STATE OF SOUTH CAROLINA	/ }
COUNTY OF)
IN THE MATTER OF:))
an alleged incapacitated individual.	PROBATE COURT USE ONLY
) IN THE PROBATE COURT) CASE NUMBERGC
Petitioner(s), vs.	ORDER APPOINTING GUARDIAN <i>AD LITEM</i>
Respondent(s).	,)

As a Petition has been filed in this Court that requires the appointment of a Guardian *ad Litem* (GAL) for the above-named alleged incapacitated individual (A.I.I.), I hereby appoint as GAL in accordance with S.C. Code Ann. §§ 62-5-303B and 62-5-403B.

I direct that the GAL shall have access to all reports, records, and information relevant to the A.I.I. in order to ascertain the facts. The GAL is authorized to have access to records prepared or related to any medical and psychological treatment of the A.I.I. and to discuss medical and psychological treatment with any medical or health care professionals. This access is authorized by this Order, as provided by 45 CFR 164.512(e)(I)(i), the Health Insurance Portability and Accountability Act (HIPPA), which authorizes covered entities to disclose protected health information in the course of any judicial or administrative proceeding when responding to an Order of the Court.

The GAL shall review and comply with the requirements of S.C. Code Ann § 62-5-106, which is incorporated by reference.

Given the requirements stated in 42 C.F.R. Part II with regard to the release of information concerning drug or alcohol treatment, the Court will execute an additional order if it is necessary for the GAL to access such records for the A.I.I.

To facilitate reasonable investigation of information pertaining to the A.I.I., the GAL shall immediately have access to all records and information with authorization to speak with interested persons including, but not limited to, the following sources: the legal guardian, law enforcement agencies, health care providers, mental health care providers, residential care providers, the SC Departments of Social Services, Mental Health, Health and Human Services, the U.S. Department of Veterans Affairs, school officials, vocational rehabilitation centers, and any financial institution in which it is believed that there are funds on deposit belonging to the A.I.I. or a safe deposit box belonging to the A.I.I.

The GAL is also entitled to receive copies of any existing will, power of attorney, health care power of attorney, and living will executed by the A.I.I.

The GAL shall file with the Court and serve a written report with recommendations on all parties forty-eight (48) hours prior to the Court hearing unless otherwise ordered by the Court.

immunity for acts performed within the scope of his or her duties as the GAL. Once a guardian or conservator is appointed, or the Court issues another final order, the GAL's role in this matter is terminated. The GAL is required to submit an affidavit of fees and costs to the Court at the conclusion of this case. The Court will issue an order approving costs and fees in the amount determined by the Court. No payments shall be rendered until a Court order is issued. Fees awarded herein shall not exceed per hour for non-contested and \$_____ for contested cases. THEREFORE, IT IS HEREBY ORDERED that ___ appointed Guardian ad Litem in this matter and the above directives of the Court are to be followed. IT IS SO ORDERED. , Judge of Probate _____ day of ______, 20_____ _____, South Carolina IN THE MATTER OF: _____CASE NUMBER: _____-GC-____-**ACCEPTANCE OF APPOINTMENT** I hereby accept the appointment as Guardian ad Litem in this matter and agree to comply with the terms and requirements as set forth in the Order of Appointment of a Guardian ad Litem. Executed this ______, 20_____. Signature: Print Name: Firm Name(if applicable): Bar Number (if applicable): Address: Telephone: Email:

In that the person serving as a GAL acts as the Court's agent, he or she is entitled to quasi-judicial