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 the Petitioner(s), it is ORDERED and DECREED that a Citation be awarded, directed to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to show cause why an emergency plenary guardian of (his/her) (person and/or estate) should not be appointed, returnable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, and why (he/she) should not be adjudged an incapacitated person and a permanent (limited/plenary) guardian of (his/her) (person and/or 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 Guardian of the (Person and/or Estate) of the alleged incapacitated person are fixed for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_o’clock \_\_\_\_\_ in the Orphans’ Court Division of the Court of Common Pleas of Allegheny County, 17th Floor, Frick Building, 437 Grant Street, Pittsburgh Pennsylvania 15219.

The alleged incapacitated person shall be given notice of the hearing on the appointment of an emergency guardian of (his/her) (person and/or 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.

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

 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 the appointment of an emergency guardian of the alleged incapacitated person.

The time and place of hearing on the appointment of a permanent plenary guardian of the (person and/or estate) of the alleged incapacitated person are fixed for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2024, at \_\_\_\_\_\_\_\_\_\_\_o’clock \_\_\_\_ in the Orphans’ Court Division of the Court of Common Pleas of Allegheny County, 17th Floor, Frick Building, 437 Grant Street, Pittsburgh Pennsylvania 15219.

At least twenty (20) days written notice of the permanent guardianship hearing shall be given to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the alleged incapacitated person, by serving (him/her) personally with a Citation, this Order of Court, and a copy of the foregoing Petition together with an explanation of the content and terms of the Petition; at least twenty (20) days written notice of the Petition and hearing shall also be given either personally or by registered or certified mail 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 were to die intestate; to the person providing residential services to the alleged incapacitated person; to the United States Department of Veterans’ Affairs, V.A. Regional Office (271), Attention: Chief, Fiduciary Unit, 1000 Liberty Avenue, Pittsburgh, PA 15222, if the alleged incapacitated person is receiving benefits from the United States Veterans’ Administration, and to the following other parties in interest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 BY THE COURT:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_J.