

STATE OF SOUTH CAROLINA)
)
 COUNTY OF _____)
)
 _____,)
 an alleged incapacitated individual.)
)
 _____,)
)
 vs. Petitioner(s),)
)
 _____,)
 Respondent(s).)

▲ PROBATE COURT USE ONLY ▲

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 the undersigned attorney met with the alleged incapacitated individual _____ time(s) 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.

Executed this _____ day of _____, 20_____.

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

Print Name: _____

Notary Public for: _____
 (State)

My Commission Expires: _____
 (Date)

Signature: _____

Print Name: _____

Firm Name: _____

Bar Number: _____

Address: _____

Telephone: _____

Email: _____

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.

_____, Judge of Probate

____ 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.

_____, Judge of Probate

____ day of _____, 20____
_____, South Carolina

Note: There is no charge for this Motion.