

**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.
8. The court may order an extension of the temporary guardianship for up to sixty days for good cause shown, including a showing that a hearing on a petition for a guardianship under [section 232D.301](#) cannot be scheduled within sixty days after the order for a temporary guardianship is issued. Prior to or contemporaneously with the filing for an application for the extension of time, the guardian shall file a report with the court setting forth all of the following:
  - a. All actions conducted by the guardian on behalf of the minor from the time of the initial appointment of the guardian up to the time of the report.
  - b. All actions that the guardian plans to conduct on behalf of the minor during the sixty-day extension period.
9. The temporary guardian shall submit any other report the court requires.

[2019 Acts, ch 56, §19, 44, 45](#); [2024 Acts, ch 1009, §7](#)

NEW subsections 8 and 9