

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF

_____.

Case No. _____

GUARDIAN'S ACCEPTANCE OF APPOINTMENT IN A WILL (TESTAMENTARY)

1. I, _____, am the person nominated in the will of _____ to be the guardian of _____, the minor child.

2. I accept appointment as guardian.

3. The minor currently lives at _____ (address) in _____ (city), _____ (state), with the following people:

_____.

4. The minor's nearest adult relative as listed under Section 27-20-02 of the North Dakota Century Code (N.D.C.C.) is: _____ (name), who is the _____ (relationship) to the minor, and resides at _____ (address), _____ (city), _____ (state) _____ (zip code).

5. The minor's year of birth is _____ (birth year) and the minor is currently ____ years of age.

6. The minor is not married.

7. The minor needs a guardian and my appointment is appropriate under Section 30.1-27-02 of the North Dakota Century Code (N.D.C.C.) because (*choose either a. or b.*):

a. Both of the minor's parents are deceased.

The will of _____ (*appointing parent*) was filed for probate in this court on _____ (*date*), case number _____; and the will appoints me to be the guardian of the minor. _____ (*name of appointing parent*) was (*choose one*)

the only parent who left a will; **or**

the last of the parents to die, which gives the appointment by this parent priority.

OR

b. Only one of the minor's parents is deceased; however, the surviving parent's parental rights have been terminated by prior court order, in _____ (*state, county*).

8. Because the will of _____ (*name of appointing parent*) is probated in the above-captioned court, this court has exclusive jurisdiction to approve my acceptance of the testamentary appointment as guardian.

9. By accepting the testamentary appointment as guardian, I acknowledge that I submit personally to the jurisdiction of the court in any proceeding relating to the guardianship that may be instituted by any interested person, as required under N.D.C.C. Section 30.1-27-08.

10. I further acknowledge that, within forty-five days of the filing of this acceptance, I must file with the court a criminal history record check report and affidavit stating whether I have been investigated for offenses related to theft, fraud, or the abuse, neglect, or exploitation of an adult or child and shall provide a release authorizing access to any record information maintained by an agency in this or another state or a federal agency.

11. I have read the duties and powers of a guardian of a minor listed under Section 27-20.1-15 of the North Dakota Century Code (N.D.C.C.) and agree to accept testamentary appointment as guardian.

12. I request this court approve my acceptance of the testamentary appointment as guardian and promptly appoint an attorney to act as guardian ad litem. Fees for the Guardian ad Litem are to be paid from the estate of the deceased parent, if funds are available.

13. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Guardian's Acceptance of Appointment in a Will is true and correct.

STATE OF _____)
COUNTY OF _____) ss.
COUNTRY OF _____)

Signed on this _____ day of _____, 20_____.

Signature

Printed Name

Address

City, State, Zip Code

Telephone Number: _____

Email Address: _____