PETITION FOR THE APPOINTMENT OF AN EMERGENCY GUARDIAN AND/OR CONSERVATOR FOR A PROPOSED WARD

INSTRUCTIONS

I. Specific Instructions

- 1. This form is to be used for filing a Petition for the Appointment of an Emergency Guardian and/or Conservator for a Proposed Ward pursuant to O.C.G.A. §§ 29-4-14 and/or 29-5-14.
- 2. In determining if this Court is the proper place to bring this action, Petitioner(s) should consult Georgia law, including but not limited to, Chapters 4, 5 and 11 of Title 29, as applicable.
- 3. Regarding the need for the pre-hearing appointment of an Emergency Guardian/Emergency Conservator, O.C.G.A. §§ 29-4-15 (c) (5) and 29-5-15 (c) (5) provide as follows: If the court determines that there is probable cause to believe that the Proposed Ward is in immediate need of an emergency guardian, the court shall appoint a pre-hearing emergency guardian to serve until the emergency hearing, with or without prior notice to the Proposed Ward, but only if the threatened risk is so immediate and the potential harm so irreparable that any delay is unreasonable and the existence of the threatened risk and potential for irreparable harm is certified by the affidavit of a physician licensed to practice medicine under Chapter 34 of Title 43, a psychologist licensed to practice under Chapter 39 of Title 43, or a licensed clinical social worker. However, pending the emergency hearing, the court shall order that no withdrawals may be made from any account on the authority of the Proposed Ward's signature without the court's prior approval and that the emergency conservator shall not expend any funds of the Proposed Ward without prior court approval.
- 4. Further, if a pre-hearing emergency guardian/emergency conservator is appointed to serve until the emergency hearing, then such guardian and/or conservator shall, prior to the issuance of Letters of Emergency Guardianship/Emergency Conservatorship, take an oath and post such bond as the court may require.
- 5. In any case involving the creation of a Conservatorship when the Proposed Ward owns real property in Georgia, a certificate of creation of conservatorship will be completed by the Clerk of the Probate Court and filed with the Clerk of the Superior Court of each county in which the Proposed Ward owns real property within thirty (30) days of the date of such order.

- 6. The burden of proof is on the Petitioner to present clear and convincing evidence that the Proposed Ward lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and is in need of a guardianship AND/OR that there is an immediate, clear, and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed and/or that the Proposed Ward lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and is in need of a conservatorship AND that there is an immediate, substantial risk of irreparable waste or dissipation of the estate unless an emergency conservator is appointed.
- 7. The Certificate to the Secretary of State page is to be used only when a determinative finding has been made that the Proposed Ward's voting rights should be removed due to the lack of capacity of the ward. The order of the Court must be modified to reflect that this right was removed. The certificate must be mailed to the Secretary of State.
- 8. The Certificate to the GBI page shall be used in all cases where a Guardianship and/or Conservatorship is/are established. Individuals so listed in this database will be prohibited from obtaining a Georgia Weapons Carry License. In the event the ward's rights are restored, such restoration of rights shall be sent to the GBI, so the database can be updated. Only the Certificate needs to be sent to the GBI and not the Guardianship Order.
- 9. According to Probate Court Rule 5.6 (A) unless the court specifically assumes the responsibility, it is the responsibility of the moving party to prepare the proper citation and deliver it properly so that it can be served according to law. All pages after the Notice regarding Uniform Probate Court Rule 5.6 (A) are to be completed by the moving party, unless otherwise directed by the court.
- 10. An oath must be administered by a Probate Judge or Clerk (the oath cannot be administered by a notary public). Use Georgia Probate Court Supplement 4 for the oath. The oath is not included in this form. Georgia Probate Court Standard Form 53, Commission to Administer Oath, can be used if the oath is to be administered by a court outside the State of Georgia.

II. General Instructions

General instructions applicable to all Georgia Probate Court Standard Forms are available in each Probate Court or at www.gaprobate.gov, labeled GPCSF 1.

IN THE PR	OBATE COU ST	RT OF TATE OF GE	CORGIA	C	COUNTY
IN RE:		 ,)) ESTA	ATE NO	
PROPOSED WARD		•)		
PETITION FOR EMERO	APPOINTME GENCY CONS				
[NOTE: Unless there completed by a physic examination within fift	ian, psycholog	ist, or licens	ed clinical s	ocial worke	
The Petition of					
whose relationship to th	ne above-named	d Proposed W	ard is		, whose
domicile is					,
domicile is	Street	City	Count	y Sta	ite Zip Code
and mailing address is	Street	City	Count	y Sta	nte Zip Code,
AND [initial either (a) or (a)	b) below]				
(a) The Petition	of				
whose relation	onship to the a	bove Propose	d Ward is _		
whose domi	cile is				,
	Street	City	County	State	Zip Code
and mailing		reet	City	County	State Zip Code
OR	311	eei	City	County	state Zip Code
(b) Attached her	reto as nages 1	1 and 12 and	made a part	of this Petiti	ion is the completed
			-		ractice in Georgia or
					Ward within fifteen

(15) days prior to the filing of this Petition, and shows to the Court the following:

1.

The Proposed Ward

	[Full name of Pr	oposed Ward] F	First Middle		Last	
whos	e age is	, date o	f birth is			,
Socia	l Security Numb	er is		, do	micile is	
S	Street	City	County	State		Zip Code
pres	ently located at					,
		Street	City	County	State	Zip Code
which	1 is a		e]		and	can be contacted at
telep	hone number: _		·			
			2.			
` '	Vill the Proposed ext three (3) day		ved within the		[Select One]	☐ Yes ☐ No
(b) Is	the Proposed W	ard a citizen	of a foreign cour	ntry?	[Select One]	☐ Yes ☐ No
			a citizen of a for	eign country, s y guardianship	said country b	orship is granted,
	1		3.		•	,
Pr cc cc in pl	roposed Ward la ommunicate sign oncerning his or nmediate and su	cks sufficient ificant responder health or bestantial risk lness, or disea	necessary because capacity to mak	e or is an us	[Select One]	☐ Yes ☐ No
Proceed the week	roposed Ward la ommunicate sign oncerning the matere is an immed	cks sufficient ificant responangement of itate substantion of the estate	ip necessary beca capacity to mak nsible decisions his or her proper al risk of irrepara te unless an emer	e or ty and ible	[Select One]	☐ Yes ☐ No

If you answer "Yes" to (a) and/or (b), provide the facts that support the claim of the need for an emergency guardian/emergency conservator (continued on next page):

[NOTE: Pursuant to O.C.G.A. §§ 29-4-15(b) and 29-5-14(b), the Court shall dismiss the Petition if the Petitioner(s) does/do not allege facts that cause the Court to believe that the Proposed Ward is in need of an emergency guardian/emergency conservator as stated above. The Petition cannot be granted unless sufficient facts are presented that support the claim for the need for the appointment of an emergency guardian/emergency conservator. While an attached physician's, psychologist's, or social worker's affidavit is permissible, the Petitioner(s) MUST specifically allege sufficient facts to support the granting of this Petition.]				
4. (a) It is in the best interest of the Proposed Ward for the following individual to be appointed emergency guardian:				
(b) It is in the best interest of the Proposed Ward for the following individual to be appoint emergency conservator:				
5.				
(a) Is it necessary, in addition to the appointment of an emergency guardian, after notice and hearing, for the Court to immediately appoint a pre-hearing emergency guardian? [Select One] □ Yes □ Note that the court is immediately appoint a pre-hearing emergency guardian?				
(b) Is it necessary, in addition to the appointment of an emergency conservator, after notice and hearing, for the Court to immediately appoint a pre-hearing emergency conservator? □ Yes □ Notice 1 Notice 2 Notice 2 Notice 2 Notice 3 No				
 If you answer "Yes" to (a) and/or (b), provide the following on a separate page: The reasons why a pre-hearing emergency guardian/emergency conservator is necessary Who should be appointed as a pre-hearing emergency guardian/emergency conservator; The specific powers that should be granted to the pre-hearing emergency guardian and/emergency conservator; and Why such powers are necessary to prevent irreparable harm to the Proposed Ward. 				
6. The reason(s) why the procedures for the appointment of a non-emergency (permaner guardianship and/or conservatorship are inadequate to protect the Proposed Ward and/or his or h property is/are:				
7.				
Will a petition for permanent guardianship/conservatorship be filed? [Select One] ☐ Yes ☐ N If you answer "Yes," provide the details of such filing, including the Petitioner's name county of filing, expected date of filing, etc.:				

The foreseeable duration of the Proposed Ward's incapacity is _		
and the Court should grant the emfollowing powers and duties that do not exceed those absolutimmediate threatened risk(s) described above:		
9.		
(a) Has a Power of Attorney been created by anyone for the Proposed Ward?	[Select One]	☐ Yes ☐ No
(b) Has a trust been created by anyone for the Proposed Ward?	[Select One]	☐ Yes ☐ No
(c) Has another document been created by anyone that gives another person authority to act on the Proposed Ward's behalf?	[Select One]	☐ Yes ☐ No
(d) Does anyone else have the authority to act on behalf of the Proposed Ward?	[Select One]	☐ Yes ☐ No
If you answer "Yes" to (a), (b), (c) and/or (d), provide the	e following infor	mation:
 The full name of each individual with the authority to ac or otherwise. A name should be listed for each affirmative. The complete address of each individual with the authority trust, or otherwise. An address should be listed for paragraph; The telephone number of each individual with the authority trust, or otherwise. A telephone number should be listed to paragraph; Attach a copy of each document that creates such authority. 	we answer in this y to act under a p each affirmative ty to act under a p for each affirmat	paragraph; ower of attorney, e answer in this ower of attorney,
For each of the individuals named in this paragraph, states he is willing and able to act on behalf of the Proposed Ward and that appearance.		

[NOTE: If the appointment of an emergency conservator is sought and no petition for permanent conservatorship is being filed simultaneously, this form must be completed.]

ASSETS, INCOME, OTHER SOURCES OF FUNDS, LIABILITIES, AND EXPENSES OF PROPOSED WARD

REAL PROPERTY [Indicate if property is jointly owned and, if so, with whom] County State **Approximate Equity:** Description Joint Owner, if any Parcel 1: Parcel 2: Parcel 3: INCOME FROM ALL SOURCES **Yearly Total:** Social Security per year: SSI [Supplemental Security Income] per year: Retirement benefits per year: VA benefits per year: Other income per year (e.g., alimony, annuity, or trust distributions): Interest, dividend, or investment income: **Yearly Total of All Income: Total of Income Covered by Conservatorship Period:** PERSONAL AND INTANGIBLE PROPERTY [Indicate if property is jointly owned and, if so, with whom] (1) Checking/Savings/Money Market/Certificates of Deposit/ **Liquid Accounts:** Bank/Financial Institution/Broker Account Number Joint Owner, if anv (2) Stocks/Bonds/Investments (including retirement and profitsharing accounts): (a) Held by Brokers: Brokerage Firm/Institution Account Number Joint Owner, if any

(b) Privately Held:				
Company/Issuer	Number of	f Shares .	Joint Owner, if any	
				\$ \$
(3) Automobiles				\$
Year/Make/Model	V.I.N.		Joint Owner, if any	
				_
(4) Other assets of signif				Ψ
Description		Joint O	wner, if any	
				\$
				\$ \$
Total Value of Person				\$
DEBTS AND OTHER L	IABILITIES			
PERSONAL AND INTA	NGIBLE PROPERT	Y		
The Proposed Ward has the (1) Secured Debts	ne following debts and/	or liabilit	ies:	Approximate Balance:
Obligor/Payee	Collateral	Joint O	wner, if any	
				¢
				\$ \$ \$
				\$
(2) Unsecured Debts				
	Account Number	Joint O	wner, if any	
				\$
				\$
				\$
Total Debts and Othe	ar I ighilities of Propo	sed War	d•	\$

AVERAGE MONTHLY LIABILITIES AND EXPENSES

Household:		
Care Facility/Rent/Mortgage Payments:		\$
Property Taxes/Insurance:		\$
Utilities/Lawn Care/Pest Control:		\$
Miscellaneous Household Food:		\$
Total Credit Account and Other Debt Payments:		\$
Other [specify]	:	\$
<u>Automotive/Transportation</u> :		
Fuel and Repairs:		\$
Tags, License Fees, Insurance:		\$
Bus/Train/Taxi Fares:		\$
Minors or Other Dependents of Proposed Ward:		ф
Childcare:		\$
School Tuition/Supplies/Expenses/Lunches:		\$
Clothing/Diapers/Grooming/Hygiene:		\$
Medical/Dental/Prescription:		\$
Other Insurance:		Φ
Health:		\$
Life/Disability:		\$
Other [specify]	:	\$
Proposed Ward's Other Expenses:		
Laundry/Clothing/Grooming/Hygiene:		\$
Medical/Dental/Prescriptions/Medications:		\$
Entertainment/Vacations/Subscriptions/Dues:		\$
Personal Caretakers/Cleaning Personnel:		\$
5	Total Expenses:	\$
		·
PAYMENTS TO CREDITORS		
Is the Proposed Ward behind on any debt payments?	[Select One]	☐ Yes ☐ No
If so, payee and amount:		\$
SUMMARY		
(1) Average Monthly Income:		\$
(2) Average Monthly Expenses:		\$

11.

This Court has jurisdiction to hear this action under Georgia law, and particularly under Chapters 4, 5, and 11 of Title 29 because:

12.

Additional Data: [Where full particulars are lacking, state here the reasons for any such omission.]

WHEREFORE, Petitioner(s) pray(s):

- 1. that service be perfected as required by law;
- 2. that the Court appoint legal counsel and an evaluator for the Proposed Ward and order an evaluation as required by law;
- 3. that the Court order an emergency hearing to be conducted not sooner than three (3) days nor later than five (5) days after the filing of this Petition;
- 4. that an emergency guardian/emergency conservator be appointed for the Proposed Ward; and
- 5. that, if requested, the Court immediately appoint a pre-hearing emergency guardian/emergency conservator with such powers and duties as the Court shall direct.

Signature of Second Petitioner, if any
Printed Name
Mailing Address
Telephone Number
State Bar #

VERIFICATION

GEORGIA,O	COUNTY
state(s) that the facts set forth in the foregoin	ersigned Petitioner(s) who, after being duly sworning Petition for the Appointment of an Emergency Proposed Ward (and the attached Exhibit(s)) are true
Sworn to and subscribed before me this day of, 20	Signature of First Petitioner
NOTARY/CLERK OF PROBATE COURT My Commission Expires	Printed Name of First Petitioner
Sworn to and subscribed before me this day of, 20	Signature of Second Petitioner
NOTARY/CLERK OF PROBATE COURT My Commission Expires	Printed Name of Second Petitioner

IN THE PROBATE COURT OF **COUNTY STATE OF GEORGIA** IN RE: PROPOSED WARD CONSENT TO SERVE AS EMERGENCY GUARDIAN/EMERGENCY CONSERVATOR RE: Petition for the Appointment of an Emergency Guardian and/or Emergency Conservator for the above-named Proposed Ward I, _____, having been nominated as emergency guardian, and I, _______, having been nominated as emergency conservator of the above-named Proposed Ward, do hereby consent to serve as emergency guardian and/or emergency conservator and pre-hearing emergency guardian and/or pre-hearing emergency conservator if so appointed. Signature Proposed Emergency Guardian Signature Proposed Emergency Conservator Printed Name Printed Name Mailing Address Mailing Address Telephone Number Telephone Number

I	N THE PROBATE COURT OF	COUNTY
	STATE OF GEO	ORGIA
IN RE:)	ESTATE NO
PROPOSE	D WARD)	
	ion for Appointment of an Emergency Gu bove-named Proposed Ward	ardian and/or Emergency Conservator for
		T, OR CLINICAL SOCIAL WORKER EMERGENCY CONSERVATORSHIP
Chapter 34 cunder Chapt	of Title 43 of the Official Code of Georgia A er 39 of Title 43 of the Official Code of Ge	I am a physician licensed to practice under Annotated, a psychologist licensed to practice orgia Annotated, or a licensed clinical social
and that I	have examined the above-named P	roposed Ward on the day of
		based must occur WITHIN FIFTEEN (15)
I found him/	her to be incapacitated by reason of:	
to the extent	that said Proposed Ward:	
[initial all th	nat apply]	
(a)	significant responsible decisions conce an immediate and substantial risk of disease unless an emergency guardian in (i) the threatened risk is s	o immediate and the potential harm so elay is unreasonable and a pre-hearing
(b)	significant responsible decisions conce and there is an immediate, substantial restate unless an emergency conservator (ii) the threatened risk is s	o immediate and the potential harm so elay is unreasonable and a pre-hearing

The following facts support my opinion of incapacity and the existence of (an) immediate threat(s) or risk(s) to the Proposed Ward:
The foreseeable limits on the duration of such incapacity are:
Optional: Affiant's opinions as to any other limitations on the emergency guardianship and/or emergency conservatorship are:
WITNESS MY HAND AND SEAL this day of, 20
Signature of Physician/Psychologist/LCSW
Printed Name of Evaluator
Sworn to and subscribed before me this day of, 20
NOTARY/CLERK OF PROBATE COURT My Commission Expires

NOTICE:

- 1. As to the Certificate to the Secretary of State, this page is to be used **only** when a determinative finding has been made that voting rights should be removed due to the lack of capacity of the Proposed Ward. The Order must be modified to reflect that this right was removed. The certificate must be mailed to the Secretary of State.
- 2. As to the Certificate to the GBI, this page shall be used in all cases where a Guardianship and/or Conservatorship is established. Individuals so listed in this database will be prohibited from obtaining a firearm permit. In the event the Proposed Ward's rights are restored, such restoration of rights shall be sent to the GBI so the database can be updated. Only the Certificate needs to be sent to the GBI and not the Guardianship Order.

NOTICE

THE FOLLOWING PAGES ARE TO BE COMPLETED BY THE PETITIONER (MOVING PARTY) UNLESS OTHERWISE DIRECTED BY THE COURT.

SEE PROBATE COURT RULE 5.6 (A).

IN THE PROBATE COURT OF	COUNTY
STATE OF GEOD	RGIA
IN RE:)	ESTATE NO
PROPOSED WARD)	
ORDER FOR EVALUATION, APPOI AND NOTICE OF	
The above and foregoing Petition for the Apportune Emergency Conservator for a Proposed Ward having be that there is sufficient evidence to believe that the Proguardian and/or emergency conservator within the mean 14,	been read and considered, and it appearing oposed Ward is in need of an emergency
IT IS HEREBY ORDERED that	social worker), telephone number valuate the above-named Proposed Ward at
Georgia law and federal law, including HIPAA, heat evaluator to have access to the Proposed Ward's medical	althcare providers shall permit the above
IT IS FURTHER ORDERED that the Clerk shall these proceedings by having all pleadings, as well as the Ward; and	
IT IS FURTHER ORDERED that the above-revaluation at the time and place stated above and that a wand made available to the parties within seventy-two (7)	vritten report shall be furnished to the Court
IT IS FURTHER ORDERED that the evaluator to the Proposed Ward.	shall explain the purpose of the evaluation
IT IS FURTHER ORDERED that is hereby	, attorney at law, appointed to represent the Proposed Ward.
IT IS FURTHER ORDERED that an emergency Court of County, courtroo	m, [address]
Georgia OR at the following address:	·
Georgia OR at the following address: at: which is not sooner than three (3) days nor later than five	m., on, 20,
which is not sooner than three (3) days nor later than fix	ve (5) days after the filing of the Petition.

[initial all	that apply]
(a)	IT IS FURTHER ORDERED that, based on the affidavit filed with the Petition, it appears that the threatened risk of death or serious physical injury, illness, or disease of the Proposed Ward is so immediate and the potential harm so irreparable that any delay is unreasonable, and is named as pre-hearing emergency guardian of the Proposed Ward, to serve pending the hearing as scheduled above. Emergency Letters of Guardianship shall be issued upon said pre-hearing emergency guardian taking the oath.
(b)	IT IS FURTHER ORDERED that, based on the affidavit filed with the Petition, it appears that the threatened risk of waste or dissipation of the Proposed Ward's property is so immediate and the potential harm so irreparable that any delay is unreasonable, and is named as
	pre-hearing emergency conservator of the Proposed Ward, to serve pending the hearing as scheduled above. Emergency Letters of Conservatorship shall be issued upon said pre-hearing emergency conservator posting a surety bond in the amount of \$\ and taking the oath.
[initial all	that apply]
	(i) IT IS FURTHER ORDERED that, pending the emergency hearing, the Court hereby orders that no withdrawals may be made from any account on the authority of the Proposed Ward's signature without the Court's prior approval and that the pre-hearing emergency conservator shall not expend any funds of the Proposed Ward without prior Court approval.

NOTICE TO PROPOSED WARD:

This is to notify you of a proceeding initiated in this Court by
This is to notify you of a proceeding initiated in this Court by seeking to appoint:
[initial all that apply]
(a) an emergency guardian for your person; and/or an emergency conservator for your property.
BY THIS ORDER, THE COURT HAS APPOINTED AN ATTORNEY TO REPRESENT YOU AND HAS SCHEDULED A HEARING. YOU AND YOUR ATTORNEY HAVE THIS RIGHT TO ATTEND ANY HEARING HELD ON THIS MATTER.
IF AN EMERGENCY GUARDIAN IS APPOINTED FOR YOU, YOU MAY LOSI IMPORTANT RIGHTS TO CONTROL AND MANAGE YOUR PERSON.
IF AN EMERGENCY CONSERVATOR IS APPOINTED FOR YOU, YOU MAY LOSI IMPORTANT RIGHTS TO CONTROL AND MANAGE YOUR PROPERTY.
ALTHOUGH YOU MUST ATTEND THE EVALUATION, YOU DO NOT HAVE TO RESPOND TO QUESTIONS.
SO ORDERED thisday of, 20
Judge of the Probate Court

IN THE PROBATE COURT OF _ STATE OF	GEORGIA	
IN RE:))) ESTATE NO	
PROPOSED WARD) ESTATE NO	
	of ORDER FOR EVALUATION; L; AND NOTICE OF HEARING	
[NOTE: Notice is required to be mailed to the attorney.]	Proposed Ward's guardian ad litem (if an	y) and
I certify that I have this date mailed (un postage affixed thereto for first-class delivery a configuration of an Emergency Guardian and/or Emergency Confoliowing parties at the address listed below:		ntment
This day of	, 20	
	Clerk of the Probate Court	
	Address	
	Telephone Number	

IN THE PROBATE COURT OF STATE O	COUNTY	
STATE OF GEORGIA		
IN RE: PROPOSED WARD)) ESTATE NO	
PROPOSED WARD	<u> </u>	
	OR DISMISSAL	
Emergency Conservator for a Proposed War O.C.G.A. §§ 29-4-15 and/or 29-5-15, and bar		
-	py of the Petition, the medical affidavit, if any, and irst-class mail, and a copy of this order be served in ner/their attorney, if any.	
SO ORDERED this day of		
	Judge of the Probate Court	

IN T	HE PROBATE COUR STA	T OF ATE OF GEO	DRGIA COUNTY
IN RE:)	ESTATE NO
PROPOSED W	ARD	j j	
	CERTIFICATE OF SI	ERVICE OF	ORDER OF DISMISSAL
[NOTE: Notice attorney.]	is required to be mailed	d to the Propo	sed Ward's guardian ad litem (if any) and
postage affixed order for dismiss	thereto for first class de	livery a copy a and other per	therwise noted) in an envelope with proper of the Petition, the medical affidavit, and* rsons listed below as required by law, and to
This	day of		, 20
		Cl	lerk of the Probate Court
		Ac	ddress
		$\overline{\mathrm{Te}}$	elephone Number

^{*} not necessary if dismissal is after evaluation.

IN THE PROBATE COURT OF COUNTY STATE OF GEORGIA IN RE: ESTATE NO. PROPOSED WARD COURT APPOINTED EVALUATOR'S REPORT EMERGENCY GUARDIANSHIP AND/OR EMERGENCY CONSERVATORSHIP **PROCEEDINGS** PETITIONER(S): PROPOSED WARD: In compliance with the Order of the Probate Court of _____ County, dated The evaluation continued for _____ (minutes)(hours). I explained the purpose of the evaluation to the Proposed Ward. The following questions and tests were utilized in the evaluation: Below is a list of all persons and other sources of information consulted in evaluating the Proposed Ward: The following is a description of the Proposed Ward's mental and physical state and condition, including all observed facts considered:

The following is a description of the overall social condition of the Proposed Ward, including support, care, education, well-being, and the functional capabilities of the Proposed Ward determined by the evaluator:
The following are my findings as to the needs of the Proposed Ward and their foreseeable duration:
[initial all that apply]
(a) I find the Proposed Ward to be incapacitated by reason of
to the extent that said Proposed Ward:
(i) [for emergency guardianship] lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and there is an immediate, clear, and substantial risk of death or serious physical injury illness, or disease unless an emergency guardian is appointed; and/or
(ii) [for emergency conservatorship] lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and there is an immediate, substantial risk of irreparable waste or dissipation of the Proposed Ward's estate unless an emergency conservator is appointed,
(b) I do not find that the Proposed Ward meets the standards for emergency guardianship set out in (a) (i) above.
(c) I do not find that the Proposed Ward meets the standards for emergency conservatorship set out in (a) (ii) above.
Physician licensed under Chapter 34 of Title 43 of the Official Code of Georgia Annotated/ Psychologist licensed under Chapter 39 of Title 43 of the Official Code of Georgia Annotated/ Licensed Clinical Social Worker

Sworn to and subscribed before me this	
day of	
NOTA DIVIGI EDIZ OF DDODATE COURT	
NOTARY/CLERK OF PROBATE COURT	
My Commission Expires	-
- •	robate Court no later than seventy-two (72) hours
after the Order for Evaluation being issued.]	

IN THE PROBATE COURT OF **COUNTY** STATE OF GEORGIA IN RE: ESTATE NO. PROPOSED WARD STIPULATION AND WAIVER BY PROPOSED WARD'S ATTORNEY IN RE: PETITION FOR THE APPOINTMENT OF AN EMERGENCY GUARDIAN AND/OR EMERGENCY CONSERVATOR FOR THE ABOVE-NAMED PROPOSED WARD The undersigned, as the attorney representing the above-named Proposed Ward in these proceedings [initial all that apply] (a) does hereby stipulate into evidence the affidavit prepared [name of affiant evaluator] being the evaluation report ordered by the Court in this matter, and hereby waives the appearance of such affiant at any hearing concerning the said Petition; evidence (b) does hereby stipulate into the affidavit(s) prepared by [name of affiant evaluator] which is the affidavit referred to in the introductory paragraph (b) of the Petition, and hereby waives the appearance of such affiant at any hearing concerning the said Petition; and/or (c) does further waive the appearance of my client, the Proposed Ward, at said hearing. This day of , 20 . Signature of Attorney Printed name of Attorney Address

Telephone Number

State Bar #

IN THE PROBATE COURT	' O F	COUNTY
STA	TE OF GEC	ORGIA
IN RE: PROPOSED WARD)) _,)	ESTATE NO
PROPOSED WARD)	
	INAL ORD	ER
		tition for the Appointment of an Emergency sed Ward onuation report, and the evidence taken at the
FINI	DINGS OF	FACT
	1.	
All procedural requirements of O.O	C.G.A. §§ 29	2-4-14 and/or 29-5-15 have been met.
	2.	
significant responsible decisions concernithere is an immediate and substantial risk of	ing the mana of death or se	sufficient capacity to make or communicate agement of his or her health and safety and erious physical injury, illness, or disease due
significant responsible decisions concerning	es not) lack and the manage waste or diss	sufficient capacity to make or communicate gement of his or her property and there is an sipation of the ward's property due to [state]
Such need appears to be limited to	the followin	g number of days:
	3.	
the ward, is approximately \$following locations:	The w	d income covering the emergency period of eard has an interest in real property in the
(a)	County,	(state); (state);
(c)	County,	(state),
The ward has outstanding debts of	·\$	and average expenditures

4.

	moved the Court to appoint
as emergency conser	rvator asserting those individual(s) should serve because:
[initial all that apply	7
(a)	Another individual, being, was nominated/designated by the ward to serve as guardian,
	(i) and no good cause was shown to override such preference.
	(ii) but good cause was shown not to appoint said individual, being:
(b)	Another individual with higher preference, being,
	was nominated/designated to serve as guardian by someone other than the
	ward, and/but it (is) (is not) in the best interest of the ward to appoint him/her guardian because
(c)	Another individual, being, was nominated/designated by the ward to serve as conservator,
	nominated/designated by the ward to serve as conservator,
	(i) and no good cause was shown to override such preference. (ii) but good cause was shown not to appoint said individual, being:
(d)	Another individual with higher preference, being,
	was nominated/designated to serve as conservator by someone other than the ward, and/but it (is) (is not) in the best interest of the ward to appoint him/her conservator because
	5.
	er(s) asserted that the following additional powers pursuant to O.C.G.A. §§ -23 (c) were absolutely necessary to respond to the immediate and threatened etition:
For the emer	gency guardian:
For the emer	gency conservator:

[initial all that appl]	7
(a)	y _I
	an emergency guardian because the ward lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and there is an immediate and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed.
(b)	an emergency conservator because the ward lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and there is an immediate, substantial risk of irreparable waste or dissipation of the ward's property unless an emergency conservator is appointed.
	n of the emergency guardianship and/or emergency conservatorship is for
[initial one]	
(a)	sixty (60) days, or until the effective date of the appointment of permanent guardianship and/or conservatorship, or until the emergency guardian(s) and/or conservator(s) are removed, or the dismissal of a Petition for the appointment of an emergency guardian/emergency conservator, whichever occurs first.
(b)	a date certain prior to the time identified in (a) above, being, 20
IT IS ORD	DERED that should be, and
hereby is/are, appoint and hereby is/a	DERED thatshould be, andshould be, andshould be, andshould be, are, appointed emergency conservator(s) of the ward because:
	Letters of emergency guardianship and/or emergency
	Letters of emergency guardianship and/or emergency ll issue to such emergency guardian(s) and/or emergency conservator(s) upon oath and upon the emergency conservator's(s') posting bond in the amount of
The appoint authority to act of	Il issue to such emergency guardian(s) and/or emergency conservator(s) upon
The appoint authority to act of Emergency Conser	Il issue to such emergency guardian(s) and/or emergency conservator(s) upon oath and upon the emergency conservator's(s') posting bond in the amount of ted emergency guardian(s) and/or emergency conservator(s) shall have no no behalf of the ward until Letters of Emergency Guardianship and/or

The Court finds, by clear and convincing evidence, that the above-named ward (hereinafter

IT IS FURTHER ORDERED that t with the Court:	he emergency guardian(s) shall file the following reports
IT IS FURTHER ORDERED that reports with the Court:	t the emergency conservator(s) shall file the following
first class mail to the ward, the ward's a	a copy of this Order shall be hand delivered or mailed by attorney, the guardian ad litem, if any, the emergency ne Petitioner(s) and his/her/their attorney(s), if any.
IT IS FURTHER ORDERED that explain to the ward this Order and the war	the ward's legal counsel shall make reasonable efforts to d's rights under this Order.
file the certificate of creation of conservation	within thirty (30) days of the date hereof, the Clerk shall torship in accordance with O.C.G.A. § 29-5-13 (d) with v in this state in which the ward owns real property.
SO ORDERED this da	y of, 20
	Judge of the Probate Court/Hearing Officer exercising the jurisdiction of the Probate Court pursuant to
	O.C.G.A. §§ 29-4-12 (d) (7) and/or 29-5-12 (d) (7)

IN THE PROBATE COURT OF STATE O	COUNTY CF GEORGIA
IN RE:))) ESTATE NO
PROPOSED WARD)
CERTIFICATE OF SEI	RVICE OF FINAL ORDER
[NOTE: Notice is required to be mailed to the and the interested parties as found in paragraphs.]	e ward's guardian ad litem (if any) and attorney; ph 9 of the Petition.]
postage affixed thereto for first-class delivery	nless otherwise noted) in an envelope with proper a copy of the Final Order Appointing Emergency ward and other persons listed below as required by listed below:
This day of	, 20
	Clerk of the Probate Court
	Address

Telephone Number

Probate Cou	rt Return Mailing Address:	
	(Above space to be used for filing in Superior C	Court Clerk's Office Deeds and Records)
I	N THE PROBATE COURT OF	COUNTY
	STATE OF G	EORGIA
IN RE:)
	•)
WARD	,	<u> </u>
CER	RTIFICATE OF CREATION OF EM [Pursuant to O.C.G.A	
GRANTOR	[NAME OF WARD]:	ATOR(S) OF ABOVE WARD]:
An emergen conservators		For the above-named ward. Said emergency
[initial one]	,	
(a)	• • •	ive date of the appointment of a permanent conservator(s) is/are removed, or the dismissal conservator, whichever occurs first.
(b)	on a date certain, being	, 20
Origi	nal Certificate delivered or mailed to C	lerk of Superior Court of
County on _	, 20	_•
	the Order of th	rtify that the above information is based on e Probate Court issued on the date set out the above information is true and correct.
	By:	robate Court
	Clerk of the Pr	obate Court

Clerk of the Probate Court

GPCSF 11 [30] Eff. July 2017

IN THE PROBATE COURT OF COUNTY STATE OF GEORGIA IN RE: WARD DATE OF BIRTH LETTERS OF EMERGENCY GUARDIANSHIP OF ADULT WARD FROM: the Judge of the Probate Court of said County TO: _______, Guardian(s) The above-named adult ward was found by this Court to be in need of an emergency guardian, and this Court entered an order designating you as such emergency guardian. You have assented to this appointment by taking your oath. In general, your duties as emergency guardian were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk, specifically _____ These letters expire [initial one]: in sixty (60) days, or on the effective date of the appointment of a permanent (a) guardian, or when the emergency guardian(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent guardian, whichever occurs first. on a date certain, being , 20 . (b) Given under my hand and official seal, the day of , 20 . Judge of the Probate Court [NOTE: The following must be signed if the judge does not sign the original of this document: Issued by: (Seal)

Clerk of the Probate Court

IN THE PROBATE COURT OF COUNTY STATE OF GEORGIA IN RE: ESTATE NO. WARD **DATE OF BIRTH** LETTERS OF EMERGENCY CONSERVATORSHIP OF ADULT WARD FROM: the Judge of the Probate Court of said County. TO: , Conservator(s) The above-named adult ward was found by this Court to be in need of an emergency conservator, and this Court entered an order designating you as such emergency conservator(s). You have assented to this appointment by taking your oath and posting a bond. In general, your duties as emergency conservator(s) were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk, specifically, These letters expire [initial one]: (a) in sixty (60) days, or on the effective date of the appointment of a permanent conservator, or when the emergency conservator(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent conservator, whichever occurs first. on a date certain, being _______, 20_____. (b) Given under my hand and official seal, the _____ day of ______, 20____. Judge of the Probate Court [NOTE: The following must be signed if the judge does not sign the original of this document: Issued by: (Seal)

Clerk of the Probate Court

IN THE PROBATE COURT OF COUNTY STATE OF GEORGIA IN RE: WARD DATE OF BIRTH LETTERS OF EMERGENCY GUARDIANSHIP AND CONSERVATORSHIP OF ADULT WARD FROM: the Judge of the Probate Court of said County. TO: ______, Guardian(s) and Conservator(s) The above-named adult ward was found by this Court to be in need of an emergency guardian and conservator and has designated you as such emergency guardian(s) and emergency conservator(s). You have assented to this appointment by taking your oath and posting a bond. In general, your duties as emergency guardian(s) and emergency conservator(s) were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk, specifically, These letters expire [initial one]: in sixty (60) days, or on the effective date of the appointment of a permanent guardian (a) and conservator, or when the emergency guardian(s) and emergency conservator(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent guardian and/or conservator, whichever occurs first. on a date certain, being ______, 20_____. (b) Given under my hand and official seal, the day of , 20 . Judge of the Probate Court [NOTE: The following must be signed if the judge does not sign the original of this document: Issued by: (Seal)

Clerk of the Probate Court

CERTIFICATE OF GUARDIANSHIP / CONSERVATORSHIP ESTABLISHED

Make Electronic Subn	nissions via the Georgi	a Criminal Justice Informat	tion System (CJIS)	Network
Mail Guardianship / C	Conservatorship forms	a Crime Information Center		
			n: CJIS Operations	
			1 Panthersville Ro	ł.
		Decatur,	Georgia 30034	
*DATE OF ORDER		*JUDGE'S NAME		
(mm/dd/	-			
*PROBA	RI NUMBER	*ESTATE NUMBER		
THE FOLLOWIN		BEEN ADJUDICATED TO L CONSERVATORSHIP HA		T MENTAL CAPACITY AND SHED.
*NAME (Last, First, M	iddle)			
*SEX	*RACE	*DATE OF BIRTH (mm/dd/yyyy)	so	OCIAL SECURITY NUMBER (###-##-####)
CURRENT ADDRESS (Street Address)			
CITY			STATE	ZIP CODE
SIGNATURE (Court Official)				DATE SIGNED
		*Court Official's Title	•	

*Mandatory Field

IN THE PROBATE COURT OF STATE O	COUNTY OF GEORGIA
IN RE:)
)) ESTATE NO
WARD)
	FILING OF CERTIFICATE OF ISERVATORSHIP ESTABLISHED
mailed this Certificate of Guardianship/Cons	formation is true and correct and that I have this date ervatorship Established to the Georgia Bureau of nvelope addressed as set forth above and depositing to postage thereon.
This day of	, 20
	Clerk of the Probate Court