

Superior Court of Washington, County of _____
华盛顿州 县高等法院

In re Guardianship/Conservatorship of:
关于以下个人的监护/保护:

Respondent
被申请人

No. _____
编号

Order Appointing Emergency

紧急指定命令

☐ **Guardian (ORAP EG)**

监护人(ORAP EG)

☐ **Conservator (ORAP EC)**

保护人(ORAP EC)

☐ **Guardian/Conservator(ORAP EGC)**

监护人/保护人(ORAP EGC)

☐ **Clerk's Action Required: 1, 18, 24, 25**

书记员需要采取的行动: 1、18、24、25

Instructions for use: Use this form only after a court hearing on petition for appointment of an emergency guardian and/or conservator, which occurs after notice to Respondent and after a Court Visitor and attorney for Respondent have been appointed by the court. Use this form with the *Petition for Emergency Guardianship of Adult and/or Conservatorship of an Adult/Minor* (GDN E 301).

使用说明: 仅在以下情况下使用此表格: 在对紧急监护人和/或保护人任命申请进行听证后, 且在已向被申请人发出通知, 并由法院指派了法院视察员和被申请人律师之后。请将此表格与成人紧急监护权和/或成人/未成年人保护权申请(GDN E 301)一起使用。

Order Appointing Emergency Guardian and/or Conservator
紧急监护人和/或保护人指定令

1. Summary
摘要

Date guardian/conservator appointed: _____

指定监护人/保护人的日期: _____

Due date for report (*within 45 days*): _____

报告截止日期 (45天内): _____

Date of next review: _____

下次审查日期: _____

Letters expire on (*within 60 days*): _____

文书过期日期 (60天内): _____

Bond amount: \$ _____

保证金金额: \$ _____

Restricted account agreements required: [] Yes [] No

是否需要限制账户协议: 是 否

[] Certified Professional Guardian (CPGC)

注册专业监护人(CPGC)

[] Lay (non-professional) guardian (LGD) [] Training completed [] Training required

非专业监护人 (LGD) [-] 已完成培训 [-] 需要培训

Due date for lay guardian/conservator training: _____

非专业监护人/保护人培训截止日期: _____

	<u>Individual Subject to Guardianship/Conservatorship</u> <i>受监护/保护的个体</i>	<u>Guardian/Conservator</u> <i>监护人/保护人</i>
Name <i>姓名</i>		
Address <i>地址</i>		
Phone <i>电话号码</i>		
Email <i>电子邮件地址</i>		
Facsimile <i>传真</i>		

	<u>Notice Party</u>	<u>Notice Party</u>
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	<u>通知方</u>	<u>通知方</u>
Name 姓名		
Address 地址		
Phone 电话		
Email 电子邮件地址		
Relation to Individual 与个人的关系		

This matter came on regularly for hearing on an emergency petition for appointment of guardian and/or conservator of Respondent.

此案件按照法定程序进行听证，涉及对被申请人紧急任命监护人和/或保护人的申请。

The proposed guardian and/or conservator was present.

拟议监护人和/或保护人出席了听证会。

The court visitor (visitor) and Respondent's lawyer were present. The following other persons were also present at the hearing:_____

法庭视察员（视察员）和被申请人的律师均到场。以下其他人士也出席了听证会：

The court considered the written report of the visitor and [] the professional evaluation, testimony of witnesses, remarks of counsel, and the documents filed herein. Based on the above, the court makes the following:

法院考虑了视察员的书面报告和[-] 专业评估、证人的证词、律师的陈述以及在此案中提交的文件。根据上述情况，法院做出如下判决：

Findings of Fact

事实认定

- All notices required by law have been given, and proof of service as required by statute is on file.

法律要求的所有通知均已发出，且法律规定的送达证明已归档。

The court finds, by clear and convincing evidence, Respondent, Respondent's lawyer, and the visitor were given proper notice, at least 14 days prior to the hearing on the petition. Required proof of service is on file.

法院通过明确且令人信服的证据认定，被申请人、被申请人的律师和视察员至少在申请听证会前14天已收到适当通知。所需的送达证明已存档。

3. Jurisdiction
管辖

The jurisdictional facts set forth in the petition are true and correct, and the court has jurisdiction over the person and/or estate of Respondent.

申请中陈述的管辖事实真实、正确，法院对被申请人的人身和/或财产具有管辖权。

4. Respondent's Attendance
被申请人出庭情况

☐ Respondent was present in court.

被申请人出庭。

☐ Respondent was not present in court for good cause shown _____

被申请人因有正当理由而未出庭；

5. Court Visitor (Visitor)
法庭视察员（视察员）

The visitor appointed by the court has filed a report with the court. The report is complete and complies with all requirements of RCW 11.130.320 and/or RCW 11.130.430.

法院指定的视察员已向法院提交报告。报告完整并符合RCW 11.130.320和/或RCW 11.130.430的所有要求。

6. Alternative arrangements made by the Respondent
被申请人做出的替代安排

☐ Respondent did not make alternative arrangements for assistance, such as power of lawyer or other protective arrangements.

被申请人没有做出其他援助安排，例如授权书或其他保护安排。

☐ Respondent made other protective arrangements for assistance, but such arrangements are inadequate in the following respects:

被申请人已作出其他保护安排以获得协助，但此类安排在以下方面存在不足：

☐ (Name) _____ has been acting in a fiduciary capacity in the following areas _____

for Respondent and should **not** continue to do so for the following reasons:

(姓名) _____ 已作为被申请人的受托人在以下方面
履行了受托责任，但由于以下原因不应继续担任此角色：

7. Basis for emergency guardianship and/or conservatorship

紧急监护权和/或保护权的依据

An emergency exists and no other person has the willingness or authority to act to prevent substantial and irreparable harm to Respondent's identified emergency need related to health, safety, welfare, property, or financial interests. Respondent, by clear and convincing evidence:

存在紧急情况，并且没有其他人愿意或有权采取行动，以防止对被申请人确定的与健康、安全、福利、财产或经济利益相关的紧急需求造成重大和不可挽回的损害。被申请人经明确且令人信服的证据证明：

- ☐ lacks the ability to meet essential requirements for physical health, safety, or self-care because Respondent is unable to receive and evaluate information or make or communicate decisions, even with appropriate supportive services, technological assistance, or supported decision making.

即使有适当的支持服务、技术援助或辅助决策，被申请人也无法接收和评估信息或做出或传达决策，因此缺乏满足身体健康、安全或自我照顾的基本要求的能力；

- ☐ is incapable of managing property or financial affairs due to ☐ a limitation in Respondent's ability to receive and evaluate information or ☐ physical absence. An appointment of a conservator is necessary to ☐ avoid a significant dissipation of the individual's property or ☐ obtain funds or property to support and care for the individual or their dependents.

由于[-]被申请人接收和评估信息的能力受到限制或[-]缺席，因此无法管理财产或财务事务。指定一名保护人对于[-]避免个人财产的大量浪费或[-]获得资金或财产来支持和照顾个人或其家属是必要的。

- ☐ is in need of a full ☐ guardianship and/or ☐ conservatorship.

需要完全[-]监护权和/或[-]保护权。

- ☐ is capable of managing some personal and/or financial affairs, but is in need of the protection and assistance of a limited ☐ guardian ☐ conservator. These specific powers are granted to the ☐ guardian ☐ conservator:

有能力管理一些个人和/或财务事务，但需要有限[-]监护人[-]保护人的保护和协助。授予以下特定权力给[-]监护人[-]保护人：

- ☐ There is clear and convincing evidence that Respondent's emergency needs cannot be met by a protective arrangement instead of guardianship and/or conservatorship or other less restrictive alternative, including use of appropriate supportive services, technological assistance, or supported decision making.

有明确且令人信服的证据表明，除了监护权和/或保护权或其他限制较少的替代方案（包括使用适当的支持服务、技术援助或辅助决策）之外，无法通过保护安排来满足被申请人的紧急需求。

- ☐ There is clear and convincing evidence that Respondent's needs cannot be met by limited guardianship and/or conservatorship. The guardianship and/or conservatorship is appropriate.

有明确且令人信服的证据表明，有限监护权和/或保护权无法满足被申请人的需求。监护权和/或保护权是恰当的。

8. Emergency Guardian and/or Conservator

紧急监护人和/或保护人

The proposed guardian/conservator is qualified to act as ☐ guardian and/or ☐ conservator for Respondent. They have filed the *Disclosure of Guardian or Conservator*. Their address, phone numbers, and email address are as follows:

拟议监护人/保护人有资格担任被申请人的 ☐ 监护人和/或

☐ 保护人，并且他们已提交监护人或保护人披露信息。其地址、电话号码和电子邮件地址如下：

Address: _____

地址：

Phone No./s: Business _____ Personal _____

电话号码：工作

个人

Email: _____

电子邮件地址：

The relationship of the guardian and/or conservator to the Respondent is:

监护人和/或保护人与被申请人的关系是：

☐ The guardian and/or conservator provides paid services, is a relative, or is employed by a person that provides paid services to Respondent. The court finds, by clear and convincing evidence, that the guardian and/or conservator is the best qualified person for the appointment and the appointment is in the best interest of the Respondent.

监护人和/或保护人提供有偿服务、是亲属，或受雇于为被申请人提供有偿服务的人。

法院通过明确且令人信服的证据认定监护人和/或保护人是指定的最佳人选，并且指定符合被申请人的最佳利益。

9. Visitor fees and costs

视察员费用和开支

☐ The visitor was appointed at ☐ county expense ☐ estate expense and shall submit a motion for payment of fees and costs pursuant to the local rules.

视察员由 ☐ 县政府出资 ☐ 财产支付，并应根据当地规定提交费用和开支支付请求。

☐ The visitor has requested a fee of \$_____ for services rendered and reimbursement of \$_____ for costs incurred while acting as visitor. Fees in the amount of \$_____ and costs in the amount of \$_____ are reasonable and should be paid as follows:

视察员请求支付服务费用\$

并报销\$

即在履行调查员职责期间产

生的费用。费用为\$

开支为\$

金额合理，应按如下方式支

付：

☐ \$_____ by the guardian/conservator from the estate and/or

\$

由监护人/保护人从财产中支付，和/或

☐ by the County of _____
由以下县支付:

☐ \$ _____ by _____ for the following reason/s:
\$ 由以下方支付 理由如下:

10. Conservator's Bond
保护人担保

The assets of Respondent:
被申请人的资产:

☐ does not apply. Respondent only has a guardianship.
不适用。被申请人仅涉及监护。

☐ total less than three thousand dollars (\$3,000) and no bond is required.
总额少于三千美元(\$3,000), 无需担保。

☐ exceed three thousand dollars (\$3,000) and a bond is required.
超过三千美元(\$3,000), 需要担保。

☐ exceed three thousand dollars (\$3,000) and should be placed in a blocked account with an insured financial institution or bonded.
超过三千美元(\$3,000), 并且应当存入一家有保险的金融机构的限制性账户, 或者提供担保。

☐ should be held by a conservator who is a regulated financial institution qualified to conduct trust business in this state, and the court waives any bond requirement.
应由保护人持有, 该保护人是受监管的金融机构, 有资格在本州从事信托业务, 并且法院免除任何担保要求。

☐ Other: _____
其他:

Conclusions of Law
法律裁定

Based upon the above findings of fact, the court makes the following conclusions of law:
基于上述事实认定, 法院作出如下法律裁定:

11. Individual Subject to Emergency Guardianship/Conservatorship
受紧急监护/保护的个体

(Name) _____ is an individual who meets the requirements to be subject to guardianship and/or conservatorship within the meaning of Chapter 11.130 RCW, and a:
(姓名) 是符合RCW第11.130章含义内的监护权和/或保护权要求的个人, 并且:

☐ full ☐ limited guardian and/or
应指定 完全 [-] 有限监护人和/或

☐ full ☐ limited conservator should be appointed.
完全[-] 有限保护人。

12. Emergency Guardian and/or Conservator
紧急监护人和/或保护人

(Name) _____ is a fit and proper person as
required by RCW 11.130.305/.415 to be appointed as a guardian/conservator.
(姓名) _____ 根据RCW 11.130.305/.415的要
求, 是被指定为监护人/保护人的合适人选。

13. Powers and limitations of the emergency guardian and/or conservator
紧急监护人和/或保护人的权力和限制

The powers and limitations of the guardian and/or conservator include:
监护人和/或保护人的权力和限制包括:

☐ The guardian and/or conservator are granted the following powers to meet
Respondent's specific emergency need: _____
监护人和/或保护人被授予以下权力, 以满足被申请人的具体紧急需求:

☐ Other: _____
其他:

14. Limitations and restrictions placed on Respondent
对被申请人的限制和约束

The limitations and restrictions placed on Respondent are as follows:
对被申请人的限制和约束如下:

- ☐ To vote or hold an elected office.
投票或担任民选职务。
- ☐ To marry, divorce, or enter into or end a state registered domestic partnership.
结婚、离婚、建立或终止州注册的同居伴侣关系。
- ☐ To consent to or refuse medical treatment.
同意或拒绝医疗。
- ☐ To decide who shall provide care and assistance.
决定谁将为您提供照护和帮助。
- ☐ To make decisions regarding social aspects of their life.
做出有关生活社交方面的决策。
- ☐ To possess a license to drive.

持有驾驶执照。

[] To make or revoke a will.

制定或撤销遗嘱。

[] To enter into a contract.

签订合同。

[] To appoint someone to act on their behalf.

指定个人代表他们行事。

[] To sue and be sued, other than through a guardian and/or conservator.

起诉和被起诉，除非通过监护人和/或保护人。

[] To buy, sell, own, mortgage, or lease property.

购买、出售、拥有、抵押或租赁财产。

[] To manage their money.

管理资金。

[] Other limitations and restrictions: _____

其他限制和约束:

15. Restrictions on Respondent's right to communicate, visit, and interact with others
对被申请人与他人沟通、会面和互动的权利的限制

The guardian is authorized to restrict Respondent's right to communicate, visit, and interact or otherwise associate with the following persons:

监护人有权限制被申请人与以下人员沟通、会面、互动或以其他方式交往的权利:

Name of Person

人员姓名

Nature of Restriction

限制的性质

1. _____
2. _____
3. _____

16. The court finds it would be contrary to the preference of Respondent to provide notice to (name/s) _____ who are a spouse, domestic partner, or adult child.

法院认为向以下人员提供通知有悖于被申请人的意愿 (姓名)

该人

员是被申请人的配偶、家庭伴侣或成年子女。

The court orders:

法院命令:

17. Appointment of Emergency Guardian and/or Conservator

指定紧急监护人和/或保护人

(Name) _____ is appointed as:

(姓名)

被指定为:

☐ Full ☐ Limited Guardian and/or ☐ Full ☐ Limited Conservator of _____,
以下人员的 完全[-]有限监护人和/或[-]完全[-]有限保护人:

_____ and the powers and limitations of the guardian/conservator, the restrictions on Respondent's right to communicate, visit, or interact with others, and the limitations and restrictions placed on Respondent shall be as set forth in paragraphs **13**, **14**, and **15** of the Conclusions of Law.

, 以及监护人/保护人的权力和限制、对被申请人与他人沟通、会面或互动的权利的限制以及对被申请人的限制和约束应按照“法律裁定”第**13**、**14**和第**15**段的规定执行。

18. Letters of Guardianship and/or Conservatorship
监护人和/或保护人授权书

The clerk of the court shall issue letters of guardianship and/or conservatorship valid for 60 days to (name) _____ upon the filing of an acceptance of appointment, any bond and verified receipt required in paragraph **10**, and form GDN ALL 008, *Designation of and Consent by In-State (Resident) Agent*, if the guardian/conservator or limited guardian/conservator resides outside the state.

法庭书记员应向以下人员签发有效期为**60**天的监护人和/或保护人授权书: (姓名) 提交以下文件: 接受指定的声明; 根据第**10**段要求的任何保证金和其他已核实收据; 如果监护人/保护人或有限监护人/保护人居住在州外, 则需提交表格**GDN ALL 008**《州内(居民)代理人的指定书及同意书》。

19. Lay Guardian/Conservator Training
非专业监护人/保护人培训

☐ Does not apply. The guardian/conservator is a certified professional guardian/conservator or financial institution.

不适用。监护人/保护人是经过认证的专业监护人/保护人或金融机构。

☐ The petitioner submitted evidence that the guardian/conservator successfully completed lay guardian/conservator training.

呈请人提交了监护人/保护人成功完成非专业监护人/保护人培训的证明。

☐ The guardian/conservator must complete and file proof of completion of lay guardian/conservator training or obtain an order waiving training by date in paragraph **1** (*no more than 14 days after today's date*).

监护人/保护人必须在以下日期之前完成并提交非专业监护人/

保护人培训的完成证明, 或在第**1**段所述日期前获得培训豁免令(今天日期后不超过**14**天)。

20. Conservatorship bond and security
保护权保证金和担保

☐ Conservatorship bond is set in the amount of: see summary in paragraph **1**.

保护权保证金金额: 见第**1**段摘要。

☐ Bond is waived.

免除保证金。

☐ Bond shall be reviewed at the hearing on the conservator's report.

应在保护人报告听证会上对保证金进行审查。

- ☐ All other accounts/liquid assets in excess of the bond shall be blocked and shall not be withdrawn except by court order. The guardian shall file a receipt of funds into the blocked account, form GDN ALL 006 *Receipt of Funds into a Blocked Financial Account*.

所有超出担保金额的其他账户/流动资产应被冻结，未经法院命令不得提取。监护人应提交一份资金进入限制性账户的收据、表格GDN ALL 006，《冻结金融账户资金收据》。

21. Report
报告

The guardian and/or conservator's report is due within 45 days of the order.

监护人和/或保护人的报告应在下达命令后45天内提交。

22. Rights
权利

Respondent retains all rights they enjoyed prior to the entry of the emergency guardianship and/or conservatorship order, with the exception to the rights specifically removed by this order in paragraphs 14 and 15.

被申请人保留其在紧急监护权即时令和/或保护令生效前享有的所有权利，但本命令在第14和15段中明确取消的权利除外。

23. Duration of guardianship/conservatorship
监护权/保护权期限

This guardianship and/or conservatorship shall continue for 60 days from the date of this order.

此监护权和/或保护权应自本命令发布之日起持续60天。

24. Discharge/retention of visitor
视察员的解除/保留

- ☐ The visitor is discharged; **or**
视察员已被解除；**或**

- ☐ The visitor is authorized to spend _____ more hours at \$_____ hourly rate and shall continue performing further duties or obligations as follows:
视察员获准以 _____ 每小时\$ _____ 的费率延长工作时间，并应继续履行如下进一步职责或义务：
- _____
- _____
- _____

25. Discharge/Retention of Respondent's Attorney
被申请人律师的解雇/保留

- ☐ Does not apply; **or**
不适用；**或**

- ☐ Respondent's attorney is discharged; **or**
被申请人的律师被解雇；**或**

[] Respondent's attorney shall continue performing further duties or obligations as follows: _____

被申请人律师应继续履行以下职责或义务:

[] The lawyer must be paid at a rate of \$ _____ per hour up to a maximum of \$ _____ or _____ hours unless the lawyer obtains prior approval from the court for a different amount. The court may decide later if anyone must reimburse public or private fees paid.

律师报酬按每小时 \$ _____ 计算, 总额最高不超过 \$ _____ 或累计服务时间不超过 _____ 小时 (二者满足其一即达上限); 除非律师就不同报酬金额事先获得法院批准, 否则应按上述标准执行。后续法院可就是否应由他人报销已支付的公共费用或私人费用作出裁定。

26. Persons with a right to receive notice and pleadings

有权接收通知和诉状的人员

The following persons listed below are entitled to certain statutory notices, as described in RCW 11.130.310 and RCW 11.130.420:

以下列出的人员有权获得RCW 11.130.310和RCW 11.130.420中所述的某些法定通知:

Name: _____

姓名:

Address: _____

地址:

Name: _____

姓名:

Address: _____

地址:

[] The spouse, adult children, or domestic partner (*name/s*) _____

are not entitled to notice.

配偶、成年子女或家庭伴侣 (姓名)

无权获得通知。

(Add more names or extra sheets if necessary)

(如有必要, 添加更多姓名或另附纸张)

27. Guardian/Conservator Fees

监护人/保护人费用

[] DSHS cases: The guardian/conservator is allowed such fees and costs as permitted by the Washington Administrative Code (WAC) in the amount of \$235.00 per month as a deduction from the Respondent's participation in the DSHS cost of care. Such fees are subject to court review and approval. The guardian may petition for fees in excess of the above amount only on notice to the appropriate DSHS Regional Administrator, per WAC 182.513.1530; or

DSHS案件：根据华盛顿行政法规(WAC)允许的费用和成本，监护人/保护人每月可从被申请人参与DSHS护理费用中扣除\$235.00。此类费用须经法院审查和批准。监护人只有在根据WAC 182.513.1530向相应的DSHS地区管理员发出通知后才可以申请超过上述金额的费用，或

[] Non-DSHS cases: The guardian/conservator shall petition the court for approval of fees. The guardian/conservator may advance themselves \$_____ per month, subject to court review and approval.

非DSHS案件：监护人/保护人应向法院请求批准费用。监护人/保护人可以预支\$/月，但须经法院审查和批准。

28. Court Visitor Fee
法院视察员费用

The visitor fees and costs are approved as reasonable in the total amount of \$_____. The fees shall be paid from [] the estate assets, [] the county, [] other source as follows:_____

视察员费用和开支被批准为合理，总金额为\$
。应从[-] 财产资产、[-] 县、[-] 其他来源支付，如下：

29. Legal Fees
法律费用

The legal fees and costs of \$_____ are approved as reasonable in the amount of 法律费用和开支\$ 被批准为合理，金额

\$_____, and shall be paid from the:
\$, 并应由以下来源支付：

[] guardianship/conservatorship estate assets; or
监护权/保护权财产资产；或

[] deduction from the Respondent's participation in the DSHS cost of care, or
从被申请人参与DSHS护理费用中扣除，或

[] other source/s as follows:_____
其他来源，如下：

30. Other
其他

Dated: _____
日期:

Judge/Court Commissioner
法官/助理法官

Presented by:
提交人:

Signature of Petitioner/Lawyer
呈请人/律师签名

Printed Name
请工整填写姓名

WSBA or CPGC No.
WSBA或CPGC编号

Copy received and approved by:
副本接收和批准人:

Signature of Guardian/Conservator
监护人/保护人签名

Printed Name
请工整填写姓名

WSBA or CPGC No.
WSBA或CPGC编号

Signature of Petitioner/Lawyer
呈请人/律师签名

Printed Name
请工整填写姓名

WSBA or CPGC No.
WSBA或CPGC编号