

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE:

No.

\_\_\_\_\_  
*An alleged incapacitated person*

**PRELIMINARY ORDER OF COURT  
(EMERGENCY AND PERMANENT GUARDIAN)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
the foregoing Petition having been presented in open Court, upon consideration  
thereof and on motion of \_\_\_\_\_, Esquire, counsel for  
Petitioner, it is ORDERED and DECREED that a Citation be awarded, directed to  
\_\_\_\_\_ to show cause why an emergency  
plenary/limited guardian of his/her person and estate should not be appointed,  
returnable \_\_\_\_\_, \_\_\_\_\_, and why he/she  
should not be adjudged an incapacitated person and a permanent plenary/limited  
guardian of his/her person and estate should not be appointed, returnable  
\_\_\_\_\_, \_\_\_\_\_. This Petition seeks to have  
\_\_\_\_\_ adjudged an incapacitated person.

The time and place of hearing on the Petition for appointment of an emergency  
plenary/limited guardian of the person and estate of the alleged incapacitated person  
are fixed for \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock,  
\_\_\_\_.m. prevailing time at Courtroom \_\_\_\_\_ of the Orphans' Court Division of the  
Court of Common Pleas of Allegheny County, 17<sup>th</sup> Floor, Frick Building, 437 Grant  
Street, Pittsburgh, Pennsylvania, 15219.

The alleged incapacitated person shall be given notice of the hearing on appointment of an emergency guardian of his/her person and estate by serving him/her personally with the Citation, this Order of Court and a copy of the foregoing Petition prior to the time of such emergency hearing [(or) the Court finds that service of notice of appointment of an emergency guardian upon the alleged incapacitated person is not feasible under the circumstances and is, therefore, waived pursuant to 20 Pa.C.S § 5513.]

The court finds that the following additional notice to others of the hearing on appointment of an emergency guardian of the alleged incapacitated person is feasible in the circumstances and directs that same be made upon the following persons in the following manner:

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The Court finds that strict compliance with 20 Pa.C.S. § 5511(e) and Rule 14, Section 1 of the Allegheny County Orphans' Court Division Rules (both relating to contents of the Petition) are not feasible under the circumstances and are waived for the purpose of the hearing on appointment of an emergency guardian of the alleged incapacitated person.

The Court further finds that strict compliance with 20 Pa.C.S. § 5511(a) (relating to notification concerning the right to counsel and the appointment of counsel for the alleged incapacitated person) is not feasible under the circumstances and is waived for the purposes of the hearing on appointment of an emergency guardian of the alleged incapacitated person.

The time and place of hearing on the Petition for appointment of a permanent plenary/limited guardian of the person and estate of the alleged incapacitated person are fixed for \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_.m. prevailing time at Courtroom \_\_\_\_\_ of the Orphans' Court Division of the Court of Common Pleas of Allegheny County, 17<sup>th</sup> Floor, Frick Building, 437 Grant Street, Pittsburgh, Pennsylvania, 15219.

At least twenty (20) days written notice of the hearing shall be given to \_\_\_\_\_, the alleged incapacitated person by serving him/her personally with a Citation and this Order of Court and a copy of the Petition together with an explanation of the content and terms of the Petition. Additionally, at least \_\_\_\_\_ days written notice of the Petition and hearing on the appointment of a guardian of the alleged incapacitated person shall be given to the following: All persons residing within the Commonwealth who are **sui juris** and would be entitled to share in the estate of the alleged incapacitated person if he/she were to die intestate and to the following other parties in interest:  
\_\_\_\_\_.

Such notice of the permanent hearing to persons other than the alleged incapacitated person shall be made either personally or by registered or certified mail.

BY THE COURT:

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