

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

County

IN THE MATTER OF THE ESTATE OF

ORDER ON APPLICATION
FOR APPOINTMENT OF
GUARDIAN

Name Of Respondent

Incompetent Date Of Application
Minor

Special Proceedings File No.

G.S. 35A-1213, -1214, -1215, -1226

Name And Address Of Guardian

Name And Address Of Guardian

Of The Estate Of The Person General Guardian

Of The Estate Of The Person General Guardian

FINDINGS

This matter is before the Court on an application for the appointment of a guardian for the respondent named above. This Court has subject matter jurisdiction over this proceeding and personal jurisdiction over the respondent, and this county is a proper venue.

Upon due notice and hearing, or upon waiver of notice and hearing by all parties entitled thereto and upon their consent, the Court determines that a guardian must or should be appointed, and the Court further finds that each person appointed by this Order is entitled, and is not disqualified to serve as guardian, and that it is in the best interest of the respondent that the above named person(s) serve as guardian(s).

ADDITIONAL FINDINGS RE: LIMITED GUARDIANSHIP

NOTE TO CLERK: Complete Findings Re: Limited Guardianship only if ordering limited guardianship, otherwise, proceed to the Conclusion.

Based on the evidence presented, the Court makes the following specific findings of fact as to the nature of the ward's capacity:

A. Language and Communication

- Understands conversation and communicates personal needs. Needs assistance
Has capacity to communicate important decisions. Needs assistance
Other: \_\_\_\_\_

B. Nutrition

- Makes decisions about when and what to eat. Needs assistance
Knows which foods he/she is unable to tolerate. Needs assistance
Can maintain proper diet. Needs assistance
Can follow a prescribed diet if needed. Needs assistance
Other: \_\_\_\_\_

C. Personal Hygiene

- Understands the need to bathe and maintain personal hygiene. Needs assistance
Understands the need to maintain dental care. Needs assistance
Is able to maintain personal hygiene and dental care. Needs assistance
Uses proper hygiene when toileting. Needs assistance
Other: \_\_\_\_\_

**FINDINGS RE: LIMITED GUARDIANSHIP (Continued)**

**D. Health Care**

- Can make and communicate decisions regarding health treatment.  Needs assistance
- Can take care of minor health problems.  Needs assistance
- Can follow prescribed routines and take prescribed medicines.  Needs assistance
- Can alert others and seek medical help for serious health problems.  Needs assistance
- Has capacity to keep a sanitary living environment.  Needs assistance
- Other: \_\_\_\_\_

**E. Personal Safety**

- Has capacity to identify and avoid life-threatening behaviors.  Needs assistance
- Is able to recognize and avoid hazards in home.  Needs assistance
- Can handle or seek help in emergencies.  Needs assistance
- Can recognize when others present a danger and avoid that danger.  Needs assistance
- Other: \_\_\_\_\_

**F. Residential**

- Has capacity to live alone.  Needs assistance
- Has capacity to maintain private residence.  Needs assistance
- Can recognize and communicate need for maintenance of private residence.  Needs assistance
- Can make and communicate decisions about residential options.  Needs assistance
- Other: \_\_\_\_\_

**G. Employment**

- Can make and communicate choice in regard to employment.  Needs assistance
- Demonstrates skills required to work.  Needs assistance
- Can look for and find a job.  Needs assistance
- Other: \_\_\_\_\_

**H. Independent Living**

- Has capacity to appropriately relate to friends and family members.  Needs assistance
- Has capacity to make decisions without undue influence from others.  Needs assistance
- Has capacity to make decisions concerning social activities.  Needs assistance
- Has capacity to determine degree of participation in religious activities.  Needs assistance
- Can utilize familiar community resources.  Needs assistance
- Can identify his or her address and return home or seek assistance.  Needs assistance
- Other: \_\_\_\_\_

**I. Civil**

- Can communicate wishes regarding legal documents or services.  Needs assistance
- Can contact lawyer, police, advocates, etc. if being exploited or treated unfairly.  Needs assistance
- Demonstrates willingness to vote and can acquire information accordingly.  Needs assistance
- Has capacity to drive a car.  Needs assistance
- Other: \_\_\_\_\_

Name Of Ward

FINDINGS RE: LIMITED GUARDIANSHIP (Continued)

J. Financial

- Can spend small amounts of money.  Needs assistance
- Can manage a weekly or monthly budget.  Needs assistance
- Is able to seek out and apply for governmental benefits.  Needs assistance
- Has capacity to pay routine bills.  Needs assistance
- Is able to maintain checking account and/or ATM card.  Needs assistance
- Is able to make and carry out major financial decisions.  Needs assistance
- Other: \_\_\_\_\_  Needs assistance

CONCLUSION

Based on the above findings, the Court concludes that it  is  is not in the best interest of the respondent that he/she retain certain rights and privileges as set forth below.

ORDER

It is ORDERED that:

- each person named above is appointed as guardian of the respondent or minor to serve in the capacity designated, and letters of appointment shall be issued to each such person when he/she properly qualifies to serve.
- It is further ordered that the ward shall retain the following legal rights and privileges: *(check all that apply)*
  - Determine his/her degree of participation in interpersonal relationships and social, religious, and community activities.  
Additional Specifications: \_\_\_\_\_
  - Make  Assist in decisions regarding living arrangements.  
Additional Specifications: \_\_\_\_\_
  - Make  Assist in decisions regarding employment.  
Additional Specifications: \_\_\_\_\_
  - Make  Assist in decisions regarding health treatment.  
Additional Specifications: \_\_\_\_\_
  - Take care of minor health problems.  
Additional Specifications: \_\_\_\_\_
  - Contact service providers as needed.  
Additional Specifications: \_\_\_\_\_
  - Handle amounts of money up to \$ \_\_\_\_\_.  
Additional Specifications: \_\_\_\_\_
  - Maintain personal property other than funds, stocks, bonds, sureties, etc.  
Additional Specifications: \_\_\_\_\_
  - Enter into contracts regarding social, religious, and community activities.  
Additional Specifications: \_\_\_\_\_
  - Enter into contracts regarding residential arrangements.  
Additional Specifications: \_\_\_\_\_
  - Enter into contracts regarding health care, legal, and other services.  
Additional Specifications: \_\_\_\_\_
  - Consult with guardian regarding financial decisions.  
Additional Specifications: \_\_\_\_\_
  - Other: \_\_\_\_\_

It is further ordered that the individual(s) named as guardian of the person shall file status reports. (NOTE: Pursuant to G.S. 35A-1242(a), any corporation or disinterested public agent that is guardian of the person for an incompetent person is required to submit status reports.)

Date

Signature

- Assistant CSC
- Clerk Of Superior Court