



COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
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Bulletin

TO: All Justices, Registers, Judicial Case Managers, Assistant Judicial Case Managers, First Assistant Registers, Assistant Registers, Chief Probation Officers and Family Law Facilitators

FROM: Hon. Paula M. Carey, Chief Justice

DATE: August 12, 2008

**RE: Justices' Bulletin #2008-10
Registers' Bulletin #2008-9
Judicial Case Managers Bulletin #2008-9
Assistant Judicial Case Managers' Bulletin #2008-9
First Assistant Registers' Bulletin #2008-9
Assistant Registers' Bulletin #2008-9
Chief Probation Officers' Bulletin #2008-9
Family Law Facilitators' Bulletin # 2008-1**

**PETITION FOR
GUARDIANSHIP**

Attached is the new Petition for Guardianship of mentally disabled and/or physically incapacitated persons (CJ-P 110).

This new petition is designed to protect proposed wards, including elderly persons, and to ensure that judges have the information they need in order to craft a guardianship, if appropriate, that interferes with an individual's personal liberty only to the extent necessary. The effective date of the new petition is September 1, 2008.

The detailed information to be provided on the petition requires disclosure about the proposed ward's individual circumstances, his or her estate, where and with whom the proposed ward lived during the last sixty (60) days, his or her expected future residence, and a list of his or her heirs at law.

The petition must indicate the grounds for the guardianship: mental illness, mental retardation, or physical incapacity or illness of the proposed ward; the reason why a guardianship is necessary; and, whether the guardianship can be limited in any manner. The petitioner(s) must designate whether a full or limited guardianship is sought and must define the scope of the guardianship.

Petitions for limited guardianship rather than full guardianship are encouraged, if possible, in order to fully protect the ward's individual autonomy and personal liberty interests.

The rollout of this new petition builds on the protections put in place with the introduction of a new Medical Certificate by the Probate and Family Court on April 15, 2008.

If you have any questions, please contact Attorney John H. Cross or Attorney Jocelyne D. Welsh at the Administrative Office of the Probate and Family Court Department at (617) 788-6600.

Attachment

PMC/kmr