

COURT CODE: _____
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DISTRICT COURT
_____ **COUNTY, NEVADA**

In the Matter of the Guardianship of the:

- Person
- Estate
- Person and Estate

of:

(name of adult who has a guardian)
A Protected Person.

CASE NO.: _____

DEPT: _____

ORDER APPOINTING GUARDIAN(S) OVER ADULT

This matter came before the Court for hearing on *(date of hearing)* _____.

Petitioner *(first guardian's name)* _____,

was present representing **HIMSELF/HERSELF** –OR– **WITH COUNSEL**, *(attorney's name; or "n/a" if none)* _____.

Petitioner *(second guardian's name)* _____,

was present representing **HIMSELF/HERSELF** –OR– **WITH COUNSEL**, *(attorney's name; or "n/a" if none)* _____.

Proposed Protected Person *(adult's name)* _____,

WAS PRESENT –OR– **WAS NOT PRESENT** and is represented by counsel, *(attorney's name)* _____.

It appearing to the satisfaction of the Court that notice is sufficient; and

It appearing by clear and convincing evidence that it is necessary to appoint a guardian for the proposed protected person;

IT IS HEREBY ORDERED AND DETERMINED BY THE COURT as follows:

1. (*Adult protected person's name*) _____, date of birth (*date*) _____, is a resident of the State of _____.
2. The Proposed Protected Person is an adult who needs the appointment of a guardian. This request is supported by recent documentation demonstrating the need for a guardianship.
3. Notice has been served upon the adult, the spouse and/or any living relative, or the public guardian, if necessary, and/or any other persons or agency having the care, custody and control of the adult.
4. It is necessary and in the best interest of the Protected Person that Petitioner(s) be appointed as Guardian(s). The following is/are appointed to act as Guardian(s) of the **PERSON** –OR– **ESTATE** –OR– **PERSON AND ESTATE** and shall have the power and authority as may be necessary for the benefit of the above named Protected Person until further order of this Court:

a. First Guardian: _____
Street Address _____
City, State, Zip: _____
Telephone: _____

b. Second Guardian: _____ N/A
Street Address _____
City, State, Zip: _____
Telephone: _____

5. The Guardian(s) shall participate in the guardianship training class, if offered, through _____ –OR– N/A.
6. Pursuant to NRS 159.081, the Guardian(s) shall file a written report on the condition of the Protected Person every year between the anniversary date of _____ and _____ for the first report and each year thereafter. This obligation continues until the guardianship of the person ends –OR– N/A

7. Bond is:

- Not applicable.
- Reserved pending the filing of the inventory.
- Ordered in the amount of \$_____.
- Waived.
- A blocked account is ordered in lieu of bond.

8. Inventory:

- This is a person only guardianship; no estate is involved.
- The Guardian(s) shall file an inventory of all of the property of the Protected Person which comes to the possession, or knowledge of the Guardian(s) by *(date)* _____.

9. Accounting:

- This is a person only guardianship; no estate is involved.
- Summary administration of the estate is granted. An annual accounting is not required until assets exceed the statutory threshold for summary administration.
- A verified account of the estate of the Protected Person shall be made and filed annually by *(date)* _____, and must be filed within 60 days of this date and each year thereafter. This obligation continues until the guardianship of the estate ends.

10. Pursuant to NRS 159.0593:

- There is clear and convincing evidence that the Protected Person is a person with a mental defect who is prohibited from possessing a firearm pursuant to 18 U.S.C. §922 (d)(4) or (g) or (4). A Record of the Order containing this filing shall be transmitted to the central repository for Nevada Records of Criminal History, along with a statement that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Track System.
- The Protected Person's right to possess a firearm is not affected.

11. Pursuant to NRS 159.0594:

- The Protected Person lacks the requisite understanding to vote or otherwise participate in the election process and shall be removed from the voting records.
- The Protected Person's right to vote is not affected.

12. All powers are reserved to the Protected Person except for the following powers, which are granted to the Guardian(s):

Powers over Person (*Court to check applicable powers granted to Guardian(s)*)

- To oversee, maintain and/or approve the placement of the Protected Person in the appropriate, least restrictive, and financially feasible care facility.
- Only in the event that provisions of NRS Chapter 433A DO NOT apply, to approve placement of the Protected Person in a secured facility, with the assistance law enforcement and/or REMSA if needed.
- To hire or discharge care givers as deemed necessary in the discretion of the Guardian.
- To authorize any medical care the Protected Person may require.
- To change the mailing address of the Protected Person.
- To make informed decisions regarding the Protected Person's health care, to include consultations on treatment plans, consents and admissions, consents for residential placements, consents for medications, and treatments recommended by medical providers, and the authority to make related decisions for the benefit of the Protected Person.
- The Guardian(s) is/are the Protected Person's personal representative for purposes of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any applicable regulations. The Guardian(s) of the person has/have authority to obtain information from any government agency, medical provider, business, creditor or third party who may have information pertaining to the Protected Person's health care or health insurance.
- To ensure that housing and care arrangements provide the Protected Person with an appropriate level of safety, well-being, health and maintenance.
- To ensure that the Protected Person has access to family members and persons of natural affection, and those persons and family members have access to the Protected Person in a manner that ensures an appropriate level of safety and well-being for the Protected Person.
- To obtain neuropsychological examination to determine areas of defects and capacities.
- Other: _____

Powers over Estate (Court to check applicable powers granted to Guardian(s))

- Permission to sell, donate, distribute, dispose of and/or abandon personal property to maintain the integrity of the Protected Person's estate.
- Permission to freeze, access, utilize funds from, transfer and/or close any and all of the Protected Person's bank accounts and any and all other accounts at any financial institution, whether solely or jointly held, for the benefit of the Protected Person.
- Permission to redirect and/or become the representative payee for Social Security income, and similar income, if any, for the benefit of the Protected Person.
- Permission to obtain credit reports from any credit-reporting bureau to ascertain the status of any credit card accounts and/or lines of credit and activity on any such accounts.
- Permission to obtain tax information, tax returns and/or any necessary documents from the Internal Revenue Service for the benefit of the Protected Person.
- Permission to investigate, apply for and/or consent to services for which the Protected Person may be eligible.
- Permission to access, drill, open, inventory, remove the contents of, and/or close any safe deposit box, whether solely or jointly held by the Protected Person.
- Other: _____

13. Pursuant to NRS 159.074, a copy of this order must be served personally or by mail upon the Protected Person no later than 5 days after the date of the appointment of the Guardian. A notice of entry of the order must be filed with the Court.

14. The relatives required to be served and identified by petitioner as having been served pursuant to NRS 159.047(2) et seq. must be served with notice of this order pursuant to NRS 159.055(2)(d)(1) and are as follows:

Name and address: _____

Name and address: _____

Name and address: _____

Name and address: _____

Name and address: _____

Name and address: _____

15. A notice of entry of order must be provided to the relatives identified above pursuant to NRS 159.055(3)(a).

16. The interested persons/entities required to be served and identified by the Petitioners as having been served pursuant to NRS 159.047(2) et seq. must be served with notice of this order pursuant to NRS 159.055(2)(d)(2).

Name and address: _____

Name and address: _____

Name and address: _____

17. A notice of entry of the order must be provided to the interested persons/entities identified above pursuant to NRS 159.055(3)(b).

18. Guardian(s) must file verified acknowledgements of the duties and responsibilities of a guardian pursuant to NRS 159.073(1)(c).

19. Guardian(s) must immediately have the Letters of Guardianship and Oath issued. The Letters of Guardianship may be revoked for failure to file the annual reports pursuant to NRS Chapter 159.

20. Other:

Pursuant to the Nevada Revised Statutes, the following information is provided:

Protected Person's Attorney: _____

Street Address _____

City, State, Zip: _____

Telephone: _____

IT IS SO ORDERED.

Dated this _____ day of _____, 20____.

DISTRICT COURT JUDGE

Respectfully Submitted by:

(Your Signature)

(Printed Name)