IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT

IN AND FOR COLLIER COUNTY, FLORIDA PROBATE DIVISION

|  |  |  |
| --- | --- | --- |
| IN RE: GUARDIANSHIP OF |  | CASE NO. \_\_-GA-\_\_\_\_\_\_\_ |

**ORDER APPOINTING EMERGENCY TEMPORARY GUARDIAN**

On the petition of \_\_\_\_\_\_\_\_\_\_\_\_\_\_for appointment of an emergency temporary guardian for \_\_\_\_\_\_\_\_\_\_\_\_\_\_, an alleged incapacitated person, who is represented by counsel in these proceedings; and it appearing to the court that there is an imminent danger that the physical or mental health or safety of the alleged incapacitated person will be seriously impaired or that the property of that person is in danger of being wasted, misappropriated or lost unless immediate action is taken; and the Court having jurisdiction and being fully advised; it is

**ADJUDGED** as follows:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is qualified to serve and is hereby appointed as emergency temporary guardians of the person and property of the Ward.
2. Upon taking the prescribed oath, filing a designation of resident agent and acceptance and posting bond in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_payable to the Governor of the State of Florida and all successors in office, conditioned on the faithful performance of all duties by the guardians, letters of emergency temporary guardianship shall be issued to the emergency temporary guardians granting the following powers and duties:
3. Pursuant to Section 744.3031, Florida Statutes, the rights identified below should be removed temporarily from the Ward and those rights which are delegable should be delegated to the emergency temporary guardians, with full power to exercise such powers and duties pertaining to the Ward's person and property:

|  |  |
| --- | --- |
| **Non-Delegable** | **Delegable**  |
| To marry | To contract  |
| To vote | To sue and defend lawsuits |
| To personally apply for govt. benefits | To apply for government benefits |
| To have a driver license | To manage/dispose property or make gifts |
| To travel | To determine his/her residence |
| To seek or retain employment  | To consent to medical/mental health  |
|  | To decide aspects of social life |

1. The Court is not aware whether the Ward, has executed any valid advance directive pursuant to Chapter 765, Florida Statutes. If any such advance directive exists, the guardians shall exercise no authority over a health care surrogate until further order of this Court.
2. Unless further extended by order of this Court, the authority of the emergency temporary guardians will expire ninety (90) days after the date of this order, or when a guardian is appointed pursuant to Florida Statutes Section 744.2005, whichever occurs first.

**DONE and ORDERED** in Naples, Collier County, Florida on this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

Honorable Circuit Judge

Conformed copies via Clerk’s E-Service to: