

Minnesota Guardianship & Conservatorship

Termination Checklist

1. PREPARE

Talk with the person subject to guardianship about the plan: ***What do they hope will be different/better without a guardian/conservator? What are they nervous about?***

Invite others in the person's support circle such as family, social workers, direct care staff, or doctors to **share their opinions about the kind of support the person may need.**

Consider using a tool such as the [Brainstorming Guide to Supported Decision-Making](#) to talk through **which areas the person wants help with or where support will continue** after the guardianship/conservatorship ends (is terminated) or changes (is modified).

Review documents or tools that may be used to support decision making ***after the guardianship ends***, like:

- Health Care Directive
- Power of Attorney
- Releases of Information
- Supported Decision Making Agreement
- Authorized Representative (DHS/MA/Waiver)

Review documents or tools that may be used to support decision making ***after the conservatorship ends***, like:

- Power of Attorney
- Representative Payee through Social Security
- Banking tools
- ABLE Account, Special Needs Trust, or other financial tools
- Informal help with organizing paperwork and prioritizing spending choices

2. PETITION

Choose whether to work with an attorney or file petition documents without an attorney (this is called "pro se"). **NOTE:** *Persons Subject to Guardianship or Conservatorship have a right to have an attorney represent them when petitioning the court.*

Though not required by law, **it may be helpful to gather statements in support of the termination** from professionals such as a physician's statement in support of the termination, or a letter from other professionals who know the person well.

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Encourage the person to be specific about what they want. They should express their preferences when talking to both the court visitor and their attorney but may need help in advocating for themselves.

Prepare for the court hearing. You will need to explain why the guardianship/conservatorship is no longer needed and highlight other supports the person has and plans to put into place upon termination of the guardianship/conservatorship. You may be asked to explain what is different in the person's life now than when the guardianship/conservatorship was first set up.

3. POST-MODIFICATION/TERMINATION

Complete documents which may include:

- A Health Care Directive
- Release of Information forms for health care providers, social services, and school
- Supported Decision Making Agreement
- Power of Attorney

Give copies of these documents to relevant people or organizations and those appointed or named in the documents.

Tell providers and others who should know that guardianship/conservatorship has ended.

Give supporters' current contact information to the person's providers if this information is not already provided in another format (such as Health Care Directive, Release of Information, Supported Decision Making Agreement, etc.).

For More Information

For an individualized consultation about your situation, contact:

The Guardianship Information Line:

☎ **952-945-4174 or 844-333-1748**

✉ **cesdm@voamn.org**

Visit our website for many more resources:

🌐 **www.voamnwi.org/cesdm**
or scan the QR code

