

Circuit Court Probate Division

Guardianship Hearing Information Sheet

1: Obligations and Responsibilities of the Petitioner

- The petitioner is prepared to prove beyond a reasonable doubt that the proposed ward needs a guardian (See #4 of [Questions and Answers about New Hampshire Guardianship](#)).
- The petitioner is prepared to clearly explain all the claims made in the petitioner's statement of the need for guardianship due to the proposed ward's inability to provide for basic needs. For each incapacity it can be shown that substantial harm will or has occurred as a result and that the proposed ward is not making an informed decision (See #5 of [Questions and Answers](#)).
- The petitioner has located witnesses, including the petitioner, family, friends, and professionals, who have worked with and directly observed the proposed ward. These witnesses should be able to support the claims of incapacity made by the petitioner in the statement for the need for guardianship based on their direct observations of the proposed ward.
- The petitioner has explored all less restrictive alternatives to guardianship and is prepared to testify about them.
- Relatives and other interested parties have made contact with the proposed ward, the proposed ward's attorney, and/or the petitioner to offer information regarding the need for guardianship.
- Relatives and other interested parties are prepared to offer ideas concerning less restrictive alternatives to guardianship, including any information regarding previously expressed wishes of the proposed ward, the existence of durable power of attorney, durable power of attorney for health care, and living will.
- Relatives and other interested parties are prepared to be witnesses providing evidence either supporting or challenging the need for guardianship.