

232D.305 Court visitor.

1. The court may appoint a court visitor for the minor in a proceeding for the appointment of a guardian for a minor.

2. The same person shall not serve both as the attorney representing the minor and as court visitor.

3. Unless otherwise enlarged or circumscribed by the court, the duties of a court visitor with respect to the minor shall include all of the following:

a. Conducting, if the minor's age is appropriate, an initial in-person interview with the minor.

b. Explaining to the minor, if the minor's age is appropriate, the substance of the petition, the purpose and effect of the guardianship proceeding, the rights of the minor at the hearing, and the general powers and duties of a guardian.

c. Determining, if the minor's age is appropriate, the views of the minor regarding the proposed guardian, the proposed guardian's powers and duties, and the scope and duration of the proposed guardianship.

d. Interviewing the parent or parents and any other person with legal responsibility for the custody, care, or both, of the minor.

e. Interviewing the petitioner, and if the petitioner is not the proposed guardian, interviewing the proposed guardian.

f. Visiting, to the extent feasible, the residence where it is reasonably believed that the minor will live if the guardian is appointed.

g. Making any other investigation the court directs, including but not limited to interviewing any persons providing medical, mental health, educational, social, or other services to the minor.

4. The court visitor shall submit a written report to the court that contains all of the following:

a. A recommendation regarding the appropriateness of a guardianship for the minor.

b. A statement of the qualifications of the guardian together with a statement of whether the minor has expressed agreement with the appointment of the proposed guardian.

c. Any other matters the court visitor deems relevant to the petition for guardianship and the best interests of the minor.

d. Any other matters the court directs.

5. The report of the court visitor shall be made part of the court record unless otherwise ordered by the court.

6. The court may order a court visitor to continue to serve if the court determines continued service would be in the best interest of the minor. If the court continues the services of the court visitor, the court may limit the direct duties of the court visitor as the court deems necessary in which case the court visitor shall thereafter continue to serve until discharged by the court. If the court does not order the court visitor to continue, the order appointing the guardian shall discharge the court visitor.

[2019 Acts, ch 56, §15, 44, 45](#); [2024 Acts, ch 1009, §4, 5](#)

Subsection 1 amended

NEW subsection 6