

IN THE CIRCUIT COURT OF
THE _____ JUDICIAL CIRCUIT,
_____ COUNTY, FLORIDA

PROBATE DIVISION

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 of the Person, the Court finds that _____, 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:

IT IS ORDERED & ADJUDGED:

1. _____ is qualified to serve as guardian advocate of the person and is hereby appointed as Guardian Advocate of the Person of _____.

2. The powers and duties of the Guardian Advocate are:

() to determine his or her residence;

() to consent to medical, dental, and surgical care and mental health treatment;

() to make decisions about the social environment or other social aspects of the person with a developmental disability's life including decisions concerning education;

() to act as representative payee of government benefits and to seek such benefits;

The rights specified above are hereby removed from the person with a developmental disability and specifically delegated to the Guardian Advocate.

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 to a facility, institution, or licensed service provider without formal placement proceedings, pursuant to Chapter 393, Florida Statutes, Chapter 394, or Chapter 397;

(b) consent to the participation of the person in any experimental biomedical or behavioral procedure or experiment;

(c) initiate a petition for dissolution of marriage for the person;

(d) consent to termination of the person's parental rights;

(e) consent to the performance of a sterilization or abortion procedure.

_____ (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.

The Guardian Advocate shall not exercise any authority over any health care surrogate appointed by any valid advance directive executed by the Ward under Chapter 765, Florida Statutes, until further order of this Court.

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

DONE AND ORDERED in chambers at _____, _____ County, Florida, this _____ day of _____.

Circuit Judge