

**75-5b-102 Definitions.**

In this chapter:

- (1) "Adult" means an individual who has attained 18 years of age.
- (2) "Conservator" means a person appointed by the court to administer the property of an adult, including a person appointed under Title 75, Chapter 5, Part 4, Protection of Property of Persons Under Disability and Minors.
- (3) "Emergency" means circumstances that likely will result in substantial harm to a respondent's health, safety, or welfare, and in which the appointment of a guardian is necessary because no other person has authority to and is willing to act on the respondent's behalf.
- (4) "Guardian" means a person appointed by the court to make decisions regarding the person of an adult, including a person appointed under Title 75, Chapter 5, Part 3, Guardians of Incapacitated Persons.
- (5) "Guardianship order" means an order appointing a guardian.
- (6) "Guardianship proceeding" means a proceeding in which an order for the appointment of a guardian is sought or has been issued.
- (7) "Home state" means the state in which the respondent was physically present for at least six consecutive months immediately before the filing of a petition for the appointment of a guardian or protective order. A period of temporary absence counts as part of the six-month period.
- (8) "Incapacitated person" means an adult for whom a guardian has been appointed.
- (9) "Party" means the respondent, petitioner, guardian, conservator, or any other person allowed by the court to participate in a guardianship or protective proceeding.
- (10) "Person," except in the terms "incapacitated person" or "protected person," means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government or governmental subdivision, agency or instrumentality, public corporation, or any other legal or commercial entity.
- (11) "Protected person" means an adult for whom a protective order has been made.
- (12) "Protective order" means an order appointing a conservator or another court order related to management of an adult's property.
- (13) "Protective proceeding" means a judicial proceeding in which a protective order is sought or has been issued.
- (14) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (15) "Respondent" means an adult for whom a protective order or the appointment of a guardian is sought.
- (16) "Significant-connection state" means a state, other than the home state, with which a respondent has a significant connection other than mere physical presence and in which substantial evidence concerning the respondent is available.
- (17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Indian tribe, or any territory or insular possession subject to the jurisdiction of the United States.

Enacted by Chapter 253, 2008 General Session