

Rule 5.685. Determination Regarding Alternatives to Guardianship

(a) Reporting by Guardian. The guardian shall promptly file a report attaching a copy of a final order or judgment that determines the validity of a ward's durable power of attorney, trust, or trust amendment.

(b) Petition. At any time after the appointment of a guardian, the guardian, the ward, the ward's attorney, if any, or any other interested person may file a verified petition stating that there is an alternative to guardianship that will sufficiently address the problems of the ward.

(c) Contents of Petition. The petition to determine alternatives to guardianship shall state:

(1) the petitioner's interest in the proceeding; and

(2) the facts constituting the basis for the relief sought and that the proposed alternative to guardianship will sufficiently address the problems of the ward and is in the ward's best interest.

(d) Service. The petition shall be served on the guardian, the ward, the ward's attorney, if any, those interested persons who have filed requests for notices and copies of pleadings, and such other persons as the court may direct.

(e) Order. The order shall specify whether there is an alternative to guardianship that will sufficiently address the problems of the ward, the continued need for a guardian, and the extent of the need for delegation of the ward's rights.