

respondent does not have an attorney, then before the visitor's interview, the visitor must give the respondent the name, address and telephone number of the court-appointed attorney who will help the respondent, and the visitor must offer to help the respondent contact the attorney.

- c. **Medical Expert.** The court must appoint a person with expertise in the area of respondent's alleged incapacity to examine the respondent and report to the court. The respondent may hire or ask the court to appoint a different expert to testify on respondent's behalf.
- d. **Examinations and Evaluations.** The respondent has the right to refuse to respond to questions during examinations and evaluations. However, respondent may be required to submit to interviews for the purpose of ascertaining whether he/she lacks the capacity to make informed decisions about care and treatment services. The respondent has the right to be accompanied by an attorney or expert during interviews and tests.
- e. **Evaluation Report.** After the reports of the visitor and the expert are filed with the court, the respondent may file responses to these reports.
- f. **Guardian Ad Litem.** The respondent can ask the court to appoint a "*guardian ad litem*" if the respondent cannot determine his/her own best interests without assistance (because his/her ability to understand the guardianship proceedings or make decisions about them is impaired). If appointed, the *guardian ad litem* will help the respondent determine what is best for respondent in this legal case. If respondent is entirely incapable of making that determination, the *guardian ad litem* will make it. The Office of Public Advocacy will provide this service at state expense if the court determines that respondent cannot afford it.
- g. **Rights at the Hearing.** At the hearing, respondent has the right to (1) present evidence on his/her own behalf, (2) cross-examine witnesses who testify against him/her, (3) remain silent, (4) have the hearing open or closed to the public as he/she decides, (5) be present unless the court determines that his/her conduct in the courtroom is so disruptive that the proceedings cannot reasonably continue with him/her present, and (6) be tried by a jury on the issue of incapacity.

The respondent has a right to participate to the maximum extent possible in all judicial proceedings concerning him/her and to be free from the influence of psychotropic medication during the proceedings. If the respondent is taking such medication, the court must decide whether to continue or suspend the medication during the court proceedings.

- h. **Dismissal of Guardian.** If a guardian is appointed, the respondent has the right to request, at a later time, that the guardian be dismissed or that the guardianship order be changed.

Date

Petitioner

Certificate of Service

[Write names on the blank lines and check the boxes that show how notice was delivered.]

I certify that on _____, a copy of this notice was mailed or delivered to:
(date)

Respondent's spouse _____ by certified mail * process server
(name)

Respondent's parents _____ by certified mail *
(names) process server

.....
 All respondent's adult children (list names):

_____ by first class mail hand delivery by _____

_____ by first class mail hand delivery by _____

_____ by first class mail hand delivery by _____

_____ by first class mail hand delivery by _____

_____ by first class mail hand delivery by _____

_____ by first class mail hand delivery by _____

None of the above relatives of respondent could be notified, so the notice was sent to the following close adult relative of respondent: _____ Relationship to respondent: _____ by first class mail hand delivery by _____

Respondent's conservator (if one has been appointed): _____ by first class mail hand delivery by _____

The person who currently has care and custody of respondent: _____ by first class mail hand delivery by _____

Respondent's attorney: _____ by first class mail hand delivery by _____

Respondent's guardian ad litem (if one has been appointed): _____ by first class mail hand delivery by _____

Also, because I am asking the court to appoint a full guardian, with the powers of a conservator, I mailed or delivered a copy of this notice to the following persons on the date listed above:

The following persons to whom the court has directed that notice be given (list names):
_____ by first class mail hand delivery by _____
_____ by first class mail hand delivery by _____

The following other interested persons:
_____ by first class mail hand delivery by _____
_____ by first class mail hand delivery by _____

Signature of Petitioner

Mailing Address City State ZIP
Daytime Telephone _____

* If the spouse or parents are outside Alaska, you can send this notice to them by ordinary first-class mail instead of certified mail. AS 13.26.135 (b). File form PG-117 if you use certified mail.