

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**Probate Division**

IN RE: Intervention Proceeding  
No.

**FINDINGS OF FACT. CONCLUSIONS OF LAW, AND ORDER**

1. This matter came on for hearing on the \_\_\_\_\_ day of \_\_\_\_\_  
on the Petition of \_\_\_\_\_  
for \_\_\_\_\_

- Appointment of a permanent limited guardian of an incapacitated of individual
  - Appointment permanent general guardian of an incapacitated individual
  - Appointment of a successor guardian  
General Limited
  - Appointment of a permanent limited individual conservator of a protected of individual
  - Appointment a permanent general conservator of a protected of a individual
  - Appointment special conservator of a protected individual
  - Entry of a protective order
  - Other
- and the Court makes the following preliminary findings:

A. The following were present at the hearing (check appropriate boxes)

Judge

Petitioner

Attorney for petitioner

Attorney for the Subject of the Proceeding

Examiner

Visitor

Guardian ad litem

Subject of the Proceeding was present

Subject of the Proceeding was not present, good cause having been shown for his or her absence

The following persons were also present who have been granted permission to participate in the proceeding after determination by the Court that the best interests of Subject would be served thereby:

(Name)

(Name)

B. Subject of the proceeding is an adult.

The Court has jurisdiction over this Proceeding because (check appropriate box(es)):

The individual to be protected or who is incapacitated is domiciled in the District of Columbia

The individual to be protected, while not domiciled in the District, nevertheless owns property located in the District of Columbia

Property is coming, or has come into the control of a guardian or conservator who is subject to the laws of the District of Columbia.

D. Subject of Proceeding was personally served at least fourteen (14) days prior to the hearing date.

E. All notices required by law have been given or have been waived by interested persons.

F. The hearing was open closed at the request of counsel and/or Subject of the Proceeding.

2. After consideration of the petition, the reports filed herein and the testimony and evidence adduced at the hearing, the Court makes the following findings of fact:

A. If a conservator is being appointed, check appropriate box(es):

the incapacitated individual has property that will be wasted or dissipated unless property management is provided

and/or

Money is needed for the support, care, and welfare of the said individual, and protection is necessary or desirable to obtain

and/or

Money is needed for those entitled to said individual's support, and protection is necessary or desirable to obtain and provide money.

- B. The incapacity of the subject of this proceeding  
does            does not arise out mental retardation.
- C. A current comprehensive evaluation or habilitation plan  
does not exist            does exist and            is on file herein or  
  
may be located at
- D. Special Findings of Fact:
- E. The Subject of the Proceeding is not incapacitated.
3. The Court therefore makes the following:

**FINDINGS OF FACT**

(Check appropriate box(es))

Subject of the proceeding is an adult whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that he or she lacks the capacity to take actions necessary to

(Check appropriate box(es))

obtain, administer, and dispose of real and personal property, intangible property, business property, benefits, and income;

provide health care, food, shelter, clothing, personal hygiene, and other care without which serious physical injury or illness is more likely than not to occur;

acquire and maintain those life skills that enable him or her to cope shore effectively with the demands of his or her own person and of his or her own environment and to raise the level of his or her physical, intellectual, social, emotional, and economic efficiency or meet all or some essential requirements for his or her therapeutic needs.

(Select ones)

without court-ordered assistance

or

without appointment of

Check appropriate box(es)

a guardian as a means of providing continuing care and supervision of said incapacitated individual

and/or

a conservator.

4. The Court therefore makes the following:

**CONCLUSIONS OF LAW**

(Select A or B)

A. That \_\_\_\_\_ is an incapacitated individual whose best interests would be served by \_\_\_\_\_

Check appropriate box(es)

appointment of a guardian as a means of providing continuing care and supervision of said individual

and/or

appointment of a conservator as a means of property management

entry of a protective order.

or

B. The subject of proceeding is not incapacitated and the petition should be dismissed.

5. On consideration of the forgoing the Court this day \_\_\_\_\_ makes the following order:

**ORDER**

(Check appropriate boxes)

A. That \_\_\_\_\_

(Name)

(Address)

(Telephone No.)

is appointed permanent limited guardian  
general guardian successor guardian of

(Name)

(Address )

and letters shall issue upon acceptance of appointment and consent to jurisdiction.

A copy of guardianship reports to be filed herein pursuant to SCR PD 328 shall be served on all parties, upon any person who has filed an effective request for notice as provided in SCR PD 304, and upon the following persons:

(Service of reports on additional persons may be required by subsequent order of Court or as determined by the Register of Wills.)

- B. The guardian of the incapacitated individual is responsible for the care, custody and control of the Ward and shall be governed by the general powers and duties enumerated in D.C. Code §21-2047 (a), (b), and (c) subject to the following limitations which shall be endorsed on the guardian's letters:

- C. That

(Name)

(Address)

(Telephone No.)

is appointed permanent limited conservator  
general conservator special conservator of

(Name)

and letters shall issue upon filing of bond, acceptance of appointment and consent to jurisdiction.

- D. Bond with approved surety is set at \$ and shall be filed forthwith.

E. Special bonding provisions \_\_\_\_\_

F. The conservator of the protected individual, shall observe the standards of care applicable to trustees and shall account to the Court as provided by statute and rule of the Court. Said Conservator shall be governed by those powers in administration enumerated in D.C. Code §21-2070 and those distributive duties and powers as enumerated in D.C. Code §21-2071

subject to the following enlargements and/or limitations which shall be endorsed on the Conservator's letters:

G. The Court makes the following protective order:

H. The Specific Instruction Sheets to guardians/conservators provided through the Office of the Register of Wills are incorporated herein by reference, as applicable, and the guardians)/conservator(s) are admonished to review same.

I. The following persons shall hereafter continue as parties in this matter:

J. The following persons shall hereafter continue as participants in this matter:

K. The petition be, and is hereby dismissed.

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J U D G E

Copies mailed to:

Parties to the above captioned case and persons granted permission to participate pursuant to SCR-PD 303 and persons who requested notice pursuant to SCR PD 304.

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