**IN THE CIRCUIT COURT OF *\_\_\_\_\_\_* COUNTY, ARKANSAS**

**PROBATE DIVISION**

**In the Matter of**

***\_\_\_\_\_\_\_\_*, [An Incapacitated Person] No.**

**MOTION TO MODIFY ORDER APPOINTING GUARDIAN**

Movant *\_\_\_\_\_\_\_\_* respectfully requests that the Court modify its order appointing my guardian to specify that I retain the right to vote. Arkansas law prohibits voting by individuals under guardianship, but courts have interpreted the law to permit restoration of the right to vote where a person has the capacity to vote. Ark. Code Ann. 28-65-301(a)(2)(E). I have the capacity to vote and would like to vote in the upcoming election scheduled to take place on *\_\_/\_\_/\_\_\_\_*, and in subsequent elections.

As demonstrated in the attached affidavits from my treating mental health professional, I understand what it means to vote and how the voting process works. I have the capacity to choose from among the candidates whose names will appear on the general election ballot and to form an opinion concerning the questions presented on the ballot and I wish to express my preferences by voting. My guardian supports this Motion. Seeaffidavit of *GUARDIAN* attached.

As provided in the attached Proposed Order Modifying Order Appointing Guardian, I respectfully request that the Order appointing my guardian be modified by adding the following sentence: *\_\_\_\_\_\_\_\_* retains the right to vote.

Should the Court deem further proceedings necessary to decide this motion, I respectfully request that the Court appoint an attorney to represent me in such proceedings.

Respectfully Submitted,

*Sign name above* Date

*Print name above* Date