

**PETITION FOR DETERMINATION OF INCAPACITY**

Incapacity of: \_\_\_\_\_  
Case No.: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_ [5.030]  
Attorney Ad Litem: \_\_\_\_\_

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Legal Authority: F.S. 744.3201, 744.331, and Fla. Prob. R. 5.550

**PETITION:**

\_\_\_ Petition Verified [744.3201(2)]  
\_\_\_ Petitioner: Age/Relationship/Residence [744.3201(2)(a)]: \_\_\_\_\_  
\_\_\_ Alleged Incapacitated Person (AIP) [744.3201(2)(b); 744.202(2)]:  
    Age: \_\_\_\_\_  
    County: \_\_\_\_\_  
    Residence \_\_\_\_\_  
\_\_\_ Primary language of AIP [744.3201(2)(c)].  
\_\_\_ Nature of incapacity, facts supporting belief, and names/addresses of persons with knowledge of such facts [744.3201(2)(d)]. \_\_\_\_\_  
\_\_\_ Physician of AIP: Name/Address [744.3201(2)(e)]. \_\_\_\_\_  
\_\_\_ Rights AIP is incapable of exercising [744.3201(2)(f); 744.3215(2)-(3)].  
\_\_\_ Next of Kin of AIP [744.3201(2)(g)] (names, relationships, addresses, and DOB for minors)  
  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE:** [744.331(1); 5.550(b)]

\_\_\_ Notice of petition and contents served on and read to AIP.  
\_\_\_ Notice of hearing & petition for incapacity & guardianship served on attorney for AIP & Next of Kin.

**OTHER REQUIREMENTS:**

\_\_\_ Copy of separate Petition for Appointment of Guardian filed [744.3201(3)] (separate case)  
\_\_\_ Attorney Ad Litem Appointed [744.331(2)(b)]  
\_\_\_ Each member of Examining committee filed a signed report, that includes physical examination, mental health examination and a functional assessment & to the extent possible, a diagnosis, prognosis, and recommended course of treatment [744.331(3)(f)-(g)].

**PROPOSED ORDERS**

\_\_\_ Appointing Examining Committee [744.331(3), Admin Order 6.961]  
\_\_\_ Appointing Attorney Ad Litem [744.331(2)(b), Admin. Order 1.472(f)]  
\_\_\_ Order Determining Incapacity [744.331(6)]  
    \_\_\_ FDLE findings pursuant to Admin Order 6.962 (Aliases, Date of Birth, Sex of AIP).

**HEARING**

\_\_\_ AIP present at hearing, or attorney ad litem has waived AIP's appearance in writing [744.331(5)(b)]  
\_\_\_ Each examining committee member's report served on petitioner and attorney for AIP at least 5 days before hearing [744.331(3)(h)]

**COMMENTS and RECOMMENDATION:** \_\_\_\_\_  
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