

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
GENERAL DIVISION**

In the Estate of \_\_\_\_\_ of \_\_\_\_\_, in the Province of  
Newfoundland and Labrador,

PETITION FOR GUARDIANSHIP UNDER THE  
MENTALLY DISABLED PERSONS' ESTATES ACT

TO THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR, GENERAL  
DIVISION, OR ONE OF THE HONOURABLE JUDGES THEREOF

The Petition of \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of Newfoundland and Labrador and \_\_\_\_\_, of \_\_\_\_\_,  
in the Province of Newfoundland and Labrador, says that:

1. \_\_\_\_\_, is currently a resident of \_\_\_\_\_, in the  
Province of Newfoundland and Labrador, and is
2. The said \_\_\_\_\_ is a person who, because of a condition of arrested  
or incomplete development of mind (whether arising from inherent causes or induced by  
disease or injury) or a disorder of the mind, requires care, supervision and control for the  
protection of his/her property. [For applications under s. 3 of the *Mentally Disabled  
Persons' Estates Act*.]

**OR**

The said \_\_\_\_\_ is a person who, through mental infirmity  
arising from disease, age, habitual drunkenness, the use of drugs or other cause, is  
incapable of managing his or her affairs. [For applications under s. 17 of the *Mentally  
Disabled Persons' Estates Act*.]

3. The said \_\_\_\_\_, is currently residing at \_\_\_\_\_,  
in the Province of Newfoundland and Labrador,

however, we are handling (*assistance being provided to person*), for our

4. Attached hereto and marked Schedule "A" is the Affidavit of \_\_\_\_\_, of \_\_\_\_\_, in the Province of Newfoundland and Labrador, \_\_\_\_\_, wherein the said \_\_\_\_\_ deposes that the said \_\_\_\_\_, is incapable of managing his/her own affairs and that it is unlikely he/she will ever be able to manage his/her own affairs in the future.
5. That the said \_\_\_\_\_ has the following next of kin and no others, namely:
- (a) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;
  - (b) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;
  - (c) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;
  - (d) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;
  - (e) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;
6. That the following person(s) reside within the jurisdiction and (is/are) entitled either in priority or have an equal right with the Petitioners to a grant of Letters of Guardianship under the *Mentally Disabled Persons' Estates Act* and have consented to the said appointment, which Consents are annexed hereto:
- (a) \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, age \_\_\_\_\_ years;

(b) \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of \_\_\_\_\_, age \_\_\_\_\_ years;

(c) \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of \_\_\_\_\_, age \_\_\_\_\_ years;

(d) \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of \_\_\_\_\_, age \_\_\_\_\_ years;

(e) \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of \_\_\_\_\_, age \_\_\_\_\_ years;

(f) \_\_\_\_\_, of \_\_\_\_\_, in the  
Province of \_\_\_\_\_, age \_\_\_\_\_ years;

7. That at the date of this Petition, the said \_\_\_\_\_ was possessed of property within the jurisdiction of this Honourable Court of an approximate value of \_\_\_\_\_. That the paper-writing hereto annexed and marked "B" is a true and correct Inventory and Valuation of the estate and effects of the said \_\_\_\_\_ so far as your Petitioners can at present ascertain.

8. No Letters of Guardianship of the Estate and Effects of the said \_\_\_\_\_ have been applied for or granted to any person.

The Petitioners therefore apply for a grant of Letters of Guardianship of the Estate of the said \_\_\_\_\_ to be issued to the Petitioners, pursuant to the *Mentally Disabled Persons' Estates Act*, R.S.N. 1990, c. M-10.

Dated at \_\_\_\_\_ in the Province of Newfoundland and Labrador this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Name of Petitioner

---

**Name of Petitioner**