

Rule 325. Notice of hearing on petition for a general proceeding or petition for termination.

(a) Notice of hearing on petition for a general proceeding or petition for termination.

In proceedings for appointment of a guardian, a successor guardian, a conservator; or entry of a protective order; or for termination of a guardianship, conservatorship or protective arrangement, the petition and notice of hearing must be served upon:

- (1) The subject of the proceeding.
- (2) The spouse and the adult children of the subject, or, if none, the parents.
- (3) Any guardian, conservator, or custodian of the subject.
- (4) The agent/attorney in fact of the subject nominated in a durable power of attorney, if known.
- (5) If no one in (2) exists, to at least one of the nearest adult relatives of the subject, if any can be found.
- (6) Any person entitled to support by the subject.
- (7) Each person with a higher priority pursuant to *D.C. Code § 21-2043* or *§ 21-2057*, as applicable.
- (8) Any other person as the Court directs.
- (9) Any person who has filed an effective request for notice pursuant to SCR-PD 304 (Form I-C).
- (10) Any counsel retained by the subject and counsel for the subject in any other proceedings, if known to the petitioner.

(b) Form of notice.

The notice shall be as prescribed by Form II-J except that, in the discretion of the petitioner, Form II-J-1 may be used in lieu of Form II-J.

COMMENT:

Note that while *D.C. Code § 21-2042(a)(3)*, and paragraph (5) of this Rule require notice to at least one of the nearest adult relatives if no one closer exists, notice may be given to others within the same class. Where the subject of the proceeding is a party to any other civil action, counsel should consider the applicability of SCR Civil 17(c) or SCR Domestic Relations 17(c) and the advisability of notifying opposing counsel in any pending action.