

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

IN RE:

No.

of

,

AN INCAPACITATED PERSON

**ORDER OF COURT
DETERMINING INCAPACITY
AND APPOINTING
EMERGENCY LIMITED
GUARDIAN OF PERSON AND/
OR ESTATE**

Copy to:

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

IN RE:)
)
) No. of
)
an alleged incapacitated person)

ORDER OF COURT DETERMINING INCAPACITY AND APPOINTING
EMERGENCY LIMITED GUARDIAN OF

AND NOW, this day of , a hearing in this case having
been held on , and it appearing to the Court that
, was served with a Citation and Notice of the hearing on,
and at the hearing and the Court finds that the physical
or mental condition of be harmed by
presence at the hearing, and further finds from the testimony:

1. That suffers from ,
a condition or disability which partially impairs capacity to receive and evaluate information
effectively and to make and communicate decisions concerning management of
financial affairs or to meet essential requirements for physical health and safety.

2. That there are insufficient supports available to assist
in overcoming such limitations and that there exists no less restrictive alternative mechanism for
decision making other than the appointment of a Limited Guardian.

3. That based on the partial incapacity of
to receive and evaluate information effectively and to make or communicate decisions, a
Limited Guardian of the person and Limited Guardian of the .

NOW THEREFORE, based on the clear and convincing evidence supporting the foregoing findings, it is ORDERED, ADJUDGED and DECREED that be and hereby is adjudged a partially incapacitated person.

is appointed Emergency Limited Guardian of the

The Emergency Limited Guardian of the Person shall have authority to consent to the general care, maintenance and custody of except for:

The Emergency Limited Guardian of the person shall assure that receives appropriate services and shall assist in developing self- reliance and independence.

The Emergency Limited Guardian of the Estate shall have the authority to marshal all 's income and assets except that the incapacitated person, shall retain the following power and authority to act on own behalf:

If there is a safe deposit box in the name of the incapacitated person alone or in the names of the incapacitated person and another or others, said safe deposit box shall not be entered by the Guardian except in the presence of a representative of the financial institution where the box is located and in the presence of a representative of the Orphans' Court Division. The representative present at the time of entry shall make or cause to be made a record of the incapacitated person's property and said record shall be filed with the Clerk of the Orphans' Court Division. None of the incapacitated person's property may be removed until after the aforesaid inventory is completed.

If the safe deposit box is jointly owned, five (5) days' notice of the proposed entry shall be given to the other owners by the Guardian.

The appointment of Emergency Limited Guardian of the Person and Estate shall remain in effect until further Order of Court.

This appointment of Emergency Limited Guardian of the _____ of _____ shall expire at _____ on _____, at which time and date a final hearing in this matter shall be held.

NO BOND REQUIRED ON EMERGENCY LIMITED GUARDIAN APPOINTMENT.

The testimony from this hearing on the emergency adjudication of incapacity and guardianship herein established shall be preserved and perpetuated for the hearing on the permanent adjudication of incapacity and guardianship.

_____, an incapacitated person, has the right to appeal this Order of Court by filing an appeal with Prothonotary's Office of the Superior Court of Pennsylvania within thirty (30) days of the date of this Order or to petition this Court for a hearing to review or terminate the adjudication of incapacity and guardianship herein established.

If _____ was not present at the hearing on the adjudication of _____ incapacity and the appointment of a guardian, then Petitioner shall serve upon and read to _____ the Statement of Rights attached to this Order of Court and marked Exhibit A. Proof of service of the Statement of Rights shall be filed by the Guardian with the Clerk of the Orphans' court within ten (10) days of the date of this Order.

BY THE COURT:

_____. J.