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**ADDENDUM TO
PETITION FOR
GUARDIANSHIP OF
AN ADULT**

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**GENERAL
INFORMATION SHEET**

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ADDENDUM TO PETITION FOR GUARDIANSHIP OF AN ADULT

GENERAL INFORMATION SHEET

IMPORTANT

**THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY**

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding guardianship, including the definitions of terms.

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What is an Immediate Temporary Guardianship?

An immediate temporary guardianship is granted in an emergency situation when it is not possible to wait the period required for filing a guardianship. In order to obtain an immediate temporary guardianship, the proposed ward must face “a substantial risk of immediate physical harm and/or needs immediate medical attention.” Additionally, an immediate temporary guardianship may be granted when the proposed ward is “unable to respond to a substantial and immediate risk of financial loss.”

THE REQUEST FOR A TEMPORARY GUARDIANSHIP IS SCRUTINIZED BY THE COURT AND IS RARELY GRANTED.

Are there different types of immediate temporary guardianships?

Yes. There are three types of court-ordered immediate temporary guardianships: (1) Temporary Guardianship of the Person, (2) Temporary Guardianship of the Estate, (3) Temporary Guardianship of the Person and the Estate.

In a temporary guardianship of the person, the guardian is responsible for the immediate personal/medical decisions that are required to respond the immediate danger or harm that might occur. Someone else will make all financial decisions, or there are no financial decisions to be made.

In a temporary guardianship of the estate, the guardian is responsible for financial decisions that are required to respond to the immediate danger of financial loss. Someone else will make personal and medical decisions.

In a temporary guardianship of the person and the estate, the guardian is responsible for the ward’s financial and personal/medical well-being in the emergency.

Please see the Definitions that are part of this packet or Chapter 159 of the Nevada Revised Statutes for more details on the types of court-ordered guardianships and the responsibilities of the guardian for each of these guardianships.

How do I get a court-ordered immediate temporary guardianship in Nevada?

You will need to file two sets of documents – the documents for the immediate temporary guardianship in this packet and the Petition for Appointment of Guardianship.

In general, you must file a Petition in the county where the Ward resides. If the Ward does not reside in Nevada, you may file in any Nevada county where the Ward has property or where the Ward is physically present.

The same people who are entitled to notice for the guardianship are entitled to notice of your request for immediate temporary guardianship. Please see the “General Information Sheet” in packet for Petition for Guardianship over an Adult. If your request for immediate temporary guardianship is granted, you must notify all those same people not later than 48 hours after the appointment by using the Notice of Entry of Order.

Please see the Definitions that are part of this packet to learn more about the terms used in this explanation.

How do I file my paperwork?

The procedure for filing paperwork and setting hearings varies from county to county. Please call the clerk’s office for the county in which you plan to file the petition and ask about that court’s procedural requirements. If you are filing in Washoe County or Clark County, you may call the Self-Help Centers for those counties to learn more about the procedures in those courts. The telephone numbers are:

Family Court Self-Help Center (Washoe County): (775) 325-6731
Family Law Self Help-Center (Clark County) (702) 455-1500

Please Note: If a document must be notarized, a clerk at the court may witness your signature instead of a notary public.

When can I use this set of forms?

You can use this Addendum to Petition for Guardianship of An Adult Requesting Immediate Temporary Guardianship if:

- The proposed ward is 18 years old or older.
- One or two people will be the guardian(s) of the proposed ward.
- At least one of the person(s) who will be the guardian and the person who will be the ward are Nevada residents.

Note: If the guardianship is for an estate, at least some of the money/property must be in Nevada.

- The guardian(s) has never been disbarred or suspended from practicing law, accounting or any other profession that involves the management or sale of money, investments, securities or real property that requires a license.

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Addendum to Petition for Guardianship of an Adult Requesting Immediate Temporary Guardianship
- Notice of Entry of Order
- Order Regarding Temporary Guardianship of an Adult and Notice of Extension Hearing if Granted
- Temporary Letters of Guardianship

1 Code:
2 (Your name) _____
3 (Your address) _____
4 _____
5 (Telephone) _____
6 In Proper Person

7 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF _____

9 In the Matter of the Guardianship of)
10 the person,) CASE NO. _____
11 the estate,) DEPT. NO: _____
12 the person and estate.)
13 _____,)
14 An Adult.)
15 _____)

16 **ADDENDUM TO PETITION FOR GUARDIANSHIP OF AN ADULT**
17 **REQUESTING IMMEDIATE TEMPORARY GUARDIANSHIP**

18 _____ and _____
19 (Name of Petitioner) (Name of Co-Petitioner)

20 Petitioner(s) in this matter, state(s) as follows:

21 1. A Verified Petition For Guardianship was filed in this matter on (Date Petition
22 was filed) _____ by the above-named Petitioner(s) to be appointed
23 guardian(s) of (Name of Ward) _____

24 2. This Request For Immediate Temporary Guardianship is made for the following
25 reasons:

26 ***One of the following questions, A or B, must be answered with a "yes" in order for an
27 immediate guardianship to be considered. Both A and B may apply. If so, answer "yes"
28 on both A and B lines. Carefully, and in detail, explain your answers to the statements.***

29 A. _____ The Ward faces a substantial risk of immediate physical harm or needs
30 immediate medical attention and the Ward lacks the capacity to respond to the risk of harm or to

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obtain the necessary medical attention because:

(If you need more space, you may attach additional pages. Be sure the pages clearly indicate they are a continuation of this portion of the document.)

B. _____ The Ward is unable to respond to a substantial and immediate risk of financial loss and the Ward lacks the capacity to respond to the risk of loss because:

1 _____ Parents of the Ward on _____
2 (yes or no) (date contact was made)
3 In person By telephone In writing

4 _____ Current Legal Guardian of the Ward on _____
5 (yes or no) (date contact was made)
6 In person By telephone In writing

7 _____ Brothers and/or Sisters of the Ward who are over the age of 14 years on
8 (yes or no) _____
9 (date contact was made)
10 In person By telephone In writing

11 _____ Current Legal Guardians of any brothers and sisters of the Ward who are under the
12 (yes or no) age of 14 years on _____
13 (date contact was made)
14 In person By telephone In writing

15 _____ The current person or officer of a care provider having the care, custody or control
16 (yes or no) of the Ward on _____
17 (date contact was made)
18 In person By telephone In writing

19 _____ The Ward has no spouse and there are no known relatives, therefore, I contacted the
20 (yes or no) Public Guardian on _____
21 (date contact was made)
22 In person By telephone In writing

If you answered "no" to any of the questions above, explain why those people have not been contacted prior to the filing of this Request For Immediate Temporary Guardianship.

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(If you need more space, you may attach additional pages. Be sure the pages clearly indicate they are a continuation of this portion of the pleading.)

Dated _____

Dated _____

(Signature of Petitioner)

(Signature of Co-Petitioner)

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VERIFICATION OF PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

I, (your name) _____, being first duly sworn under penalty of perjury, hereby depose and say:

That I am the Petitioner in the within action; that I have read the foregoing Addendum to the Petition For Guardianship Requesting Immediate Temporary Guardianship and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

Petitioner

SIGNED and SWORN to before me by (Petitioner's name) _____
on the ____ day of _____, ____.

NOTARY PUBLIC

ACKNOWLEDGMENT OF PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (your name) _____ known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he/she did so freely and voluntarily and for the purposes and uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

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VERIFICATION OF CO-PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

I, (name of co-petitioner) _____, being first duly sworn under penalty of perjury, hereby depose and say:

That I am the Co-Petitioner in the within action; that I have read the foregoing Addendum to the Petition For Guardianship Requesting Immediate Temporary Guardianship and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

Co-Petitioner

SIGNED and SWORN to before me by (Co-Petitioner's name)

on the _____ day of _____, _____.

NOTARY PUBLIC

ACKNOWLEDGMENT OF CO-PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

On this _____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (co-petitioner's name) _____ known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he/she did so freely and voluntarily and for the purposes and uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

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Code:
(Your name) _____
(Your address) _____

(Telephone) _____

In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

In the Matter of the Guardianship of)
 the person,) CASE NO. _____
 the estate,)
 the person and estate.) DEPT. NO: _____
_____)
An Adult.)
_____)

**REQUEST FOR SUBMISSION OF
ADDENDUM TO PETITION FOR GUARDIANSHIP OF AN ADULT
REQUESTING IMMEDIATE TEMPORARY GUARDIANSHIP**

_____ and _____
(Name of Petitioner) (Name of Co-Petitioner)

Petitioner(s) in this matter hereby request that the Addendum to Petition for Guardianship of an Adult filed on (Date Addendum filed) _____ be submitted to the Court for consideration.

Dated _____ Dated _____

(Signature of Petitioner) (Signature of Co-Petitioner)

1 Code:
2 (Your name) _____
3 (Your address) _____
4 _____
5 (Telephone) _____

In Proper Person

6 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7
8 IN AND FOR THE COUNTY OF _____

9 In the Matter of the Guardianship of)
10 the person,) CASE NO. _____
11 the estate,)
12 the person and estate.) DEPT. NO: _____
13 _____)
14 An Adult.)
15 _____)

ORDER REGARDING EXTENSION OF TEMPORARY GUARDIANSHIP OF ADULT

16 This matter came before the Court upon the verified Petition For Guardianship of an
17 Adult and the Addendum Requesting Temporary Guardianship.

18 A Temporary Guardianship was granted on (date)
19 _____ . The hearing for the extension of the temporary
20 guardianship was held, as scheduled, on (date) _____ .

21 The Court, having considered the Petition and the Addendum and the supporting
22 documents and testimony with the Ward appearing with the Ward not appearing, but
23 excused with the Ward not appearing, finds as follows:

IT IS HEREBY ORDERED:

26 The extension is **DENIED** and the Petition For Guardianship shall be set
27 for a hearing and a Citation To Appear and Show Cause on whether the guardianship shall issue.

OR

The extension of the Temporary Guardianship of the Adult is hereby

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Code:
(Your name) _____
(Your address) _____

(Telephone) _____
In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

In the Matter of the Guardianship of)
 the person,) CASE NO. _____
 the estate,)
 the person and estate.) DEPT. NO: _____
_____)
An Adult.)
_____)

**ORDER REGARDING TEMPORARY GUARDIANSHIP OF AN ADULT
AND NOTICE OF EXTENSION HEARING IF GRANTED**

Upon review of the verified Petition For Guardianship of an Adult and the
Addendum Requesting Temporary Guardianship of said adult submitted by the
Petitioners _____ and _____
(Name of Petitioner) (Name of Co-Petitioner)

THE COURT FINDS that this Court has the jurisdiction to enter the Order and the adult is a
resident of the State of Nevada or has been placed in the State of Nevada by a legal or authorized
agent or agency acting on behalf the adult; that the Petitioner(s) have made a good faith effort to
contact the persons entitled to notice and/or any other person or agency having the care, custody and
control of the adult, or, in the alternative, has/have presented to this Court sufficient evidence that
such contact would put the welfare of the adult in jeopardy.

IT IS HEREBY ORDERED BY THIS COURT that the temporary guardianship of
Name Age Date of Birth

IS HEREBY DENIED and this matter will go forward as a guardianship and a

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Citation to Appear and Show Cause will be issued with a hearing date for the guardianship.

OR

IS HEREBY DENIED at this time, but a hearing to determine the need for a temporary guardianship will be held on (date of hearing) _____ at the hour of _____ m., in the above Court. The Proposed Ward's appearance is is not required at the above listed hearing.

A copy of this Order with a copy of the Petition filed in this matter shall be served on the parents, children, adult siblings, grandparents, spouse, public guardian, and/or any other person or agency having the care, custody and control of the proposed ward. Said service shall be either personal service or by mailing a copy of the documents by certified mail with return receipt requested or regular first class mail to the last known address of each party.

OR

IS HEREBY GRANTED and the Court hereby finds that the adult is incapable of (his/her) _____ own care and control because the proposed ward

- faces a substantial and immediate risk of physical harm
- needs immediate medical attention
- faces a substantial and immediate risk of financial loss.

The power of the temporary guardian(s) is limited to those acts necessary to respond to the substantial and immediate risk of physical harm or the need for immediate medical attention or to prevent any further financial loss.

IT IS FURTHER ORDERED that a copy of this Order with a copy of the Petition filed in this matter shall be served on the parents, children, adult siblings, grandparents, spouse, public guardian and/or any other person or agency having the care, custody and control of the propose ward. Said service shall be either personal service or by mailing a copy of the documents by

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certified mail with return receipt requested or regular first class mail to the last known address of each party. Service must be made within 48 hours after the temporary guardianship is granted.

IT IS FURTHER ORDERED that Petitioner(s) by and is/are hereby appointed to act as the Temporary Guardian(s) of the person, the estate, the person and estate of the said adult after posting bond in the amount of \$ _____, effective immediately.

IT IS FURTHER ORDERED that this Order Granting Temporary Guardianship shall be effective until the hearing to extend this guardianship is held on _____ at the hour of _____ in this Court. The Proposed Ward's appearance is/ is not required at the above listed extension hearing.

DATED this ____ day of _____, _____.

DISTRICT JUDGE

Respectfully submitted:
(Your signature) _____
(Your name) _____
(Address) _____

(Telephone) _____
In Proper Person

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Code:
(Your name) _____
(Address) _____

(Telephone) _____

In Proper Person

IN THE ____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

In the Matter of the Guardianship)
of the Person only)
 Estate only)
 Person and Estate)
of:)
_____))
_____))
_____))
A(n) Minor.)
 Adult.)
_____)

CASE NO. _____
DEPT. NO. _____

TEMPORARY LETTERS OF GUARDIANSHIP¹

State of Nevada)
County of _____)

¹ Temporary Letters are valid for a short period of time by Nevada law. The duties and authority of the Temporary Guardian are limited to those needed to address the substantial and immediate emergency faced by the Temporary Ward, absent a court order expanding the duties and authority of the Temporary Guardian. Any person relying upon these Temporary Letters may find it beneficial to see the Order Appointing Temporary Guardian or Order Relating to Extension of Temporary Guardianship. If General Letters of Guardianship have been issued and not subsequently rescinded or revoked, these Temporary Letters of Guardianship are null and void.

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On (month) _____ (day) _____ (year) _____, the (name of court)
_____ Judicial District Court, (name of county) _____

County, State of Nevada, appointed (name of guardian) _____

TEMPORARY GUARDIAN of the (check one) person/ estate/ person and estate for
(ward's name) _____ a(n) (check one) adult/ minor,

that the named guardian has qualified and has the authority and shall perform the duties of

TEMPORARY GUARDIAN of the (check one) person/ estate/ person and estate for the
named ward as provided by law.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of the court
at my office on _____ (month) _____ (day) _____ (year).

(Name of Clerk of Court) _____ CLERK OF COURT

By: _____
Deputy Clerk Date

OATH

I, _____, residing at _____

_____, whose mailing address is _____

(mailing address if different from residence)

solemnly affirm that I will faithfully perform according to law duties of TEMPORARY
GUARDIAN and that any matters stated in any petition or paper filed with the Court are true of

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///

1 my own knowledge or if any matters are stated on information or belief, I believe them to be true.

2

Guardian

3

4 SUBSCRIBED AND AFFIRMED before me by (name of guardian) _____

5 on the ____ day of _____, _____.

6 (name of Clerk of Court) _____ CLERK OF COURT

7

By: _____

8

Deputy Clerk

9 (OR):

Notary Public

10

County of: _____

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State of: _____

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1 Code:
2 (Your name) _____
3 (Address) _____
4 _____
5 _____
6 (Telephone) _____

In Proper Person

7 IN THE ____ DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF _____

9
10 In the Matter of the Guardianship)
of the Person only)
11 Estate only)
12 Person and Estate)
13 of:)
14 _____)
15 _____)
16 _____)
17 A(n) Minor.)
18 Adult.)
19 _____)

CASE NO. _____
DEPT. NO. _____

20
21 **NOTICE OF ENTRY OF ORDER**

22 **TO:** The persons listed on Exhibit 1, attached hereto
23 **PLEASE TAKE NOTICE** that (title on Order) _____
24 was entered in the above-entitled matter on (date) _____, a copy of
25 which is attached hereto.

26 DATED this _____ day of _____,
27 _____
28 (Your signature)

EXHIBIT 1

Name of Person/Organization
Entitled to Notice

Relationship to Ward

Address

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Name of Person/Organization
Entitled to Notice

Relationship to Ward

Address

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Name of Person/Organization
Entitled to Notice

Relationship to Ward

Address

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