

### **Rule 310. Conservatorships**

(a) Petition. A petition for Appointment of Conservator shall be filed in compliance with D. C. Code 1981, §§ 21-1501 and 1502 and shall be typewritten and double spaced. The Petition shall be sworn to by the Petitioner, unless filed by the proposed ward. The Petition shall set forth:

- (1) The residence and the fitness of the proposed Conservator to serve;
- (2) The relationship of the Petitioner to the proposed ward;
- (3) The name, date, and place of birth, if known, and residence of the proposed ward;
- (4) The names and addresses of the nearest known heirs-at-law, or the next-of-kin, if any, of the proposed ward;
- (5) The reason(s) for the appointment of a Conservator;
- (6) Whether a Conservator is sought for the person as well as the estate of the proposed ward;
- (7) To the extent known to the Petitioner, the character, location, and estimated value of the real and personal estate to which the proposed ward is entitled, including annual income; and
- (8) A statement of the relief requested.

(b) Order. At the time of filing, the Petition shall be accompanied by a proposed order setting forth the following:

- (1) That a hearing be held before the Fiduciary Judge on \_\_\_\_\_ (a date to be set by the clerk), provided that notice thereof be given to the proposed ward, and to his or her heirs-at-law and next-of-kin, not less than fourteen (14) days prior thereto; and
- (2) That \_\_\_\_\_ (name to be inserted by the Court) be appointed guardian ad litem to appear and represent the interests of the proposed ward and that a written report with recommendations be filed by the guardian ad litem not less than seventy-two (72) hours before the hearing date, and served upon the Petitioner.

(c) Order Appointing Conservator. An order for the appointment of a conservator shall be presented promptly after the hearing, and shall include the following:

- (1) A finding that the person for whom the conservator is sought is incapable of caring for his or her property, and that his or her best interests would be best served by the appointment of a conservator, who shall have the charge and management of the property of the ward, subject to the direction of the Court;
- (2) That \_\_\_\_\_ be appointed conservator of the estate of the ward upon filing of an undertaking in the amount of \_\_\_\_\_ (to be set by the Court) and if a non-resident, the power of attorney required by law;
- (3) That \_\_\_\_\_ be appointed conservator of the person of the ward.