

4. Pending Petition for Full or Partial Guardianship.
A petition for appointment of a full or partial guardian for the respondent has been filed, but a hearing on the matter has not yet been held.
5. Need for Temporary Guardian.
The petitioner has shown by clear and convincing evidence that the respondent needs immediate services to protect the respondent against serious injury, illness, or disease, and that the respondent is not capable of arranging the necessary services on the respondent’s own.
6. License. The temporary guardian
 - has the required professional license under AS 08.26.
 - is the Public Guardian.
 - is exempt from the license requirement under AS 08.26.180, because the individual is employed by a regulated financial institution and will provide these guardian services in the course of this employment.
 - is not required to be licensed, because the temporary guardian is not engaged in the business of providing guardian or conservator services.
7. Personal Contact.
 - The respondent appeared for court either in person or by video connection.
 - The respondent did not appear in court, but the court visitor had personal or video contact with the respondent.
 - The court visitor shall have personal or video contact with the respondent within the next one year and shall file notice with the court that the contact occurred.
 - The court finds good cause to waive the requirement for personal contact.
8. Other Findings.

ORDER

IT IS ORDERED:

1. _____ is/are appointed to be the respondent’s **temporary guardian or co-guardians.**
 - Each co-guardian has individual signature authority—it is **not** required that all co-guardians sign a document on behalf of the respondent for it to be effective.
2. The temporary guardian is granted the following authority that is least restrictive upon the respondent’s liberty to enable the guardian to provide the emergency services necessary to protect the respondent from serious injury, illness, or disease:
 - The temporary guardian has all the powers and duties of a full guardian as set forth in AS 13.26.316(c), including the powers and duties of a conservator under AS 13.26.500 - .575 except:
 - The guardian cannot move the respondent out of the respondent’s current home without written permission from the court.

Budget.

The guardian shall create a budget for the respondent. The budget shall be filed with the court no later than: _____

The court finds good cause to allow the guardian to not create a budget.

Large Expenditures.

The guardian may manage the respondent's estate to benefit the respondent without getting court approval for large expenditures. However, the guardian must report to the court at the end of the temporary guardianship on all expenses paid for the respondent's best interest.

Other than payments for the respondent's medical and mental health treatment needs, the guardian may not use the respondent's funds for any non-budgeted expense more than \$_____ without first getting the court's permission.

Statutory Limitations.

The guardian **does not** have the authority to make decisions reserved to the respondent under AS 13.26.316(e). These include decisions on placement in an institution for the mentally ill, registering to vote and voting, marrying and divorcing, terminating parental rights, obtaining a driver's license, and consenting to or withholding certain medical procedures.

Other Limitations on Full Guardianship Authority.

The temporary guardian has **only** the following powers and duties:

3. Emergency Powers. The temporary guardian has the right to authorize emergency life-saving services for the respondent, unless specifically prohibited above. AS 13.26.306.

4. The temporary guardian must complete one hour of education on the basics of guardianship (and conservatorship, if applicable), and file proof of completion with the court within 30 days after this appointment order is distributed (use the [PG-120 Affirmation](#) form). *[Some ways to satisfy this requirement are explained at: <http://courts.alaska.gov/shc/guardian-conservator/index.htm>.]*

5. **If the respondent or the guardian changes name or contact information, the guardian must immediately provide written notice to the court and all parties.** *[Include your case number. You can find a "Change of Contact Information" (form [PG-195](#)) and court addresses on the court system website: www.courts.alaska.gov.]*

6. Term of Temporary Guardianship. Unless ordered earlier by court order, the temporary guardianship will expire:

when the court appoints a full or partial guardian or dismisses the regular petition for guardianship. AS 13.26.301(e).

on this date: _____.

in 90 days, pursuant to AS 13.27.120(a)(1).

7. Compensation or Reimbursement.

- The temporary guardian is entitled to fees for the guardian’s services. However, the guardian may not pay him/herself more than the following amounts from the respondent’s assets without a written court order approving such additional fees:
 - a fee for temporary guardian services of \$ _____ per hour, which cannot be more than \$ _____ per month.
 - reimbursement of the case filing fee in the amount of \$ _____.
 - the monthly fees, case filing fee, property management fees, and other fees that the Office of Public Advocacy (OPA) is required to charge by 2 AAC 60.080.
 - payment or reimbursement for room and board not more than \$ _____ per month without further written court order.
- The temporary guardian is not authorized to charge any fees. AS 08.26.110 and Probate Rules 16(f) & 17(f).

8. Other Orders: _____

9. Additional Persons Who Must Be Served with Documents.

In addition to the parties in this case, the temporary guardian must provide the following persons with copies of all pleadings, reports, and notices of hearing until further court order:

- 1. Name: _____ Email: _____
Mailing Address: _____ Phone: _____
- 2. Name: _____ Email: _____
Mailing Address: _____ Phone: _____
- 3. Name: _____ Email: _____
Mailing Address: _____ Phone: _____

AS 13.26.425 & Probate Rule 14(h).

Recommended for Approval by

Standing Master on _____ Superior Court Judge _____ Date _____

Type or Print Judge’s Name

Clerk’s Certificate of Distribution

I certify that on _____, a copy of this order was sent to:

- petitioner respondent court visitor respondent's attorney temporary guardian
- _____

JA/Clerk: _____

**Notice to Respondent:
Right to Request Changes in This Order
AS 13.26.251(h)**

At any time in the future, you (the respondent) may ask the court to dismiss your guardian or change this guardianship order. You may use court form [PG-190](#) to ask the court to do this, or you may write a letter to the court. Form [PG-190](#) is available at any state court and on the court system’s website: <http://www.courts.alaska.gov/forms/index.htm#pg>.