

524.5-102 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 524.5-101 to 524.5-502, the terms defined in this section have the meanings given them.

Subd. 2. **Claim.** "Claim," with respect to a protected person, includes a claim against an individual, whether arising in contract, tort, or otherwise, and a claim against an estate which arises at or after the appointment of a conservator, including expenses of administration.

Subd. 3. **Conservator.** "Conservator" means a person who is appointed by a court to manage the estate of a protected person and includes a limited conservator.

Subd. 4. **Court.** "Court" means the district court.

Subd. 5. **Guardian.** "Guardian" means a person who has qualified as a guardian of a minor or incapacitated person pursuant to appointment by a parent or spouse, or by the court, and includes a limited, emergency, or temporary substitute guardian but not a guardian ad litem.

Subd. 6. **Incapacitated person.** "Incapacitated person" means an individual who, for reasons other than being a minor, is impaired to the extent of lacking sufficient understanding or capacity to make or communicate responsible personal decisions, and who has demonstrated deficits in behavior which evidence an inability to meet personal needs for medical care, nutrition, clothing, shelter, or safety, even with appropriate technological assistance.

Subd. 7. **Interested person.** "Interested person" includes:

- (i) the ward, protected person, or respondent;
- (ii) a nominated guardian or conservator, or the duly appointed guardian or conservator;
- (iii) legal representative;
- (iv) the spouse, parent, adult children and siblings, or if none of such persons is living or can be located, the next of kin of the ward, protected person, or respondent;
- (v) an adult person who has lived with a ward, protected person, or respondent for a period of more than six months;
- (vi) an attorney for the ward or protected person;
- (vii) a governmental agency paying or to which an application has been made for benefits for the respondent, ward, or protected person, including the county social services agency for the person's county of residence and the county where the proceeding is venued;
- (viii) a representative of a state ombudsman's office or a federal protection and advocacy program that has notified the court that it has a matter regarding the ward, protected person, or respondent;
- (ix) a health care agent or proxy appointed pursuant to a health care directive as defined in section 145C.01, a living will under chapter 145B, or other similar document executed in another state and enforceable under the laws of this state; and
- (x) any other person designated by the court.

Subd. 8. **Legal representative.** "Legal representative" includes a representative payee, a guardian or conservator acting for a respondent in this state or elsewhere, or a trustee or custodian of a trust or custodianship of which the respondent is a beneficiary.

Subd. 9. **Letters.** "Letters" includes letters of guardianship and letters of conservatorship.

Subd. 10. **Minor.** "Minor" means an unemancipated individual who has not attained 18 years of age.

Subd. 11. **Next of kin.** "Next of kin" shall be determined by the court.

Subd. 12. **Parent.** "Parent" means a parent whose parental rights have not been terminated.

Subd. 13. **Person.** "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

Subd. 13a. **Professional guardian or professional conservator.** "Professional guardian" or "professional conservator" means a person acting as guardian or conservator for three or more individuals not related by blood, adoption, or marriage.

Subd. 14. **Protected person.** "Protected person" means a minor or other individual for whom a conservator has been appointed or other protective order has been made.

Subd. 15. **Respondent.** "Respondent" means an individual for whom the appointment of a guardian or conservator or other protective order is sought.

Subd. 16. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or a territory or insular possession subject to the jurisdiction of the United States.

Subd. 17. **Ward.** "Ward" means an individual for whom a guardian has been appointed.

History: 2003 c 12 art 1 s 2; 2009 c 150 s 2,3