

FORM A
[Clause 3(a)]

In the King's Bench

Judicial Centre of _____

**Application for Appointment of a Decision-maker other than
a Temporary Personal Guardian or Temporary Property Guardian**

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that a person served with a copy of this application may file a statement of objection with the court setting out the reasons he or she objects to the application.

1. I, _____, of _____, _____, apply to be appointed as: *(check as appropriate)*

personal co-decision-maker for _____ pursuant to section 14 of *The Adult Guardianship and Co-decision-making Act*

personal guardian for _____ pursuant to section 14 of *The Adult Guardianship and Co-decision-making Act*

property co-decision-maker for _____ pursuant to section 40 of *The Adult Guardianship and Co-decision-making Act*:

with a bond for \$ _____

without a bond

property guardian for _____ pursuant to section 40 of *The Adult Guardianship and Co-decision-making Act*:

with a bond for \$ _____

without a bond

1.1 I also apply to have _____ appointed as alternate guardian *(if applicable)*.

2. Personal Decision-Making Authority: *(where application is for the appointment of a personal co-decision-maker or personal guardian)*

(a) I seek the authority to assist the adult with the following: *(where application is for the appointment of a personal co-decision-maker - check as appropriate)*

– or –

(a) I seek the authority to make the following decisions for the adult: *(where application is for the appointment of a personal guardian - check as appropriate)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not give the personal co-decision-maker or personal guardian the authority to act with respect to all the matters mentioned below if an order providing particular powers would be sufficient to meet the needs of the adult.

decisions respecting the adult's living arrangements

decisions respecting access to the adult

decisions respecting the adult's social activities

decisions respecting the adult's employment

decisions respecting the adult's educational, vocational or other training

decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult

- decisions respecting legal proceedings that do not relate to the estate of the adult
- decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- decisions respecting the restraint of the adult
- normal day-to-day decisions respecting the adult
- other: *(specify)* _____

(b) I request that the following limitations, conditions or requirements apply to the authority requested: *(optional)*

3. Property Decision-Making Authority: *(where application is for the appointment of a property co-decision-maker or property guardian)*

(a) I seek the authority to:

- assist the adult in making decisions with respect to matters relating to his or her estate *(where application is for the appointment of a property co-decision-maker)*

– or –

- make decisions with respect to matters relating to the adult's estate *(where application is for the appointment of a property guardian)*

(b) I request that the following limitations, conditions or requirements apply to the authority requested: *(optional)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall consider whether an order appointing a property co-decision-maker or property guardian should be made subject to limitations, conditions or requirements, including limiting the authority of the property co-decision-maker or property guardian to decisions involving more than a certain dollar amount.

(c) With respect to the requirement of a bond: *(check as appropriate)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court may dispense with the requirement to file a bond if the value of the estate does not exceed \$10,000 or if the nearest relative and public guardian and trustee consent in writing or in any other situation the court considers appropriate.

- I undertake to file a bond in the amount of \$ _____ pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act* *(see Form M)*

- I request an order dispensing with the requirement to file a bond

4. Service

NOTE: You must include the addresses of the persons listed below that have been served other than the Minister of Social Services and the public guardian and trustee.

(a) I have served the following persons with all of the documents filed as part of this application: (*check as appropriate*)

- the adult with respect to whom the application is made
- the public guardian and trustee (*where application is for the appointment of a property co-decision-maker or property guardian*)
- the nearest relatives:
Name: _____
Relationship: _____

Name: _____
Relationship: _____

Name: _____
Relationship: _____
- the Minister of Social Services (*where the adult is receiving services pursuant to section 10 or 56 of The Child and Family Services Act*)
- the personal co-decision-maker, personal guardian or temporary personal guardian of the adult
Name: _____
Relationship: _____
- the property co-decision-maker, property guardian or temporary property guardian of the adult
Name: _____
Relationship: _____
- the attorney under a power of attorney given by the adult
Name: _____
Relationship: _____
- the proxy under a health care directive made by the adult
Name: _____
Relationship: _____
- the supporter nominated by the adult pursuant to section 9 of *The Personal Care Homes Regulations, 1996*
Name: _____
Relationship: _____

the person(s) who act(s) as trustee for the purpose of administering financial benefits on behalf of the adult

Name: _____

Relationship: _____

Name: _____

Relationship: _____

other: (specify) _____

(b) (If applicable) I seek an order stating that I am not required to serve the following persons:

NOTE: The Adult Guardianship and Co-decision-making Act provides that the court shall not dispense with service on the adult unless it is satisfied, on the basis of sufficient medical evidence, that special circumstances exist and service would be injurious to the adult and contrary to the best interests of the adult.

Name: _____

Relationship: _____

Name: _____

Relationship: _____

Name: _____

Relationship: _____

5. Review

I request that the order include the following terms: (check as appropriate)

that the order be reviewed by the court in _____ months

that the order not be reviewed by the court

NOTE: The Adult Guardianship and Co-decision-making Act provides that the court shall determine whether it is in the best interests of the adult to require a review of the order, and if a review is required, shall specify the period within which the review is to take place.

5.1. Fees

I plan to charge a fee and seek:

to receive the following fee for services: \$ _____

or

to charge fees as set out in the Regulations

or

I will not charge a fee

6. Documents Attached

The following documents are filed with the court as part of this application: (check as appropriate)

proof of service of application on all persons required to be served

affidavit of proposed co-decision-maker or guardian (Form B)

affidavit of proposed alternate decision-maker (Form B.1)

- consent(s) of nearest relative(s) to appointment, if applicable without bond, of the proposed co-decision-maker or guardian and affidavit(s) of execution with respect to the consent(s) (*Forms E and F*)
- two or more assessments of the adult's capacity (*Form J*)
- inventory of the estate of the adult (*where application is for the appointment of a property co-decision-maker or property guardian*) (*Form K*)
- bond undertaking to properly act as a co-decision-maker or guardian (*where application is for the appointment of a property co-decision-maker or property guardian*) (*Form M*)
- other: (*describe*) _____

Dated at _____, _____, this _____ day of _____, 20 _____.

(*Signature of Applicant*)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

Permanent address (*if different from address for service*):

Phone: _____ Fax: _____

E-mail: _____