

## **2024 New Jersey Revised Statutes**

### **Title 52 - State Government, Departments and Officers**

#### **Section 52:27G-26 - Eligibility for services; petition for appointment by person with responsibility for eligible elderly person; limitation of powers in order**

##### **Universal Citation:**

NJ Rev Stat § 52:27G-26 (2024)

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#### **52:27G-26. Eligibility for services; petition for appointment by person with responsibility for eligible elderly person; limitation of powers in order**

Any elderly person residing in the State who may be found by a court to require a guardian or conservator, pursuant to the provisions of Title 3B of the New Jersey Statutes, and who does not have a willing and responsible family member or friend to serve as guardian is eligible for the services of the public guardian. However, the public guardian shall not be appointed for the sole reason that the proposed ward relies upon treatment by spiritual means through prayer alone in lieu of medical treatment, in accordance with the ward's religious tenets and practices.

In addition to the classes of persons entitled pursuant to Title 3B of the New Jersey Statutes, a county welfare agency, the Ombudsman for the Institutionalized Elderly, or any other agency, public or private, having a responsibility towards the eligible elderly person, may petition the court to have the public guardian appointed as guardian or conservator for the eligible elderly person with the powers and duties ordinarily conferred by law on guardians and conservators or for certain limited purposes described in the petition. If the petition requests that only limited powers be granted, the court shall incorporate these limitations into its order of appointment to the extent it deems appropriate. The court shall ensure beyond a reasonable doubt that the petition is not the product of mistake, fraud, or duress. The filing of the petition will not be the basis for any inference concerning the competence of the petitioner or for any loss of civil rights or benefits.

L.1985, c.298, s.7; amended 1989,c.248,s.3.

Reference: [New Jersey Revised Statutes Section 52:27G-26 \(2024\) - Eligibility for services; petition for appointment by person with responsibility for eligible elderly person; limitation of powers in order :: 2024 New Jersey Revised Statutes :: U.S. Codes and Statutes :: U.S. Law :: Justia](#) Abstracted on 4.15.2025

<http://njlaw.rutgers.edu/cgi-bin/njstats/showsect.cgi?section=52%3A27G-26&actn=getsect>