Flow chart for a normal guardianship application

Applicant to discuss proposed application with the person concerned*¹ if possible and appropriate, relatives & social worker (if any).

Applicant obtains application form (Form 1) and two medical report forms from Guardianship Board or Integrated Family Service Centres or Medical Social Services Units of Social Welfare Department

Are you sure you can be the applicant? (see "Guide helps you to fill out the application form for guardianship")

Complete Form l. Check time limit*2.

Obtain medical reports from two doctors & send in Form 1 and two medical reports within time limit*³

Applicant tells the person concerned / relatives about the guardianship application, if not already informed.

Applicant tells the Board's staff the names and contact details of concerned person's relatives / social worker (if any) so they can be informed of the application.

Applicant attends interview by Social Welfare Department's social worker for social enquiry report and produces financial information of the person concerned, if any.

When receives notice of hearing, applicant submit further statements / letters / reports (if any) to the Board before the hearing.

Applicant discusses with the Board's staff about the need to call relatives/friends/social worker to attend the hearing, or file letters/reports. If necessary, the Board will ask them to attend.

Applicant arranges for the person concerned to attend hearing or Board members will interview him/her in advance.

Applicant attends hearing (see leaflet "Hearing Process for Guardianship")

The Board makes a decision.

Applicant requests medical examination and report from an approved doctor & one other doctor. If applicant chooses to obtain a report from a private psychiatrist, applicant can obtain the approved doctors list from Guardianship Board*⁴.

Checked with proposed private guardian that he/she consents to be guardian.

Remarks:

- *1 We prefer to use the term "person concerned" as the Board have not yet made an order confirming that he/she is a mentally incapacitated person in need of guardianship order.
- *2 The person concerned must have been seen within 14 days by the applicant before the date of the application.
- *3 The medical reports must be sent to the Board within 14 days of the date of the second medical examination of the person concerned.
- *4 The doctors list can be downloaded from the Board's website.

* Latest update January 2019



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