

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

IN THE MATTER OF THE GUARDIANSHIP/CONSERVATORSHIP OF

AN INCAPACITATED INDIVIDUAL/PROTECTED PERSON

Case No. _____

**PROVISIONAL ORDER GRANTING/DENYING PETITION TO TRANSFER
GUARDIANSHIP/CONSERVATORSHIP TO ANOTHER STATE**

THE COURT FINDS:

1. A petition has been filed seeking transfer of this guardianship/ conservatorship from North Dakota to _____ (*County and State*).

2. Notice of this petition was given to those persons who would be entitled to notice of a petition in this state for the appointment of a guardian/conservator.

3. There has not been an objection to the transfer.

OR

There has been an objection to the transfer. The objector has/has not established that the transfer would be contrary to the interests of the ward/protected person.

4. The court:

is satisfied that the court of the other state is likely to accept jurisdiction.

OR

is not satisfied that the court of the other state is likely to accept jurisdiction.

5. The ward/protected person:

a. does have sufficient ties to the other state to allow transfer:

(For guardianship and/or conservatorship)

The ward/protected person is physically present in the other state based on the following specific findings:

OR

The ward/protected person is reasonably expected to move permanently to the other state based on the following specific findings:

(For conservatorship only)

OR

The protected person has significant connections to the other state based on the following specific findings:

b. does not have sufficient ties to the other state to allow transfer.

6. Plans for care and services for the ward/protected person in the other state:

a. are reasonable and sufficient.

OR

b. are not reasonable and sufficient.

7. Proposed arrangements for management of the ward's/protected person's property
are/are not adequate.

THEREFORE, THE COURT ORDERS:

8. The Petition to Transfer North Dakota Guardianship/Conservatorship:

a. is provisionally granted.

- 1) The guardian/co-guardians conservator/co-conservators shall petition for acceptance of guardianship/conservatorship jurisdiction in the other state.
- 2) After the other state issues a provisional order accepting transfer of jurisdiction of the guardianship/conservatorship, the guardian/co-guardians/conservator/co-conservators shall move this Court for a final order confirming the transfer of jurisdiction and terminating the guardianship/conservatorship.

OR

b. is denied and dismissed without prejudice.

BY THE COURT:

Judge of the District Court