conservator you have charge of both Respondent's person and property and Respondent is known as both a ward and protectee. Your authority as guardian and conservator may be limited by the order appointing you. Consult your attorney as to the extent of your authority.

2. As guardian, you have the duty to take charge of the person of the ward and to provide for the ward's care, treatment, habilitation, education, support and maintenance; and the powers and duties shall include (a) assuring that the ward resides in the best and least restrictive setting reasonably available; (b) assuring that the ward receives medical care and other services that are needed; (c) promoting and protecting the care, comfort, safety, health and welfare of the ward; and (d) providing required consents on behalf of the ward. You will be required to file a personal status report annually concerning the care, welfare and placement of your ward.

3. As conservator, you must take possession of your protectee's property to the extent authorized by the Court. The property, income and bank accounts should be kept separate from your own funds in your name as conservator for the protectee. You must invest the protectee's funds according to law and you are personally liable for imprudent or unauthorized investments. You may only spend the protectee's funds for purposes authorized by statute or court order. You may apply for an order of continuing support and maintenance authorizing you to spend a budgeted sum each month for the protectee. You will be required to file an annual accounting (called a settlement) showing in detail all receipts and expenditures occurring during the preceding year. Each entry must be explained and each expenditure must be authorized by status or court order. You may not sell, trade, lease, mortgage, transfer or discard your protectee's property without court approval, even though the protectee is your child or other relative.

4. In the event the ward or protectee dies or you or the ward or protectee move from one address to another, you have a duty to notify the court in writing of such death or new address as soon as possible.

5. If you fail to perform any of your duties as guardian or conservator, you are liable to be removed from office and be held personally liable for any loss or damage sustained by the ward or protectee by reason of failure/ You are under a duty, at all times, to act in the best interests of your ward-protectee and to avoid conflicts of interest which impair your ability so to act.

6. In certain cases, expenses of bond and other costs may be saved by placing funds in restricted deposits and/or securing waiver of filing the annual settlement. Consult your attorney.

7. With court approval, a conservator may use the protectee's funds to pay for your attorney's services. If only limited funds or public assistance (SSI) is available, you may qualify for free legal aid.