

633.556 Petition for appointment of guardian or conservator for an adult.

1. A formal judicial proceeding to determine whether to appoint a guardian or conservator for an adult shall be initiated by the filing of a verified petition by a person with an interest in the welfare of the adult, which may include the adult who is the subject of the petition.

2. The petition shall contain a concise statement of the factual basis for the petition.

3. The petition shall contain a concise statement of why there is no less restrictive alternative to the appointment of a guardian or a conservator.

4. The petition shall list the name and address of the petitioner and the petitioner's relationship to the respondent.

5. The petition shall list the name and address, to the extent known, of the following:

a. The name and address of the proposed guardian and the reason the proposed guardian should be selected.

b. Any spouse of the respondent.

c. Any adult children of the respondent.

d. Any parents of the respondent.

e. Any adult, who has had the primary care of the respondent or with whom the respondent has lived for at least six months prior to the filing of the petition, or any institution or facility where the respondent has resided for at least six months prior to the filing of the petition.

f. Any legal representative or representative payee of the respondent.

g. Any person designated as an attorney in fact in a durable power of attorney for health care which is valid under [chapter 144B](#), or any person designated as an agent in a durable power of attorney which is valid under [chapter 633B](#).

6. Any additional persons who may have an interest in the proceeding may be listed in an affidavit attached to the petition.

7. If the petition requests the appointment of a conservator, the petition shall state the estimated present value of the real estate owned or to be owned by the respondent, the estimated value of the personal property owned or to be owned by the respondent, and the estimated gross annual income of the respondent.

8. The petition shall provide a brief description of the respondent's alleged functional limitations that make the respondent unable to communicate or carry out important decisions concerning the respondent's financial affairs.

9. Any additional information relevant to the proceeding may be included in an affidavit attached to the petition.

[2019 Acts, ch 57, §13, 43, 44](#)

Referred to in [§229.27](#), [232D.311](#), [235B.18](#), [235B.19](#), [633.558](#), [633.634](#), [633.717](#)

Former §633.556 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