

SUPREME COURT OF YUKON

PRACTICE DIRECTION
FAMILY-10

Temporary Guardianship Applications

Temporary guardianship applications for incapable adults may be made pursuant to s. 35 of the *Adult Protection and Decision Making Act*. Under s. 35(2), the applicant is not required to file the assessment required under s. 30(1) and, under s. 35(3), the application is not required to be served on any person. Under s. 35(10), where the temporary guardianship is for more than 30 days, the court shall give directions for compliance with s. 30.

As a temporary guardianship order is a serious intrusion on the financial independence of an adult, it will be the practice of this court to require service of a temporary guardianship application upon the adult who is the subject of the application as well as the Public Guardian and Trustee and the Adult Protection Unit of the Government of Yukon. The application shall be served at least 7 days prior to the hearing of the application.

Although a formal assessment is not required, the temporary guardianship application should always include a written opinion from a medical practitioner, nurse practitioner, registered nurse, psychologist, or occupational therapist.

Veale J.
January 15, 2016