***How do I get a guardian appointed for an adult?***

*See, generally, Colorado Revised Statutes, Sections 15-14-301 through 15-14-318*

*Protected Person=The person for whom a Guardianship or Conservatorship is sought*

**Is a Guardianship right for you?** The Court may appoint a guardian for an adult if that adult is determined by the Court to be incapacitated.

 “Incapacitated adult”= One who is unable to effectively receive or evaluate information or both or make or communicate decision to such an extent that the individual lacks the ability to satisfy essential requirements for physical health, safety, or self-care, even with appropriate and reasonably available technological assistance.

A Guardianship can be limited, if the protected person only requires assistance with some areas of his/her life, but not others. If you want a limited or restricted Guardianship, you must state what limitations/restrictions you want in your Petition to the Court for the Guardianship.

If the protected person has significant income or assets that need to be managed, you may need to file for Conservatorship.

**What kind of Guardianship do you need?**  You can ask for appointment of a Permanent Guardian or an Emergency Guardian or both. An Emergency Guardian can be appointed when you can show the Court that there are emergency circumstances such that following the normal procedures for appointment of a Guardian will likely result in substantial harm to the protected person’s health, safety, or welfare and no other person appears to have authority and willingness to act in the circumstances. An Emergency Guardianship will expire after 60 days.

You can ask for appointment of an Emergency Guardian and Permanent Guardian in the same petition. The Court will set a hearing on the Emergency Guardianship first (usually within about a week) and will set the hearing on the Permanent Guardianship within 60 days after the first hearing. You will not have to prove incapacity for the Emergency Guardianship, but you will have to prove incapacity for the Permanent Guardianship.

**Instructions** for applying for appointment of a Guardian for an adult are available on the Court’s website at **JDF 840**.

**Before filing with the Court**, you will need a name-based criminal history check from the Colorado Bureau of Investigation and a current credit report for the proposed guardian. For more information on how to obtain the background check and credit report, see the Instructions at **JDF 840**.

Court appointment of a Guardian for an adult

1. File your case in the county where the Respondent (proposed protect person) resides. **To begin your case**, complete and file the documents listed on the Checklist—Guardian for Adult.

**If you have any questions about what forms are required or are not sure about the answers to any of the above, you can contact the 12th Judicial District Probate Registrar, Bandy Lucero, at (719) 657-3394.**

**If you need help locating or completing any of the above forms, you can contact the 12th Judicial District Self-Help Coordinator, Kim Cortez, by phone at (719) 589-7652, or by e-mail at** **12SelfHelp@judicial.state.co.us**

**If you need legal advice regarding any of the above, you should talk to an attorney.**