

STATE OF SOUTH CAROLINA
COUNTY OF _____

IN THE MATTER OF:

_____,
an alleged incapacitated individual.

_____,
vs. Petitioner(s)

_____,
Respondent(s)

IN THE PROBATE COURT
CASE NUMBER: _____-GC-____-_____

**MOTION TO BE RELIEVED AS
COUNSEL FOR ALLEGED
INCAPACITATED INDIVIDUAL**

Movant: _____

1. The undersigned request(s) that this Court order (*check any that apply*)
that he/she be relieved as attorney for the alleged incapacitated individual
that he/she be appointed as Guardian *ad Litem* in the above-referenced matter.

2. Movant makes this Motion based on the following sworn statement:

The alleged incapacitated individual no longer needs to utilize the services of the undersigned attorney and is incapable of communicating, with or without reasonable accommodations, his/her wishes, interests, or preferences regarding the appointment of a Guardian and/or Conservator. Specifically I met with the alleged incapacitated individual ___ times and the following is a brief summary of where the meeting(s) took place and the observation which serve as the basis for the relief requested in this motion:

WHEREFORE, the undersigned hereby swears and affirms to the foregoing and request an order as indicated above and for such other and further relief as is just and proper.

SWORN to before me this _____ day of _____, 20 ____.

Print Name: _____

Notary Public for: _____

My Commission Expires: _____

Attorney Signature: _____

Print Name: _____

Firm Name: _____

Bar Number: _____

Address: _____

Telephone: _____

E-mail: _____

Executed this _____ day of _____, 20 ____ .

ORDER FOR HEARING

IT IS HEREBY ORDERED that a hearing on this matter be set for:

DATE: _____
TIME: _____
PLACE: _____

Pursuant to S.C. Code Ann. 62-1-401, **THE MOVANT IS/ARE ORDERED** to give notice of this hearing to all other interested persons by mailing or delivering his/her Notice of Hearing and any appropriate attachments to each of them at least twenty (20) days prior to the Hearing date. **PLEASE TAKE NOTICE** that a copy of this order is neither a substitute for the Notice of Hearing, nor one of the "appropriate attachments". **THE MOVANT IS FURTHER ORDERED** to file his/her Proof of Delivery (FORM #120PC) of said Notice of Hearing no later than the hearing date.

Debora A. Faulkner, Probate Court Judge
Caroline M. Horlbeck, Associate Probate Court Judge
Clayton L. Jennings, Associate Probate Court Judge

Executed this _____ day of _____, 20 _____
_____, South Carolina

ORDER

IT IS HEREBY ORDERED that (check all that apply):

The alleged incapacitated individual no longer needs to utilize the services of an attorney and is incapable of communicating, with or without reasonable accommodations, his/her wishes, interests, or preferences regarding the appointment of a guardian and/or conservator.

The attorney appointed for the alleged incapacitated individual be relieved of his/her duties.

The previously appointed attorney for the alleged incapacitated individual be appointed as Guardian *ad Litem* for the alleged incapacitated individual.

The relief requested is denied.

in the above-referenced matter. Written notice of this Order must be served as provided by Rule 5, SCRPC.

IT IS SO ORDERED.

Debora A. Faulkner, Probate Court Judge
Caroline M. Horlbeck, Associate Probate Court Judge
Clayton L. Jennings, Associate Probate Court Judge

Executed this _____ day of _____, 20 _____
_____, South Carolina

Note: There is no charge for this Order.