

633.712 Appropriate forum.

1. A court of this state with jurisdiction under [section 633.709](#) to appoint a guardian or issue a protective order may decline to exercise its jurisdiction if it determines at any time that a court of another state is a more appropriate forum.

2. If a court of this state declines to exercise its jurisdiction under [subsection 1](#), the court shall either dismiss or stay the proceeding. The court may impose any condition the court considers just and proper, including the condition that a petition for the appointment of a guardian or issuance of a protective order be filed promptly in another state.

3. In determining whether it is an appropriate forum, the court shall consider all of the following:

- a. Any expressed preference of the respondent.
- b. Whether abuse, neglect, or exploitation of the respondent has occurred or is likely to occur and which state could best protect the respondent from the abuse, neglect, or exploitation.
- c. The length of time the respondent was physically present in or was a legal resident of this state or another state.
- d. The distance of the respondent from the court in each state.
- e. The financial circumstances of the respondent's estate.
- f. The nature and location of the evidence.
- g. The ability of the court in each state to decide the issue expeditiously and the procedures necessary to present evidence.
- h. The familiarity of the court of each state with the facts and issues in the proceeding.
- i. If an appointment were to be made, the court's ability to monitor the conduct of the guardian or conservator.

[2010 Acts, ch 1086, §13, 24, 25](#)

Referred to in [§633.709](#), [633.713](#)