

# Rights of the Ward

The ward retains certain rights even though they have a guardian or conservator appointed for them. These are basic rights that should not surprise anyone. It can be summed up by saying that the ward has the right to be cared for with dignity, and that their assets are used to take care of themselves.

## **Rights Retained by Ward**

The ward has the right to a qualified guardian who acts in the ward's best interest.

The ward has the right to a guardian who is reasonably accessible to the ward.

The ward has the right to have the ward's property used for the ward's support, care, education, health, and welfare.

The ward has the right to communicate freely and privately with people other than the guardian. The guardian cannot limit who the ward talks with, and cannot require that they be present for those conversations. The court may place such limits, so if the guardian has certain concerns they should be brought to the Court's attention so that the Court's order will reflect what the Court deems appropriate.

The ward has the right to challenge the need or scope of the guardianship, including challenging the decision of the court by appealing.

The ward has the right to the least restrictive form of guardianship assistance that is deemed appropriate by the court.

The ward has the right to have their legal capacity restored at the earliest possible time.

Having a guardian makes no determination regarding the right to vote.

Having a guardian does not mean the ward does not have the capacity to make a will.