

IN THE FIFTH CIRCUIT COURT IN AND FOR HERNANDO COUNTY, FLORIDA

IN RE: THE GUARDIAN ADVOCATE OF

Case No.: _____

ORDER APPOINTING GUARDIAN ADVOCATE OF THE PERSON ONLY

Upon consideration of the Petition for the Appointment of Guardian Advocate(s) of the Person, the Court finds that _____, the person with a developmental disability, has a developmental disability of a nature which requires the appointment of a Guardian Advocate of the person based upon the following findings of fact and conclusions of law, as required by section 393.12(2) (a), Florida Statutes:

1. The nature and scope of the person's lack of decision-making ability are:

2. The exact areas in which the person lacks decision-making ability to make informed decisions about care and treatment services or to meet the essential requirements for his or her physical health and safety are:

3. The specific legal disabilities to which the person with a developmental disability is subject to are:

4. The powers and duties of the Guardian Advocate are:
- (____) to determine residence;
 - (____) to consent to medical, dental, and surgical care and treatment;
 - (____) to make decisions about the social environment or other social aspects of the person with a developmental disability's life
 - (____) to act as representative payee of government benefits or to seek such benefits

Without first obtaining specific authority from the Court, as stated in section 744.3725, Florida Statutes, the Guardian Advocate may not:

(a) commit the person with a developmental disability to a facility, institution, or licensed service provider without formal placement proceedings, pursuant to Chapter 393, Florida Statutes;

(b) consent to the participation of the person with a developmental disability in any experimental biomedical or behavior procedure, exam, study, or research;

(c) consent to the performance of a sterilization or abortion procedure on the disabled person;

(d) consent to termination of life support systems provided for the person with a developmental disability

(e) initiate a petition for dissolution of marriage for the ward

(f) exercise any authority over any health care surrogate appointed by any valid advance directive executed by the disabled person, pursuant to Chapter 765, Florida Statutes, except upon further order of this Court.

_____ (the person with a developmental disability)
shall retain all legal rights except those which are specifically granted to the Guardian Advocate pursuant to court order.

CONSIDERED, ORDERED & ADJUDGED:

1. _____ is/are qualified to serve as guardian advocate(s) of the person and is hereby appointed as Guardian Advocate of the Person of _____ (the person with a developmental disability).

2. The Guardian Advocate shall exercise only the rights that the Court has found the disabled person incapable of exercising on his or her own behalf, as outlined herein above. Said rights are hereby removed from the person with a developmental disability and specifically delegated to the Guardian Advocate.

3. Upon taking and filing the prescribed oath conditioned on the faithful performance of all duties by the guardian, letters of guardianship shall be issued.

DONE AND ORDERED in chambers at Brooksville, Hernando County, Florida, this _____ day of _____, 20__.

Circuit Court Judge

Copies furnished to: