

State of South Dakota

COUNTY OF _____

} ss.

IN CIRCUIT COURT

_____ JUDICIAL CIRCUIT

Guardianship and/or Conservatorship of

A PERSON ALLEGED TO NEED PROTECTION.

}

GDN No. _____

REPORT OF COURT REPRESENTATIVE

The undersigned submits this Report and Recommendation to the Court and submits the following information:

I. INTERVIEW OF PETITIONER

[If different than proposed guardian or conservator]

1. Name: _____ Residence Address: _____
 DOB: _____
 Home Telephone Number: _____
 _____ Length of time at this address? _____
 Mailing Address *[If different than residence address]:* _____

2. Employer's Name: _____ Address: _____

 Work Telephone Number: _____
 _____ Position held: _____

3. Reasons for filing Petition for guardianship or conservatorship are:

II. INTERVIEW OF PROPOSED GUARDIAN OR CONSERVATOR

[Answer 1 through 3 if proposed guardian or conservator is not the petitioner]

1. Name: _____ Residence Address: _____
 DOB: _____
 Home Telephone Number: _____
 _____ Length of time at this address? _____
 Mailing Address *[If different than residence address]:* _____

2. Employer's Name: _____ Address: _____

 Work Telephone Number: _____
 _____ Position held: _____

3. Reasons for filing Petition for guardianship or conservatorship are:

4. What is your relationship to the alleged protected person?
5. Do you have any physical disabilities that may affect your ability to perform the duties of guardian or conservator? YES NO
[If yes describe:]
6. Has a judicial or administrative tribunal ever found you to have committed an act of theft, fraud, misrepresentation, perjury or other acts involving dishonesty? YES NO
[If yes, please furnish details, including the date, type of offense, location, and final disposition:]
7. Have you ever been convicted of a felony? YES NO
[If yes, please furnish details, including the date, type of offense, location, and final disposition:]
8. Have you been convicted of any other crimes, with the exception of minor traffic offenses, within the last five years? YES NO
[If yes, please furnish the details including the date, type of offense, location, and final disposition:]
9. Have you held a position which required bonding? YES NO
[If yes, please describe the position, date, amount of bond, and name of the surety:]
10. Have you, in the past, served as guardian or conservator? YES NO
[If the guardianship or conservatorship was terminated describe the reason(s) below:]
11. Have you ever been removed as a guardian or conservator? YES NO
[If yes, please describe:]
12. Have you ever been held in contempt of court? YES NO
[If yes, please describe:]
13. Have you ever filed for bankruptcy? YES NO
[If yes, please state date and location of court:]
14. At the present time, are you, or are you employed by, a business, corporation, or other business entity, providing professional, personal, or business services to the alleged protected person? YES NO
[If yes, describe:]
15. At the present time, are you, or are you employed by, a health care provider for the alleged protected person? YES NO
[If yes, describe:]
16. What is the highest educational level that you have obtained?
17. Have you earned any post secondary degrees? YES NO
[If yes, describe]
18. Have you ever had a professional license suspended or revoked? YES NO
[If yes, describe]
19. List your employment experience for the past five years, beginning with the most recent date:
Name & Address: _____ Date: _____ Reason for leaving: _____

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Have you ever been forced to resign, discharged, or terminated from employment for reasons of fraud, misrepresentation or theft? YES NO
[If yes, describe:]
21. Have you ever been discharged from the military service under less than honorable conditions? YES NO
[If yes, list: branch, dates, and your military serial number:]
22. Do you possess any special qualifications (financial, business, or otherwise) that uniquely qualifies you to be appointed as guardian or conservator? YES NO
[If yes, describe:]
23. Have you received instruction or training, which covered the legal duties and responsibilities of a guardian or conservator and the rights of a person needing protection? This would include the availability of local resources, preparation of habilitation plans and annual guardianship reports or conservator's annual accountings.
 YES NO *[If yes describe:]*

III. INTERVIEW OF EVALUATOR

1. Date evaluator completed the assessment: _____
2. Place where assessment occurred: _____
3. Names & Titles of those who participated in the assessment: _____

Name	Title
_____	_____
_____	_____
_____	_____
_____	_____

III. INTERVIEW OF PERSON ALLEGED TO NEED PROTECTION¹.

1. I have orally explained *[or]* It has been interpreted by: _____
 _____, that I have been appointed as the court's representative to assist the Court in making an informed decision on the Petition and that my name, address, and telephone number are: _____

2. The Notice of Hearing and the Petition for Appointment of Guardian or Conservator or Both was orally explained or interpreted by: _____ to the person alleged to need protection.
3. The following questions were asked and responses given regarding the notice and petition:
- a. Did you know that a petition has been filed by: _____ requesting that the petitioner be appointed as your guardian or conservator or both? Answer: Yes. No.

b. Did you know that the Petition will be heard before Judge: _____ on: _____
at: _____ in the following County, City and State: _____?

Answer: Yes. No.

c. Did you know that the petition alleges that you are impaired to the extent that you are unable to manage some or all of your personal affairs or financial matters or both without the protection and assistance of a guardian or conservator? Answer: Yes. No.

d. Did you know that at this hearing a guardian or conservator or both may be appointed on your behalf? Answer: Yes. No.

e. Did you know that if a guardian is appointed, the guardian may be given full or partial control of your care and custody, and may have the right to regulate some or all of your activities?

Answer: Yes. No.

f. Do you know that if a conservator is appointed, the conservator may be given full or partial control of your real estate and personal property? Answer: Yes. No.

4. The following information was orally explained interpreted by: _____
regarding the alleged protected person's rights at the hearing on the petition:

a. You have the right to attend this hearing.

b. Do you want to attend this hearing? Answer: Yes. No.

c. Are you able to attend this hearing at the specified time and place? Answer: Yes. No.

d. Do you know that:

You have the right to oppose the appointment of a guardian or conservator.

You have the right to demand a jury trial to determine whether or a guardian or conservator should be appointed for you.

You have the right to present evidence.

You have the right to compel the attendance of witnesses.

You have the right to confront and cross-examine all witnesses.

You have the right to be represented by an attorney of your own choice.

Do you want to hire an attorney to represent you at the hearing? Answer: Yes. No.

Are you able to afford an attorney to represent you at the hearing? Answer: Yes. No.

You have the right to have an attorney appointed by the court upon your request.

Do you want to have an attorney appointed by the court to represent you at the hearing?

Answer: Yes. No.

5. What are the names and addresses of your immediate family?

6. What property do you currently hold?

The undersigned court representative makes the following recommendation:

Dated: _____

Court Representative