**IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE**

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| IN THE MATTER OF:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  A person with a disability | :  :  :  : | C.M. # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**FINAL ORDER FOR APPOINTMENT OF A GUARDIAN**

**OF THE PERSON**

WHEREAS, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ a hearing was held on the guardianship petition;

WHEREAS, Petitioner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the \_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter called “person with a disability”), and the interested party(ies) has/have waived notice and consented (agreed) to or has/havereceived notice through certified mail on the appointment of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as guardian of the person of the person with a disability;

WHEREAS, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Esquire, the previously appointed attorney *ad litem* for the person with a disability, has filed his/her report;

WHEREAS, the Court having reviewed the petition and affidavits, considered the medical report, and considered the statements made and evidence presented at the hearing, finds that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is a person with a disability by reason of mental or physical incapacity. By reason thereof, such person is unable to properly manage and/or care for his/her person without a guardian and is in danger of substantially endangering his/her health, becoming subject to abuse by other persons and/or becoming the victim of designing persons.

IT IS HEREBY ORDERED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_, as follows:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is hereby appointed guardian of the person of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ a person with a disability.
2. The guardian appointed herein is granted such powers, rights and duties which are necessary to protect, manage and care for the person of the person with a disability as provided for in 12 Del. C., Ch. 39.
3. The guardian shall file an annual update and medical statement with the Register in Chancery every year, which is due on or before the first business day of the calendar quarter in which the guardian was appointed. The annual update and medical statement shall include the current mailing address of both the person with a disability and the guardian, and a current medical statement from an approved medical practitioner setting forth the current medical status of the person with a disability and addressing the need for continued guardianship.
4. The petitioner is required to pay $ \_\_\_\_\_\_\_\_to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Esquire, within thirty (30) days of the date of this order, for his/her services as the attorney *ad litem* for the person with a disability. The attorney *ad litem* is hereby discharged from further service as attorney for the person with a disability.
5. The Register in Chancery of this Court is appointed agent of the guardian to accept service of process on behalf of the guardian as to any claim arising out of the guardianship if, by reason of the guardian’s absence from this State, he/she cannot be served.
6. In the event of the death of the person with a disability, the guardian shall notify the Office of Register in Chancery within ten (10) days. The guardian shall file a petition to terminate within ninety (90) days of the death of the person with a disability.

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Magistrate in Chancery