

Instructions for completing
Request for Waiver of Personal Appearance
(NHJB-2168-P)

Form use. Generally, the law requires that the ward attend the guardianship hearing. This form is used to ask the court to waive that requirement. Pursuant to RSA 464-A:8 II, this form shall be filed with the court at least 24 hours prior to the hearing.

Top part of form

- COURT NAME:** Enter the name of the circuit court where the document will be filed. (example: 1st Circuit Court-Probate Division-Lancaster; 4th Circuit Court-Probate Division-Laconia).
- CASE NAME:** Enter the name of the case. (example: Estate of John Adams; Estate of Susan Jones).
- CASE NUMBER:** Leave blank if not yet assigned by court OR fill in case number if it is known.

Top signature section of form

- On the first line beginning “I/We”, enter the name(s) of the petitioner or attorney for the proposed ward.
- On the second line after “proposed ward”, enter the name of the proposed ward.
- The sentence prior to the signature section for the petitioner or counsel indicates that the person filing this document has provided copies to all attorneys, parties and persons beneficially interested in the case. At the signature line, you or the attorney for the proposed ward will sign the form on the **Petitioner(s) or Counsel for the proposed ward** line, and date it in the appropriate space to the left.

PHYSICIAN’S AFFIDAVIT

- On the first line beginning “I”, enter the physician’s full name.

Numbered section of form

1. Enter the name of the facility with which the physician is affiliated and the town or city where it is located.
2. Enter the name of the proposed ward and the name and address of the facility where the ward is a patient.
3. Check off the box(es) that apply to this ward’s condition, either:
 - His/her overall condition is such that he/she is likely to suffer harm if required to attend; and/or
 - He/she has not ability to understand the proceedings.

Signature section

This form must be signed in the presence of a Notary Public or Justice of the Peace. They will complete the section immediately following the physician’s signature. The physician will sign the form on the **Physician Signature** line, and date it in the appropriate space to the left. Generally the physician affidavit section is completed and then the form is given to petitioner or attorney for the proposed ward to complete the top section of the form.

Order

This section will be completed by the judge once the document is filed with the court and reviewed in detail by the judge.

Review the completed form for accuracy prior to filing it with the court. If completing this form on-line, some fields may be filled in automatically based on entries in other fields. If more space is needed for any question, please attach additional sheets of paper.