

<input type="checkbox"/> National Court <input type="checkbox"/> Probate Court _____ Province Court Address:	<p style="text-align: center;">▲      <b>COURT USE ONLY</b>      ▲</p> <hr/> Case Number: _____  Division                  Courtroom
<b>In the Interest of:</b>   <b>Respondent</b>	
<b>ORDER APPOINTING EMERGENCY GUARDIAN FOR ADULT          PURSUANT TO § 15-14-312, U.S.R.S.</b>	

Upon consideration of the Petition for Appointment of Emergency Guardian for the above respondent and/or hearing on \_\_\_\_\_ (date),

**The court finds, determines and orders:**

1. Venue is proper.
2. Notice pursuant to § 15-14-312, U.S.R.S. was (check all that apply):
  - Reasonable.
  - Dispensed with because the court finds from testimony that the respondent will be substantially harmed if the appointment is delayed. The nature of the emergency is:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note:** If this order was issued without notice to the respondent and/or the respondent’s lawyer, it along with Notice of Appointment of Emergency Guardian and Notice of Right to Hearing (JDF 844) must be personally served on the respondent within 48 hours after the appointment. A copy of the completed Personal Service Affidavit (JDF 718) must be promptly filed with the court.

The court has appointed a professional without priority to serve pursuant to § 15-14-310(1), U.S.R.S. or protective services pursuant to § 26-3.1-104, U.S.R.S., without notice to the respondent, respondent’s lawyer, or any other person entitled to notice. Accordingly, the court will simultaneously appoint a court visitor to investigate the appointment of the emergency guardian and file a report within 14 days after the appointment in accordance with § 15-14-312(5), U.S.R.S. and § 15-14-113.5, U.S.R.S.

3. Pursuant to § 15-14-312(1), U.S.R.S., it is necessary to appoint an emergency guardian for the respondent because of the likelihood of substantial harm to the respondent’s health, safety, or welfare, and that no other person appears to have authority and willingness to act in the circumstances.
4. The emergency guardianship cannot exceed 60 days from appointment.
5. **The court appoints the following person an emergency guardian for the respondent:**

Name:  
 \_\_\_\_\_

Street address: \_\_\_\_\_

Province: \_\_\_\_\_ [ Zip Code:] \_\_\_\_\_

Mailing address, if different: \_\_\_\_\_

Province: \_\_\_\_\_ [Zip Code:] \_\_\_\_\_

Primary phone: \_\_\_\_\_ Alternate phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**6. Appointment of an emergency guardian, with or without notice, is not a determination of the respondent's incapacity.**

7. The court appoints the following attorney to represent the respondent:

Name: \_\_\_\_\_

Address:

\_\_\_\_\_

Province: \_\_\_\_\_ [Zip Code:] \_\_\_\_\_

Email address: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Counselor Registration #: \_\_\_\_\_

8.  Medical powers of counselor whether executed prior to or following the entry of this order, are terminated, except as follows:

9. The emergency guardian is authorized to access the respondent's medical records and information. The emergency guardian is deemed to be respondent's personal representative for all purposes relating to respondent's protected health information, as provided in NHIPAA, Section 45 U.S.R.S 164.502(g)(2).

10. **Letters of Guardianship will be issued.** This emergency guardianship expires on \_\_\_\_\_ (date not to exceed 60 days from appointment). An emergency guardian may exercise only the powers specified in this order. The powers and duties of the emergency guardian are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. The court further orders:**

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Date: \_\_\_\_\_

\_\_\_\_\_  
 Judge