

STATE OF MAINE

_____ COUNTY PROBATE COURT

DOCKET NO. _____

In Re: _____
Protected Person

PETITION FOR
INTERIM ORDER¹

1. Name, address and telephone number of petitioner:

2. Interest of petitioner:²

3. Name and residence address of the protected person:

4. Petitioner believes an interim order is required in this matter. The interim order would:³ (Check where applicable)

- a. Accept the resignation of the conservator.⁴
- b. Appoint a temporary conservator.⁵
- c. Appoint a successor conservator.
- d. Remove the conservator.⁶
- e. Require a bond or other security
- f. Require additional bond or security
- g. Reduce the bond
- h. Require accounting⁷
- i. Instruct the conservator concerning his fiduciary responsibilities
- j. Direct distribution
- k. Enlarge the powers of the conservator⁸
- l. Limit the powers of the conservator⁹
- m. Grant the powers of a personal representative to the conservator¹⁰
- n. Grant the following other relief:

5. The factual and legal basis for the required relief is as follows:

6. Is the appointment of a (visitor) (Guardian ad litem) (attorney) required? ____ YES ____ NO. If not, explain. If yes, state what funds are available in the protected person's estate to pay the cost of said appointment. ¹¹

7. Name and current addresses of all persons who must be notified, including the protected person, and state the relationship of each such person to the protected person. ¹² (Indicate if waivers of notice have been or are to be filed).

NAME

ADDRESS

RELATIONSHIP

WAIVERS

8. Wherefore, the petitioner prays that the Court enter an order in the attached draft order.¹³

Under penalty of perjury, I the undersigned, state that all of the foregoing facts and statements are complete and accurate as far as I know or am informed.¹⁴

Dated: _____

Petitioner, or Attorney for Petitioner
“Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name.” See M.R.Prob.P. 11.

Name, address and telephone number of attorney for petitioner, if any:

Attorneys appearing for other parties:
Name of Attorney Name of Party

¹ This petition can be used only when a conservator has already been appointed. See 18-A MRSA § 5-416.

² Any interested person as defined in 18-A MRSA § 1-201 (20), specifically including the conservator or protected person, may apply. See also § 5-416.

³ See 18-A MRSA § 5-416.

⁴ See 18-A MRSA § 5-415. A conservator must account to the Court for the administration of his trust upon his resignation. See § 5-419.

⁵ See 18-A MRSA 5-416 (4). A temporary conservator would be appointed pending the removal or resignation of an existing conservator.

⁶ See 18-A MRSA § 5-415. An accounting is required of a conservator who is being removed. See § 5-419.

⁷ Upon resignation or removal of the conservator, an accounting must be filed. Upon termination of the conservatorship, an accounting may be required at other times as the court may direct. See 18-A MRSA § 5-419.

⁸ See 18-A MRSA § 5-426.

⁹ See 18-A MRSA § 5-426

¹⁰ See 18-A MRSA § 5-425 (c). Original letters of conservatorship need to be endorsed to note that the protected person is deceased and that the conservator has acquired all the powers and duties of a personal representative.

¹¹ See 18-A MRSA § 5-407 (b).

¹² Notice requirements are the same as for the same as for the initial conservatorship proceeding. See 18-A MRSA § 5-405 (a). If the proceeding refers to a bond, see § 5-412 (a)(3).

¹³ Attach a draft order in a form acceptable for signature by the Court. The draft order is part of this petition and must be served with this petition on all persons entitled to notice.

¹⁴ See 18-A MRSA § 1-310.

MARP