

### **633.556 Appointment of guardian.**

1. If the allegations of the petition as to the status of the proposed ward and the necessity for the appointment of a guardian are proved by clear and convincing evidence, the court may appoint a guardian. If the court appoints a guardian based upon mental incapacity of the proposed ward because the proposed ward is a person described in section 222.2, subsection 5, the court shall make a separate determination as to the ward's competency to vote. The court shall find a ward incompetent to vote only upon determining that the person lacks sufficient mental capacity to comprehend and exercise the right to vote.

2. In all proceedings to appoint a guardian, the court shall consider the functional limitations of the proposed ward and whether a limited guardianship, as authorized in section 633.635, is appropriate.

3. Section 633.551 applies to the appointment of a guardian.

[R60, § 1449; C73, § 2272; C97, § 3219; C24, 27, 31, 35, 39, § **12614**; C46, 50, 54, 58, 62, § 670.2; C66, 71, 73, 75, 77, 79, 81, § 633.556]

97 Acts, ch 178, §6; 98 Acts, ch 1100, § 79; 98 Acts, ch 1185, § 10; 2002 Acts, ch 1134, §113, 115