

EMERGENCY PROCEEDING TO AUTHORIZE SINGLE TRANSACTIONS WITHOUT APPOINTING A CONSERVATOR OR TO APPOINT A SPECIAL CONSERVATOR:  
[REFER TO 62-5-401; 62-5-409(b), 62-5-409(c)]

PURPOSE:

To receive Court approval of the appointment of a special conservator for a single transaction or for the Court to authorize without the appointment of a conservator any transaction necessary to meet various foreseeable needs of the protected person if a basis exists as set out in 65-5-401 for affecting the property and affairs of a person.

DURATION OF APPOINTMENT:

The Court may act without appointing a special conservator, but if a special conservator is appointed, they serve until discharged by the Court and after making a final report to the Court.

PRELIMINARY DOCUMENTS REQUIRED BY THE COURT:

1. Petition (or prior filing of pending petition)
2. Notarized affidavit of interested person or entity:
  - a. Refer to the language in 62-5-401, 62-5-404, and 62-5-409 to establish basis for protective Order.
  - b. Refer to the language in Rule 65 of the South Carolina Rules of Civil Procedure to establish emergency.  
\*If your situation is a non-emergency, the Court will require adherence to the 20-day notice provision set forth in 62-5-405.
3. Physicians notarized affidavits.
4. Executed consents and waiver of notice forms (if not an emergency; notice as set forth in 62-5-405)
5. Order requesting appointment of counsel;
6. Hearing is mandatory.