

**633.569 Emergency appointment of temporary guardian or conservator.**

1. A person authorized to file a petition under [section 633.556](#) or [633.557](#) may file an application for the emergency appointment of a temporary guardian or conservator.

2. Such application shall state all of the following:

a. The name and address of the respondent.

b. The name and address of the petitioner and the petitioner's relationship to the respondent.

c. The name and address of the proposed guardian or conservator and the reason the proposed guardian or conservator should be selected.

d. The names and addresses, to the extent known, of any other persons who must be named in the petition for the appointment of a guardian or conservator under [section 633.556](#) or [633.557](#).

e. The reason the emergency appointment of a temporary guardian or conservator is sought.

3. The court may enter an ex parte order appointing a temporary guardian or conservator on an emergency basis under [this section](#) if the court finds that all of the following conditions are met:

a. There is not sufficient time to file a petition and hold a hearing pursuant to [section 633.556](#), [633.557](#), or [633.560](#).

b. The appointment of a temporary guardian or conservator is necessary to avoid immediate or irreparable harm to the respondent before a hearing with notice to the respondent can be held.

c. There is reason to believe that the basis for appointment of guardian or conservator exists under [section 633.556](#) or [633.557](#).

4. Notice of a petition for the appointment of a temporary guardian or conservator and the issuance of an ex parte order appointing a temporary guardian or conservator shall be provided to the respondent, the respondent's attorney, and any other person the court determines should receive notice.

5. Upon the issuance of an ex parte order, if the respondent is an adult, the respondent may file a request for a hearing. If the respondent is a minor, the respondent, a parent having legal custody of the respondent, or any other person having legal custody of the respondent may file a written request for a hearing. Such hearing shall be held no later than seven days after the filing of a written request.

6. The powers of the temporary guardian or conservator set forth in the order of the court shall be limited to those necessary to address the emergency situation requiring the appointment of a temporary guardian or conservator.

7. The temporary guardianship or conservatorship shall terminate within thirty days after the order is issued.

8. The court may order an extension of the temporary guardianship or conservatorship for up to sixty days for good cause shown, including a showing that a hearing on a petition for a guardianship or conservatorship under [section 633.556](#) or [633.557](#) cannot be scheduled within sixty days after the order for a temporary guardianship or conservatorship is issued. Prior to or contemporaneously with the filing for an application for the extension of time, the guardian or conservator shall file a report with the court setting forth all of the following:

a. All actions conducted by the guardian or conservator on behalf of the protected person from the time of the initial appointment of the guardian up to the time of the report.

b. All actions that the guardian or conservator plans to conduct on behalf of the protected person during the sixty-day extension period.

9. The temporary guardian or conservator shall submit any other report the court requires.

[2019 Acts, ch 57, §26, 43, 44](#); [2020 Acts, ch 1063, §355, 356](#); [2024 Acts, ch 1009, §22, 23](#)

Referred to in [§235B.19](#)

Former §633.569 repealed effective January 1, 2020, by 2019 Acts, ch 57, §41, 43

Subsections 1, 2, and 3 amended

NEW subsections 8 and 9