

**CHAPTER 257B****STANDBY CUSTODIAN; DESIGNATION; GUARDIAN**

257B.05 Petition for approval.

**257B.05 PETITION FOR APPROVAL.**

Subdivision 1. **Generally.** A petition for approval of a designation under this chapter may be made at any time by filing with the court a copy of the designation. No filing fee is required to initiate the proceeding. A court may, however, determine the ability to pay fees in the event of a hearing on the petition. Only the designator may file a petition for confirmation of a temporary custodian. If the triggering event has not occurred on or before the time of filing, only the designator may file the petition for confirmation of a standby custodian. If the triggering event has occurred on or before the time of filing, the standby custodian named in the designation may file a petition containing one of the following:

- (1) a determination of the designator's incapacity;
- (2) a determination of the designator's debilitation and the designator's signed and dated consent; or
- (3) a copy of the designator's death record.

*[For text of subds 2 to 7, see M.S.2000]*

**History:** *1Sp2001 c 9 art 15 s 32*