
IN THE MATTER OF:

} IN THE COURT OF COMMON PLEAS
} CHESTER COUNTY, PENNSYLVANIA
} ORPHANS' COURT DIVISION
} NO.

AN ALLEGED INCAPACITATED PERSON

FINAL ORDER APPOINTING GUARDIAN OF

Person

Estate

AND NOW, _____, _____, this Court having heard testimony and evidence at a hearing held _____, pursuant to proper notice to the alleged incapacitated person (Respondent), who

_____ appeared in person at the hearing

_____ was represented at the hearing by _____, Esquire

_____ Failed to appear because: _____

and after giving full consideration to the factors set forth in Chapter 55 of the Probate, Estate, and Fiduciaries Code, 20 Pa. C.S.A. §5501, et seq I make the following:

Findings of Fact Pursuant to
PEF Code, 20 Pa. C.S.A. §5512.1

1. The nature of the condition or disability which impairs Respondent's capacity to make and communicate decisions is _____

2. The extent of Respondent's capacity to make and communicate decisions is _____

3. Considering the availability of family, friends, and other supports, and the existence of any advance directives, I find that Respondent needs the following Guardianship services:

4. Based on the above factors, I find that Respondent needs a (limited) (plenary) Guardian.

5. The duration of such guardianship shall be _____

I.

GUARDIAN OF PERSON

I appoint _____ as a

(Select one: limited (A) or plenary (B))

_____ A. Limited Guardian of Respondent's Person - with the following responsibilities:

a. Provisions for care, maintenance, and custody:

b. Place where Respondent shall live:

c. Provisions for training, education, medical, and psychological services; social and vocational opportunities; and the like:

d. Authority to execute consents or approvals on behalf of Respondent:

OR

_____ B. Plenary Guardian of Respondent's Person

* * * *

GUARDIAN OF ESTATE

I appoint _____ as a

(Select one: limited (A) or plenary (B))

_____ A. Limited Guardian of Respondent's Estate - with the following authority:

a. Portion of assets or income subject to Guardian's control:

b. Other: _____

_____ B. Plenary Guardian of Respondent's Estate

II.

(Optional) A Review Hearing in the above matter shall be held

III.

The Guardian shall have, in addition to the powers granted above, the following authority (check paragraphs applicable; delete powers not applicable.)

_____ To consent to (abortion) (sterilization) (psychosurgery) (electroconvulsive procedure), (removal of bodily organ/s) (other: _____).

_____ To refuse consent to (marriage) (divorce).

_____ To consent to performance of experimental procedures or participation in experiments (bio-medical) (behavioral) (other: _____).

IV.

The Guardian shall post bond (with surety) as follows:

V.

The Guardian shall file reports as provided by 20 Pa. C.A.S. §5521(c), and applicable state and local rules. The Guardian shall also file an inventory and copy of the Will (if any) within three (3) months of today's date, that is, by _____
_____.

VI.

In order to comply with Section 6105(a) and (c) of the Uniform Firearms Act, the Guardian shall inquire about the ownership and / or possession of any firearms by the incapacitated person and, within 60 days of the Adjudication, shall arrange for the sale or transfer of the incapacitated person's firearms to another eligible person who is not a member of the prohibited person's household.

An incapacitated person is not permitted to obtain a license to carry a firearm. Any existing license issued to the incapacitated person should be returned to the issuing authority.

VII.

Respondent (has been) (will be) notified of (his) (her) right of appeal, in accordance with the attached **NOTICE OF RIGHT TO APPEAL**.

BY THE COURT:

J.