

IN RE: Guardianship of

Case No. _____

Respondent's Name

ORDER FOR APPOINTMENT OF GUARDIAN

1. By order of this court on _____, the respondent _____ was adjudicated incapacitated and is now a ward as defined in section 744.102(22), Florida Statutes. The extent of the incapacity is Plenary or Limited. The ward retains the rights listed in section 744.3215(a), Florida Statutes.

2. No alternative to guardianship exists that sufficiently addresses the respondent's needs.

3. A plenary or limited guardianship of the:

- a. person;
- b. property; or
- c. person and property

is consistent with the respondent's welfare and safety, is the least restrictive alternative, and reserves to the respondent the right to make decisions in all matters commensurate with the ward's ability to do so.

4. _____ is qualified to serve

as plenary or limited guardian of the:

- a. person;
- b. property; or
- c. person and property

5.

- a. _____ is the standby guardian or preneed guardian;
- b. there is no standby guardian or preneed guardian;
- c. there is no standby guardian or preneed guardian, but such person is not qualified to serve pursuant to section 744.309, Florida Statutes; or
- d. there is a standby guardian or preneed guardian, but appointment of such person is contrary to the best interests of the ward because: _____

6. Any additional facts that support the selection of guardian: _____

7.

- a. no advance directive exists;
- b. the following advance directive exists and is entitled _____ and is dated _____.
- c. the advance directive is being revoked or modified and the surrogate under the advance directive entitled _____ and is dated _____. _____ was given notice of this proceeding and any motion to revoke or modify the advance directive; or
- d. if the advance directive is being revoked or modified the facts supporting the revocation or modification: _____

ORDERED and ADJUDGED as follows:

8. The court hereby appoints _____ as the _____ guardian of the :

- a. person;
 - b. property; or
 - c. person and property of the ward.
9. The guardianship may exercise only those delegable rights that have been removed from the ward and specifically delegated to the guardian, which are:
- a. to contract;
 - b. to sue and defend lawsuits;
 - c. to apply for government benefits;
 - d. to manage property or to make any gift or disposition of property;
 - e. to determine the ward's residence;
 - f. to consent to medical and mental health treatment; and
 - g. to make decisions about the ward's social environment or other social aspects of the ward's life.
10. The guardian may not exercise the following rights, even if such rights were removed from the ward:
- a. to marry;
 - b. To vote;
 - c. To personally apply for government benefits;
 - d. To have a driver license;
 - e. To travel; and
 - f. To seek or retain employment.
11. The amount of the bond to be given by the guardian is: _____.
12. The guardian:
- a. must; or
 - b. is not required to

place all, or part, of the property of the ward in a restricted account in a financial institution designated pursuant to section 69.031, Florida Statutes.

13.

- a. no known advance directive exists;
- b. the advance directive entitled _____ and is dated _____ is being modified or revoked as follows:
 - i. the surrogate shall not continue to exercise any authority over the ward with regard to health care decisions;
 - ii. the surrogate shall continue to exercise authority over the respondent with regard to health care decisions;
 - iii. the surrogate shall exercise the following authority over the ward with regard to: _____

 - iv. the guardian shall exercise the following authority over the ward with regard to health care decisions: _____

14. The respondent _____ may or _____ may not have a license to carry a firearm or possess a weapon or firearm.

DONE AND ORDERED in Chambers at Fort Myers, Lee County, Florida, this _____ day of _____, 20____.

Circuit Judge