

# Emergency Affidavit

## For Temporary Guardian and/or Conservator Appointment

Now comes \_\_\_\_\_ of \_\_\_\_\_, Maine, pursuant to 18-A M.R.S.A. §5-310-A and/or 18-A M.R.S.A. §5-408-A, and makes this affidavit in support of Petitioner's request for appointment of temporary guardian and/or temporary conservator.

1. This affidavit is made in support of an application for appointment of a temporary guardian and/or temporary conservator for the protected person.

2. The circumstances which lead to the serious, immediate and irreparable harm to the health or financial interests of the person alleged to be incapacitated/in need of protection which require the appointment of the temporary appointment are as follows:

3. The specific powers and authority that are requested by the temporary guardian and/or temporary conservator are as follows:

4. I have given notice to the interested persons required by law, which I have described on the reverse side of this page. **I have included in my notice to interested persons *the temporary authority that I am requesting; the location and telephone number of the court in which the petition is being filed; the name of the petitioner (myself) and the intended date of filing.***     Yes     No

5. I have orally or in writing notified the following interested persons of my intentions to file for temporary guardianship and/or temporary conservatorship.

The following must be notified: person alleged to be incapacitated/needing protection, his spouse, domestic partner, parents and all adult children, any person currently serving as his guardian or conservator, any person who has his care and custody, and the closest adult relative who can be found if he has no spouse, domestic partner, parents or adult children or if none, an adult friend, if any can be found.

Name providing	Relationship to alleged incapacitated person	Date Notice was provided	Time notice was provided	Where Notice	Method of
					Notice - Oral or Written

6. I have not provided notice to the following required interested persons:

Name	Relationship to alleged incapacitated person	Reasons why notice not provided

Dated: \_\_\_\_\_  
Signature of Affiant

Before me, personally appeared \_\_\_\_\_, who, under oath, swore to the truth of the foregoing statements subscribed by him/her.

Dated: \_\_\_\_\_  
Notary Public/Attorney

NOTARY

STAMP

**COURT DETERMINATION:**

- 1. The petitioner complied with the notice requirements.       Yes       No
- II. The reason for not providing notice is sufficient.       Yes       No

**JUDGES NOTES:**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of Probate