

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

County

IN THE MATTER OF:

ORDER AUTHORIZING
PROTECTIVE SERVICES

G.S. 108A-101(i), -105

Name And Address Of Respondent

Name And Address Of Petitioner

Name And Address Of Attorney For Petitioner

Telephone Number Of Petitioner

Telephone Number of Petitioner's Attorney

State Bar No.

FINDINGS

This matter comes on for hearing on the Petition for Order Authorizing Protective Services filed under the statutory authority of the director of the county department of social services. Based on the record, testimony and other evidence presented to the Court, the Court makes the following findings of fact by clear, cogent and convincing evidence:

- 1. The respondent is
- A resident of this county or can be found in this county.
- A disabled adult ___ years of age or a lawfully emancipated minor ___ years of age present in the State of North Carolina and is physically or mentally incapacitated as defined in G.S. 108A-101(d).
2. The petition was filed on (date) ___ and respondent was served pursuant to G.S. 1A-1, Rule 4(j) on (date) ___.
3. The respondent is in need of protective services due to physical or mental incapacity and unable to obtain essential services and is without a willing, able and responsible person to perform or obtain essential services. The respondent is in need of protective services in that: ___.
4. The respondent lacks the capacity to consent to the provision of protective services.

CONCLUSIONS OF LAW

Based on the findings of fact, the Court concludes that:

- 1. This matter is properly before the Court and the District Court has jurisdiction over the subject matter and over the respondent.
2. Respondent is a disabled adult in need of protective services and lacks the capacity to consent to such services as required by G.S. 108A-105.
3. It is in the best interest of the respondent that this order be entered.

ORDER

It is ORDERED:

- 1. That ___ is authorized to provide or consent to, without further orders of the Court, the essential services set out in G.S. 108A-101(i).
2. That this order shall remain in effect for 60 days unless:
a. Protective services are no longer needed;
b. The respondent regains capacity to consent to the provision of protective services;
c. A guardian of the person or general guardian has qualified; or
d. For good cause shown the Court extends the order for up to 60 additional days at the end of which time the order expires.
3. This Matter shall be reviewed, unless previously dismissed, without further notice to the parties on (date) ___ at (time) ___ in Courtroom ___ to determine whether a petition should be filed for guardianship pursuant to G.S. Chapter 35A.

Date

Name Of Presiding District Court Judge

Signature Of Presiding District Court Judge

ORDER EXTENDING SERVICES

For good cause shown, it is further ordered that the time frame of 60 days in the above order is extended for up to an additional 60 days to meet the conditions necessitating the order. In any event this order shall terminate on the earliest of the following:

- Protective services are no longer needed; or
- The respondent regains capacity to consent to provision of protective services; or
- The expiration date, if any, (*date*) _____ ordered by the court; or
- A guardian of the person or general guardian has qualified; or
- The petition is dismissed by the Court; or
- 60 days from the date of this ORDER EXTENDING SERVICES.

<i>Date</i>	<i>Name Of Presiding District Court Judge</i>	<i>Signature Of Presiding District Court Judge</i>
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