

## **EMERGENCY GUARDIANSHIP GUIDELINES**

1. Filing Fee is \$125.00.
2. Court needs the following:
  - a. Application for Appointment of Emergency Guardian or Issuance of Emergency Order. If the alleged incompetent is not at the address listed on the application, please inform the Probate Clerk where the alleged incompetent is currently located. (hospital or facility etc...)
  - b. Affidavit in Support of Application for Emergency Guardianship.
  - c. Statement of Expert Evaluation Form 17.1 with Supplement for Emergency Guardian of Person Form 17.1A – must be current (signed by physician or psychologist within 60 days). Court needs signed original of physician or psychologist.
  - d. Next of Kin of Proposed Ward (SBF 15.0)
  - e. Fiduciary's Acceptance (SPF 15.2)
  - f. Guardian's Bond (SPF 15.3) (used when applicant is asking to be emergency guardian of person and estate)
  - g. Waiver and Consent (SPF 15.1) from family members, if possible
  - h. BCI Report, if possible. (If this is not possible, BCI Report would be needed with the full guardianship application (if necessary) prior to the appoint).
  - i. Motion to Extend Emergency Guardianship for thirty days (if necessary).
  - j. Confidential Disclosure of Personal Identifiers Form (SPF 45(d)) with the applicant's Name and Social Security Number listed
3. If the Court finds it's in the alleged ward's best interest to appoint an emergency guardian, Court will approve the Application for Appointment of Emergency Guardian or Issuance of Emergency Order. This initial emergency appointment is for a 72 HOUR TIME FRAME ONLY.
4. If the emergency guardianship needs to remain in effect past the 72 hours, then the Motion to Extend Emergency Guardianship would need to be filed at the same time as the Application for Appointment of Emergency Guardian or Issuance of Emergency Order.
5. Court sets that Motion to Extend for a formal hearing prior to the 72 hours expiring. Court Guardianship Investigator will serve the ward of this hearing date and time.
6. If the Motion to Extend is approved, the Court will give emergency guardian "Emergency Letters of Authority" for a limited 30 day time frame.
7. During this 30 day time frame, a full application to appoint guardian, if necessary, would need to be filed within 7 days of the extension of the emergency guardianship. This is filed timely to allow the court to get a formal court hearing schedule don the full application prior to the emergency guardianship appointment expiring.