

Effective 5/7/2025

75-5-101.1 Definitions for chapter.

As used in this chapter:

- (1) "Adult" means an individual who is 18 years old or older.
- (2) "Court visitor" means an individual who is trained in law, nursing, or social work and is an officer, employee, or special appointee of the court with no personal interest in the proceedings.
- (3) "Full guardianship" means a guardianship that grants a guardian all the powers available to the guardian under the law with respect to an individual who is incapacitated, including all the powers, duties, and rights that a parent has with respect to the parent's unemancipated minor child.
- (4) "Incapacitated" means the same as that term is defined in Section 75-1-201.
- (5) "Joint legal decision-making" means two individuals, regardless of whether the individuals are married, sharing legal decision-making and each individual's rights or responsibilities are not being superior to the other individual's rights, except with respect to specified decisions set forth by the court or the individuals in an order of appointment.
- (6) "Legal decision-making" means the legal right and responsibility to make all legal decisions for an individual who is incapacitated, including decisions regarding education, health care, religious training, and personal care decisions.
- (7) "Letters of guardianship" means a legal document that establishes a guardian's authority to make decisions for an individual.
- (8) "Limited guardianship" means, except as provided in Section 75-5-316, a guardianship that grants the guardian less than all powers available to the guardian under the law or otherwise restricts the powers of the guardian.
- (9) "Order of appointment" means an order from a court:
 - (a) appointing a guardian for an individual who is incapacitated; and
 - (b) describing the powers, duties, and responsibilities of the guardian.
- (10) "Specialized care professional" means an individual who is certified as a National Certified Guardian or National Master Guardian by the Center for Guardianship Certification or similar organization.
- (11) "Suitable institution" means any nonprofit or for profit corporation, partnership, sole proprietorship, or other type of business organization that is owned, operated by, or employs a specialized care professional.

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