

633.701 Definitions.

As used in this division, unless the context otherwise requires:

1. “*Adult*” means an individual who is eighteen years of age or older.
2. “*Conservator*” means a person appointed by the court to have the custody and control of the property of an adult under the provisions of this chapter.
3. “*Court*” means, when referring to a court of this state, the district court sitting in probate with jurisdiction of conservatorships and guardianships.
4. “*Foreign judgment*” means a judgment, decree, or order of a court of the United States or of any other court that meets any of the following requirements:
 - a. Is entitled to full faith and credit in this state.
 - b. Appoints a guardian or conservator in the issuing jurisdiction.
5. “*Guardian*” means a person appointed by the court to make decisions regarding the adult under the provisions of this chapter.
6. “*Guardianship order*” means an order appointing a guardian as defined in section 633.3.
7. “*Guardianship proceeding*” means a judicial proceeding in which an order for the appointment of a guardian is sought or has been issued.
8. “*Incapacitated person*” means an adult who has been adjudged by a court to meet one of the following conditions:
 - a. Has a decision-making capacity which is so impaired that the person is unable to care for the person’s personal safety or to attend to or provide for necessities for the person such as food, shelter, clothing, or medical care, without which physical injury or illness may occur.
 - b. Has a decision-making capacity which is so impaired that the person is unable to make, communicate, or carry out important decisions concerning the person’s financial affairs.
9. “*Party*” means the respondent, petitioner, guardian, conservator, or any other person allowed by the court to participate in a guardianship or protective proceeding.
10. “*Person*” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, or government; governmental subdivision, agency, or instrumentality; or any other legal or commercial entity.
11. “*Protected person*” means an adult for whom a conservatorship has been issued.
12. “*Protective order*” means an order appointing a conservator as defined in section 633.3. “*Protective order*” does not include protective orders issued pursuant to chapter 664A or protective orders issued pursuant to sections 235B.18 and 235B.19.
13. “*Protective proceeding*” means a judicial proceeding in which a conservatorship is sought or has been granted.
14. “*Record*” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
15. “*Respondent*” means an adult for whom a conservatorship or guardianship is sought.
16. “*State*” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Indian tribe, or any territory or insular possession subject to the jurisdiction of the United States.

2010 Acts, ch 1086, §2, 24, 25

[SP] Former §633.701 transferred to 633.753 pursuant to directive in 2010 Acts, ch 1086, §25

[SP] Section applies to proceedings begun before July 1, 2010, regardless of whether a guardianship or protective order has been issued; 2010 Acts, ch 1086, §24