

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_  
Licensed Fiduciary Number: \_\_\_\_\_



Representing  Self, without a Lawyer or  Attorney for  Petitioner OR  Respondent

## SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

In the Matter of  
Guardianship and/or Conservatorship of

Case Number : \_\_\_\_\_

### PETITION FOR TEMPORARY APPOINTMENT OF

\_\_\_\_\_  an Adult  a Minor

- Guardian and Conservator
- Guardian  Conservator
- EMERGENCY APPOINTMENT WITHOUT NOTICE REQUESTED

### UNDER PENALTY OF PERJURY:

### INFORMATION REQUIRED BY ARIZONA LAW (A.R.S. § 14-5401)

#### 1. Information about person to be protected by this temporary order:

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Address: \_\_\_\_\_

#### 2. INFORMATION ABOUT OTHER COURT or AGENCY INVOLVEMENT

##### A. Other Court Cases (Mark the box beside the statements below that are TRUE.)

##### 1. Divorce, Legal Separation, or Paternity cases with court orders

- There are **NO** Divorce, Legal Separation, or Paternity **court orders or cases**, that include legal decision-making (custody) or parenting time (visitation) matters for the alleged incapacitated person.
- YES**, a Court Order exists for a Divorce, Legal Separation, or Paternity case involving the alleged incapacitated person.
  - The name of Arizona or other state Court where the above case is located: \_\_\_\_\_.
  - The name of the Arizona or other state case number for the above case is \_\_\_\_\_.

- The above case involved legal decision-making (legal custody) or parenting time (visitation).
  - The petitioner or proposed guardian in the above-named case is:
    - A parent of the alleged incapacitated person – or
    - A nonparent who has been awarded legal decision-making for the alleged incapacitated person.
- I attached a copy of the most recent court order regarding legal decision-making (legal custody) or parenting time (visitation) from the (Divorce, Legal Separation or Paternity) mentioned above. (On the top margin of the attached court order copy, write "Attachment for Question 2.A.)

**2. Other Guardianship or Conservatorship cases with court orders**

- No Guardian or Conservator was appointed by court order in any **other** court, and no Guardianship and/or Conservatorship court proceedings are pending for such appointment;
- Someone was appointed Guardian and/or Conservator, or Guardianship and/or Conservatorship court proceedings are pending. (If "yes", provide details below.)
  - Name: \_\_\_\_\_
  - Address: \_\_\_\_\_
  - Telephone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_
  - Relationship to the person to be protected is: \_\_\_\_\_

Was appointed  GUARDIAN **OR**  CONSERVATOR for the alleged incapacitated.

Name of Court: \_\_\_\_\_  
 Located in: City and State: \_\_\_\_\_  
 Date Appointed: \_\_\_\_\_ Other Details: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Agency Involvement** (Place a check mark beside the statements below that are true.)

- A state or local agency is NOT, or has NOT been involved or concerned with the alleged incapacitated person.
- Yes, a state or local agency **is**, or has been involved or concerned with the alleged incapacitated person.

The following state or local agency has a case with or has checked on the alleged incapacitated person: (**Mark** the box beside the agency involved, and **write in the date** of involvement)

- Division of Aging and Adult Services \_\_\_\_\_
- Department of Child Safety \_\_\_\_\_
- Division of Developmental Disabilities \_\_\_\_\_
- Police \_\_\_\_\_
- Other Agency: \_\_\_\_\_

**3. Reasons for temporary appointment.** The temporary appointment of a guardian and/or conservator is necessary because: (Explain why the temporary appointment is necessary.)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**4. Petitioner's relationship** to the person you say needs a guardian and/or conservator:

\_\_\_\_\_

**5. Why should this court choose the person you say should be the guardian/conservator:**

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**6. Information about person to be appointed guardian/conservator** (if different person than Petitioner)

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to the proposed incapacitated and/or protected person: \_\_\_\_\_

**7. To the best of my knowledge**, (check one box):

- No Guardian or Conservator has been appointed in any other court, and no court proceedings are pending for such appointment;
- Someone has been appointed or court proceedings are pending (explain who, when, in what court, and if appointee is guardian or conservator):

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**Complete 8 and 9 only if this temporary appointment is an emergency.** If this is not an emergency, skip to number 10.

**8. Emergency Situation.** This case is an emergency and the appointment is necessary without notice to the person whom I say needs the guardian and/or conservator, or his/her attorney, because (explain here in detail why this needs to be done right away and without notice)

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**9. Physician's Report. Complete this only if the person you say needs the temporary guardian or conservator is an ADULT:** An affidavit or physician's report describing need for a guardian and/or conservator and reason for emergency

- is attached to this Petition.
- is **not** attached to this Petition (explain why not).

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**10. Persons Entitled to Notice** under Arizona law, A.R.S. 14-5309 (adults), 5207 (minors) and 14-5310 (emergency) for guardians and 14-5405 (adults and minors) and 14-5401 for conservators. I have:

(check one box)

- Given notice to the person who needs a guardian and/or conservator, or his/her attorney, or others as follows:

Name	Address	RELATIONSHIP to Person Who Needs Guardian or Conservator and how NOTICE was given
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- A. 

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- B. 

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- C. 

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- D. 

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**OR**

- Not given notice to the person who needs a guardian and/or conservator, or his/her attorney, or others because (explain here why no advance notice about this court case should be given). I promise I will give notice by personal service to the person who needs protection, his or her attorney, and all others required by law no later than 72 hours after the judge signs the Temporary Order:

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**REQUESTS TO THE COURT:**

- 1. To find that the person about whom this petition is filed is in need of a temporary guardian and/or conservator.
- 2. **Check this box only if you are asking for an emergency appointment without notice, and have completed questions 9:**
  - To find that an emergency exists and this temporary order is necessary without notice to the person I say needs the guardian and/or conservator, or his/her attorney;
- 3. To appoint the person identified in this petition as the temporary guardian and/or conservator for that person until a court hearing can take place on this matter, or until further order of the court.

**OATH OR AFFIRMATION AND VERIFICATION**

**I swear or affirm that the information on this document is true and correct under penalty of perjury.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to or affirmed before me this: \_\_\_\_\_ by  
(date)

\_\_\_\_\_.

(notary seal)

\_\_\_\_\_  
Deputy Clerk or Notary Public