

ADULT GUARDIANSHIP PETITION PACKET

<i>Form Number</i>	<i>Form Name</i>
WHERE CAN I FIND INSTRUCTIONS?	
<u>PG-505</u>	Instructions are available online at https://public.courts.alaska.gov/web/forms/docs/pg-505.pdf Printed copies are available for customers with limited or no internet access.
WHAT IS INCLUDED IN THIS PACKET?	
<u>PG-100</u>	Petition for Appointment of a Guardian for an Adult
<u>PG-115</u>	Notice of Guardianship Hearing
<u>PG-117</u>	Certificate of Service by Certified Mail
WHERE CAN I FIND MORE INFORMATION?	
<u>Online</u>	Court forms online: www.courts.alaska.gov/forms/index2.htm
<u>Online</u>	Self-Help Website: www.courts.alaska.gov/shc/guardian-conservator/index.htm

**December 2023
Alaska Court System**

The statutes, court rules, and most of the forms referenced in this packet are available on the court's website: www.courts.alaska.gov.

What is a Guardian?

A guardian is a person appointed by the court to manage the affairs of another person called the "protected person" (you will also sometimes see or hear the term "ward" used instead). A guardian has authority to make personal decisions for the protected person, such as where the protected person will live and what kind of medical care they will get. A guardian may also have the authority to manage the finances and other property of the protected person (sometimes called "conservator powers").

When you first file a guardianship or conservatorship case, the person that you want protected is called the "respondent." If the judge decides that a guardian or conservator should be appointed, the respondent is afterwards referred to in the case as the "protected person."

When Can a Guardian Be Appointed?

A guardianship is a serious matter. It takes away a person's freedom to make many important decisions about their own life. You should only file for a guardian if there is no other reasonable alternative that will keep the person safe.

The court can only appoint a guardian if the court determines that the respondent is both incapacitated **and** that less restrictive alternatives than a guardian are not adequate to protect the respondent. A person is "incapacitated" if the person's ability to receive and evaluate information or communicate decisions is so impaired that the person cannot take care of their own physical health or safety (in other words, the person cannot provide the healthcare, food, shelter, clothing, etc. that they need to avoid serious physical injury or illness).

AS 13.26.266

Who Can Be a Guardian?

Almost anyone (except a minor) willing to take on the responsibility can be appointed as the guardian. The guardian can be a relative or friend, a private professional guardian, or the public guardian. If more than one person is willing and able to be the guardian, the law lists who has priority.

The guardian **cannot** be someone who

1. provides substantial professional or business services to the protected person,
2. is a creditor of the protected person,
3. has interests that may conflict with those of the protected person, or
4. works for a person who is any of the above.

These restrictions do not necessarily apply to the protected person's spouse, adult child, parent, or adult sibling if the court determines that the potential conflict of interest is minor and that the appointment would clearly be in the best interests of the protected person.

AS 13.26.311