

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of
Guardianship and/or Conservatorship of:

Case Number PB: _____

PROVISIONAL ORDER APPOINTING TEMPORARY

☐ **GUARDIAN** (check one or both)

☐ **CONSERVATOR**
for an Adult

Name of person needing Guardian/Conservator

NOTICE: This is an important court order that affects your rights. Read this order carefully. If you do not understand this order, contact an attorney for legal advice. **This appointment is not effective until "Letters of Appointment" have been issued by the Clerk of the Court.**

THE COURT FINDS:

1. **PETITION and ORDER FILED.** A sworn or affirmed **Petition for Acceptance of Transfer of Guardianship and/or Conservatorship** to the State of Arizona for the person named above was filed with the Court by the Petitioner along with a certified copy of the order from the transferring state authorizing the filing of that Petition.
2. **THE PERSON TO BE PROTECTED BY THIS ORDER IS:**
 - ☐ an **ADULT** who is incapacitated due to physical and/or mental disabilities, that he or she is unable to make or communicate responsible decisions concerning his or her person and that appointment of a Temporary **GUARDIAN** is necessary to provide for his or her continuing care and supervision,
 - ☐ an **ADULT** for whom a Temporary **CONSERVATOR** is necessary because he or she is unable to effectively manage or apply his or her estate due to physical and/or mental disabilities, confinement or disappearance, and that it is necessary to obtain or provide funds for the support, care, and welfare of the person to be protected and of those entitled to his or her support.

3. **NEED FOR PROTECTION.** The *transferring* court found sufficient evidence to support a finding of incapacity or need for protection by the person who is the subject of this order.
4. ☐ **ELIGIBILITY.** The person to be appointed to serve as guardian and/or conservator, _____, is not known to be ineligible to serve under Arizona Law.
5. ☐ **EMERGENCY.** An emergency exists and there is need under law for the Court to enter this order immediately; or local authorities or local health care providers are refusing to recognize the order appointing a guardian and/or conservator from the sending state.
6. ☐ **PRIOR NOTICE.** Prior notice of this order has been given to the person to be protected or his or her attorney or others entitled to prior notice according to the requirements of Arizona law, A.R.S. §14-12302 (B).
7. ☐ **MORE THAN 30 DAYS.** For good cause, this temporary appointment may be for more than 30 days, according to Arizona Law, A.R.S. §§ 14-5310 (D) and or 14-5401.01(D) for the following reasons:
- _____
- _____
- _____
- _____

THE COURT ORDERS:

1. **APPOINTMENT:** _____ is appointed as **TEMPORARY** ☐ **Guardian** and/or ☐ **Conservator** of the person said to be in need of protection pursuant to Arizona law A.R.S. §§ 14-12302, 14-5310 and/or 14-5401.01. This appointment is in addition to and does not supersede or modify the orders concerning the Guardianship and/or Conservatorship of the protected person filed in the transferring jurisdiction.
2. **LETTERS:** This Order shall be filed with the Clerk of the Court, and upon filing a bond, if required, **PROVISIONAL LETTERS** shall be issued to the appointee in accordance with the terms of this Order and, subject to the following restrictions (if any):
- _____
- _____
- _____

3. **NOTICE:** The appointee shall give notice to the protected or incapacitated person named in the caption above, and to all others entitled to notice, with a copy of each of the following documents:

- a. **Petition for Acceptance of Transfer,**
- b. **Affidavit of Person to be Appointed**
- c. **Order Appointing Attorney, and**
- d. **Notice of Hearing.**

4. **EMERGENCY HEARING WITHOUT NOTICE:**

- ☐ Personal service shall be completed no later than **72** hours after the date of this order upon the person who needs the protection, his or her attorney, and the parents of that person if the person is a minor.

5. ☐ **PROOF OF NOTICE.** Proof of Notice shall be filed with the Clerk of the Court, Probate Registrar, as required by Arizona Law, A.R.S. §§ 14-12302, 14-5310 (B) and/or 14-5401.01(B).

6. **THE APPOINTMENT ENDS:**

The Appointment ends on _____, 20____, or

- ☐ For good cause, this temporary appointment has been extended beyond 30 days,

7. **CHANGE OF ADDRESS.** The person appointed as guardian and/or conservator shall notify this Court immediately of any change in his or her address or that of the person protected by this order. The appointee shall be responsible for all costs resulting from his/her failure to do so.

8. **BOND:**

- ☐ No Bond is required, **OR**
- ☐ The Guardian and/or Conservator *shall* file a bond in the amount of \$ _____ with the Clerk of the Court, Probate Registrar.

DONE IN OPEN COURT: _____

Judge or Commissioner

Judge or Commissioner (Printed Name)