

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

**Check your email.** You will receive information and documents at this email address.

In the District Justice Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

In the Matter of Protection for

\_\_\_\_\_  
Respondent

**Notice of Hearing, Rights, and  
Adverse Consequences of a  
Guardianship for an Adult with a  
Severe Intellectual Disability-  
Interested Person**

(Utah Code 75-5-605)

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Judge

To:

\_\_\_\_\_  
Interested Person Name

\_\_\_\_\_  
Interested Person Address

This court has received the attached petition claiming that \_\_\_\_\_  
(name of respondent) is:

- incapacitated, which means the petitioner believes that the respondent is unable to make or communicate responsible decisions, and
- an adult with a severe intellectual disability, which means that the petitioner believes the respondent has lifelong functional limitations and a diagnosis from a

physician or psychologist of a severe intellectual disability that has existed since the respondent was a minor.

The petition asks that this court appoint \_\_\_\_\_ (name) as guardian to make decisions for the respondent.

The court has scheduled a hearing at the following date, time, and place:

Hearing Date: \_\_\_\_\_

Hearing time: \_\_\_\_\_

Location: WebEx (virtual) – the court will mail you information on how to log into the hearing.

Judge: \_\_\_\_\_

Courthouse Address: \_\_\_\_\_

Courthouse Phone: \_\_\_\_\_

For more information on attending virtually (over the computer or by phone), visit the court calendar webpage (<https://legacy.utcourts.gov/cal/>), or can contact the courthouse above for more information.

The respondent must attend the hearing and must be represented by a lawyer, unless the court says otherwise. At the hearing the court will decide whether the respondent is incapacitated. If the respondent is found to be incapacitated, at the hearing it will also be decided who the guardian will be and what decision-making power the guardian will take on for the respondent.

The respondent has the following rights:

- the right to choose an attorney (or the court will appoint a lawyer);
- the right to have an attorney to represent them in this case;
- the right to nominate a guardian;
- the right to limit the guardian's decision-making power to only what is needed;
- the right to receive written reasons for appointing a guardian;
- the right to demand that the hearing be open or closed to the public;
- the right to present evidence;
- the right to ask questions of witnesses;
- the right to be examined by a court-appointed physician;
- the right to be interviewed by a person the court appoints to look at the circumstances of the case, otherwise known as a Court Visitor;
- the right to have the Court Visitor interview the proposed guardian;
- the right to ask that the Court Visitor go to visit the respondent's current home and proposed home; and
- the right to trial by jury.

The respondent and any person interested in the respondent's welfare have the right to ask the court for a hearing to end the guardianship, to appoint a different guardian, or to change the guardian's decision-making power.

If a guardian is appointed, the guardian will make decisions for the respondent in the areas in which the court decides the respondent needs protection. The guardian may have the ability to make decisions about:

- where the respondent lives;
- the respondent's healthcare, including end of life choices;
- the respondent's finances, like investing or spending money;
- the respondent's business and property.

If the court decides that the respondent is an adult with a severe intellectual disability, the respondent might also:

- not be allowed to drive a car;
- not be allowed to make a will;
- not be allowed to marry or divorce;
- not be allowed to choose who they spend time or communicate with;
- not be allowed to choose their daily activities; or
- not be allowed to vote.

#### **Attendance**

You must attend. If you do not attend, you might be held in contempt of court and the relief requested might be granted. You have the right to be represented by a lawyer.

#### **Evidence**

Bring with you any evidence that you want the court to consider.

#### **Interpretation**

If you do not speak or understand English, the court will provide an interpreter. Contact court staff immediately to ask for an interpreter.

#### **ADA Accommodation**

If you need an accommodation, including an ASL interpreter, contact court staff immediately to ask for an accommodation.

#### **Asistencia**

Presentarse es obligatorio. Si usted no llegara a presentarse, se lo podría encontrar en desacato de las órdenes del juez y la reparación solicitada podría ser otorgada. Usted tiene el derecho de que lo represente un abogado.

#### **Pruebas**

Traiga con usted cualquier prueba que quiera que el tribunal tome en cuenta.

#### **Interpretación**

Si usted no habla ni entiende el Inglés el tribunal le proveeré un intérprete. Contacte a un empleado del tribunal inmediatamente para pedir un intérprete.

#### **Adaptación o Arreglo en Caso de Discapacidad**

Si usted requiere una adaptación o arreglo, que incluye un intérprete de la lengua de signos americana, contacte a un empleado del tribunal inmediatamente para pedir una

**Finding help**

The court's Finding Legal Help web page ([www.utcourts.gov/howto/legalassist/](http://www.utcourts.gov/howto/legalassist/)) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

adaptación.

**Cómo encontrar ayuda legal**

La página de la internet del tribunal Cómo encontrar ayuda legal ([www.utcourts.gov/howto/legalassist/index-sp.html/](http://www.utcourts.gov/howto/legalassist/index-sp.html/)) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

\_\_\_\_\_

Date

Signature ►

Printed Name