

232D.503 Termination and modification of guardianships.

1. A guardianship shall terminate on the minor's death, adoption, emancipation, or attainment of majority.

2. The court shall terminate a guardianship established pursuant to [section 232D.203](#) if the court finds that the basis for the guardianship set forth in [section 232D.203](#) is not currently satisfied unless the court finds that the termination of the guardianship would be harmful to the minor and the minor's interest in continuation of the guardianship outweighs the interest of a parent of the minor in the termination of the guardianship.

3. The court shall terminate a guardianship established pursuant to [section 232D.204](#) if the court finds that the basis for the guardianship set forth in [section 232D.204](#) is not currently satisfied. A person seeking termination of guardianship established pursuant to [section 232D.204](#) has the burden of making a prima facie showing that the guardianship should be terminated. If such a showing is made, the guardian has the burden of going forward to prove by clear and convincing evidence that the guardianship should not be terminated.

4. The court shall modify the powers granted to the guardian if the court finds such powers no longer meet the needs of the minor or are not in the minor's best interest.

5. The court may conduct a hearing to determine whether termination or modification of a guardianship is appropriate on the filing of a petition by a minor fourteen years of age or older who is under guardianship, a guardian, or other person with an interest in the welfare of the minor or on receipt of a written communication from such persons.

6. If the court orders termination of a guardianship established under [this chapter](#) and the guardian has custody of any assets of a protected person who is a minor or was a minor at the time of the minor's death, the court shall order delivery of the minor's assets to the minor or to a fiduciary acting under one or more of the following:

a. A conservatorship established for the minor.

b. A personal representative appointed as a result of the minor's death.

c. A uniform transfer to minor account established for the minor pursuant to [chapter 565B](#) or the laws of any other state.

d. A uniform custodial trust account established for the minor pursuant to [chapter 633F](#) or the laws of any other state.

e. A college savings plan account established for the minor pursuant to Internal Revenue Code section 529 or [chapter 12D](#) or the laws of any other state.

f. An ABLE account established for the minor with disabilities pursuant to Internal Revenue Code section 529A or [chapter 12I](#) or the laws of any other state.

[2019 Acts, ch 56, §27, 44, 45; 2021 Acts, ch 8, §22; 2021 Acts, ch 174, §13](#)

Referred to in [§232D.501](#)

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

NEW subsection 6