

633.569 Emergency appointment of temporary guardian or conservator.

1. A person authorized to file a petition under [section 633.552](#), [633.553](#), or [633.554](#) 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 proposed guardian or conservator and the reason the proposed guardian or conservator should be selected.
 - c. 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 633.552](#), [633.553](#), or [633.554](#).
 - b. The appointment of a temporary guardian or conservator is necessary to avoid immediate or irreparable harm to the respondent.
 - c. There is reason to believe that the basis for appointment of guardian or conservator exists under [section 633.552](#), [633.553](#), or [633.554](#).
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.

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

Referred to in [§235B.19](#)

Former §633.569 repealed effective January 1, 2020, by 2019 Acts, ch 57, §41, 43

Section takes effect January 1, 2020, and applies to guardianships and guardianship proceedings for adults and conservatorships and conservatorship proceedings for adults and minors established or pending before, on, or after that date; 2019 Acts, ch 57, §43, 44

Subsection 2, paragraph c amended

Subsection 3, unnumbered paragraph 1 amended