#### Model Affidavit of Guardian Supporting Voting Rights of Person Subject to Guardianship

**IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_ COURT FOR THE STATE OF [STATE NAME]**

**FOR THE COUNTY OF [COUNTY NAME]**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Guardianship of** **)**

 **)**

 **)**

 **)**

**JOHN DOE,** **)** **Case No. \_\_\_\_\_\_\_\_\_**

 **)**

 **)**

 **)**

  **)**

**An Incapacitated Person.**  **)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**AFFIDAVIT OF [GUARDIAN]**

NAME OF AFFIANT, being duly sworn, deposes and says:

1. **Use For Initial Guardianship:** I am seeking to be appointed the guardian of John Doe.

2. **Use For Modification of Guardianship:** Pursuant to an Order of this Court dated **[insert date]** (the “Guardianship Order”), I was appointed the guardian of John Doe. Attached hereto at Exhibit A is a copy of the Guardianship Order. The Guardianship Order has not been amended.

3. I submit this Affidavit in support of Mr. Doe’s motion dated **[insert date]** to expressly provide in the Guardianship Order that Mr. Doe retains his right to vote.

4. **[If applicable:]** I am Mr. Doe’s **[describe relationship to ward: wife, son, daughter, brother, sister, aunt, uncle, nephew niece, friend]**. I have known Mr. Doe for **[number of]** years.

5. John Doe is a **[number]** year old male who lives in **[describe where the person under guardianship lives and with whom. For example, if the person still lives in his or her home, state whether the person lives with anyone. If the person does not live in his or her own home, provide the name and address of the facility where the person lives]**.

6. **[If applicable:]** Before I was named his guardian, Mr. Doe regularly exercised his right to vote. **[The guardian should explain how he or she knows that to be the case and, if possible, provide some personal anecdotal evidence. For example, if the guardian is a spouse, a friend or a companion, he or she may be able to say “For many years Mr. Doe and I went together to vote at our local polling place.”]**

7. Mr. Doe keeps up with current events by reading the newspaper, including **[insert name(s) of newspaper]** and magazines, including **[insert names(s) of magazines]**. He listens to the news on the radio and watches news and news related programs on television, such as **[insert name(s) of television programs]**.

8. Typically, I visit Mr. Doe **[describe frequency: weekly, or every Sunday, or once a month]**. We visit **[describe where visits occur; if applicable, describe who else may be present during those visits]**. When I visit with Mr. Doe we talk about many things, including current events. Recently we have talked about the upcoming **[national, state, local]** election. Mr. Doe has expressed his views about the candidates and various issues. **[If applicable, also discuss the person’s participation in advocacy or other organizations, such as a People First chapter, and any experience with elections as part of this participation.]**

9. When I visited Mr. Doe on **[insert date]**, he asked me if he could vote in the upcoming election. **[or: I asked him if he would like to vote in the upcoming election. Without hesitation, Mr. Doe stated that he wants to vote in the upcoming election.]**

10. Based on my numerous conversations with Mr. Doe, I believe that he understands what an election is, and that he will exercise his own judgment when voting.

11. Although Mr. Doe may need assistance from a guardian with some decisions, he understands the voting process and will make independent decisions when voting. The types of assistance Mr. Doe may need when participating in the voting process include: **[Supported decision-making, plain language materials, assistive technology, personal assistance, etc.]**

12. I declare under penalty of perjury under the laws of the State of **[state name]** that the foregoing is true and correct.

Dated: \_\_\_\_\_\_\_\_\_, 2022 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name of Affiant