

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

PALM SPRINGS 3255 E. Tahquitz Canyon Wy., Palm Springs, CA 92262

RI-PR042

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address)		FOR COURT USE ONLY
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
IN THE MATTER OF:		CASE NUMBER:
Hearing Date:	Time:	Department:

**ORDERS CONCERNING POWER OF ATTORNEY  
(Probate Code § 4540 et seq.)**

The Petition for Orders Concerning Power of Attorney (name of petitioner): \_\_\_\_\_

filed on (date): \_\_\_\_\_ came regularly for hearing on (date): \_\_\_\_\_

1. The power of attorney that is the subject of this order is as follows:

- a. Principal (name of person who appointed the agent): \_\_\_\_\_
- b. Attorney-in-fact who is the subject of this petition (name): \_\_\_\_\_
- c. Date of execution:  (date): \_\_\_\_\_  unknown.

2. It is hereby ordered:

- a.  The power of attorney  is in effect  has terminated.
- b.  The following  acts  proposed acts of the attorney-in-fact are approved:

\_\_\_\_\_  
 Continued on attachment 2(b).

- c.  The attorney-in-fact shall submit an accounting to the petitioner of his or her acts as attorney-in-fact. The account shall cover the following period:
  - (1)  All acts taken as attorney-in-fact up to the date of this order, or
  - (2)  The acts taken from  the date appointment of the attorney-in-fact became effective
    - (start date): \_\_\_\_\_ to  (end date): \_\_\_\_\_
    - the date of this order.

IN THE GUARDIANSHIP OF:	CASE NUMBER:
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2. d.  The authority of the attorney-in-fact is revoked due to the following findings:
- (1) The attorney-in-fact has violated or is unfit to perform the fiduciary duties under the power of attorney;
  - (2) The principal presently lacks the capacity to give or to revoke a power of attorney; and
  - (3) It is in the best interests of the principal or the principal's estate to revoke the authority of the attorney-in-fact.
- e.  The written resignation of the attorney-in-fact is approved  subject to the following orders necessary to protect the principal's interests:

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Continued on attachment 2(e).

- f.  The following shall honor the authority of the attorney-in-fact (name of person or entity)

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- g.  Attorney fees are awarded  to petitioner against the attorney-in-fact  to the attorney-in-fact against the party named in item 1(f), in an amount to be determine by post-order motion for the following reasons:

- (1)  The attorney-in-fact has clearly violated the fiduciary duties under the power of attorney
- (2)  The attorney-in-fact has failed without any reasonable cause or justification to submit accounts or report acts to the principal or conservator of the estate or of the person, as the case may be, after written request from the principal or conservator.
- (3)  The party named in item 1(f) acted unreasonably in refusing to accept the agent's authority under the statutory power of attorney.

- h.  Costs of suit are awarded to petitioner against  the attorney-in-fact  the party named in item 1(f).

- i.  Other orders as specified in attachment 2(h).

Dated: \_\_\_\_\_

\_\_\_\_\_  
(JUDGE OF THE SUPERIOR COURT)