

V I R G I N I A:

IN THE CIRCUIT COURT FOR [JURIS]

[PETITIONER]

V.

[RESPONDENT]

***RESPONSE AND REPORT OF
GUARDIAN AD LITEM***

Comes now [GAL], previously appointed Guardian *ad litem* (herein "GAL") for [RESPONDENT], (herein "Respondent") and responds to the petition and reports as follows:

1. The GAL fully investigated this matter, such investigation including the review of pleadings, medical records, banking and other records, interviews with interested parties, and an interview with the Petitioner.
2. On [DATE] the GAL met with the Respondent. At that time I personally served the Respondent with the papers in this case pursuant to 37.2-1004 B, which papers contained the petition, the Order appointing the GAL, and the notice required by 37.2-1004 D in 14 point type. I specifically advised the Respondent of all rights in accordance with §37.2-1006 and §37.2-1007 of the Code of Virginia.
3. This Court has proper jurisdiction under both §§37.2-1001 and 1004 of the Code of Virginia. Respondent resided [RESP-RESIDENCE] prior to the petition and was served within the jurisdiction of this Court.
4. The GAL does not believe that counsel should be appointed for the Respondent. This matter does not appear to be adversarial and from the investigation by the GAL the rights and interest of the

Respondent are being adequately protected without the additional protection (and cost) of appointing an attorney to protect them.

5. The Medical evaluation report substantially complies with §37.2-11005 of the Code of Virginia and no additional reports are necessary. The evaluation report indicates the following:

- a. Name of evaluator*
- b. Professional license of evaluator*
- c. Date(s) of evaluation*
- d. Diagnosis*
- e. Description of nature, type, extent of Respondent's incapacity*
- f. Prognosis for improvement:*

6. Both a guardian and a conservator are needed in that Respondent meets the criterion for being an incapacitated person as defined in 37.2-1000 of the Code of Virginia. Further the guardian and conservator should not be limited in their powers, except for the sale of real estate if any, and should continue in perpetuity. This recommendation is based on the following factors:

- a. Limitations of Respondent*
- b. Development of Respondent's maximum self-reliance and independence*
- c. Availability of less restrictive alternatives (including advance Directives and durable powers of attorney)*
- d. Extent necessary to protect Respondent from neglect, exploitation or abuse*
- e. Actions needed to be taken by guardian & conservator*

7. The information reviewed by the GAL indicates that the Respondent owns, receives or has an interest in the following:

<i>Asset type</i>	<i>Description or Source</i>	<i>Value</i>
<i>a. Real Estate</i>		
<i>b. Bank Accounts</i>		
<i>c. Brokerage Accounts, stocks & Mutual funds</i>		
<i>d. Motor Vehicles</i>		
<i>e. Other significant assets</i>		

TOTAL ASSETS

Monthly Income (Retirement or other)

Soc. Sec. / Veterans Pens.

Other Pension

Other Income

Total monthly income

ANNUALIZED income

8. Petitioner, [PETITIONER] should be appointed both Guardian and Conservator of the Respondent. The following factors were taken into consideration:

- a. Geographic location*
- b. Family or other relationship with the Respondent*
- c. Ability to carry out the powers and duties of the appointment*
- d. Commitment to promoting Respondent's welfare*
- e. Potential conflict of interest*
- f. Wishes of Respondent*
- g. Recommendations of relatives*

9. There are not any other matters that came to the attention of the GAL during the course of the investigation. *Other matters could include a duty to support a spouse, or child, ongoing litigation in which the Respondent is a party, bald rumors that need follow up, etc.*
10. Recommended placement of the Respondent is _____ because
11. A surety bond in the amount of _____ with/without surety is recommended as the conservator's bond given the assets and income noted above.

Respectfully

(GAL), Guardian *ad litem*

CERTIFICATE OF MAILING/DELIVERY

I certify that a copy of the foregoing was mailed or delivered to the following on [date].

Counsel for Petitioner
