

IN THE 29TH JUDICIAL DISTRICT  
DISTRICT COURT WYANDOTTE COUNTY, KANSAS  
PROBATE DEPARTMENT

In the Matter of the Guardianship  
And Conservatorship:

Case No: \_\_\_\_\_  
Division 10  
*Pursuant to Ch. 59*

**PRELIMINARY ORDERS AND NOTICE**

ON \_\_\_\_\_, 20\_\_\_\_, [a petition as provided for in K.S.A. 59-3058, and amendments thereto, alleging that the proposed ward and proposed conservatee is an adult with an impairment in need of a guardian and conservator], the district court issues the following preliminary orders and notice shall be given to all of the following persons:

- \_\_\_\_\_ Petitioner, \_\_\_\_\_
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.
- \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_; listed in Petition.

At this time the proposed ward is not represented and agrees to Guardianship and Conservatorship.

[or]

At this time the proposed ward is represented by \_\_\_\_\_.

The date, time, and place of the trial on the Petition shall be on \_\_\_\_\_, 20\_\_\_\_, Division 10, at \_\_:\_\_\_ a.m. p.m. **via ZOOM**. The time fixed in the order shall in no event be earlier than seven days or later than twenty-one (21) days after the filing of the petition.

If a demand for a trial by jury is filed pursuant to subsection (b) of K.S.A. 59-3067, and amendments thereto, by the proposed ward and proposed conservatee, the court may continue the trial and fix a new time and place of the trial at a time beyond the 21 days but within a reasonable time not to exceed 30 days from the date of the filing of the demand.

The proposed ward and proposed conservatee shall appear at the time and place of the trial. Proposed ward currently have no counsel.

[or]

Proposed ward is represented by \_\_\_\_\_ as guardian ad litem.

The proposed ward is an adult and has the right to engage an attorney of the proposed ward's own choosing and, in such case, the attorney appointed by the court shall be relieved of all duties. Any appointment made by the court shall terminate upon a final determination of the Petition and any appeal therefrom, unless the Court continues the appointment by further order.

Thereafter, an attorney may be appointed by the court if requested, in writing or oral motion, by the proposed ward; guardian and conservator; or upon the Court's own motion.

It is in the best interests of the proposed ward, that a hearing be held, at which the proposed ward shall have the opportunity to consult with a court appointed attorney. This consultation shall be scheduled to occur not later than five days prior to the scheduled trial on the Petition, provided that if an examination and evaluation as provided for in K.S.A. 59-3064, and amendments thereto, is ordered then this consultation shall be scheduled to occur prior to the time at which that examination and evaluation is scheduled to occur.

Notice shall be given to all persons listed above at least ten (10) days prior to the date of the trial. Two copies of the Petition, report of examination and evaluation and these Preliminary Orders shall be served upon the attorney appointed to represent the proposed ward. The attorney appointed to represent the proposed ward shall personally serve these documents on the proposed ward at their first meeting and shall file an affidavit of service prior to the time of trial. The Petitioner or Petitioner's counsel shall service a copy of the Petition, report of examination and evaluation and these Preliminary Orders and notice on all other persons identified above by first class mail, postage prepaid, and file an affidavit of service prior to the time of trial.

The Petition is accompanied by a report of an examination and evaluation of the proposed ward and proposed conservatee, as provided for in K.S.A. 59-3058, and amendments thereto, and the court determines that such report meets the requirements of K.S.A. 59-3064 and amendments thereto, the court determines that no additional examination or evaluation is required and that none shall be ordered, unless requested by the proposed ward pursuant to subsection (d) of K.S.A. 59-3064 and amendments thereto.

IT IS SO ORDERED.

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Judge of the District Court