



REGISTER OF WILLS & CLERK OF ORPHANS' COURT

Emergency Guardianship 20 Pa. C.S. § 5513

The following checklist does not address requirements within the petition itself. Nothing in this document should be considered legal advice.

- ☐ An original petition for emergency guardianship (plus any time-stamped copies you may desire) (See Incapacitated Person Act, 20 Pa.C.S. § 5501 et seq. (Chapter 55) and Pennsylvania Supreme Court Orphans' Court Rules)
- ☐ A proposed hearing order
- ☐ A proposed final decree
- ☐ Two sets of addressed envelopes with postage for all interested parties including the Incapacitated person and yourself, as well as two unaddressed envelopes with postage for the attorney who will be court-appointed to represent the alleged incapacitated person
- ☐ A certified response to a Pennsylvania State Police criminal record check for each proposed guardian per OC Rule 14.2(c)(2) (If any proposed guardian has resided outside the Commonwealth within the previous five-year period and was 18 years of age or older at any time during that period, then the petition shall include a criminal record check obtained from the state wide database, or its equivalent, in each state in which such proposed guardian has resided within the previous five-year period)
- ☐ Commonwealth of Pennsylvania Notification of Mental Health Commitment Form with all information about the alleged incapacitated person completed
- ☐ Filing Fees; [Orphans' Court Fee Schedule](#)
Automation
JCS
Petition
- ☐ Simultaneous filing of permanent guardianship petition (if possible)