

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF

_____.

Case No. _____

ORDER APPROVING TESTAMENTARY APPOINTMENT OF GUARDIAN

The will of _____ (*deceased parent*) was filed for probate in this court on the ____ day of _____, 20____, nominating _____ (*testamentary guardian*) as the guardian of, _____, the minor.

After reviewing the acceptance of the testamentary guardian, the guardian ad litem's written report, and all other documentation filed in this matter, this court finds:

1. Notice has been provided as required by law.
2. A hearing is not required because no objection to testamentary appointment of the guardian has been raised by the minor, the guardian ad litem, or any other person within fourteen days of the filing of the guardian ad litem's written report.
3. This court has exclusive jurisdiction to approve the testamentary appointment of the guardian for _____, the minor, under Chapter 30.1-27 of the North Dakota Century Code (N.D.C.C.) because:
 - a. The minor's mother (OR) father nominated _____ (*testamentary guardian*) as the guardian of the child in their will, which is filed for probate in this court.

b. The minor's mother, _____ :

is deceased.

has had her parental rights terminated by prior court order.

c. The minor's father, _____ :

is deceased.

has had his parental rights terminated by prior court order.

d. No objection to testamentary appointment of the guardian has been raised by the minor, the guardian ad litem, or any other person.

4. _____ (*testamentary guardian*) is willing to act as guardian for the minor.

THEREFORE, IT IS ORDERED:

1. The testamentary appointment of _____ (*testamentary guardian*) to serve as guardian of the above-named minor is hereby approved.

2. The guardian's authority is limited by Chapter 27-20.1 of the North Dakota Century Code (N.D.C.C.).

3. Limitations on the guardian's authority to make decisions on behalf of the minor are:

No limitations.

_____.

4. Upon the signing of this order, this case shall be immediately transferred to juvenile court where the minor resides for all subsequent filings and proceedings.

5. The guardian may not use funds from the minor's estate for room and board that the guardian or the guardian's spouse have furnished to the minor unless a charge for the service is approved by order of the juvenile court made upon notice to at least one of the minor's next of kin, if notice is possible.

6. The guardian shall provide to the juvenile court within ninety (90) days of the date of this Order a beginning inventory of all assets currently owned by the minor, or in which the minor has an interest. The guardian must provide a copy of the inventory to the minor and to any interested persons designated in this Order.

7. The guardian shall provide an amended inventory to the juvenile court within thirty (30) days of the closing of the probated estate. The guardian must provide a copy of the amended inventory to the minor and to any interested persons designated in this Order.

8. The guardian shall provide an annual report to the juvenile court concerning the status or condition of the guardianship and the minor. Such reports shall be written and shall describe the status or condition of the minor, changes that have occurred since the previous reporting period and an accounting of the minor's estate, and report whether the minor continues to require a guardianship. These reports shall commence on _____, and continue on a yearly basis thereafter.

9. The following interested persons shall receive information regarding this guardianship:

10. **This Order takes effect immediately and expires _____, or when the minor child turns eighteen (18) years of age, whichever occurs first.**
11. The appointment of the guardian ad litem is terminated.
12. Letters of guardianship shall be issued.

BY THE COURT:

Judge of the District Court