

**PETITION FOR THE APPOINTMENT OF AN  
EMERGENCY GUARDIAN AND/OR CONSERVATOR FOR A PROPOSED WARD**

**INSTRUCTIONS**

**I. Specific Instructions**

1. This form is to be used for filing a Petition for the Appointment of an Emergency Guardian and/or Conservator for a Proposed Ward pursuant to O.C.G.A. §§ 29-4-14 and/or 29-5-14.
2. Regarding the need for the pre-hearing appointment of an emergency guardian and/or conservator, O.C.G.A. §§ 29-4-15(c)(5) and 29-5-15 (c)(5) provide as follows: If the court determines that there is probable cause to believe that the proposed ward is in immediate need of an emergency guardian, the court shall appoint an emergency guardian to serve until the emergency hearing, with or without prior notice to the proposed ward, but only if the threatened risk is so immediate and the potential harm so irreparable that any delay is unreasonable and the existence of the threatened risk and potential for irreparable harm is certified by the affidavit of a physician licensed to practice medicine under Chapter 34 of Title 43, a psychologist licensed to practice under Chapter 39 of Title 43, or a licensed clinical social worker. However, pending the emergency hearing, the court shall order that no withdrawals may be made from any account on the authority of the proposed ward's signature without the court's prior approval and that the emergency conservator shall not expend any funds of the proposed ward without prior court approval.
3. Further, if a pre-hearing emergency guardian and/or conservator is appointed to serve until the emergency hearing, then such guardian and/or conservator shall, prior to the issuance of Letters of Emergency Guardianship and/or Conservatorship, take an oath and post such bond as the court may require.
4. The burden of proof is on the Petitioner to prove by clear and convincing evidence that the proposed ward lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and is in need of a guardian **AND** that there is an immediate, clear, and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed and/or that the proposed ward lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and is in need of a conservator **AND** that there is an immediate, substantial risk of irreparable waste or dissipation of the estate unless an emergency conservator is appointed.
5. In any case involving the appointment of a conservator when the proposed ward owns real property in Georgia, a certificate of creation of conservatorship will be completed by the clerk of the probate court and filed with the clerk of the superior court of each county in which the proposed ward owns real property.

6. According to Probate Court Rule 5.6 (A), unless the court specifically assumes the responsibility, it is the responsibility of the moving party to prepare the proper citation and deliver it properly to the court so that it can be served according to law. Pages after page 12 are to be completed by the moving party, unless otherwise directed by the court.
7. An oath must be administered by a Probate Judge or Clerk (the oath cannot be administered by a notary). Use Georgia Probate Court Standard Form 35 for the oath. The oath is not included in this form. Georgia Probate Court Standard Form 53, Commission to Administer Oath, can be used if the oath is to be administered by a court outside the State of Georgia.

## II. General Instructions

General instructions applicable to all Georgia probate court standard forms are available in each Probate Court, labeled GPCSF 1.

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**PETITION FOR APPOINTMENT OF AN EMERGENCY GUARDIAN AND/OR  
EMERGENCY CONSERVATOR FOR A PROPOSED WARD**

**[NOTE: Unless there are two or more Petitioners, the affidavit beginning on page 8 must be completed by a physician, psychologist, or licensed clinical social worker and based on an examination within fifteen (15) days prior to the filing of this Petition.]**

The Petition of \_\_\_\_\_,  
whose relationship to the above named ward is \_\_\_\_\_,  
whose domicile is \_\_\_\_\_,  
Street City County State Zip  
and mailing address is \_\_\_\_\_,  
Street City County State Zip  
and

**(initial either a. or b. below)**

\_\_\_\_\_(a) the Petition of \_\_\_\_\_,  
whose relationship to the above named ward is \_\_\_\_\_,  
whose domicile is \_\_\_\_\_,  
Street City County State Zip  
whose mailing address is \_\_\_\_\_,  
Street City County State Zip

**OR**

\_\_\_\_\_(b) attached hereto as pages 8 and 9 and made a part of this Petition is the completed affidavit of \_\_\_\_\_,  
a physician, psychologist, or licensed clinical social worker licensed to practice in Georgia, who has examined the proposed ward within fifteen (15) days prior to the filing of this Petition, shows to the Court the following:



(NOTE: Pursuant to O.C.G.A. §§ 29-4-15(b) and 29-5-14(b), the Court shall dismiss the Petition if the Petitioner(s) does/do not allege facts which cause the Court to believe that the proposed ward is in need of an emergency guardian and/or conservator as stated above. The Petition cannot be granted unless sufficient facts are presented that support the claim for the need for the appointment of an emergency guardian and/or conservator. While an attached physician's, psychologist's, or social worker's affidavit is permissible, the Petitioner(s) MUST specifically allege sufficient facts to support the granting of this Petition.)

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4.

- a. It is in the best interest of the proposed ward for the following individual to be appointed emergency guardian: \_\_\_\_\_.
- b. It is in the best interest of the proposed ward for the following individual to be appointed emergency conservator: \_\_\_\_\_.

5.

- a. Is it necessary, in addition to the appointment of an emergency guardian, after notice and hearing, for the Court to immediately appoint a pre-hearing emergency guardian? (Circle One) (Yes) (No)
- b. Is it necessary, in addition to the appointment of an emergency conservator, after notice and hearing, for the Court to immediately appoint a pre-hearing emergency conservator? (Circle One) (Yes) (No)

If you answer "Yes" to a. and/or b., provide the following on a separate page:

- 1. The reasons why a pre-hearing emergency guardian and/or conservator is necessary;
- 2. Who should be appointed as a pre-hearing guardian and/or conservator;
- 3. The specific powers that should be granted to the pre-hearing guardian and/or conservator; and
- 4. Why such powers are necessary to prevent irreparable harm to the proposed ward.

6.

The reason(s) why the procedures for the appointment of a non-emergency (permanent) guardianship and/or conservatorship are inadequate to protect the proposed ward and/or his or her property is/are: \_\_\_\_\_

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7.

Will a petition for permanent guardianship/conservatorship be filed? (Circle One) (Yes) (No)

If you answer "Yes," provide the details of such filing, including the petitioner's name, county of filing, expected date of filing, etc.: \_\_\_\_\_

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8.

A summary description of the proposed ward’s known assets, income, other sources of funds, all liabilities, and expenses is provided on pages 10–12.

9.

The foreseeable duration of the proposed ward’s incapacity is \_\_\_\_\_  
\_\_\_\_\_and the Court should grant the emergency guardian/conservator the following powers and duties that do not exceed those absolutely necessary to respond to the immediate threatened risk(s) described above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10.

- a. Has a Power of Attorney been created by anyone for the proposed ward? (Circle One) (Yes) (No)
- b. Has a trust been created by anyone for the proposed ward? (Circle One) (Yes) (No)
- c. Has another document been created by anyone that gives another person authority to act on the proposed ward’s behalf? (Circle One) (Yes) (No)
- d. Does anyone else have the authority to act on behalf of the proposed ward? (Circle One) (Yes) (No)

If you answer “Yes” to a., b., c. and/or d., provide the following information:

- 1. The full name of each individual with the authority to act under a power of attorney, trust, or otherwise. A name should be listed for each affirmative answer in this paragraph;
- 2. The complete address of each individual with the authority to act under a power of attorney, trust, or otherwise. An address should be listed for each affirmative answer in this paragraph;
- 3. The telephone number of each individual with the authority to act under a power of attorney, trust, or otherwise. A telephone number should be listed for each affirmative answer in this paragraph;
- 4. Attach a copy of each document that creates such authority; and

For each of the individuals named in this paragraph, state whether or not it appears he or she is willing and able to act on behalf of the proposed ward and include the facts that give rise to that appearance.

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

11.

Additional Data: Where full particulars are lacking, state here the reasons for any such omission. \_\_\_\_\_

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

WHEREFORE, Petitioner(s) pray(s):

1. that service be perfected as required by law;
2. that the Court appoint legal counsel and an evaluator for the proposed ward and order an evaluation as required by law;
3. that the court order an emergency hearing to be conducted not sooner than three (3) days nor later than five (5) days after the filing of this Petition;
4. that an emergency guardian and/or conservator be appointed for the proposed ward; and
5. that, if requested, the Court immediately appoint a pre-hearing emergency guardian and/or conservator with such powers and duties as the Court shall direct.

\_\_\_\_\_  
Signature of First Petitioner

\_\_\_\_\_  
Signature of Second Petitioner, if any

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

Signature of Attorney: \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Attorney's Address \_\_\_\_\_

Telephone # \_\_\_\_\_

State Bar # \_\_\_\_\_

**VERIFICATION**

**GEORGIA, \_\_\_\_\_ COUNTY**

Personally appeared before me the undersigned Petitioner(s) who, after being duly sworn, state(s) that the facts set forth in the foregoing Petition (and the attached exhibits) are true.

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of First Petitioner

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name of First Petitioner

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Second Petitioner

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Second Petitioner

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**CONSENT TO SERVE AS EMERGENCY GUARDIAN AND/OR CONSERVATOR**

RE: Petition for the Appointment of an Emergency Guardian and/or Conservator for the above named Proposed Ward

I/We, \_\_\_\_\_, having been nominated as emergency guardian(s), and I/we, \_\_\_\_\_, having been nominated as emergency conservator(s) of the above-named proposed ward, do hereby consent to serve as emergency guardian(s) and/or conservator(s) and pre-hearing emergency guardian(s) and/or conservator(s) if so appointed.

\_\_\_\_\_  
Signature Proposed Emergency Guardian

\_\_\_\_\_  
Signature Proposed Emergency Conservator

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature Proposed Emergency  
Guardian/Conservator

\_\_\_\_\_  
Signature Proposed Emergency  
Guardian/Conservator

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
 )  
 ) **PROPOSED WARD.** )

RE: Petition for Appointment of an Emergency Guardian and/or Conservator for the above named Proposed Ward

**AFFIDAVIT OF PHYSICIAN, PSYCHOLOGIST, OR CLINICAL SOCIAL WORKER  
FOR EMERGENCY GUARDIANSHIP AND/OR CONSERVATORSHIP**

I, being first duly sworn, depose and say that I am a physician licensed to practice under Chapter 34 of Title 43 of the Official Code of Georgia Annotated, a psychologist licensed to practice under Chapter 39 of Title 43 of the Official Code of Georgia Annotated, or a licensed clinical social worker; that my office address is \_\_\_\_\_  
\_\_\_\_\_ Georgia and that I have examined the above-named proposed ward on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. **NOTE: The examination on which this affidavit is based must occur WITHIN FIFTEEN (15) DAYS prior to the filing of the Petition.** I found him/her to be incapacitated by reason of \_\_\_\_\_

\_\_\_\_\_ to the extent that said proposed ward:

(initial all applicable)

- \_\_\_\_\_ (a) (re: emergency guardianship:) lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and there is an immediate and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed, and (if applicable)
- \_\_\_\_\_ (i) **the threatened risk is so immediate and the potential harm so irreparable that any delay is unreasonable and a pre-hearing guardian should be appointed.**
- \_\_\_\_\_ (b) (re: emergency conservatorship:) lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and there is an immediate, substantial risk of irreparable waste or dissipation of the estate unless an emergency conservator is appointed, and (if applicable)
- \_\_\_\_\_ (ii) **the threatened risk is so immediate and the potential harm so irreparable that any delay is unreasonable and a pre-hearing conservator should be appointed.**

The following facts support my opinion of incapacity and the existence of immediate threat(s) or risk(s) to the proposed ward: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

The foreseeable limits on the duration of such incapacity are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Optional: Affiant's opinions as to any other limitations on the emergency guardianship and/or conservatorship are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Physician/Psychologist/Social Worker

\_\_\_\_\_  
Printed Name of Evaluator

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_  
(NOTARY SEAL AFFIXED)

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 \_\_\_\_\_ ) **ESTATE NO.** \_\_\_\_\_ )  
 \_\_\_\_\_ )  
**PROPOSED WARD.** \_\_\_\_\_ )

RE: Petition for the Appointment of an Emergency Guardian and/or Conservator for the above named Proposed Ward

**(NOTE: If the appointment of an emergency conservator is sought and no petition for permanent conservatorship is being filed simultaneously, this form must be completed.)**

**ASSETS, INCOME, OTHER SOURCES OF FUNDS, LIABILITIES, AND EXPENSES  
OF PROPOSED WARD**

**REAL PROPERTY**

(Indicate if property is jointly owned and, if so, with whom)

	Description	County	State	<b>Approximate Equity:</b>
Parcel 1:	_____			\$ _____
Parcel 2:	_____			\$ _____
Parcel 3:	_____			\$ _____

**INCOME FROM ALL SOURCES**

**Yearly Total:**

Social Security per year:	\$ _____
SSI (Supplemental Security Income) per year:	\$ _____
Retirement benefits per year:	\$ _____
VA benefits per year:	\$ _____
Other income per year (e.g. alimony, annuity, or trust distributions):	\$ _____
Interest, dividend, or investment income:	\$ _____
<b>Yearly Total of All Income:</b>	<b>\$ _____</b>

**PERSONAL AND INTANGIBLE PROPERTY**

(Indicate if property is jointly owned and, if so, with whom)

**(1) Checking/Savings/Money Market/Certificates of Deposit/  
Liquid Accounts:**

Bank/Financial Institution/Broker	Account Number	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**(2) Stocks/Bonds/Investments (including retirement and profit-sharing accounts:**

**(a) Held by Brokers:**

Brokerage Firm/Institution	Account Number	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**(b) Privately Held:**

Company/Issuer	Number of Shares	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**(3) Automobiles**

Year/Make/Model	V.I.N.	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**(4) Other assets of significant value:**

Description	Joint Owner, if any	
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

**Total Value of Personal and Intangible Property:** \$ \_\_\_\_\_

**DEBTS AND OTHER LIABILITIES**

**PERSONAL AND INTANGIBLE PROPERTY**

The proposed ward has the following debts and/or liabilities:

**Approximate Balance:**

**(1) Secured Debts:**

Obligor/Payee	Collateral	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**(2) Unsecured Debts:**

Obligor/Payee	Account Number	Joint Owner, if any	
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

**Total Debts and Other Liabilities of Proposed Ward:** \$ \_\_\_\_\_

**AVERAGE MONTHLY LIABILITIES AND EXPENSES**

Household:

Care Facility/Rent/Mortgage Payments: \$ \_\_\_\_\_  
 Property Taxes/Insurance: \$ \_\_\_\_\_  
 Utilities/Law Care/Pest Control: \$ \_\_\_\_\_  
 Miscellaneous Household Food: \$ \_\_\_\_\_  
 Total Credit Account and Other Debt Payments: \$ \_\_\_\_\_  
 Other (specify) \_\_\_\_\_: \$ \_\_\_\_\_

Automotive/Transportation:

Fuel and Repairs: \$ \_\_\_\_\_  
 Tags, License Fees, Insurance: \$ \_\_\_\_\_  
 Bus/Train/Taxi Fares \$ \_\_\_\_\_

Minors or Other Dependents of Proposed Ward:

Childcare: \$ \_\_\_\_\_  
 School Tuition/Supplies/Expenses/Lunches: \$ \_\_\_\_\_  
 Clothing/Diapers/Grooming/Hygiene: \$ \_\_\_\_\_  
 Medical/Dental/Prescription: \$ \_\_\_\_\_  
 Entertainment/Activities: \$ \_\_\_\_\_

Other Insurance:

Health: \$ \_\_\_\_\_  
 Life/Disability: \$ \_\_\_\_\_  
 Other (specify) \_\_\_\_\_: \$ \_\_\_\_\_

Proposed Ward's Other Expenses:

Laundry/Clothing/Grooming/Hygiene: \$ \_\_\_\_\_  
 Medical/Dental/Prescriptions/Medications: \$ \_\_\_\_\_  
 Entertainment/Vacations/Subscriptions/Dues: \$ \_\_\_\_\_  
 Personal Caretakers/Cleaning Personnel: \$ \_\_\_\_\_

**Total Expenses:** \$ \_\_\_\_\_

**PAYMENTS TO CREDITORS**

Is the proposed ward behind on any debt payments? (Yes) (No)  
 If so, payee and amount: \_\_\_\_\_ \$ \_\_\_\_\_

**SUMMARY**

(1) Average Monthly Income: \$ \_\_\_\_\_  
 (2) Average Monthly Expenses: \$ \_\_\_\_\_

## **NOTICE**

**THE FOLLOWING PAGES ARE TO BE COMPLETED BY THE PETITIONER (MOVING PARTY) UNLESS OTHERWISE DIRECTED BY THE COURT.**

**SEE PROBATE COURT RULE 5.6 (A).**

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**ORDER FOR EVALUATION, APPOINTMENT OF COUNSEL,  
APPOINTMENT OF SPECIAL PROCESS SERVER, AND NOTICE OF HEARING**

The above Petition having been read and considered, and it appearing that there is probable cause to believe that the proposed ward is in need of an emergency guardian and/or conservator within the meaning of O.C.G.A. §§ 29-4-14 and/or 29-5-14,

IT IS HEREBY ORDERED that \_\_\_\_\_  
(physician) (psychologist) (licensed clinical social worker), is appointed to evaluate the above-named proposed ward at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on \_\_\_\_\_,  
20\_\_\_\_ at (location)\_\_\_\_\_,  
telephone number \_\_\_\_\_. In compliance with Georgia law and federal law, including HIPAA, healthcare providers shall permit the above evaluator to have access to the proposed ward's medical records.

IT IS FURTHER ORDERED that \_\_\_\_\_ is hereby appointed special process server to serve \_\_\_\_\_, proposed ward, with a copy of the Petition for appointment of emergency guardian and/or conservator and this Order/Notice.

IT IS FURTHER ORDERED that the above-named proposed ward shall submit to an evaluation at the time and place stated above and that a written report shall be furnished to the Court and made available to the parties within seventy-two (72) hours after this order being issued.

IT IS FURTHER ORDERED that an emergency hearing shall be conducted (in the Probate Court of \_\_\_\_\_ County, courtroom \_\_\_\_\_,  
(address) \_\_\_\_\_,  
Georgia) (at the following location: \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on \_\_\_\_\_,  
20\_\_\_\_), which is not sooner than three (3) days nor later than five (5) days after the filing of the Petition.

IT IS FURTHER ORDERED that the evaluator shall explain the purpose of the evaluation to the proposed ward.

IT IS FURTHER ORDERED that \_\_\_\_\_, attorney at law, telephone number \_\_\_\_\_ is hereby appointed to represent the proposed ward.

IT IS FURTHER ORDERED that the Clerk/Deputy Clerk shall mail by first-class mail copies of the Notice of Petition filed for an Emergency Guardianship and/or Conservatorship and this order to all interested individuals identified in paragraph 10 of the Petition, if any.

(initial if applicable)

\_\_\_\_\_ (a) IT IS FURTHER ORDERED that, based on the affidavit filed with the Petition, it appears that the threatened risk of death or serious physical injury, illness, or disease of the proposed ward is so immediate and the potential harm so irreparable that any delay is unreasonable, and \_\_\_\_\_ is named as pre-hearing emergency guardian of the proposed ward, to serve pending the hearing as scheduled above. Emergency Letters of Guardianship shall be issued upon said emergency guardian taking the oath.

\_\_\_\_\_ (b) IT IS FURTHER ORDERED that, based on the affidavit filed with the Petition, it appears that the threatened risk of waste or dissipation of the proposed ward's property is so immediate and the potential harm so irreparable that any delay is unreasonable, and \_\_\_\_\_ is named as pre-hearing emergency conservator of the proposed ward, to serve pending the hearing as scheduled above. Emergency Letters of Conservatorship shall be issued upon said emergency conservator posting a surety bond in the amount of \$\_\_\_\_\_ and taking the oath.

(initial if applicable)

\_\_\_\_\_ (i) IT IS FURTHER ORDERED that, pending the emergency hearing, the Court hereby orders that no withdrawals may be made from any account on the authority of the proposed ward's signature without the Court's prior approval and that the emergency conservator shall not expend any funds of the proposed ward without prior Court approval.

**NOTICE TO PROPOSED WARD:**

This is to notify you of a proceeding initiated in this Court by \_\_\_\_\_ seeking to appoint:

(initial one or both)

- \_\_\_\_\_ (a) an emergency guardian for your person; and/or
- \_\_\_\_\_ (b) an emergency conservator for your property.

BY THIS ORDER, THE COURT HAS APPOINTED AN ATTORNEY TO REPRESENT YOU AND HAS SCHEDULED A HEARING. YOU AND YOUR ATTORNEY HAVE THE RIGHT TO ATTEND ANY HEARING HELD ON THIS MATTER.

IF A GUARDIAN IS APPOINTED FOR YOU, YOU MAY LOSE IMPORTANT RIGHTS TO CONTROL AND MANAGE YOUR PERSON.

IF A CONSERVATOR IS APPOINTED FOR YOU, YOU MAY LOSE IMPORTANT RIGHTS TO CONTROL AND MANAGE YOUR PROPERTY.

ALTHOUGH YOU MUST ATTEND THE EVALUATION, YOU DO NOT HAVE TO RESPOND TO QUESTIONS.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**NOTICE OF PETITION TO FILE FOR EMERGENCY  
GUARDIANSHIP/CONSERVATORSHIP**

The Petition of \_\_\_\_\_, was filed on \_\_\_\_\_, 20\_\_\_\_. The Petition is for \_\_\_\_\_ to be appointed as guardian and for \_\_\_\_\_ to be appointed as conservator for \_\_\_\_\_, proposed ward. All interested persons are hereby notified to show cause, if any they have, on or before \_\_\_\_\_, 20\_\_\_\_, why said Petition should not be granted. All objections to the Petition must be in writing, setting forth the grounds of any such objections, and must be filed on or before the time stated in the preceding sentence. All pleadings/objections must be signed before a notary public or before a probate court clerk and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number for the required amount of filing fees.

\_\_\_\_\_  
Address  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Judge of the Probate Court  
By: \_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**CERTIFICATE OF SERVICE OF ORDER FOR EVALUATION; APPOINTMENT OF COUNSEL; APPOINTMENT OF SPECIAL PROCESS SERVER; AND NOTICE OF HEARING**

[NOTE: Notice is required to be mailed to the proposed ward’s guardian ad litem (if any) and attorney; and the appointed Power of Attorney of the proposed ward as found in paragraph 10 of the Petition.]

I certify that I have on this date mailed (unless otherwise noted) in an envelope with proper postage affixed thereto for first-class delivery a copy of the foregoing Petition and order to the following parties at the address listed below:

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**ORDER FOR DISMISSAL**

The above and foregoing Petition having been read and considered pursuant to O.C.G.A. §§ 29-4-15 and/or 29-5-15, and based on the Petition and prior to the court-ordered evaluation, it appears that there is not probable cause to believe that the proposed ward is in need of an emergency guardian and/or conservator, therefore,

IT IS HEREBY ORDERED that the Petition is dismissed.

IT IS FURTHER ORDERED that a copy of the Petition, the affidavit, if any, and this order be served on the proposed ward by first-class mail, and a copy of this order be served in the same manner upon the Petitioner(s) or his/her/their attorney, if any.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**CERTIFICATE OF SERVICE OF ORDER OF DISMISSAL**

[NOTE: Notice is required to be mailed to the proposed ward’s guardian ad litem (if any) and attorney; and the appointed Power of Attorney of the proposed ward as found in paragraph 10 of the Petition.] \*

I certify that I have this day mailed (unless otherwise noted) in an envelope with proper postage affixed thereto for first class delivery a copy of the Petition, the medical affidavit, and\* order for dismissal to the proposed ward and other persons listed below as required by law, and to the following parties at the address listed below.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

\* not necessary if dismissal is after evaluation.

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**ORDER FOR APPOINTMENT OF SPECIAL PROCESS SERVER**

IT IS HEREBY ORDERED that \_\_\_\_\_  
is appointed as Special Process Server in the above styled case to serve the necessary documents  
on the proposed ward.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**RETURN OF SPECIAL AGENT**

I have this day served the proposed ward, \_\_\_\_\_,  
personally with a copy of the Petition for Appointment of an Emergency Guardian and/or  
Conservator and Order for Evaluation, Appointment of Counsel, Appointment of Special Process  
Server, and Notice of Hearing.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Special Agent  
\_\_\_\_\_  
Print Name

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**EVALUATOR'S REPORT**  
**EMERGENCY GUARDIANSHIP AND/OR CONSERVATORSHIP PROCEEDINGS**

PETITIONER(S): \_\_\_\_\_

PROPOSED WARD: \_\_\_\_\_

In compliance with the Order of the Probate Court of \_\_\_\_\_ County, dated \_\_\_\_\_, 20\_\_\_\_, I performed an evaluation of the above-named proposed ward on \_\_\_\_\_, 20\_\_\_\_. This evaluation took place at:

\_\_\_\_\_  
I explained the purpose of the evaluation to the proposed ward.

The following questions and tests were utilized in the evaluation:

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

Below is a list of all persons and other sources of information consulted in evaluating the proposed ward:

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

The following is a description of the proposed ward's mental and physical state and condition, including all observed facts considered by me:

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

The following is a description of the overall social condition of the proposed ward, including support, care, education, and well-being, and the functional capabilities of the proposed ward, if determined by the evaluator:

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

The following are my findings as to the needs of the proposed ward and their foreseeable duration:

(initial all applicable)

\_\_\_\_\_ (a) I find the proposed ward to be incapacitated by reason of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ to the extent that said proposed ward:

\_\_\_\_\_ (i) (for emergency guardianship:) lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and there is an immediate, clear, and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed; and/or

\_\_\_\_\_ (ii) (for emergency conservatorship:) lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and there is an immediate, substantial risk of irreparable waste or dissipation of the proposed ward's estate unless an emergency conservator is appointed,

\_\_\_\_\_ (b) I do not find that the proposed ward meets the standards for emergency guardianship set out in (a) (i) above.

\_\_\_\_\_ (c) I do not find that the proposed ward meets the standards for emergency conservator set out in (a) (ii) above.

\_\_\_\_\_  
Physician licensed under Chapter 34 of Title 43 of the  
Official Code of Georgia Annotated/  
Psychologist licensed under Chapter 39 of Title 43 of the  
Official Code of Georgia Annotated/  
Licensed Clinical Social Worker

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY/ CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

**NOTE: This report must be filed with the Probate Court no later than seventy-two (72) hours after this order being issued.**

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**PROPOSED WARD.** )

**STIPULATION AND WAIVER BY PROPOSED WARD'S ATTORNEY**

**IN RE: PETITION FOR THE APPOINTMENT OF AN EMERGENCY GUARDIAN AND/OR CONSERVATOR FOR THE ABOVE NAMED PROPOSED WARD**

The undersigned, as the attorney representing the above-named proposed ward in these proceedings.

(initial all applicable)

- \_\_\_\_\_ (a) does hereby stipulate into evidence the affidavit prepared by (name of affiant evaluator) \_\_\_\_\_, being the evaluation report ordered by the Court in this matter, and hereby waives the appearance of such affiant at any hearing concerning the said Petition;
- \_\_\_\_\_ (b) does hereby stipulate into evidence the affidavit(s) prepared by (name of affiant evaluator) \_\_\_\_\_, which is the affidavit referred to in the introductory paragraph (b) of the Petition, and hereby waives the appearance of such affiant at any hearing concerning the said Petition; and/or
- \_\_\_\_\_ (c) does further waive the appearance of my client, the proposed ward, at said hearing.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Proposed Ward's Attorney

Typed/printed name of Attorney: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ State Bar # \_\_\_\_\_

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
 )  
**WARD.** )

**FINAL ORDER**

A hearing was held on the above-referenced Petition on \_\_\_\_\_, 20\_\_\_\_, and after considering the pleadings, the evaluation report, and the evidence taken at the hearing, the Court makes the following:

**FINDINGS OF FACT**

1.

All procedural requirements of O.C.G.A. §§ 29-4-14 and/or 29-5-15 have been met.

2.

The above-named ward is in need of an emergency guardian/conservator by reason of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Such need appears to be limited to the following number of days: \_\_\_\_\_.

3.

The current value of the personal property of the ward is approximately \$\_\_\_\_\_.  
The ward has an interest in real property in the following locations:

- (a) \_\_\_\_\_ County, (state) \_\_\_\_\_;
- (b) \_\_\_\_\_ County, (state) \_\_\_\_\_;
- (c) \_\_\_\_\_ County, (state) \_\_\_\_\_.

The ward has outstanding debts of \$ \_\_\_\_\_ and average expenditures of \$ \_\_\_\_\_ per month.

4.

Petitioner(s) moved the Court to appoint \_\_\_\_\_ as emergency guardian and \_\_\_\_\_ as emergency conservator asserting those individual(s) should serve because \_\_\_\_\_

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

(initial if applicable)

- \_\_\_\_\_ (a). Another individual, being \_\_\_\_\_, was nominated/designated by the ward to serve as guardian,  
\_\_\_\_\_ (i) and no good cause was shown to override such preference.  
\_\_\_\_\_ (ii) but good cause was shown not to appoint said individual, being: \_\_\_\_\_  
\_\_\_\_\_.
- \_\_\_\_\_ (b) Another individual with higher preference, being \_\_\_\_\_, was nominated/designated to serve as guardian by someone other than the ward, and/but it (is) (is not) in the best interest of the ward to appoint him/her guardian because \_\_\_\_\_  
\_\_\_\_\_.
- \_\_\_\_\_ (c) Another individual, being \_\_\_\_\_, was nominated/designated by the ward to serve as conservator,  
\_\_\_\_\_ (i) and no good cause was shown to override such preference.  
\_\_\_\_\_ (ii) but good cause was shown not to appoint said individual, being: \_\_\_\_\_  
\_\_\_\_\_.
- \_\_\_\_\_ (d) Another individual with higher preference, being \_\_\_\_\_, was nominated/designated to serve as conservator by someone other than the ward, and/but it (is) (is not) in the best interest of the ward to appoint him/her conservator because \_\_\_\_\_  
\_\_\_\_\_.

5.

The Petitioner(s) asserted that the following additional powers pursuant to O.C.G.A. §§ 29-4-23 (b) and 29-5-23(c) were absolutely necessary to respond to the immediate and threatened risks alleged in the Petition:

For the emergency guardian: \_\_\_\_\_  
\_\_\_\_\_;

For the emergency conservator: \_\_\_\_\_  
\_\_\_\_\_.

The Court finds, by clear and convincing evidence, that the above-name ward (hereinafter referred to as the "ward") is in need of:

(initial all applicable)

- \_\_\_\_\_ (a) an emergency guardian because the ward lacks sufficient capacity to make or communicate significant responsible decisions concerning his or her health or safety and there is an immediate and substantial risk of death or serious physical injury, illness, or disease unless an emergency guardian is appointed.
- \_\_\_\_\_ (b) an emergency conservator because the ward lacks sufficient capacity to make or communicate significant responsible decisions concerning the management of his or her property and there is an immediate, substantial risk of irreparable waste or dissipation of the ward's property unless an emergency conservator is appointed.

The duration of the emergency guardianship and/or conservatorship is for:  
(initial one)

- \_\_\_\_ (a) sixty (60) days, or until the effective date of the appointment of permanent guardianship and/or conservatorship, or until the emergency guardian(s) and/or conservator(s) are removed, or the dismissal of a Petition for the appointment of a guardian and/or conservator, whichever occurs first.
- \_\_\_\_ (b) a date certain prior to the time identified in (a) above, being \_\_\_\_\_, 20\_\_\_\_.

Therefore, IT IS ORDERED that \_\_\_\_\_ should be, and hereby is/are, appointed emergency guardian(s) and \_\_\_\_\_ should be, and hereby is/are, appointed emergency conservator(s) of the ward. Letters of emergency guardianship and/or emergency conservatorship shall issue to such guardian(s) and/or conservator(s) upon taking the required oath and upon the emergency conservator's(s') posting bond in the amount of \$\_\_\_\_\_.

**The appointed emergency guardian(s) and/or conservator(s) shall have no authority to act on behalf of the ward until Letters of Emergency Guardianship and/or Conservatorship have issued.**

IT IS FURTHER ORDERED that the emergency guardian(s) shall have only the following powers and duties determined by the Court to be absolutely necessary to respond to the immediate threatened risk: \_\_\_\_\_.

IT IS FURTHER ORDERED that the emergency conservator(s) shall have only the following powers and duties determined by the Court to be absolutely necessary to respond to the immediate threatened risk: \_\_\_\_\_.

IT IS FURTHER ORDERED that the emergency guardian(s) shall file the following reports with the Court: \_\_\_\_\_.

IT IS FURTHER ORDERED that the emergency conservator(s) shall file the following reports with the Court: \_\_\_\_\_.

IT IS FURTHER ORDERED that a copy of this Order shall be hand delivered or mailed by first class mail to the ward, the ward's attorney, the guardian ad litem, if any, the guardian and/or conservator, the Petitioner(s), and his/her/their attorney(s), if any.

IT IS FURTHER ORDERED that the ward's legal counsel shall make reasonable efforts to explain to the ward this Order and the ward's rights under this Order.

IT IS FURTHER ORDERED that, within thirty (30) days of the date hereof, the clerk/deputy clerk shall file the certificate of creation of conservatorship in accordance with O.C.G.A. § 29-5-13(d) with the Clerk of Superior Court of each county in this state in which the ward owns real property.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court/Hearing Officer exercising  
the jurisdiction of the Probate Court pursuant to  
O.C.G.A. §§ 29-4-12(d)(7) and/or 29-5-12(d)(7)

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**WARD.** )

**CERTIFICATE OF SERVICE OF FINAL ORDER**

[NOTE: Notice is required to be mailed to the ward’s guardian ad litem (if any) and attorney; and the interested parties as found in paragraph 10 of the Petition.]

I certify that I have this date mailed (unless otherwise noted) in an envelope with proper postage affixed thereto for first-class delivery a copy of the Final Order Appointing Emergency Guardian and/or Conservator to the ward and other persons listed below as required by law, and to the following parties at the address listed below:

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

**IN THE PROBATE COURT**  
**COUNTY OF \_\_\_\_\_**  
**STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
 \_\_\_\_\_, )  
**WARD.** )

**CERTIFICATE OF FILING CERTIFICATE OF CREATION OF CONSERVATORSHIP**

I have this date hand-delivered and/or mailed for filing a Certificate of Creation of Conservatorship to the Clerk of the Superior Court of each of the following counties, together with payment of any recording costs:

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

Probate Court Return Mailing Address:

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

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**WARD.** )

**CERTIFICATE OF CREATION OF EMERGENCY CONSERVATORSHIP**  
(Pursuant to O.C.G.A. § 29-5-13(d))

DATE ORDER ISSUED: \_\_\_\_\_

GRANTOR (NAME OF WARD): \_\_\_\_\_

GRANTEE (NAME OF EMERGENCY CONSERVATOR(S) OF ABOVE WARD): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

An emergency conservatorship of the property has been created for the above-named ward. Said emergency conservatorship expires:

(initial)

\_\_\_\_\_ (a) in sixty (60) days, or on the effective date of the appointment of a permanent conservator, or when the emergency conservator(s) is/are removed, or the dismissal of a Petition for the appointment of a conservator, whichever occurs first.

\_\_\_\_\_ (b) on a date certain, being \_\_\_\_\_, 20\_\_\_\_\_.

Original Certificate delivered or mailed to Clerk of Superior Court of \_\_\_\_\_  
County on \_\_\_\_\_, 20\_\_\_\_\_.

I do hereby certify that the above information is based on the Order of the Probate Court issued on the date set out above and that the above information is true and correct.

By: \_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
\_\_\_\_\_, )  
**WARD.** )

**LETTERS OF EMERGENCY GUARDIANSHIP OF ADULT WARD**

From the Judge of the Probate Court of said County.      Date of Birth: \_\_\_\_\_

TO: \_\_\_\_\_, Guardian(s)

This Court has found that the above-named ward is in need of an emergency guardian and has designated you as such guardian, and you have taken your oath. Your powers and duties as such emergency guardian which were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk are \_\_\_\_\_

These letters expire (initial):

- \_\_\_\_\_ (a) in sixty (60) days, or on the effective date of the appointment of a permanent guardian, or when the emergency guardian(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent guardian, whichever occurs first.
- \_\_\_\_\_ (b) on a date certain, being \_\_\_\_\_, 20\_\_\_\_\_.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

(Seal)

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**WARD.** )

**LETTERS OF EMERGENCY CONSERVATORSHIP OF ADULT WARD**

From the Judge of the Probate Court of said County.      Date of Birth: \_\_\_\_\_

TO: \_\_\_\_\_, Conservator(s)

This Court has found that the above-named ward is in need of an emergency conservator and has designated you as such conservator, and you have posted bond and taken your oath. Your powers and duties as such emergency conservator which were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk are \_\_\_\_\_

\_\_\_\_\_.

These letters expire (initial):

- \_\_\_\_\_ (a)      in sixty (60) days, or on the effective date of the appointment of a permanent conservator, or when the emergency conservator(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent guardian, whichever occurs first.
- \_\_\_\_\_ (b)      on a date certain, being \_\_\_\_\_, 20\_\_\_\_\_.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

(Seal)

**IN THE PROBATE COURT  
COUNTY OF \_\_\_\_\_  
STATE OF GEORGIA**

**IN RE: ESTATE OF** \_\_\_\_\_ )  
 ) **ESTATE NO.** \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
**WARD.** )

**LETTERS OF EMERGENCY  
GUARDIANSHIP AND CONSERVATORSHIP OF ADULT WARD**

From the Judge of the Probate Court of said County.      Date of Birth: \_\_\_\_\_

TO: \_\_\_\_\_, Guardian(s) and Conservator(s)

This Court has found that the above-named ward is in need of an emergency guardian and conservator and has designated you as such guardian and conservator, and you have posted bond and taken your oath. Your powers and duties as such emergency guardian and conservator which were declared by the Court to be those absolutely necessary to respond to the immediate threatened risk are \_\_\_\_\_

These letters expire (initial):

- \_\_\_\_\_ (a) in sixty (60) days, or on the effective date of the appointment of a permanent guardian and conservator, or when the emergency guardian(s) and conservator(s) is/are removed, or upon the dismissal of a petition for the appointment of a permanent guardian, whichever occurs first.
- \_\_\_\_\_ (b) on a date certain, being \_\_\_\_\_, 20\_\_\_\_\_.

Given under my hand and official seal, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Probate Court

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Probate Court

(Seal)