## 232D.309 Emergency appointment of temporary guardian.

- 1. A person authorized to file a petition under section 232D.301 may file a petition for the emergency appointment of a temporary guardian for the minor.
  - 2. The petition shall state all of the following:
  - a. The name and address of the minor and the birthdate of the minor.
  - b. The name and address of the living parents of the minor, if known.
- c. The name and address of any other person legally responsible for the custody or care of the minor, if known.
  - d. The reason the emergency appointment of a temporary guardian is sought.
- 3. The court may enter an ex parte order appointing a temporary guardian for a minor on an emergency basis under this section if the court finds that all of the following are met:
- a. There is not sufficient time to file a petition and hold a hearing pursuant to section 232D.301.
- b. The appointment of temporary guardian is necessary to avoid immediate or irreparable harm to the minor.
- 4. Notice of the emergency appointment of a temporary guardian shall be provided to persons required to be listed in the petition under subsection 2.
- 5. The parents of the minor and any other person legally responsible for the custody or care of the minor may file a written request for a hearing. Such hearing shall be held no later than seven days after the filing of the written request.
- 6. The powers of the temporary guardian set forth in the ex parte order shall be limited to those necessary to address the emergency situation requiring the appointment of a temporary guardian.
- 7. The ex parte order shall terminate within thirty days after the order is issued.

 $2019\ Acts, ch\ 56,\ \$19,\ 44,\ 45$  Section takes effect January 1, 2020, and applies to guardianships and guardianship proceedings of minors established or pending before, on, or after that date; 2019 Acts, ch 56, §44, 45