

V I R G I N I A:

IN THE CIRCUIT COURT FOR [juris]

IN RE:

[respondent]

ORDER APPOINTING GUARDIAN *AD LITEM*

On motion of petitioner, and it appearing that this matter is a petition for the appointment of a guardian and conservator of the person and property of [respondent], SSN ***-**-xxxx ("respondent") and that 37.2-1003 of the Code of Virginia requires that a Guardian *ad litem* be appointed to represent the interest of the respondent herein, it is accordingly ORDERED that [GAL], a discreet and competent attorney at law practicing in this Court, is hereby appointed as Guardian *ad litem* to represent the interests of the respondent, and said Guardian *ad litem* is hereby directed to investigate this matter, respond to the petition, report as to the investigation including those matters enumerated in 37.2-1003 of the Code of Virginia, and appear at the hearing on the petition. The Guardian *ad litem* may serve the respondent with the papers in this matter pursuant to 37.2-1004 of the Code of Virginia.

The Guardian *ad litem* has full authority to request and receive reports (including a Medical Evaluation Report under 37.2-1005) from any who may have information relevant to this proceeding and may review and copy any and all relevant medical, bank, stock, investment and other records, including but not limited to those of the Department of Social Services, and the custodians of all such records are authorized to disclose and make available such records to the Guardian *ad litem* upon presentation of a copy of this Order. Pursuant to Virginia Code 37.2-1003D, "A health care provider shall disclose or make available to the guardian *ad litem*, upon request, any information, records, and reports concerning the respondent that the guardian ad

litem determines necessary to perform his duties . . . " HIPAA Regulations at 45 CFR 164.512(e)(1)(i), allow a Health Care Organization or Physician presented with a copy of this Order to give the Guardian *ad litem* complete access to the alleged incapacitated person's Protected Health Information.

The Clerk shall provide a copy of this Order to counsel for the petitioner and to the Guardian *ad litem*. And this cause is continued.

Enter: _____

Judge

I ask for this, and certify that I have
Contacted the Guardian *ad litem* named
who has agreed to serve.

[atty for petitioner]