

Form 23-1401: Petition for Appointment of Conservator

IN THE TRIAL COURT OF THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA

<p>In RE the Conservatorship of:</p> <p>_____</p> <p>DOB: _____</p> <p><input type="checkbox"/> Minor Child <input type="checkbox"/> Adult</p>	<p>Case No. _____</p> <p>PETITION FOR APPOINTMENT OF CONSERVATOR</p>
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COMES NOW, _____, who on oath states:

1. I am a person with an interest in the welfare of the above-named Respondent, and am petitioning the Court for appointment as the Conservator of the above named proposed ward.

A. My name, address and relationship to the Respondent are:

Full name: First, Middle, Last

Mailing Address

City, State, ZIP Code

(_____) _____ @ _____
Phone Number Email Address

B. I am the Respondent's: *(Please check one)*

- Spouse
- Adult Child
- Parent
- Adult Sibling
- Other: _____

2. The Respondent's name, address, and date of birth are:

Full name: First, Middle, Last

Mailing Address

City, State, ZIP Code

(_____) _____ @ _____
Phone Number Email Address

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3. The name and address of the person or institution, if any, having the care, custody, or control of the proposed ward is:

Full name: First, Middle, Last

Mailing Address

City, State, ZIP Code

4. Please read and check all that apply:

- That the proposed Conservator is qualified to act as a Conservator in accordance with Sections 23-1405 and/or 23-1406 of the Tribal Code of the Sac and Fox Tribe of the Mississippi in Iowa and meets the recommended preferences listed under Section 23-1211 of the Tribal Code.
- That if the proposed Conservator is a nonresident of the Meskwaki Settlement and a non-member, but otherwise qualified to act as a Conservator, the Court may upon application appoint that person provided there is a resident Conservator appointed to serve with such nonresident Conservator; and provided further that the Court for good cause shown may appoint such nonresident Conservator to serve alone without the appointment of a resident Conservator.
- That the proposed ward's best interests require the appointment of a Conservator and that the following categories apply:
 - The proposed ward is an enrolled Tribal member or resides within the Meskwaki Settlement.
- OR**

 - The proposed Conservator is an enrolled Tribal member or resides within the Meskwaki Settlement.
- That the proposed ward is a person whose decision making capacity is so impaired that the person is unable to make, communicate, or carry out important decisions concerning the person's financial affairs.
- That the proposed ward needs a permanent or temporary Conservator right now. The factual circumstances that make the Conservatorship necessary are that (*Attach additional sheet as necessary*):

_____.

5. Information about the proposed ward's asset is:
 - A. The estimated present value of the real estate owned or to be owned by the proposed ward is: \$ _____.
 - B. The estimated present value of personal property owned or to be owned by the proposed ward is: \$ _____.
 - C. The estimated gross annual income of the proposed ward is: \$ _____.

6. Is any money payable, or to become payable to the proposed ward by any third party, entity, agency of the Sac and Fox Tribal Government, Federal or State Government?
 Yes
 No
 Don't know

7. That in accordance with sections 23-1411 and 23-1412 the Court shall require the conservator to post bond if the proposed ward's assets exceed \$25,000.00, unless good cause is shown to waive the bond requirement. Such bond shall be in an amount equal to the value of the personal property of the estate, plus the estimated gross annual income of the estate during the period of administration. If the proposed ward's assets are less than \$25,000.00, the Court may in its discretion determine that a bond is required. The bond shall be procured at the expense of the estate.

8. I understand that I shall be required to submit a detailed financial statement to the Court concerning the proposed ward before a conservatorship can be awarded.

9. That the Meskwaki Tribal Court has jurisdiction over this matter in accordance with applicable tribal laws and Title 23 of the Tribal Code.

10. That it is my belief that the proposed ward:
 WILL attend the Court hearing.
 WILL NOT attend the Court hearing.

WHEREFORE, the Petitioner prays that the Court order that:

1. A hearing be set on this matter and that the Petition for Appointment of Conservator be granted.
2. The Court appoint _____ as Conservator of the proposed ward.
3. That the Court appoint an attorney for the proposed adult ward in accordance with Section 23-1210(a)(1), if the proposed ward has not already obtained counsel.
4. That the Court grant and order such other relief as it deems just and proper.

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5. (Please list any other relief requested, or any other information important for the Court to know, in the area below... or write N/A if not applicable):

****PLEASE WAIT TO SIGN & DATE UNTIL IN FRONT OF A NOTARY****

I, the Petitioner, have read this Petition, and certify under penalty of perjury and pursuant to the laws of the Meskwaki Nation that the information I have provided is true and correct.

Signature

Date

Mailing Address

City, State, Zip Code

Phone Number

Email Address

Signed before me on ____ day of _____, 20____.

 Signature of Notary Public, State of _____

Tribal Court Staff Title: _____