

ADULT GUARDIANSHIP

Who needs a guardian?

A guardian may be needed if someone is incapacitated, which means that they are significantly impacted by:

- Mental illness,
- Physical illness or disability,
- Substance dependency, or
- Something similar that prevents them from caring for themselves.

Who can be a guardian?

Anyone interested in the wellbeing of the incapacitated person may apply to be a guardian. If a person is at least 18, of sound mind, acting independently, voluntarily, and not being inappropriately influenced, they may recommend their own guardian.

What do guardians do?

Guardians have the power to make decisions for an adult who cannot make decisions for themselves. They are responsible for the health and safety and/or management of finances of the adult in their care.

What is the process?

To become a guardian, a person must submit an application called a petition to the court for review. Templates with more information are available at the link below. Lawyers are not required in guardianship cases, but can be helpful because of how complex the cases can be.