

COLUMBA COUNTY CIRCUIT COURT
230 Strand Street, St. Helens, Oregon 97051
503-397-2327

Filing for Adult Guardianships under ORS 125

Forms in this packet

	Forms overview and filing instructions
	Duties of a Guardian
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Form A	Petition for the appointment of a Guardian for adult
Form B	Notice to Respondent (Petition to appoint Guardian for adult)
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Form D	Declaration of proof of personal service upon Respondent
Form E	Notice of time for filing objections to the appointment of Guardian re: Interested parties
Form F	Declaration of mailing to Interested Parties
Form G	Limited judgment appointing Guardian for an adult

Fees

When filing a Petition for Guardianship there is a filing fee payable at the time you submit your documents. **The filing fee is \$124.00.** If you need any service copies made by the court clerk, there is an additional fee of \$0.25 per page.

In addition to the filing fee, a \$400.00 Visitor's fee will be collected at the time of filing. The Visitor is a court appointed person who has training and expertise to evaluate the case and files a report with recommendations regarding the respondent to the court. **Your fee payment will be held by the court clerk and once the Visitor files their report the fee will be disbursed to them. In most cases, the judge will not sign a judgment appointing a guardian for an adult until the Visitor's report is received.**

Instructions

These instructions are outlined in Steps 1 – 9 below starting on page 2. Fill out the forms completely and be sure all names are spelled correctly. Only use blue or black ink on the forms. These are legal documents that must not contain mistakes. Do not alter the documents.

For most guardianship cases, appointing a guardian is not immediate. **It may take 2 – 4 weeks, sometimes longer, from the time you file your case to the time a judge appoints a guardian.**

If you are seeking temporary emergency guardianship review the section after Step 9 "Special Requirements for Expedited Temporary Guardianships". The process is like a normal guardianship with a few exceptions. Review ORS 125 for more information.

Step 1 Starting your Guardianship case

Fill out the following forms:

Form A Petition for the appointment of a Guardian for adult

- Checkmark the box on the Petition indicating if the guardianship is for a temporary period or an indefinite period.
- Make sure all the questions have been answered on the petition.

Form B Notice to Respondent (Petition to appoint Guardian for adult)

- This form is needed for part of the service copy you will be given when you file your forms and then have delivered to the respondent.
- Leave the objection deadline blank, when you file your paperwork, you will add a date that is 15 days from the date you plan on having the respondent served.
- On page 2, under the hearing section mark the box “No hearing has been set at this time”

Form C Respondent’s Objection (must be on blue paper)

- Only complete the case header on this form, it will be attached to the service copy you will be given for the Respondent.

Form E Notice of time for filing objections to the appointment of Guardian re:

- This form is needed for part of the service copy you will be given when you file your forms and will then have delivered to any interested parties.
- Leave the objection deadline blank, when you file your paperwork, you will add a date that is 15 days from the date you plan on having any interested parties served.
- On page 2, under the hearing section mark the box “No hearing has been set at this time”.

Form G Limited judgment appointing Guardian for an Adult

- You may submit this at the time of filing or after the 15-day objection period has passed. Your judgment may not be reviewed by a judge until the objection period has passed or until the Visitor files their report.
 - Complete the case header on this form
 - Checkmark the box on the Judgment indicating if the guardianship is for a temporary period or an indefinite period.
 - Fill in the blank spaces with the appropriate information and checkmark any or all rights, duties, and limitations.
 - Complete the certificate of readiness.

Step 2 Filing your case

File all the original forms above (A, B, C, E and G) and pay your filing fee(s) at the Columbia County Courthouse to open your case.

- The court clerk will collect the \$124.00 filing fee, \$400.00 Visitor fee, open your case and give you the assigned case number and labels to place on each of your documents.
- **Once your filing has been accepted you will need to complete Forms B & E by adding the deadline date. The deadline date will be 15 days from the date you anticipate serving the respondent and any interested parties.**
- After you complete the deadline dates on the forms, the court clerk will prepare and sell you copies of your documents to have personally delivered to the Respondent and mailed to any interested parties you listed in your documents. Service copies cost \$0.25 per page.

Step 3 Serve the Respondent and any Interested Parties

Now that your case is opened, and you have the service copies provided by the court clerk you must have the Respondent personally served and mail any interested parties copies of the documents you filed.

How to serve the Respondent

You must have the Respondent personally served. This means a 3rd party unrelated to the case, who is over 18 years of age, must hand deliver the below documents to the Respondent. It is common to have the sheriff, or a process server deliver documents, however they may charge a fee for the service.

The Respondent must be served the following documents:

- Form B – Notice to Respondent (Petition to appoint Guardian for adult)
- Form A – Petition for the appointment of a Guardian for adult
- Form C – Respondent’s Objection (on blue paper)

After the server delivers these documents to the respondent, have the server complete Form D - Declaration of proof of personal service upon Respondent and attach copies of all documents that were served behind it.

You then need to file Form D with the attached copies with the court to record the Respondent was served.

How to serve Interested Party(ies) entitled to notice

You must mail copies of filed documents to every interested person and agency entitled to notice of the guardianship. Review page 6 of these instructions for a list of agencies you may need to notify. You are responsible for determining interested parties yourself, review ORS chapter 125 for a complete list. You do not need a 3rd party to mail notice and can do this yourself. If there are no interested parties, you do not need to complete this step.

Interested parties must be mailed copies of the following documents:

- Form A – Petition for the appointment of a Guardian for adult
- Form E – Notice of time for filing objections to the appointment of Guardian

Once you mail these documents to Interested Parties complete Form F - Declaration of mailing Petition and Notice of time for filing objections to Interested Parties and attach copies of all documents that were served behind it.

You then need to file Form F with the attached copies with the court to record Interested Parties were served.

Step 4 File proof of service (Form D & F)

After the Respondent is served and Interested Parties have been mailed documents, complete and file the following forms to prove they have been notified:

- **Form D - Declaration of proof of personal service upon Respondent**
- **Form F - Declaration of mailing to Interested Parties**

Step 5 Objection Period

The objection period is the length of time any person can file an objection to oppose the guardianship you are asking the court for. **The deadline date you listed on Form B** (Notice to Respondent (Petition to appoint Guardian for adult) **and Form E** (Notice of time for filing objections to appointment of Guardian) **is the last date objections can be filed before your judgment will be reviewed.**

If an Objection is filed by any person, the case will be set for a hearing. The court will mail you and the party who is objecting a hearing notice which will provide you with the date, time, and place of the hearing.

Your failure to appear may result in your Petition being denied.

Step 6 Appointment of Court Visitor and Visitor's report

During the objection period and before granting the guardianship, the court will order and appoint a Visitor.

The court Visitor will evaluate the case by interviewing people in the respondent's life and then file a written report within 15 days of their appointment. The report will contain information and recommendations to help the court consider whether the guardianship is needed and if the nominated guardian is appropriate.

Step 7 Judgment

The judgment (Form G) is the form the judge will sign to grant the guardianship. You need to file your judgment if you have not already. Fill in all blank spaces with the appropriate information and complete the certificate of readiness on the last page of the judgment.

The judge will only review your submitted judgment after:

- Proof of service on the Respondent is filed
- Proof of mailing to Interested Parties is filed
- The Visitor's report is filed and reviewed
- The objection period has passed, and no objections were filed
- Any filed objections have been addressed

Step 8 Letters of Guardianship

After the judgment is signed allowing the guardianship and a Guardian appointed, the court will issue Letters of Guardianship. The court clerk will mail one free certified copy to the Guardian – if additional copies are needed contact the court for arrangements.

Step 9 File annual Guardian's report

Every year the Guardian must submit an annual report within 30 days of the anniversary date of their appointment. If the Guardian fails to file their report, a hearing may be held to determine if the guardianship should be terminated, or if a new guardian should be appointed.

The Guardian's Report may be purchased at the Trial Court Administrator's Office or you can print the forms online for free at courts.oregon.gov

Special Requirements for Temporary Guardianships

Temporary guardianships are limited to situations when the respondent is in immediate danger and a guardian needs to be decided quickly. Due to urgency, normal timelines are shorter than an ordinary guardianship.

1. **The notice requirements that are usually 15 days are shortened to only 2 days.** The court may waive the requirement that notice be given before appointment if the court finds an extreme immediate danger to the respondent.
2. **A temporary guardianship may last a maximum of 30 days** (unless the petitioner requests a longer period). If the petitioner wishes to extend the temporary guardianship beyond the 30 days, petitioner must give notice to respondent and interested parties at least 2 days before the court enters an order granting the extension.
3. **Just like in an ordinary guardianship, the court will appoint a visitor.** However, the visitor has 3 days after the appointment of the temporary guardian to conduct the interviews, and 5 days after the appointment to file the report with the court.
4. **If objections are made to the appointment of the temporary Guardian, the court must hear the objections within 2 judicial days** after the date on which objections are filed.

Additional Resources

If you are finding this process complicated and need legal assistance, the following resources may be available to you.

Oregon State Bar

<http://osbar.org>

Lawyer referral: 1 (800) 452-7636

Modest Means (low income): 1 (800) 452-7636

Tel-law: 1 (800) 452-4776

Oregon Law Center

Saint Helens Office

503.397.1628

Hillsboro Regional Office:

503.640.4115

1.877.296.4076

Oregon Law Help (free legal info for low-income Oregonians)

<http://www.oregonlawhelp.org>

Addresses for Interested Agencies entitled to notice of guardianship petitions

Review each scenario below and determine if any agency should be notified, by mail, that a guardianship was filed for the respondent. **If any agency needs to be notified, refer to steps 3-B and 4 for instructions on how to serve these Interested Parties. This list is not exclusive – review ORS 125 to determine if there are other agencies that will require notice.**

If the Respondent is...	Mail notice to:
<p>Receiving money from the U.S. Department of Veterans Affairs <u>and</u> lives in the Portland area</p> <p><i>*If the Respondent is not in the Portland area call 1-800-827-1000 for the appropriate Veterans Affairs office.</i></p>	<p>U.S. Department of Veterans Affairs Portland Regional Office Attn: Fiduciary Unit (272C) 1220 SW 3rd Ave. Portland, OR 97204</p>
<p>Receiving money for public assistance (i.e. Medicaid, Oregon Health Plan, etc.)</p>	<p>Seniors & People with Disabilities Division PO Box 14021 Salem, OR 97309-9913</p>
<p>A resident of a nursing home or residential facility</p> <p><u>OR</u></p> <p>If the proposed guardian intends on placing the respondent in a nursing home or residential facility</p>	<p>Office of the Long-Term Care Ombudsman 3855 Wolverine NE Ste. 6 Salem, OR 97310</p>
<p>A resident of a mental health treatment facility</p> <p><u>OR</u></p> <p>A residential facility for individuals with developmental disabilities</p> <p><u>OR</u></p> <p>The proposed guardian intends to place the respondent either type of facility</p>	<p>Oregon Advocacy Center 620 SW Fifth Ave., Fifth Floor Portland, OR 97204</p>
<p>Is a foreign national</p>	<p>The consulate for the respondent's country</p>

COLUMBIA COUNTY CIRCUIT COURT
230 Strand Street, St Helens, Oregon 97051
503.397.2327

FAQs ABOUT GUARDIANSHIPS

What is a guardianship?

A guardianship is the process of appointing someone (the Guardian) to help and protect someone (the Respondent) who cannot adequately care for him or herself because of age, disability, debility, or for some other reason. The person who requests appointment of the guardian is the Petitioner.

What powers does a guardian have?

A guardian retains all legal and civil rights provided by law except those that have been expressly limited by court order or specifically granted to the guardian by the Court.

When is a guardian appointed?

The appointment is necessary as a means of providing continuing care and supervision of the respondent.

The nominated person is both qualified and suitable and is willing to serve.

What is a court Visitor?

A court Visitor is appointed in adult guardianships and may be appointed in conservatorships and minor guardianships. The Visitor is someone who has training and expertise to evaluate the case. The Visitor makes recommendations to the court regarding the capacity of the respondent, and whether the proposed guardian is appropriate.

If a court Visitor is required, a Visitor's fee of \$400.00 will be collected from the Petitioner, by the court, at the time of filing. The Visitor's fee will be paid to the Visitor once their report is filed with the court.

What are Letters of Guardianship?

The court will issue Letters of Guardianship with a copy of the order appointing the guardian. These letters are proof of guardianship. Letters of Guardianship might be required for health care professional services, school districts or financial institutions. The appointed guardian should keep the original letters.

What is a guardian required to do?

- The guardian shall provide for the care, comfort and maintenance of the protected person or persons and, whenever appropriate shall arrange for training and education of the protected person or persons.
- The guardian shall take reasonable care of the protected person or person's clothing, furniture, and other personal effects.
- The guardian shall maintain health care and necessities for the protected person or persons.
- The guardian shall maintain a clean and safe environment for the protected person or persons.

What is an annual Guardian's Report and when is it due?

Within 30 days after each anniversary of appointment, the guardian shall file with the court a written report. The Guardian's Report may be purchased at the Trial Court Administrator's Office or printed for free at courts.oregon.gov/forms.

Fees and Costs:

- Guardianship cases require a filing fee of \$124.00.
 - Fee deferral paperwork is available for payment plans to pay filing fees if you qualify.
- Copies: \$0.25 per page + \$5.00 if the document is certified

Guardian duties, limitations & powers under ORS 125

A guardian undertakes serious duties and responsibilities that are required by the laws of Oregon.

Every guardianship is different. This means one guardian may have different responsibilities and expectations than another guardian depending on the what the judge orders.

Below is a quick reference of general duties, limitations & powers that a guardian has. This list is not exclusive and should only be used for informational purposes to help you decide if you are capable of being guardian.

For more detailed information about these topics review chapter 125 of the Oregon Revised Statutes.

File annual guardian's report

While the guardianship is active the guardian is required to file an annual report updating the court with information about the protected person.

The report is due every year, within 30 days, from the date of the original appointment.

If the report is not filed timely, the court may order you to appear at a hearing and explain why you are not fulfilling your duty. At the hearing a judge will decide if you should be removed as guardian or if the guardianship should be terminated.

Guardian annual reports can be purchased at the Trial Court Administrators office or printed for free at courts.oregon.gov/forms.

Limitations of a guardian

- A guardian may not authorize the sterilization of the protected person.
- A guardian may not use funds from the protected person's estate for room and board that the guardian or guardian's spouse, parents or children have furnished for the protected person unless the charge for the service is approved by order of the court before the payment is made.
- Before a guardian may place an adult protected person in a mental health treatment facility, a nursing home or other residential facility, the guardian must file a statement with the court informing the court of the guardian's intent to make the placement.
- A guardian for a protected person who is a vulnerable youth may not possess or control the youth's identity documents.

General powers and duties of a guardian

- The guardian has custody of the protected person and may establish the protected person's place of residence inside or outside this state, unless the court orders limitations on the guardianship.
- The guardian must provide for the care, comfort, and maintenance of the protected person and, whenever appropriate, shall arrange for training and education of the protected person.
- The guardian must promote the self-determination of the protected person and encourage the protected person to participate in decisions, act on the protected person's own behalf and develop or regain the capacity to manage the protected person's personal affairs.
- The guardian must make the decisions the guardian reasonably believes the protected person would make if the protected person were able, unless doing so would unreasonably harm or endanger the welfare or personal or financial interests of the protected person.
- The guardian must take reasonable care of the person's clothing, furniture and other personal effects, unless a conservator has been appointed for the protected person.
- Subject to the requirements of ORS 127.505 to 127.660, the guardian may consent, refuse consent, or withhold or withdraw consent to health care, as defined in ORS 127.505, for the protected person.
- If it becomes necessary, the guardian may make the following arrangements:
 1. Advance funeral and burial arrangements.
 2. Subject to the requirements of ORS 97.130, control the disposition of the remains of the protected person
 3. Subject to the requirements of ORS 97.954(1), make an anatomical gift of all or any part of the body of the protected person.
- Subject to the requirements of ORS 125.320(2), the guardian may receive money and personal property deliverable to the protected person and apply the money and property for support, care, and education of the protected person. The guardian must exercise care to conserve any excess money or personal property for the protected person's needs

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

Respondent

**PETITION FOR THE
APPOINTMENT OF A GUARDIAN
FOR AN ADULT FOR A**

TEMPORARY PERIOD

INDEFINITE PERIOD

My name is: _____
(Petitioner's Name)

I petition the court for the appointment of a guardian for the respondent named below and present the following information to the court:

1. The following information is provided about the respondent:

Name Birth date/ Age

Current address

Residence address (if different from current address)

2. The following information is provided about the petitioner:

Name Birth date/ Age

Current address

Relationship to respondent

3. The following information is provided about the proposed guardian:

Name	Birth date/ Age
Current address	
Relationship to respondent	

4. The proposed guardian is is not a public or private agency that provides services to the respondent and is not an employee of such an agency.

5. The proposed guardian is qualified, suitable, and willing to serve as a guardian and has examined less alternatives to a guardianship and:

<input type="checkbox"/> Has <input type="checkbox"/> Has not) been convicted of a crime.
<input type="checkbox"/> Has <input type="checkbox"/> Has not) filed or received protection under the bankruptcy laws.
<input type="checkbox"/> Has <input type="checkbox"/> Has not) had a state professional or occupational license revoked or canceled.

If the nominated person has been convicted of a crime, filed for, or received protection under bankruptcy laws or had a professional or occupational license revoked or canceled I have attached a statement regarding the circumstances surrounding those events, labeled exhibit _____.

6. Venue (mark all that apply)

The venue for establishing this guardianship is appropriate and filed in this county because:

- The respondent lives in this county.
- The respondent is present in this county.
- The respondent is admitted to an institution under order of a court in this county.

7. Fiduciaries (choose one)

Fiduciary means a guardian, conservator or any other person appointed by a court to assume duties with respect to the protected person.

- The respondent has not named any of the following as fiduciaries:
 - A court-appointed fiduciary previously appointed for the respondent by a court of any state.
 - Any trustee for a trust established by or for the respondent.
 - Any person appointed as a health care representative under the provisions of ORS 127.505 to 127.660
 - Any person acting as attorney-in-fact for the respondent under a power of attorney.

- The respondent has insufficient knowledge to state whether there are any named fiduciaries.

- The respondent has named the following fiduciaries:

Name	Type of Fiduciary	Contact Address

- See the attached page labeled exhibit _____ listing additional fiduciaries.

8. The respondent’s treating physicians and/or persons providing care are:

Name	Phone Number	Contact Address

- See the attached page labeled exhibit _____ listing additional treating physicians and/or persons providing care.

9. The respondent lacks the capacity in one or more areas, and therefore the appointment of a guardian is appropriate.

The reason(s) supporting the appointment of a guardian are as follows:

- See the attached page labeled exhibit _____ listing additional supporting reasons for the appointment of a guardian.

10. The names and addresses of all persons known to the petitioner who have direct knowledge regarding the information in paragraph 8 are:

Name	Phone Number	Contact Address

- See the attached page labeled exhibit _____ listing additional persons who have knowledge about the respondent.

11. Respondent’s placement

The proposed guardian:

- Intends to place** the respondent in a mental health treatment facility, nursing home or other residential facility.
- Does not intend to place** the respondent in a mental health treatment facility, nursing home or other residential facility.

12. A general description of the estate of the respondent, respondent’s sources of income and the amount of that income is as follows:

Source of income / Asset	Amount/ Value

- See the attached page labeled exhibit _____ listing additional sources of income and/or assets and their amount/ value.

13. Estate Authority (Choose one)

- The proposed guardian **will not** exercise any form of control over the respondent’s estate.
- The proposed guardian **will** exercise control over the respondent’s estate, and I submit the following information as required by law:

Respondent’s monthly income: \$ _____

Amount of money guardian will hold for the respondent at time of appointment: \$ _____

Respondent’s sources of income: _____

14. This petition does not seek appointment of a conservator or a temporary fiduciary who would exercise the powers of a conservator and does not request a protective order relating to the respondent's estate.

WHEREFORE, petitioner requests:

1. An order appointing a court visitor.
2. A limited judgment appointing the proposed guardian herein; and
3. Letters of guardianship be issued in the manner provided by law.

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand that these statements are made for use as evidence in court and are subject to penalty for perjury.

Submitted by: Petitioner Attorney for Petitioner (Bar# _____)

Signature

Date

Print Name

Contact Address

City/ State/ Zip Code

Phone Number

Email

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

Respondent

**NOTICE TO RESPONDENT
RE: PETITION TO APPOINT
GUARDIAN FOR AN ADULT**

To: Respondent _____
(Respondent's name)

(Respondent's address)

_____, Petitioner, who is your _____
(Petitioner's name) (Relationship to respondent)

has asked a judge for the power to make decisions for you. The judge has been asked to give this person, agency, or business the authority to make the following decisions for you (*mark the appropriate boxes*):

- Medical and health care decisions, including decisions on which doctors you will see and what medications and treatments you will receive.
- Residential decisions, including decisions on whether you can stay where you are currently living or be moved to another place.
- Financial decisions, including decisions on whether you can stay where you are currently living or be moved to another place.
- Other decisions: _____

YOUR MONEY MAY BE USED IF THE JUDGE APPOINTS A GUARDIAN FOR YOU. YOU MAY BE ASKED TO PAY FOR THE TIME AND EXPENSES OF THE GUARDIAN, THE TIME AND EXPENSES OF THE PETITIONER'S ATTORNEY, THE TIME AND EXPENSES OF YOUR ATTORNEY, FILING FEES AND OTHER COSTS.

YOU MUST TELL SOMEONE AT THE COURTHOUSE BEFORE:

(date)

IF YOU OPPOSE HAVING SOMEONE ELSE MAKE THESE DECISIONS FOR YOU.

OBJECTIONS

You can write to the judge if you do not want someone else making decisions for you. The judge's address is 230 Strand Street, Saint Helens, Oregon 97051.

You have the right to object to the appointment of a guardian by saying you want to continue to make your own decisions. If you do not want another person, agency or business making decisions for you, you can object.

If you do not want _____

(Proposed guardian(s) names)

to make these decisions for you, you can object. If you do not want your money to be used to pay for these expenses, you can object.

You can object any time after the judge has appointed a guardian. You can ask the judge at any time to limit the kinds of decisions that the guardian makes for you so that you can make more decisions for yourself. You can also ask the judge at any time to end the guardianship.

If you object a hearing will be set and an attorney will be assigned to represent you. After the hearing the court will request more information about your finances and decide how the attorney will be paid.

If you are unable to complete the *Respondent's Objection* form for any reason, do not want the court to appoint an attorney for you or have your own attorney, please call 503-397-2327, extension 24017 or come to the court office located at 230 Strand Street, St. Helens, Oregon 97051, and someone will assist you.

THE HEARING

The judge will hold a hearing if you do not want a guardian, do not want this person to act as your guardian or do not want your money used this way. At the hearing, the judge will listen to what you and others have to say about whether you need someone else to make decisions for you, who that person should be and whether your money should be spent on these things. You can have your witnesses tell the judge why you do not need a guardian and you can bring in records and other information about why you think that you do not need a guardian. You can ask your witnesses questions and other witnesses questions.

THE COURT VISITOR

The judge will appoint someone to investigate whether you need a guardian to make decisions for you. This person is called a “visitor.”

The visitor works for the judge and does not work for the person who filed the petition asking the judge to appoint a guardian for you, for you or for any other party.

The visitor will:

- come and talk to you about the guardianship process, about whether you think that you need a guardian and about who you would want to be your guardian if the judge decides that you need a guardian.

- talk to other people who have information about whether you need a guardian.
- make a report to the judge about whether what the petition says is true, whether the visitor thinks that you need a guardian, whether the person proposed as your guardian is able and willing to be your guardian, who would be the best guardian for you and what decisions the guardian should make for you. If there is a hearing about whether to appoint a guardian for you, the visitor will be in court to testify.

You can tell the visitor if you don't want someone else making decisions for you when the visitor comes to talk with you about this matter.

LEGAL SERVICES

You can call a lawyer if you don't want someone else making decisions for you. If you don't have a lawyer, you can ask the judge whether a lawyer can be appointed for you.

There may be free or low-cost legal services or other relevant services in your local area that may be helpful to you in the guardianship proceeding. For information about these services, you can call the following telephone numbers and ask to talk to people who can help you find legal services or other types of services:

OREGON LAW CENTER

Saint Helens Office
503-397-1628

Hillsboro Regional Office
503-640-4115
877-296-4076

OREGON STATE BAR REFERRAL SERVICE

800-452-7636

OBJECTION FORM

You can mark the blue sheet (Respondent's Objection) that is attached to this form if you do not want someone else to make your decisions for you. You can give the blue sheet to the visitor when the visitor comes to talk with

you about this, you can show it to your attorney, or you can mail it to the judge.

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand that these statements are made for use as evidence in court and are subject to penalty for perjury.

Submitted by:

Petitioner Attorney for Petitioner (Bar# _____)

Signature

Date

Print Name

Contact Address

City/ State/ Zip Code

Phone Number

Email

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

RESPONDENT'S OBJECTION

Respondent

I object to the petition for the following reasons:

I do not want anyone else making any of my decisions for me.

I do not want _____
making any decisions for me.

I do not want _____
to make the following decisions for me:

GIVE THIS FORM TO THE VISITOR OR MAIL THIS FORM TO:

Columbia County Circuit Court
230 Strand Street
St. Helens, OR 97051

Signature

Date

Contact Address

City/ State/ Zip Code

Phone Number

Email

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

Respondent

**DECLARATION OF PROOF OF
PERSONAL SERVICE UPON
RESPONDENT**

I, _____, declare that I am a
(Name of person who served notice)

resident of the state of _____, I am a competent person
18 years of age or older and not a party to or lawyer in this case. I certify that the
person served is the person named below.

I personally served true copies of the original:

- Notice to Respondent re: Petition to appoint guardian for an adult
- Petition for the appointment of a guardian for an adult
- Respondent's Objection

upon _____ on _____
(Respondent's name) (Date)

at the following place and time:

(Address) (Time – AM/PM)

**A copy of the Petition, Notice to Respondent and Respondent's Objection
that were served are attached to this declaration.**

**I hereby declare that the above statements are true to the best of my
knowledge and belief. I understand that they are made for use as evidence
in court and are subject to penalty for perjury.**

Signature of Server

Date

Print Name

Phone Number

Contact Address City/ State/ Zip Code

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

**NOTICE OF TIME FOR FILING
OBJECTIONS TO THE
APPOINTMENT OF GUARDIAN
RE: INTERESTED PARTIES**

Respondent

NOTICE IS HEREBY GIVEN THAT

(Petitioner's name)

filed a petition asking the court to appoint

(Proposed guardian's name)

as guardian for

(Respondent's name)

The petitioner is the respondent's

(Petitioner's relationship to Respondent)

**A copy of the Petition for the appointment of a Guardian for the adult
accompanies this notice.**

**ANY OBJECTIONS MUST BE FILED WITH THE COLUMBIA
COUNTY CIRCUIT COURT LOCATED AT 230 STRAND STREET,
ST. HELENS, OR 97051 ON OR BEFORE:**

(Objection deadline)

If the court receives objections, the Judge will hold a hearing.

As of the date on this notice no hearing has been set.

NOTICE: If you wish to receive copies of future filings in this case, you must inform the judge and the person named as petitioner in this notice. You must inform the judge by filing a request for notice and paying any applicable fee. The request for notice must be in writing, must clearly indicate that you wish to receive future filings in the proceedings and must contain your name, address, and phone number. You must notify the person named as petitioner by mailing a copy of the request to the petitioner. Unless you take these steps, you will receive no further copies of the filings in the case.

I am the petitioner in the above-entitled matter, and I hereby declare that the foregoing Notice of time for filing objections to the appointment of guardian is true and accurate to the best of my knowledge and belief, and I understand that it is made for use as evidence in court and is subject to penalty for perjury.

Submitted by petitioner:

Signature

Date

Print Name

Contact Address

City/ State/ Zip Code

Phone Number

Email

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

Respondent

**DECLARATION OF MAILING TO
INTERESTED PARTIES**

I, _____,
(Petitioner's name)

declare that I served true copies of the following documents:

- Notice of time for filing objections to the appointment of Guardian re:
Interested parties
- Petition for the appointment of a guardian for an adult

by mailing them U.S. first class mail to the last know addresses of the following
interested persons or agencies on the dates below:

Name: _____
Address: _____
County: _____
Date: _____ Time: _____ A.M/ P.M

Name: _____
Address: _____
County: _____
Date: _____ Time: _____ A.M/ P.M

Name:	_____		
Address:	_____		

County:	_____		
Date:	_____	Time:	_____ A.M/ P.M

Name:	_____		
Address:	_____		

County:	_____		
Date:	_____	Time:	_____ A.M/ P.M

See the attached page labeled exhibit _____ listing additional interested parties who were mailed notice.

The date of mailing was at least 15 days before the deadline for filing objections and a copy of the Notice of time for filing objections to the appointment of Guardian re: Interested parties and Petition for the appointment of a guardian for an adult are attached to this declaration.

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand that they are made for use as evidence in court and are subject to penalty for perjury.

Petitioner's signature	Date
Print Name	Phone Number
Contact Address	City/ State/ Zip Code

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

Case Number: _____

Respondent

**LIMITED JUDGMENT
APPOINTING GUARDIAN FOR AN
ADULT FOR A**

- TEMPORARY PERIOD
 INDEFINITE PERIOD

This matter came before the court upon the petition of _____
(Petitioner's Name)

for the appointment of guardian for _____
(Respondent's Name)

It appears from the records and files herein that:

1. Venue for this protective proceeding is properly in this county, and no other court in this state has acquired jurisdiction over this proceeding.
2. Notice of this protective proceeding has been given to the persons entitled to such notice under Oregon law.
3. The time for filing objections has expired and no objections have been filed.
4. That by clear and convincing evidence, the appointment requested by the petition is necessary as a means of providing continuing care and supervision of the respondent, and the person named below is in all respects competent, qualified, and willing to act and serve in accordance with this order; and
5. That the requested appointment is no more restrictive upon liberty of protected person than is reasonably necessary.

NOW, THEREFORE, IT IS ORDERED THAT:

_____ is/ are appointed guardians(s) for the above-named
(Proposed Guardian) adult and shall have all statutory powers, duties,
and limitations of a guardian pursuant to ORS 125.

IT IS FURTHER ORDERED THAT:

- Letters of Guardianship shall be issued to the above-named guardian in the manner provided by law, without bond.

OR

- Letters of Guardianship shall be issued to the above-named guardian in the manner provided by law, upon the appointed guardian posting bond in the amount of \$_____.

Date

Circuit Court Judge

Certificate of Readiness (UTCRC 5.100)

This proposed order is ready for judicial signature because service is not required pursuant to subsection 3(d) of this rule (uncontested probate or protective proceeding).

Submitted by: Petitioner Attorney for Petitioner (Bar#_____)

Signature

Date

Print Name

Contact Address

City/ State/ Zip Code

Phone Number

Email