

### **Instructions for Termination of Guardianship**

Packet contains: Petition, Order for Termination of Guardianship, and Guardian's Final Report

Read Directions Completely – Please Type or Print Neatly

**Caution:** Use of forms without the assistance of a lawyer could harm your legal rights. You may want to have a lawyer review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

1. Petitioner: Complete the Petition including the case number from the original guardianship case.
2. Complete the Order for Termination of the Guardianship for the judge's signature.
3. Complete the Final Report and sign it in front of a notary.
4. Sign the Petition. File the original and 1 copy of the petition and the final report with the Clerk of the District Court.
5. Contact the Administrative Assistant for the court to see if the matter can be heard immediately without a hearing (forthwith). If yes, provide the order for the judge's signature.
6. Make several copies of the signed Order (Social Security, banks, and others will need a file stamped copy of the Order). File the Order with the Clerk of the District Court. The additional copies will be file stamped for no additional charge at that time.
7. If a hearing is required obtain a date and time for a hearing before the court from the Administrative Assistant and ask what that judge requires for notice (publication, mail or both).
8. If a hearing is required give notice as required by the judge.  
Notice by publication requires you to publish notice of the hearing once a week for three weeks in one of the local papers that publishes legal notices. The paper may send a statement of publication directly to the court or to you. If it is sent to you be sure to bring it with you to the hearing for filing with the Clerk of the District Court.  
Each notice by mail should be sent by registered mail – return receipt requested. Bring the return receipt(s) with you to the hearing for filing with the Clerk of the District Court.

IN THE DISTRICT COURT \_\_\_\_\_ COUNTY, KANSAS

In the Matter of the  
Guardianship of

\_\_\_\_\_

Proceeding Pursuant to K.S.A. Chapter 59

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Case No. \_\_\_\_\_

### PETITION FOR TERMINATION OF GUARDIANSHIP

COMES NOW \_\_\_\_\_, Petitioner and alleges:

1. That I am the guardian in the above captioned matter.
2. I was appointed guardian by order of this court dated \_\_\_\_\_.
3. The information regarding the ward is as follows:  
Name: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Age: \_\_\_\_\_  
Permanent Address: \_\_\_\_\_  
\_\_\_\_\_
4. The guardianship is terminated because the ward died on \_\_\_\_\_ (a copy of the death certificate is attached to this petition as exhibit A).
5. The guardian has performed its duties and responsibilities under law.
6. The truth of this petition may be proved by:  

<i>Name</i>	<i>Address</i>
_____	_____
7. I have attached a final report as required by K.S.A. 59-3091(i).
8. The guardian seeks discharge from its office as guardian.

**WHEREFORE**, the petitioner requests that the Court:

1. Terminate the guardianship.
2. Accept the submitted final report.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Petitioner**

Name: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

IN THE DISTRICT COURT \_\_\_\_\_ COUNTY, KANSAS

In the Matter of the  
Guardianship of

\_\_\_\_\_  
\_\_\_\_\_  
Proceeding Pursuant to K.S.A. Chapter 59

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Case No. \_\_\_\_\_

**ORDER SUMMARILY TERMINATING GUARDIANSHIP**

On \_\_\_\_\_, this matter is heard on the Petition of \_\_\_\_\_  
(Date) (Name)  
for termination of guardian. \_\_\_\_\_ appears in person.  
(Name)

There are no other appearances.

After examining the files, and hearing the evidence, statements and arguments of counsel, the Court finds that:

1. No notice of this hearing is necessary or required by law and the Court shall hear this matter forthwith and without notice.
2. \_\_\_\_\_ has petitioned the Court for termination of guardianship by virtue of the  
(Name)  
ward being deceased.
3. \_\_\_\_\_ has factually alleged that he is the guardian of  
(Name)  
\_\_\_\_\_ and that the ward died on \_\_\_\_\_.  
(Ward's name) (Ward's date of death)

IT IS THEREFORE ORDERED BY THE COURT that:

- A. The above findings be made a part of the order and decree of the Court.
- B. A final report by the guardian has been filed.
- C. The guardianship of \_\_\_\_\_ is hereby terminated.  
(Ward's name)

IT IS SO ORDERED.

\_\_\_\_\_  
*JUDGE OF THE DISTRICT COURT*

IN THE DISTRICT COURT \_\_\_\_\_ COUNTY, KANSAS

In the Matter of the )  
Guardianship of )

Case No. \_\_\_\_\_

\_\_\_\_\_) )  
\_\_\_\_\_) )  
Proceeding Pursuant to K.S.A. Chapter 59 )

### FINAL REPORT

For the period from \_\_\_\_\_, 20\_\_ to \_\_\_\_\_, 20\_\_

1. Ward's Address(es) during reporting period, type of residence and length of stay:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The approximate number of times the guardian has had contact with the ward, and the nature of such contacts and the date the ward was last seen by the guardian is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Summarize the medical, social, educational, vocational and other professional services received by the ward during this reporting period:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. If the ward is institutionalized, do you believe the care and treatment provided is appropriate?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Have you observed any mental or physical changes in the ward? If yes, please describe.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have any major problems arisen with regard to the guardianship during this reporting period?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. In your opinion, does the ward continue to require a guardian, and if so, do you believe the powers of the guardian need to be increased or decreased?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. What compensation are you requesting and are you requesting any reimbursement for expenses incurred as guardian?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Other comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Guardian

STATE OF KANSAS ))

ss:

County of \_\_\_\_\_ )

\_\_\_\_\_, of lawful age, being first duly sworn on oath states: that he/she is the above-named guardian; that he/she has read the above annual/final report in the Guardianship of \_\_\_\_\_; that he/she knows the content thereof, and that all the statements made therein are true.

Guardian \_\_\_\_\_  
Address \_\_\_\_\_  
Phone Number \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

My appointment expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public