

231E.8 Provisions applicable to all appointments and designations — discharge.

1. The court shall only appoint or intervene on its own motion or act upon the petition of any person under [section 231E.6](#) or [231E.7](#) if such appointment or intervention would comply with staffing ratios established by the department and if sufficient resources are available to the state office or local office. Notice of the proposed appointment shall be provided to the state office or local office prior to the granting of such appointment.

2. The state office or local office shall maintain reasonable personal contact with each ward or client for whom the state office or local office is appointed or designated in order to monitor the ward's or client's care and progress.

3. Notwithstanding any provision of law to the contrary, the state office or local office appointed by the court may access all confidential records concerning the ward for whom the state office or local office is appointed or designated, including medical records and abuse reports.

4. In any proceeding in which the state or a local office is appointed or is acting as guardian or conservator, the court shall waive court costs or filing fees, if the state office or local office certifies to the court that the state office or local office has waived its fees in their entirety based upon the ability of the ward to pay for the services of the state office or local office.

5. The state public guardian or a local public guardian shall be subject to discharge or removal, by the court, on the grounds and in the manner in which other guardians or conservators are discharged or removed pursuant to [chapter 633](#).

6. The state public guardian or a local public guardian may petition to be removed as guardian or conservator. A petition for removal shall be granted for any of the following reasons:

- a. The ward displays assaultive or aggressive behavior that causes the public guardian to fear for their personal safety.
- b. The ward refuses the services of the public guardian.
- c. The ward refuses to have contact with the public guardian.
- d. The ward moves out of Iowa.

[2005 Acts, ch 175, §137](#); [2009 Acts, ch 23, §49](#); [2018 Acts, ch 1041, §127](#); [2018 Acts, ch 1048, §9](#)

For proposed amendments by 2018 Acts, ch 1041, §127, see Code editor's note on simple harmonization at the end of Vol VI
Section amended