Quand et comment demander l'ouverture d'un régime de protection ?

Le nombre sans cesse croissant de demandes d'ouverture de mesures de protection, conduit la pratique judiciaire à conférer à ces régimes un **caractère** subsidiaire.

Bien souvent, l'affection d'une famille fournit au majeur la

protection que sa vie personnelle requiert sans qu'il soit nécessaire de recourir à une mesure de protection.

Il importe en effet de limiter l'intervention du *juge des tutelles*

dans le fonctionnement familial aux situations qui rendent indispensable l'atteinte à la *capacité*

civiledu majeur concerné, comme par exemple la prévision d'un *acte* notarié, la

perception d'un capital, la vulnérabilité de la personne ou

encore un conflit familial...

Par ailleurs,

si le conjoint peut suffisamment pourvoir aux intérêts de la

personne protégée, il n'y a pas lieu d'instituer une mesure de

protection.

Outre le jeu des *mandats* ou *pr*

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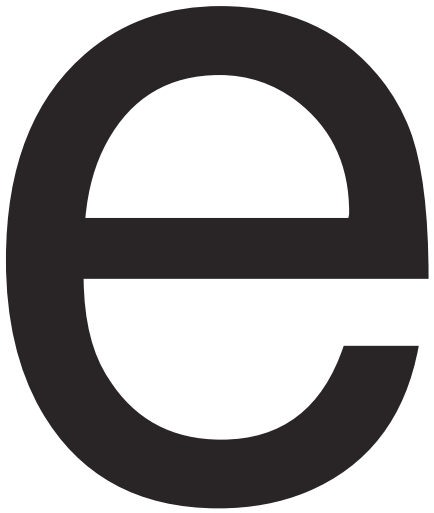

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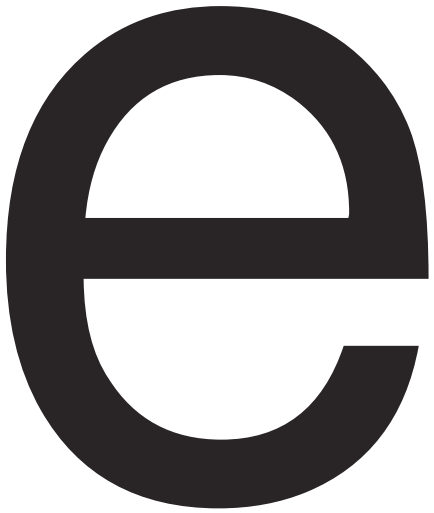

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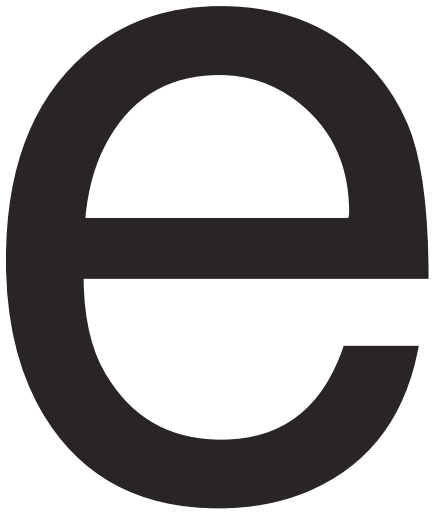

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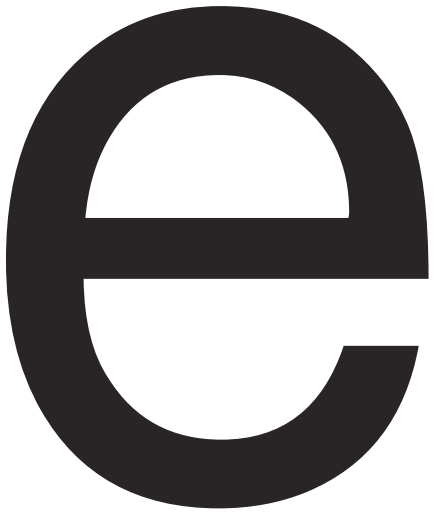

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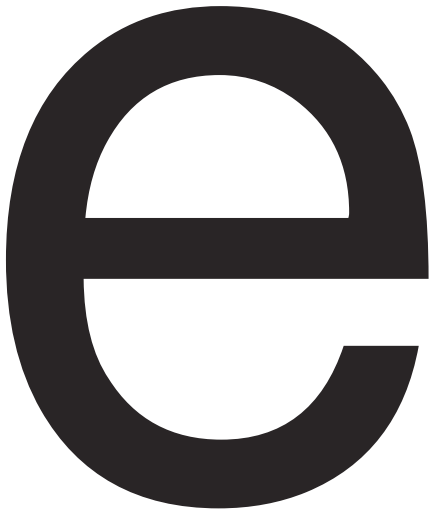

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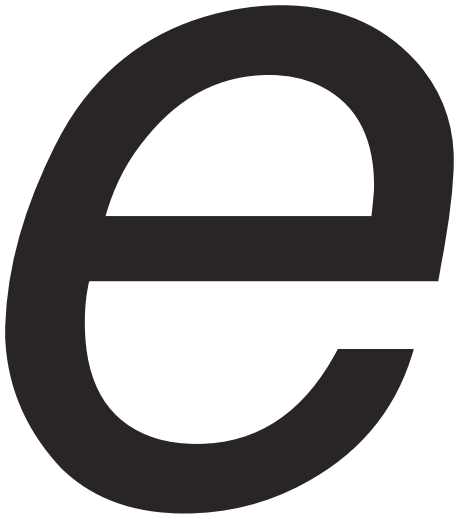

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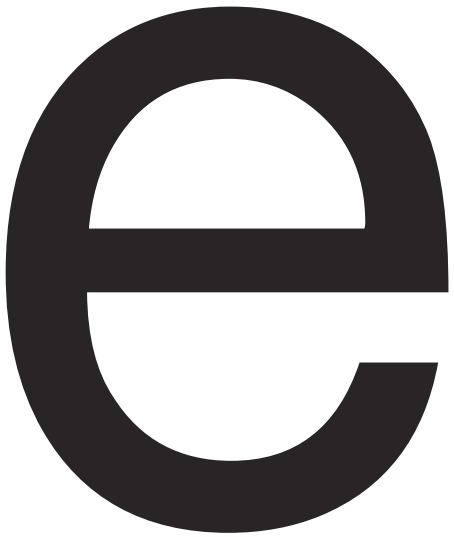

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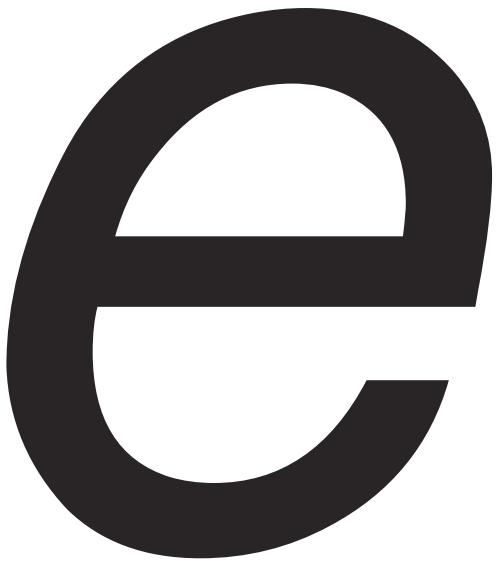

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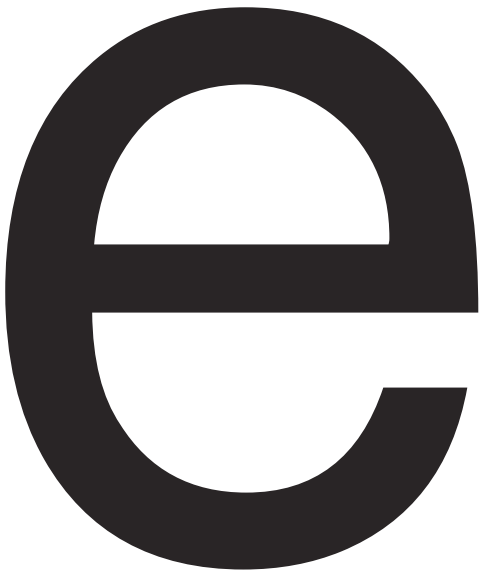

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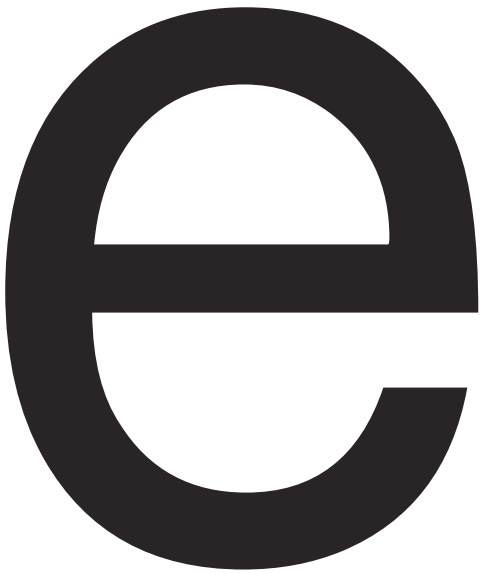

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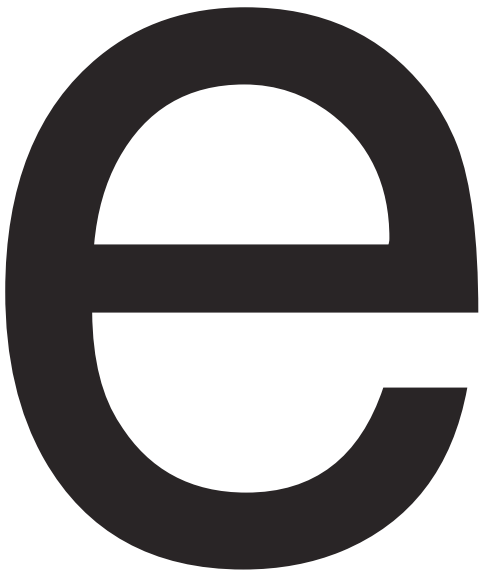

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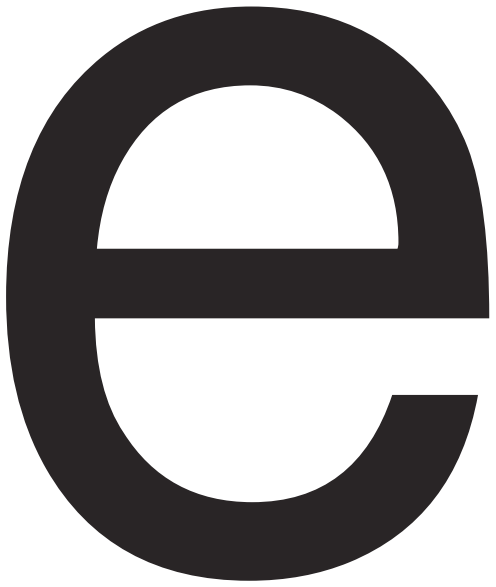

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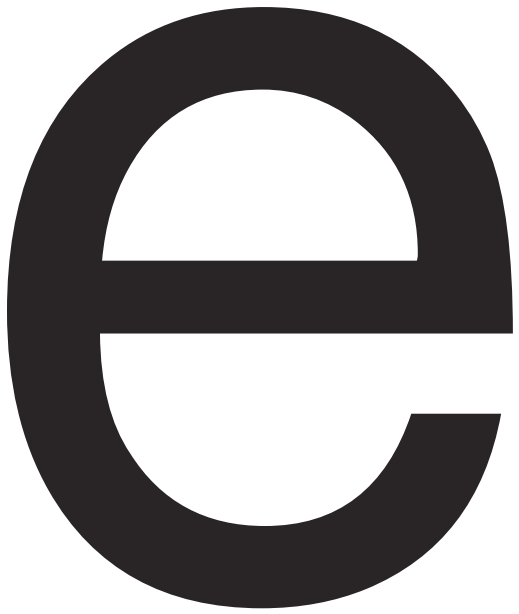

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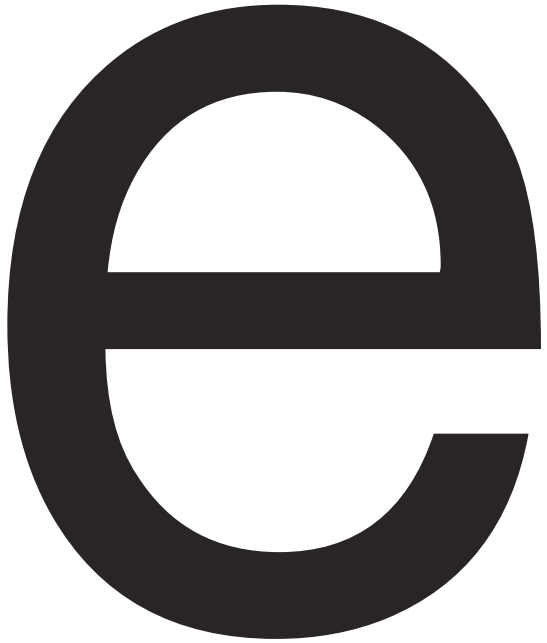

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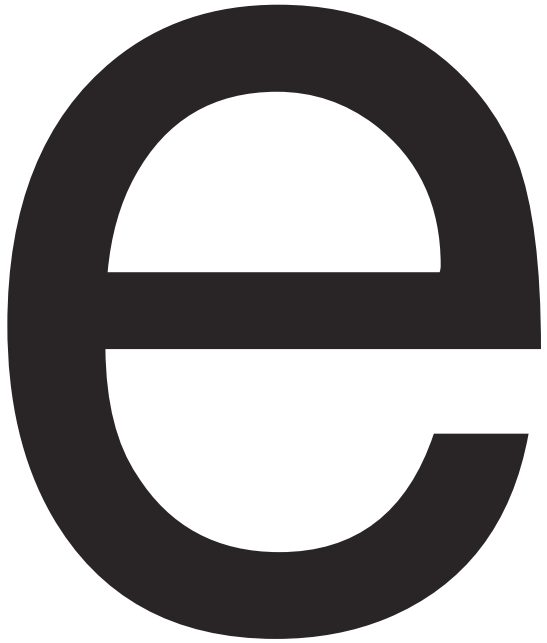

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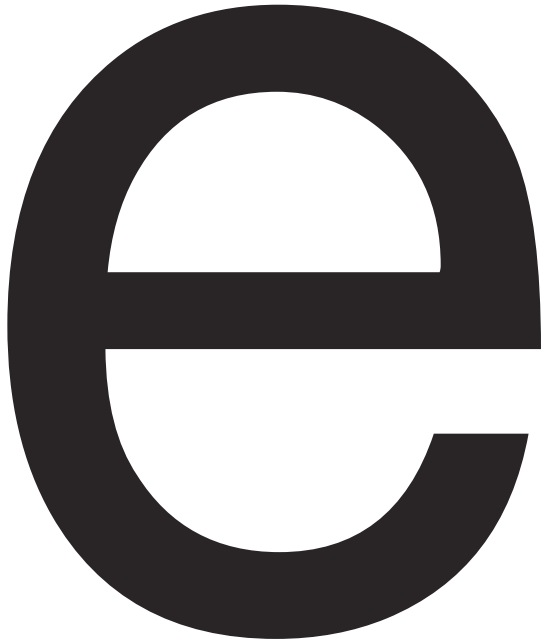

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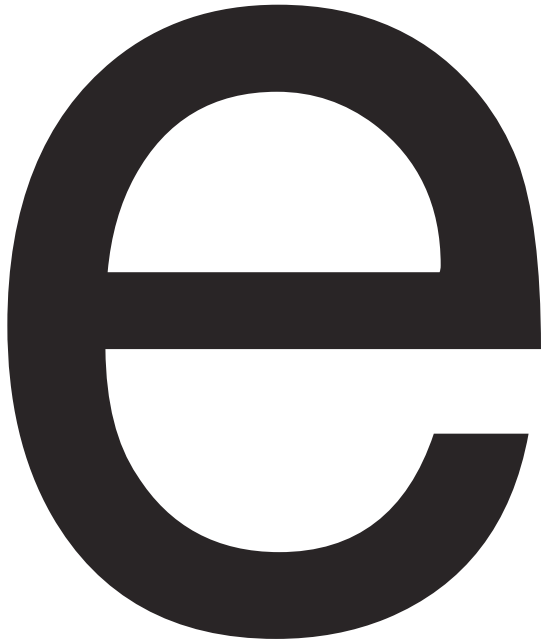

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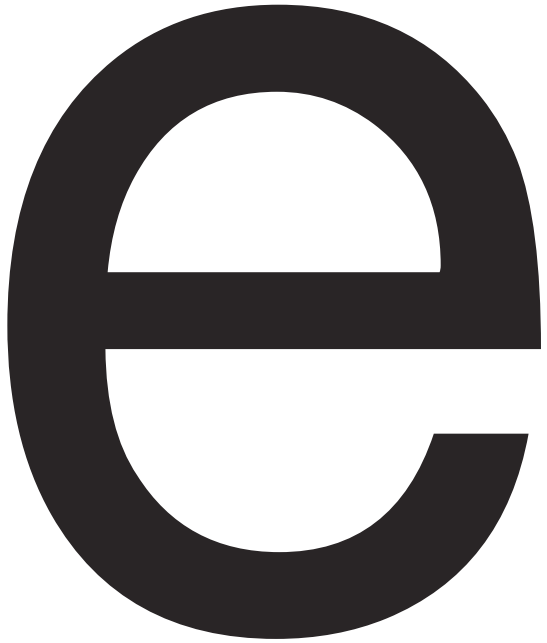

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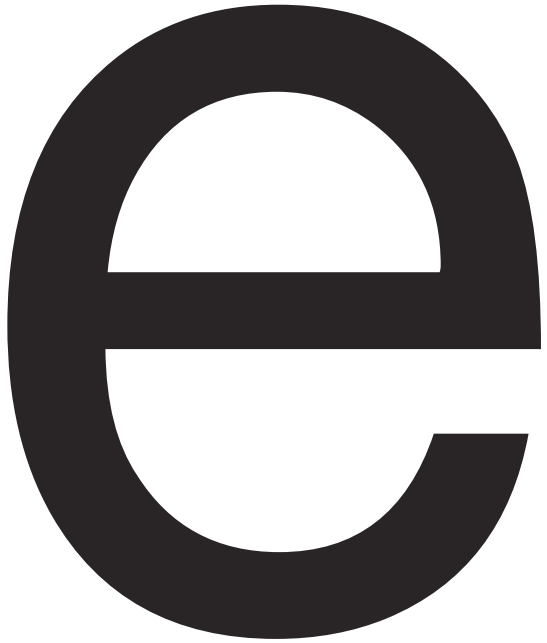

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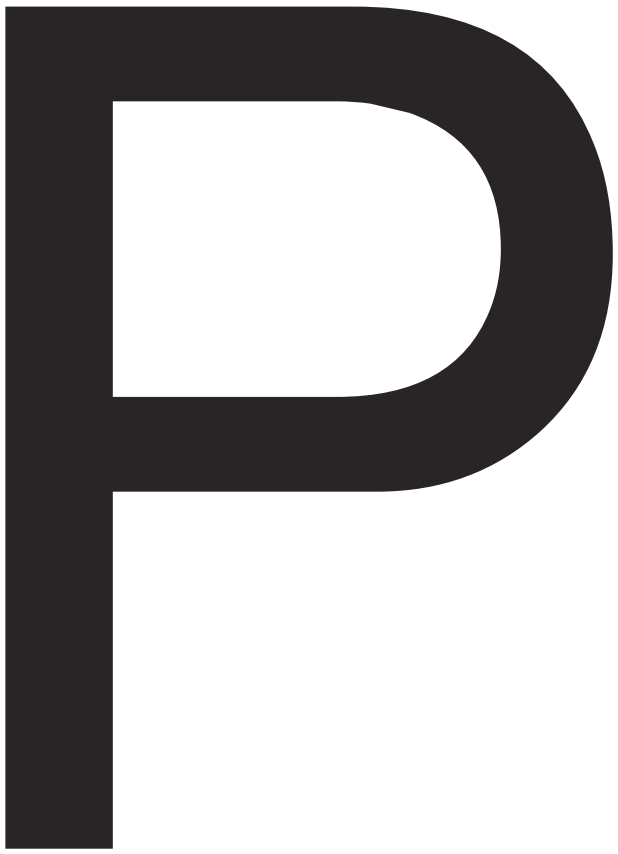

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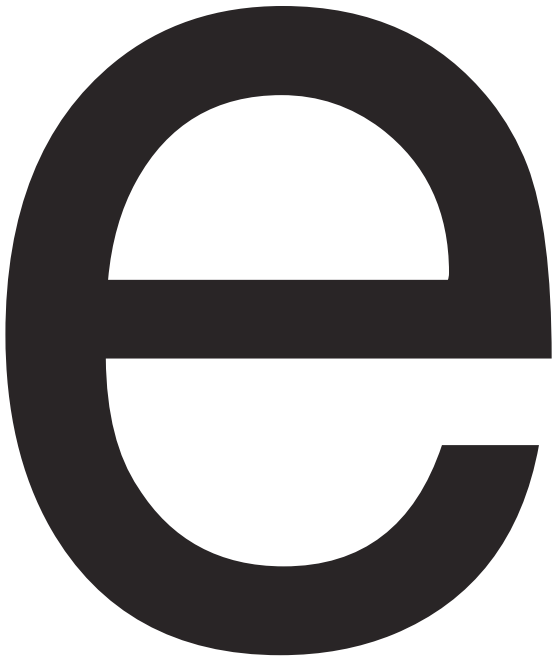

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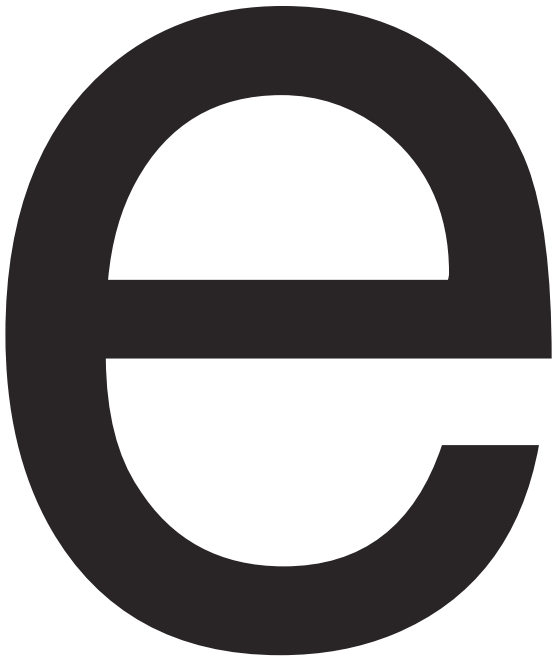

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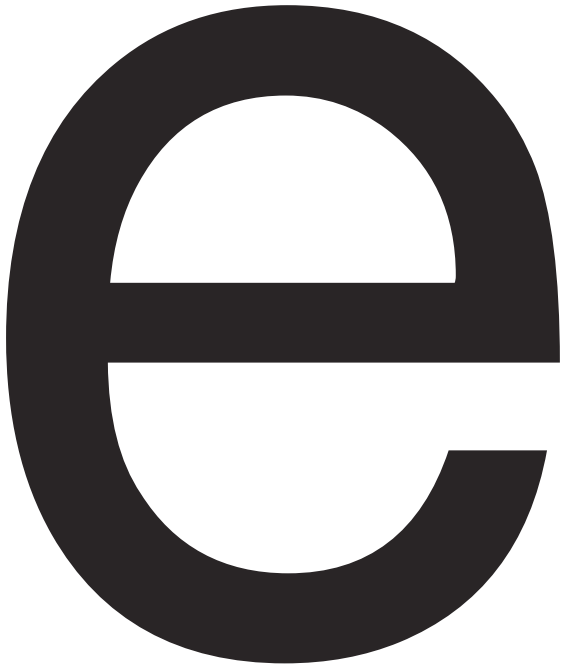

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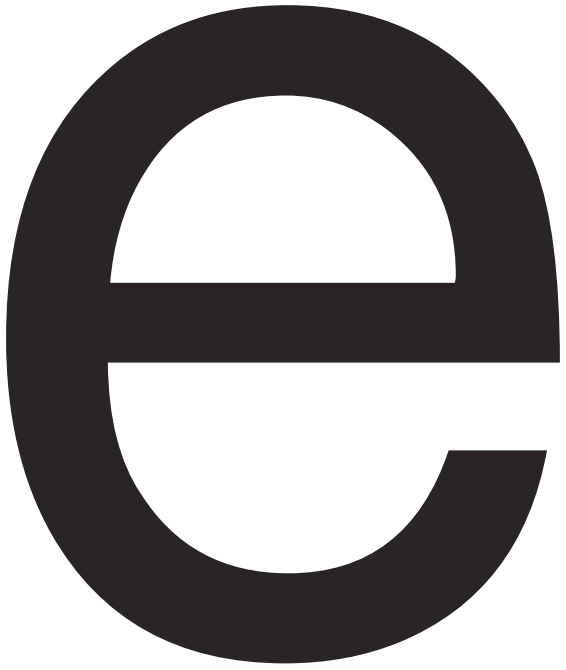

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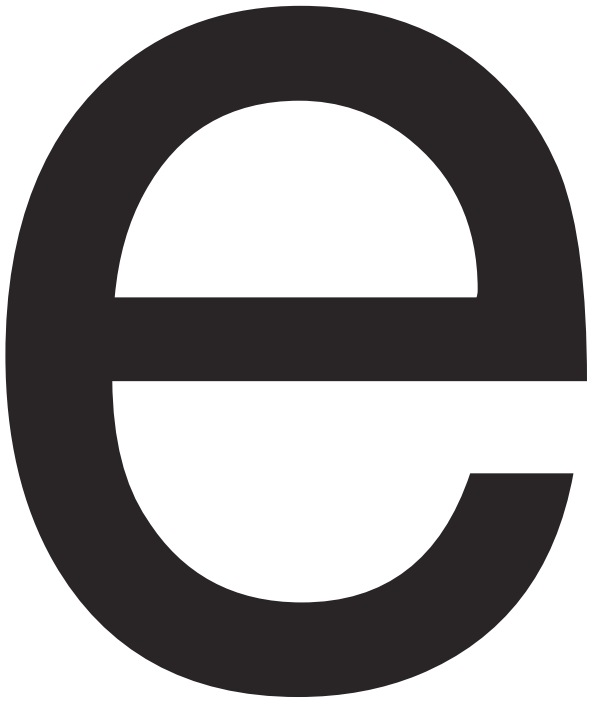

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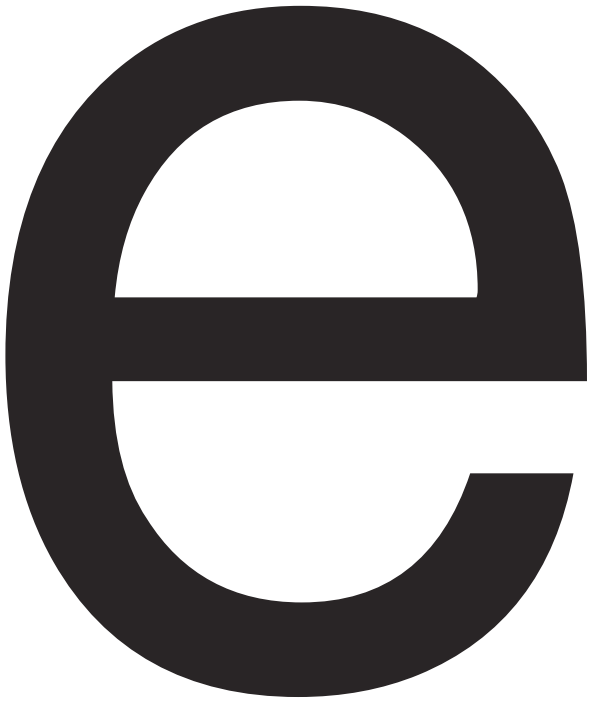

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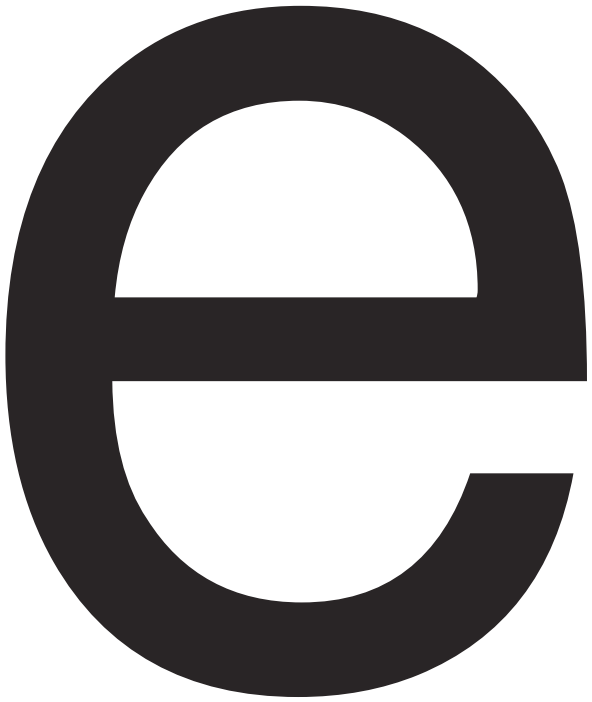

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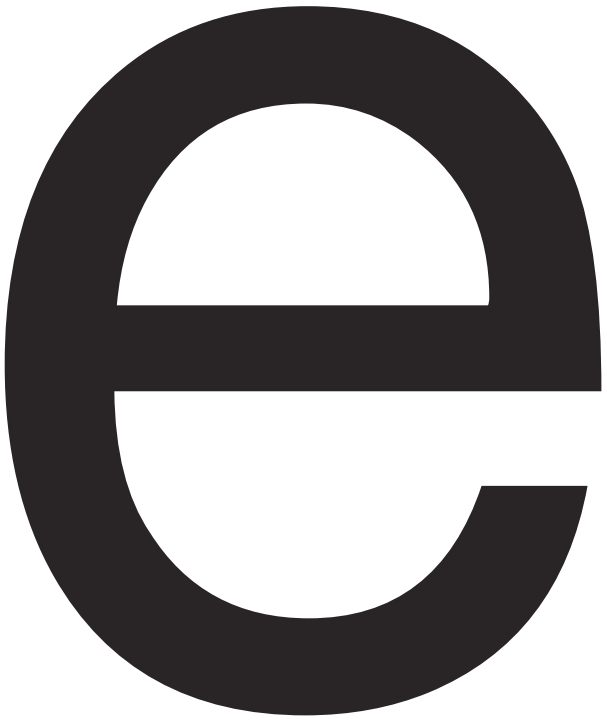

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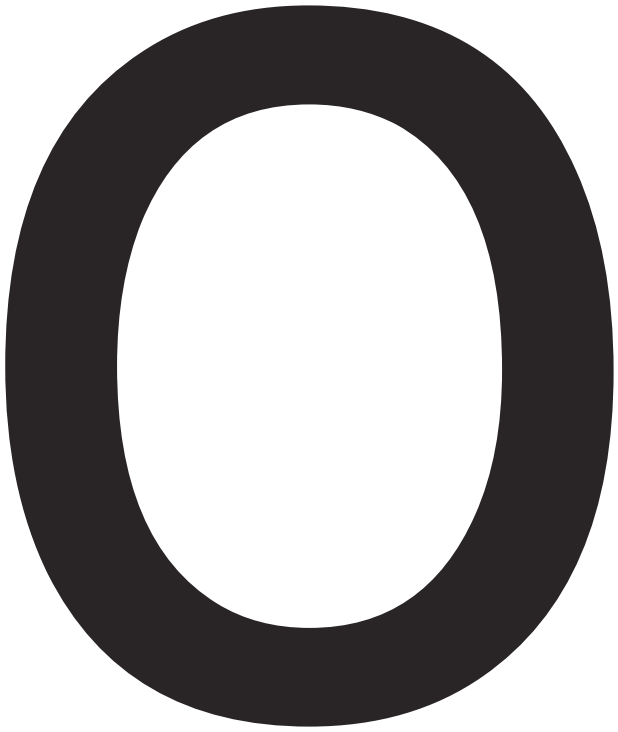

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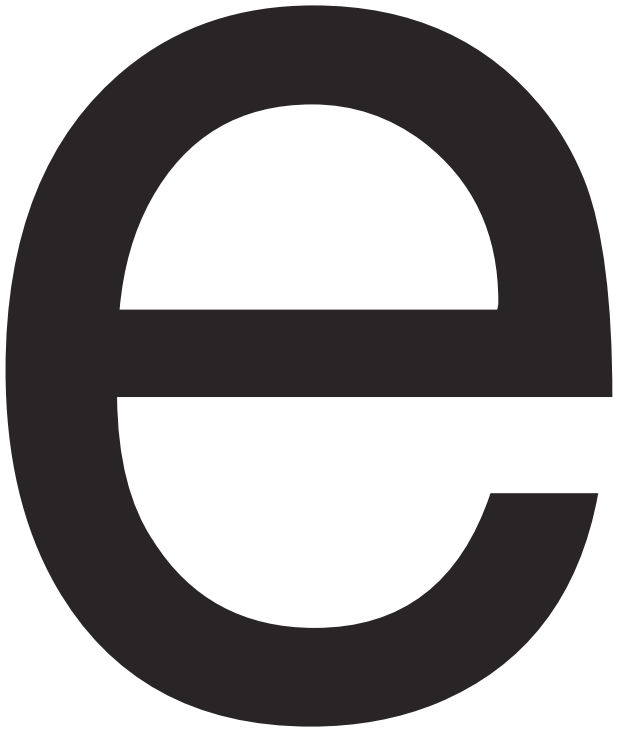

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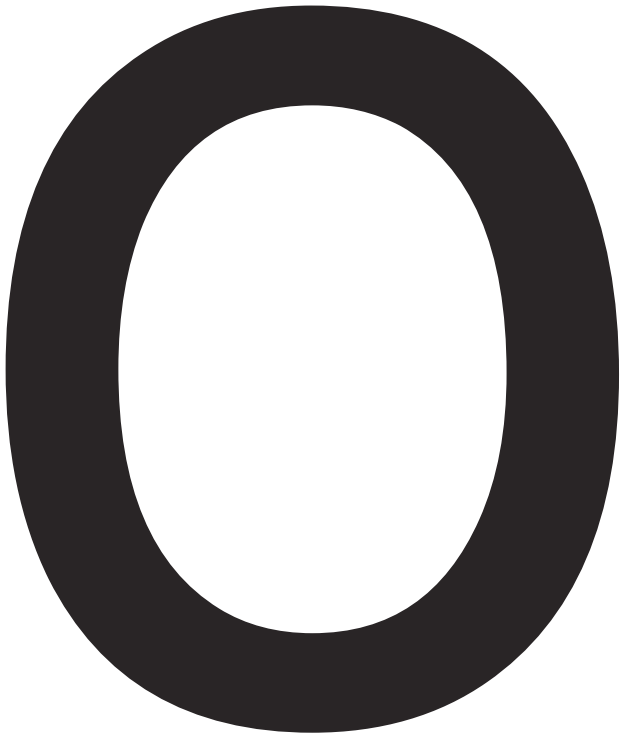

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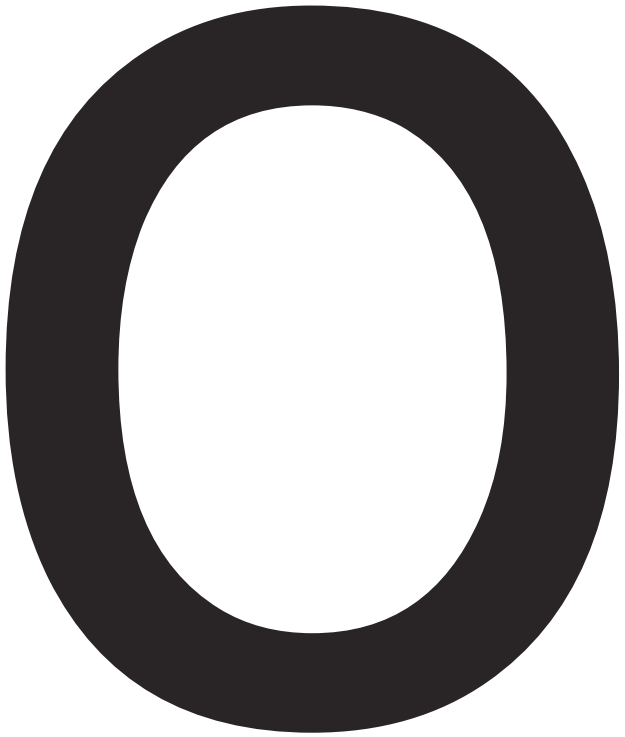

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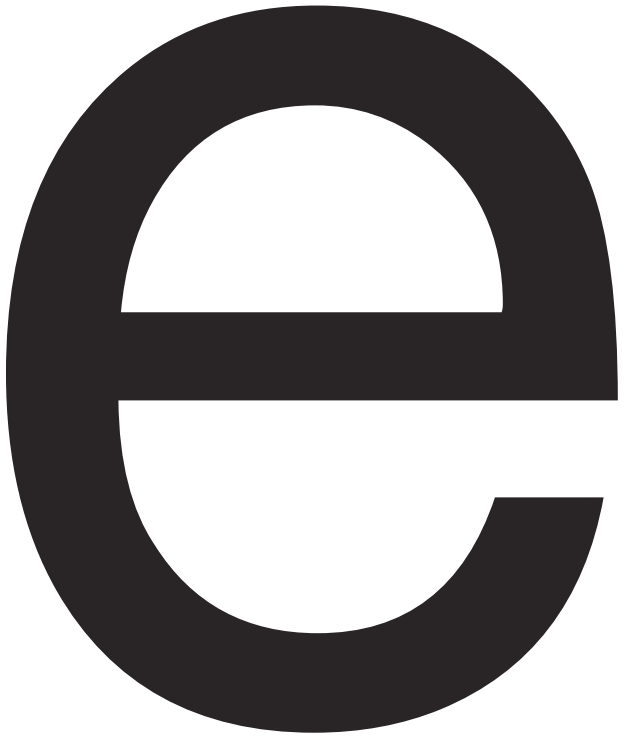

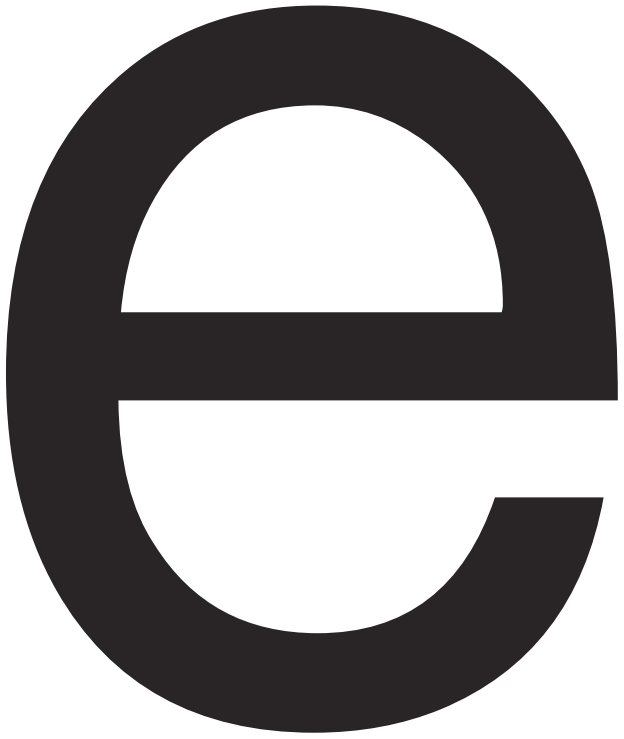

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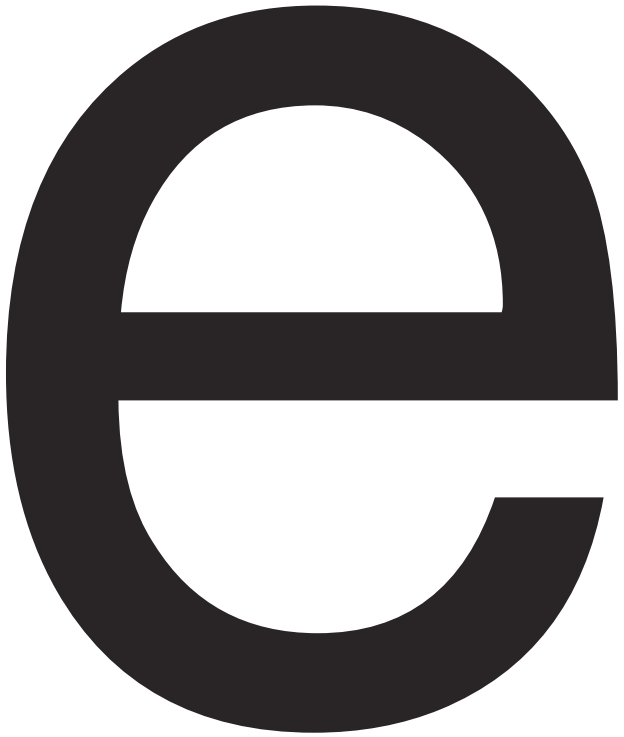

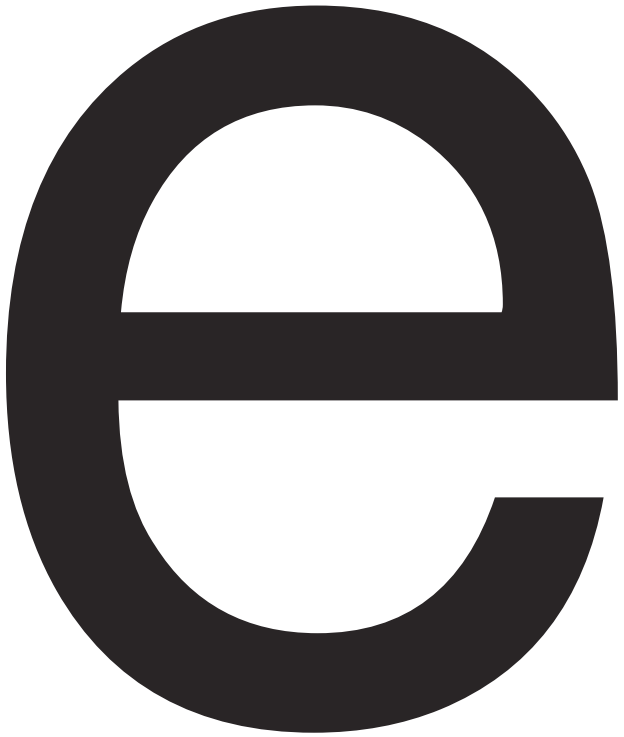

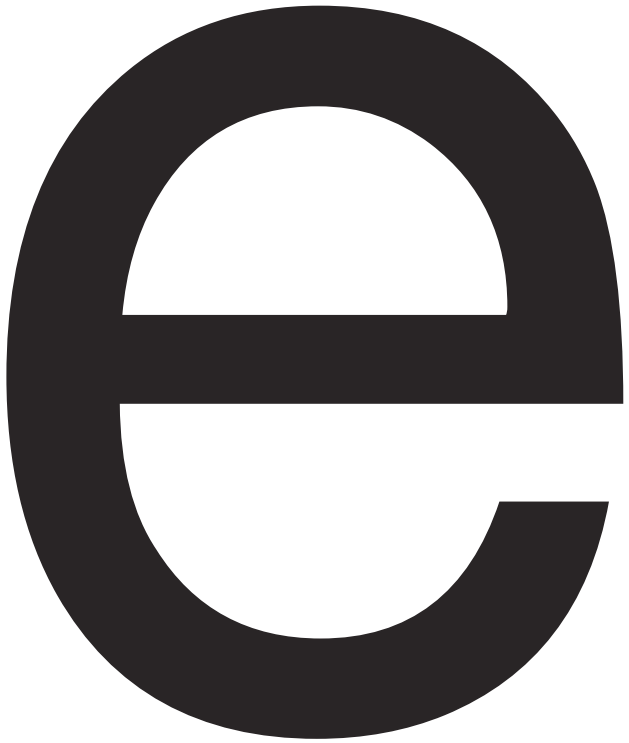

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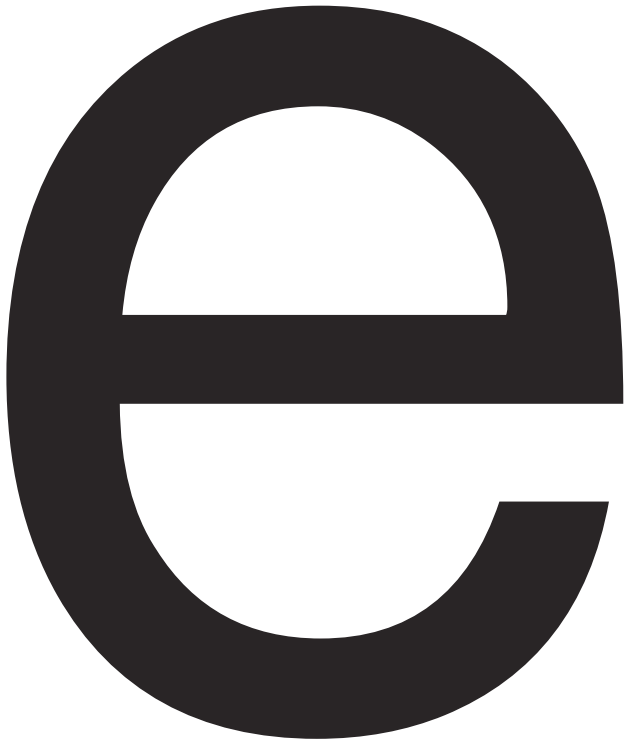

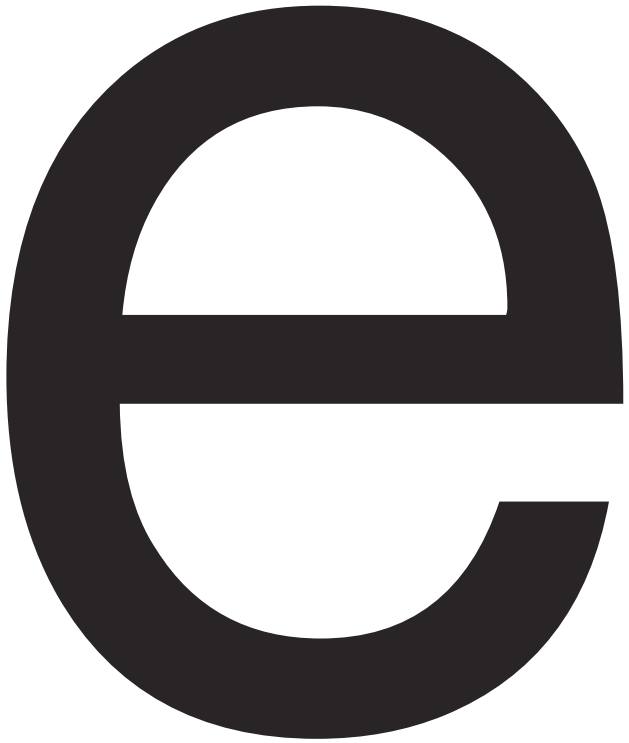

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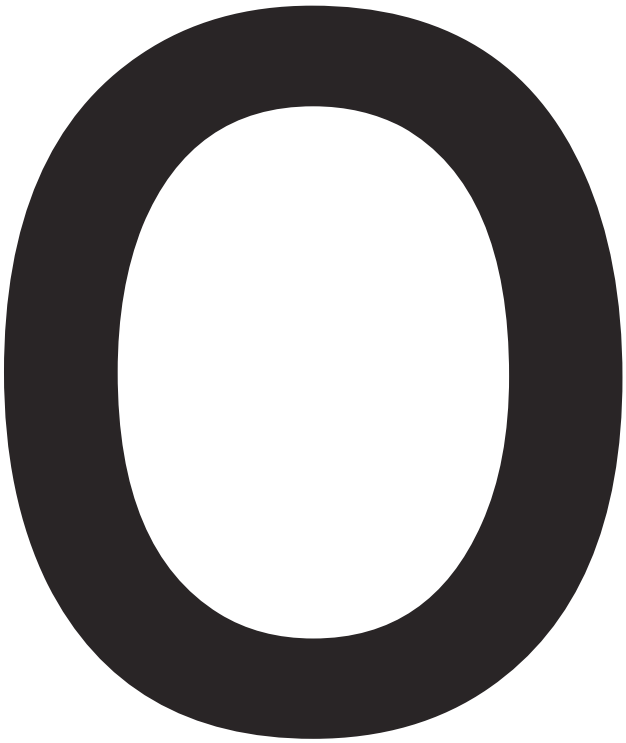

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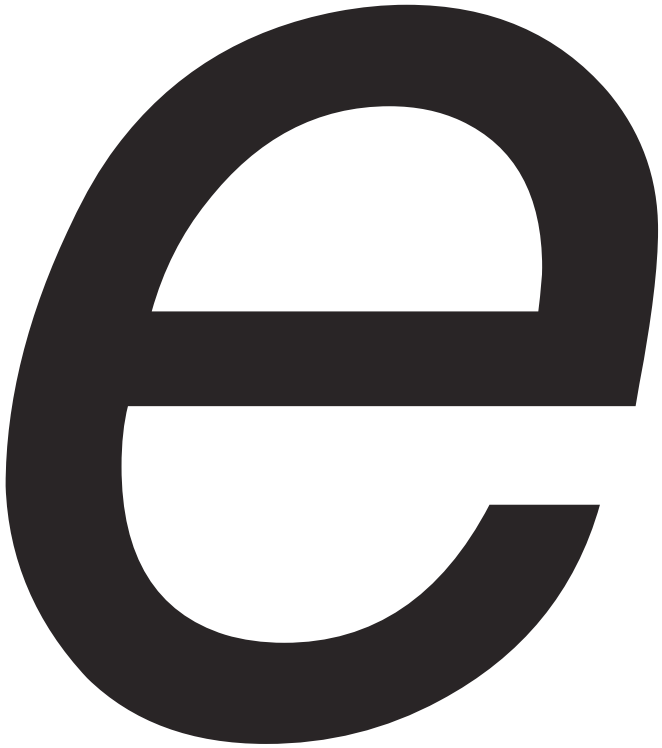

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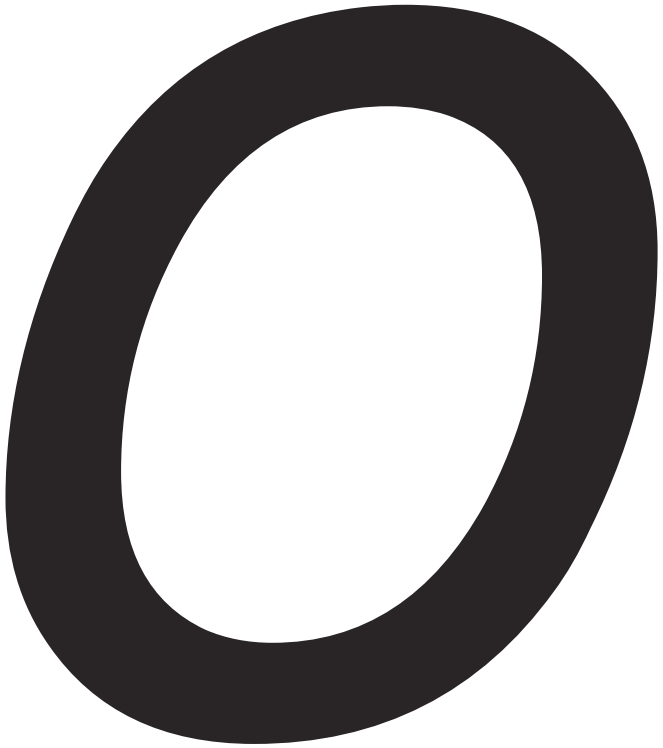

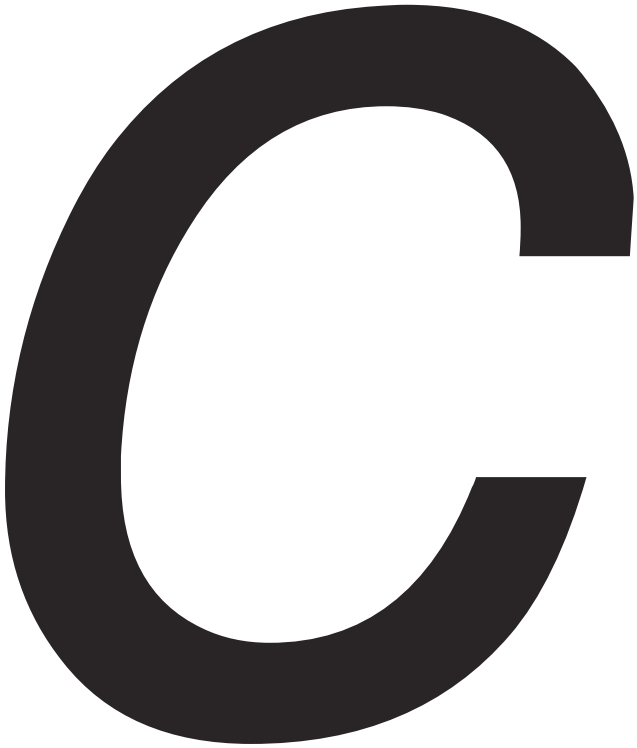

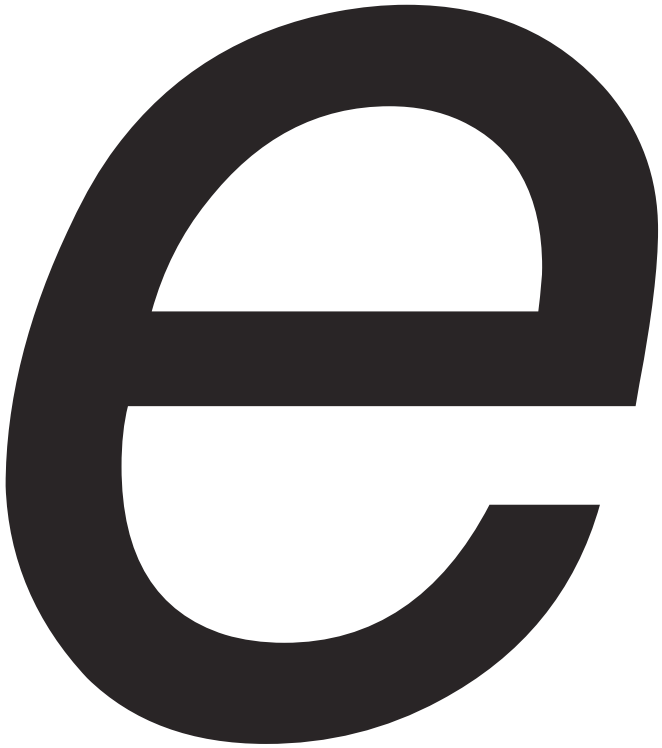

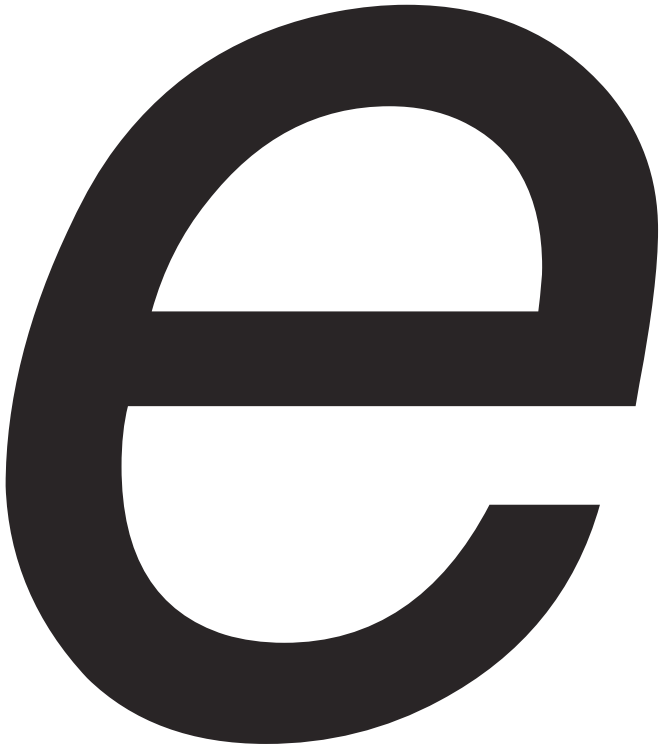

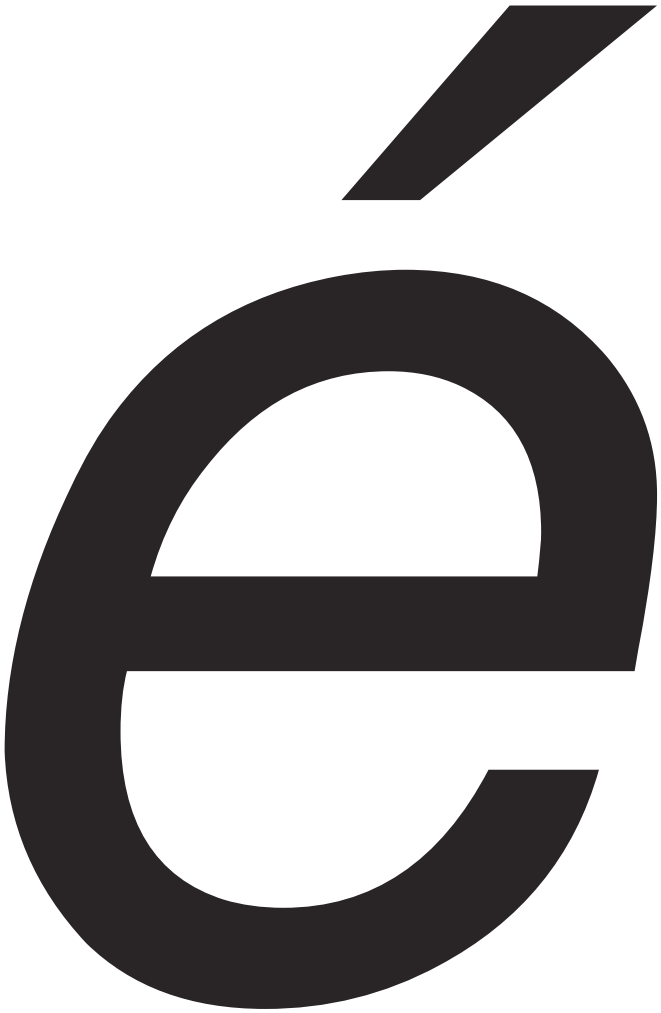

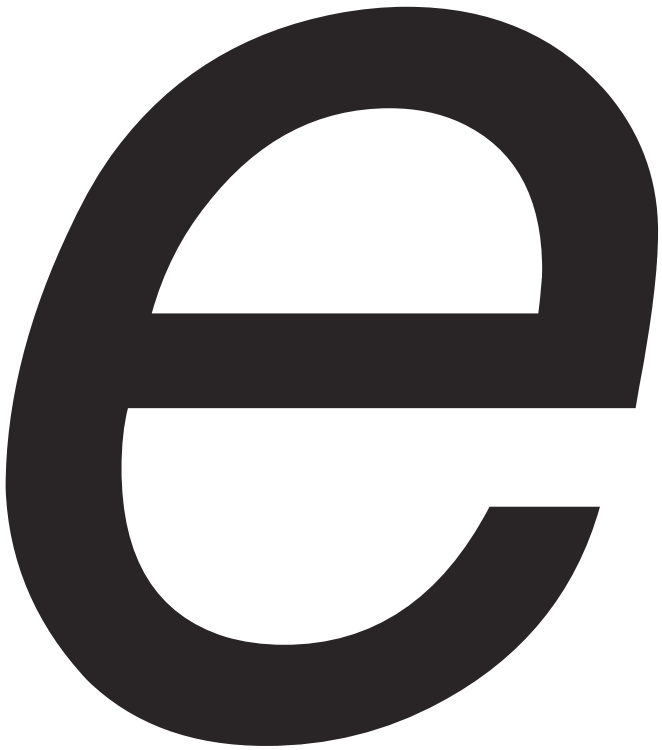

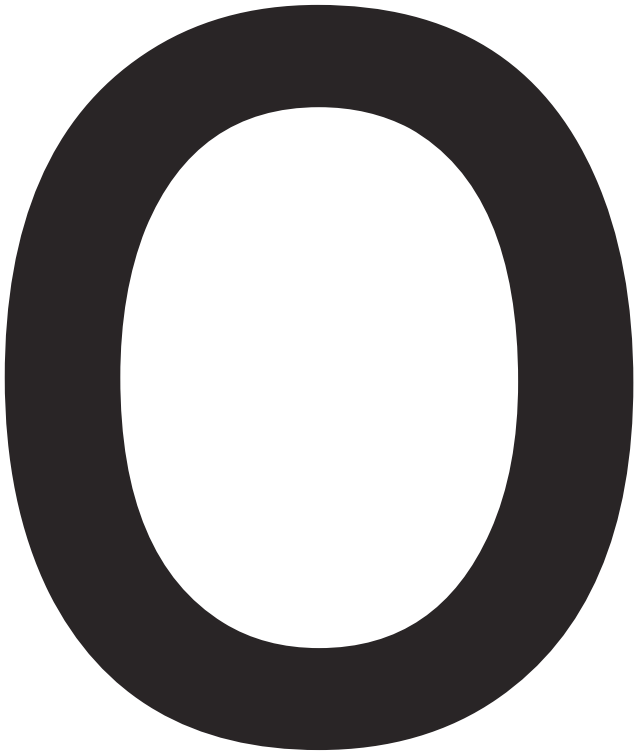

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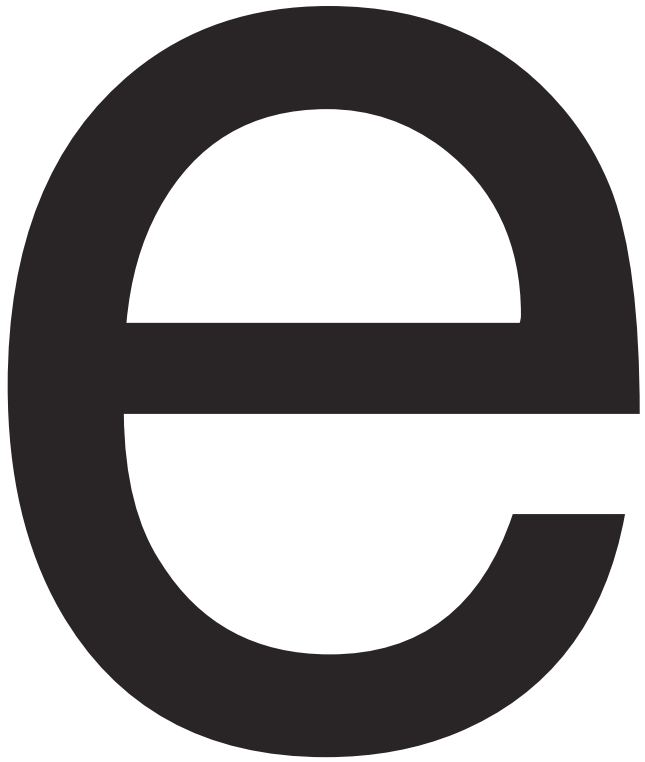

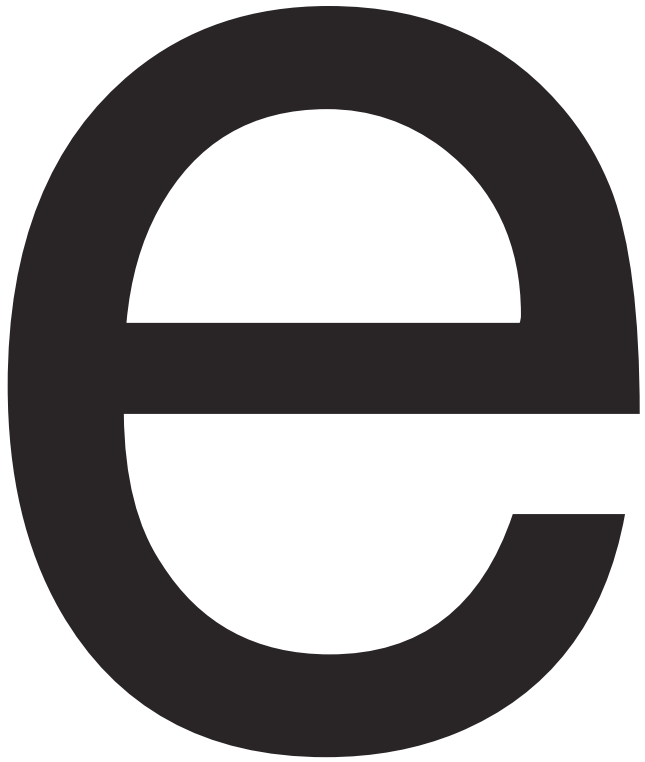

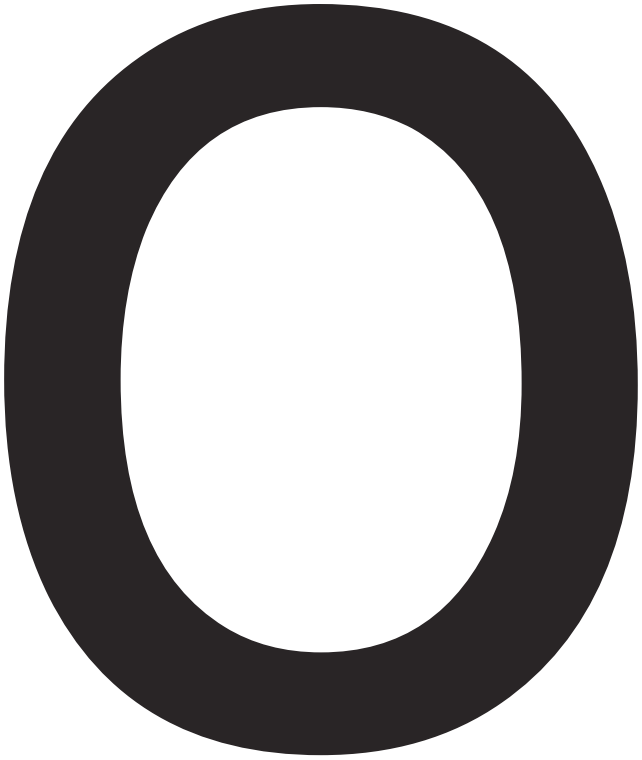

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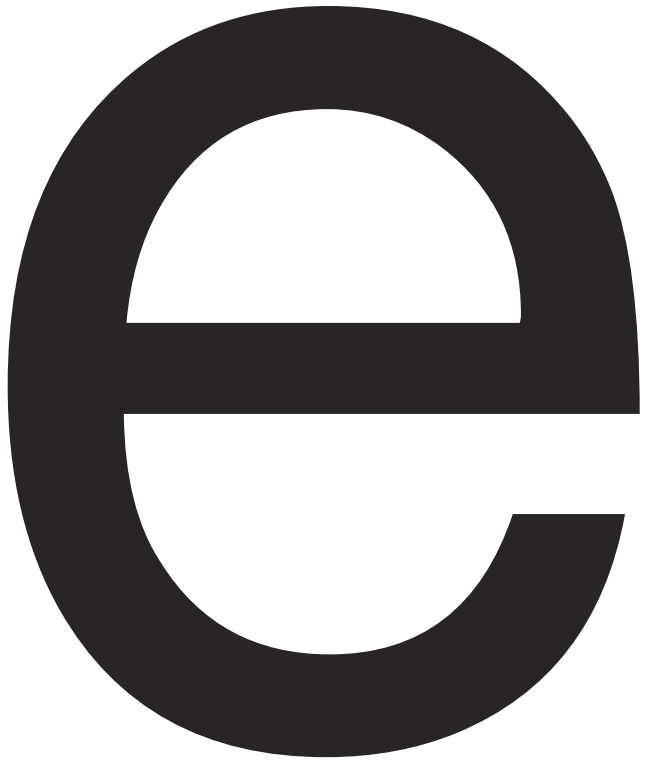

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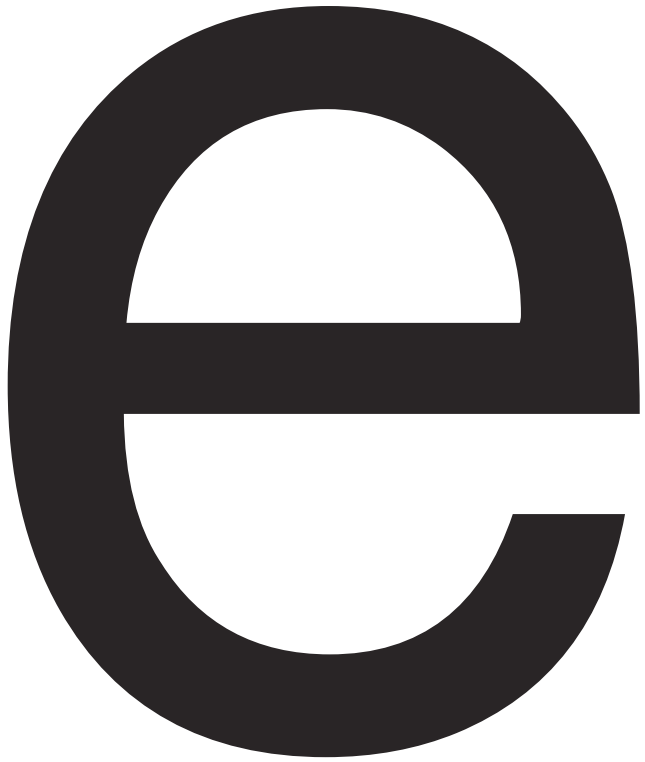

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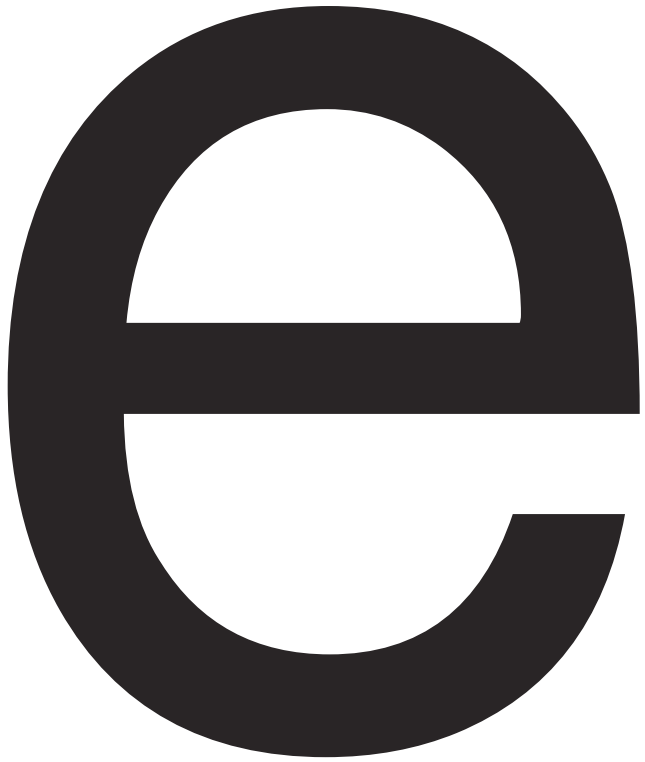

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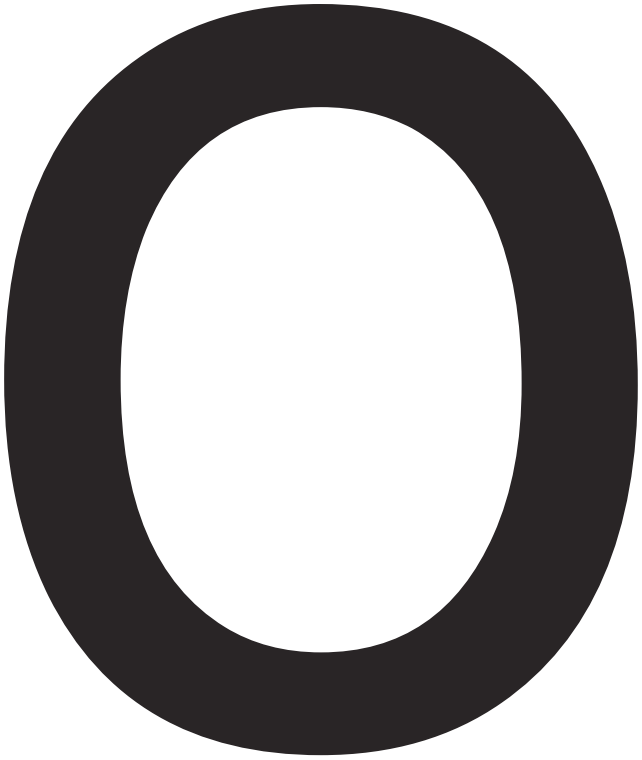

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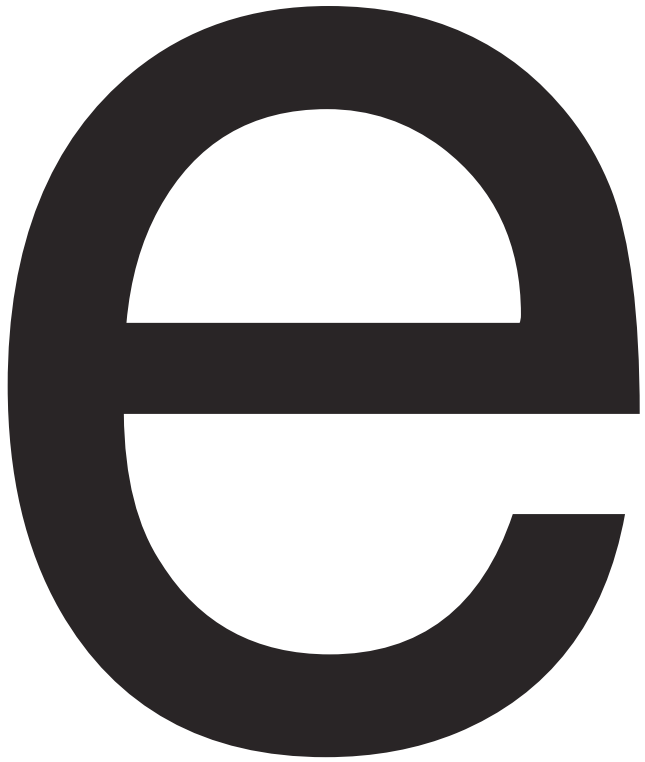

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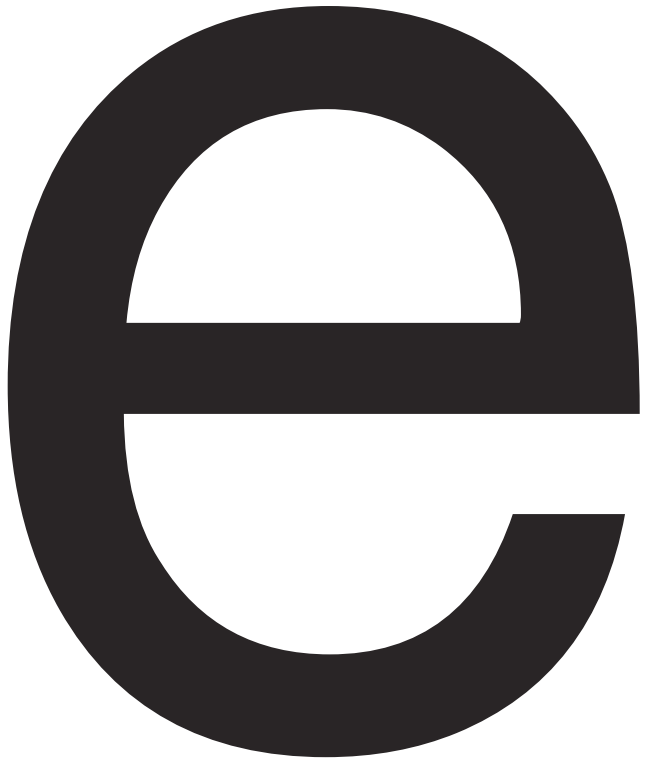

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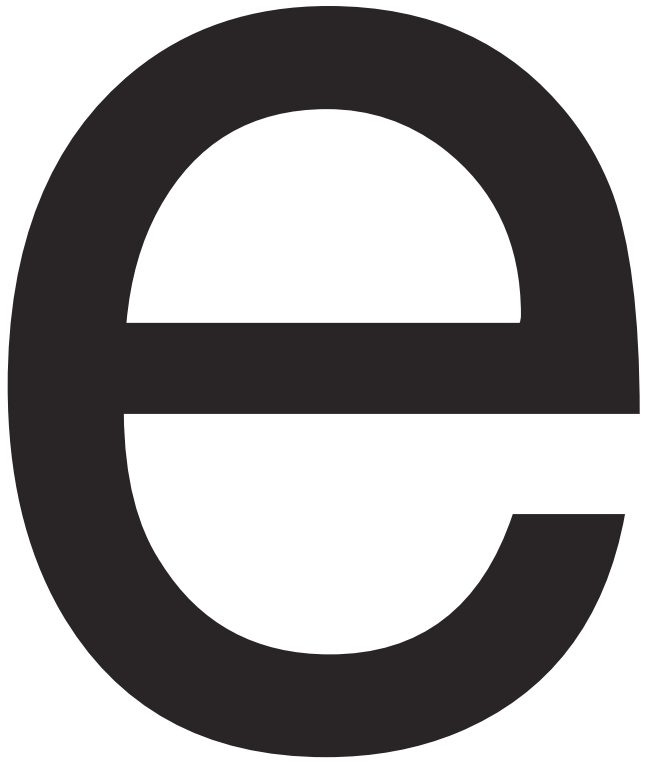

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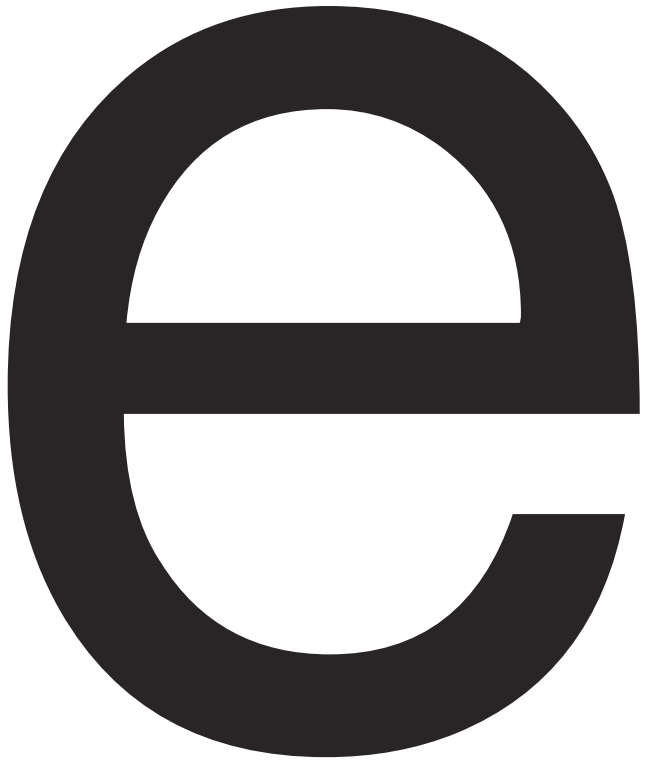

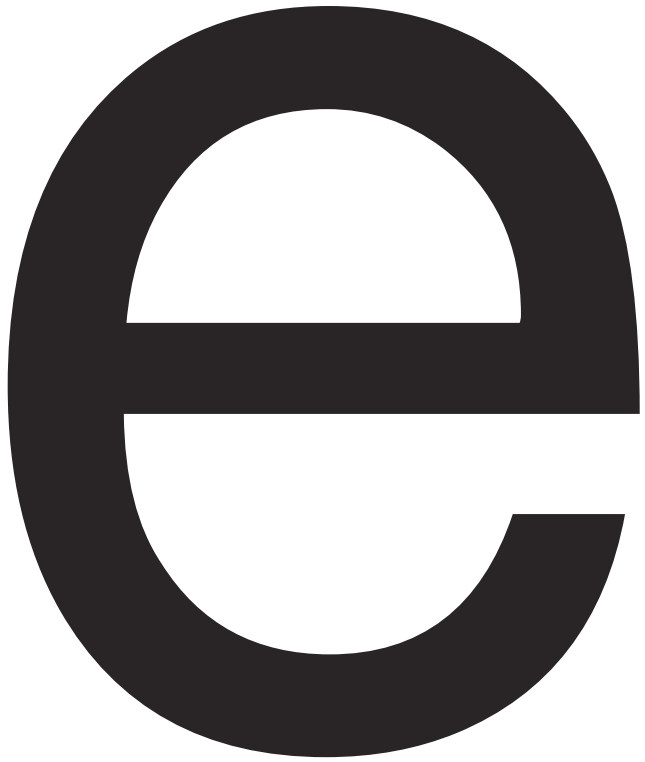

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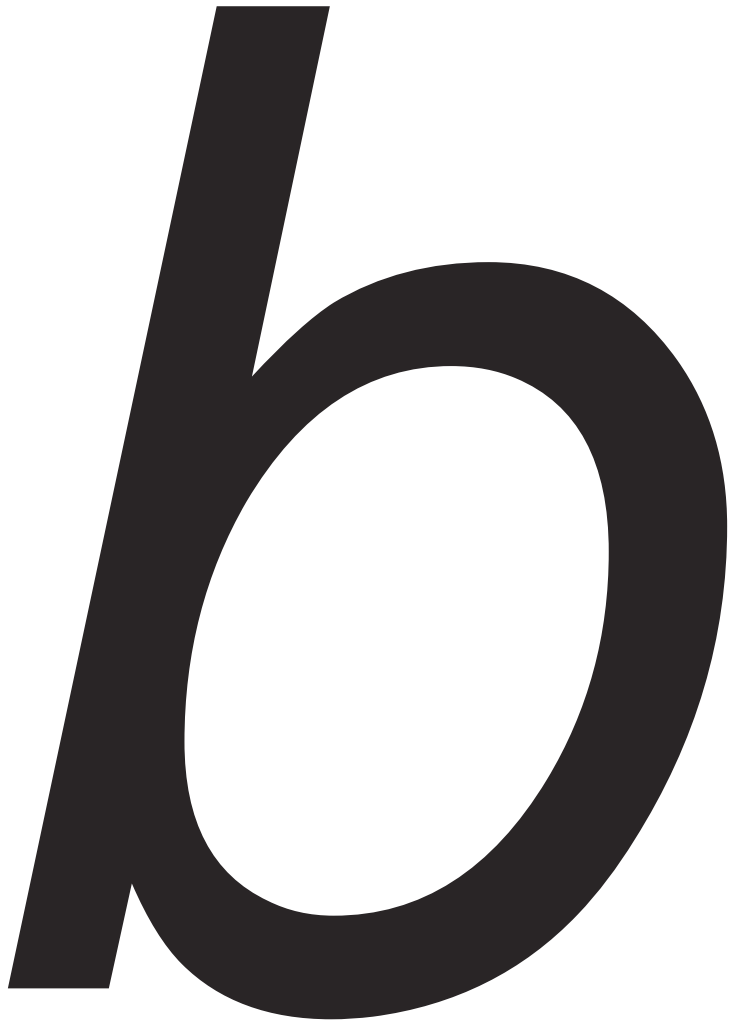

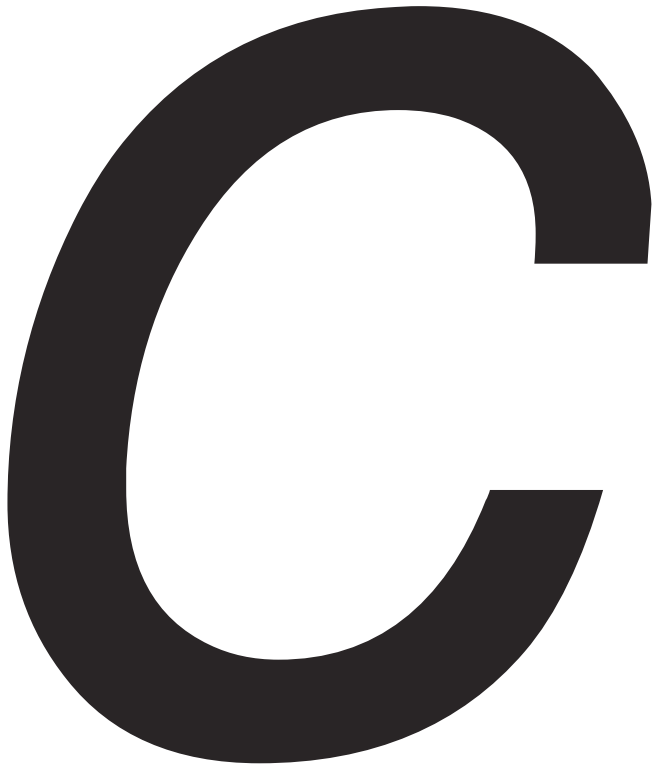

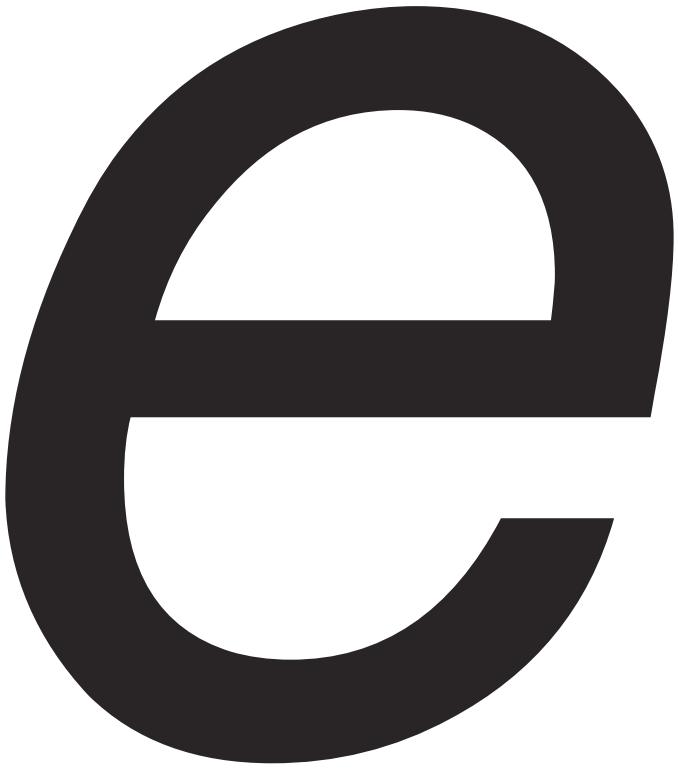

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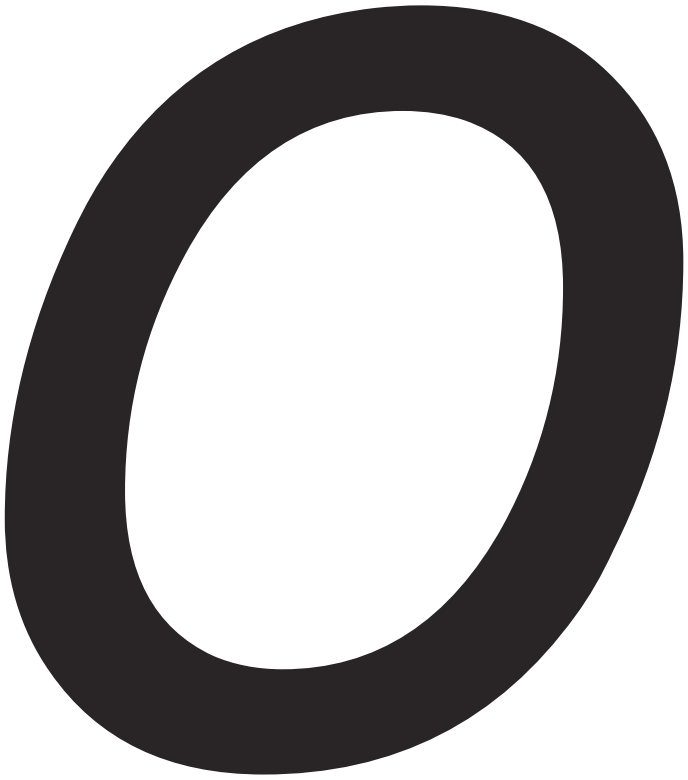

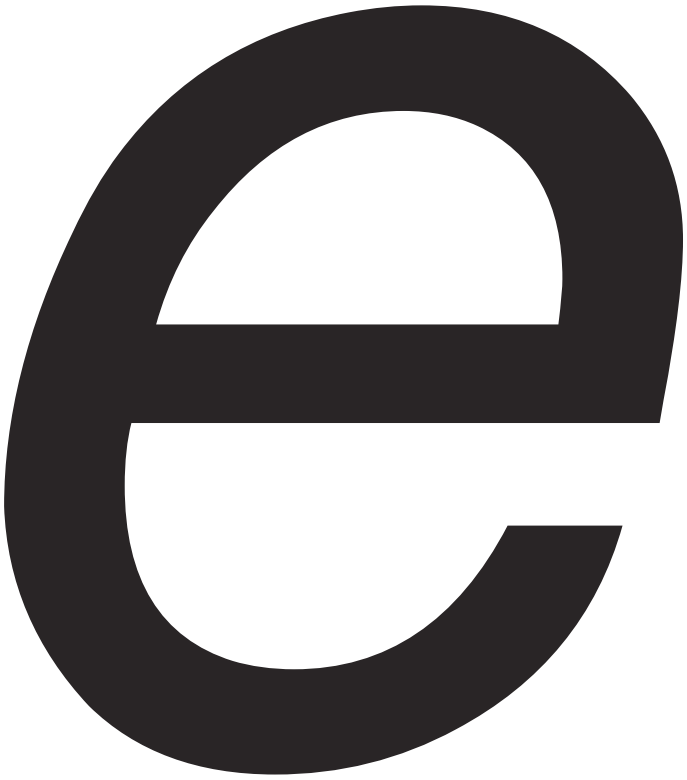

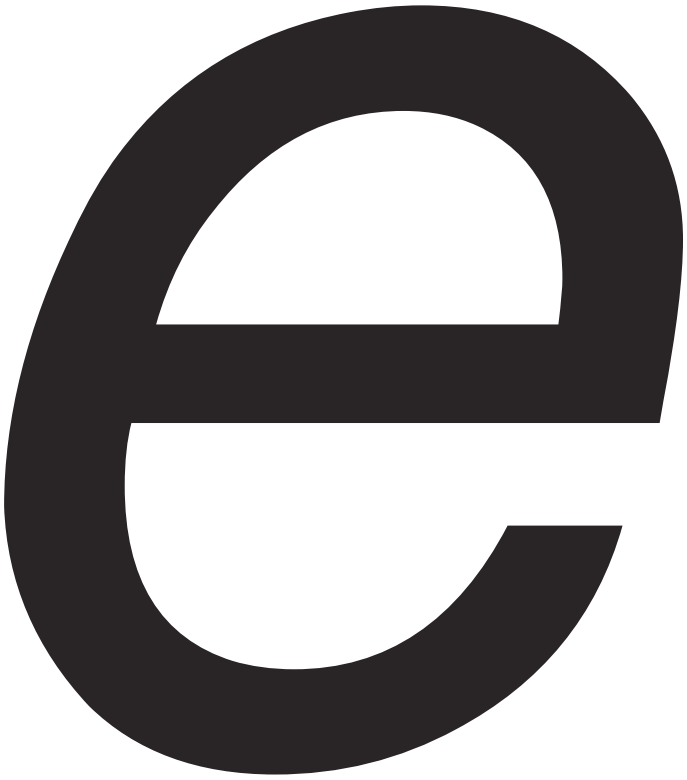

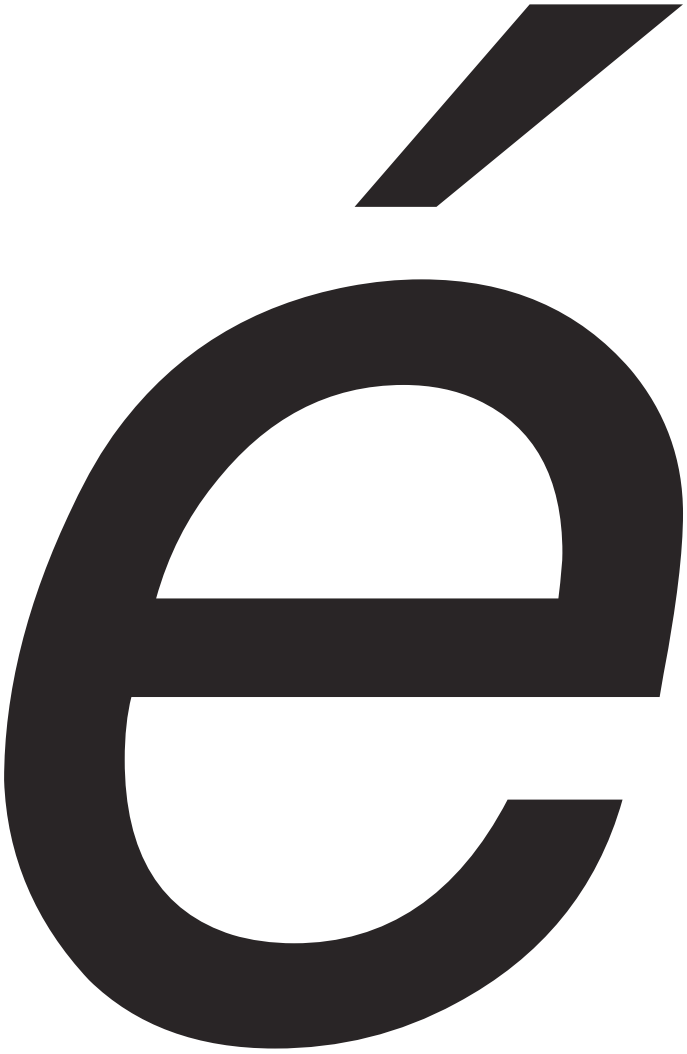

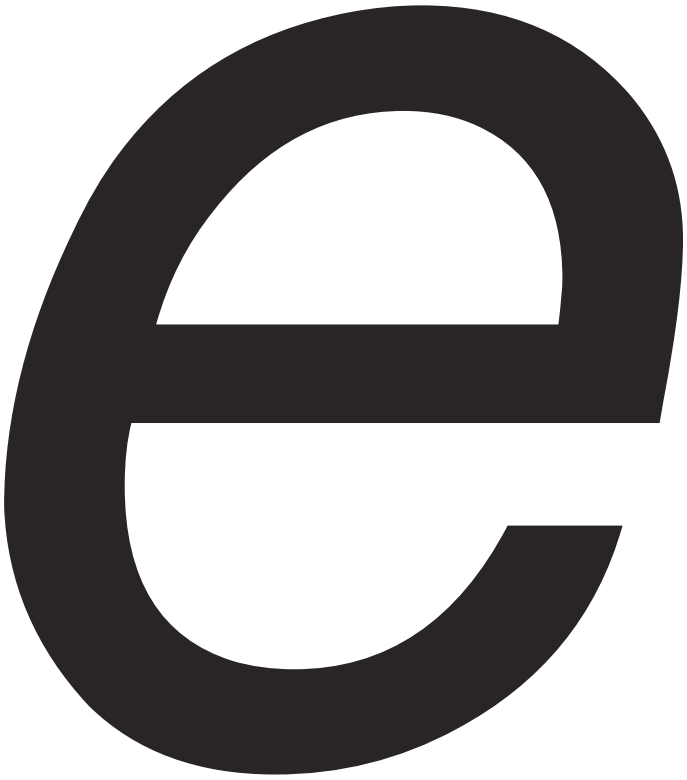

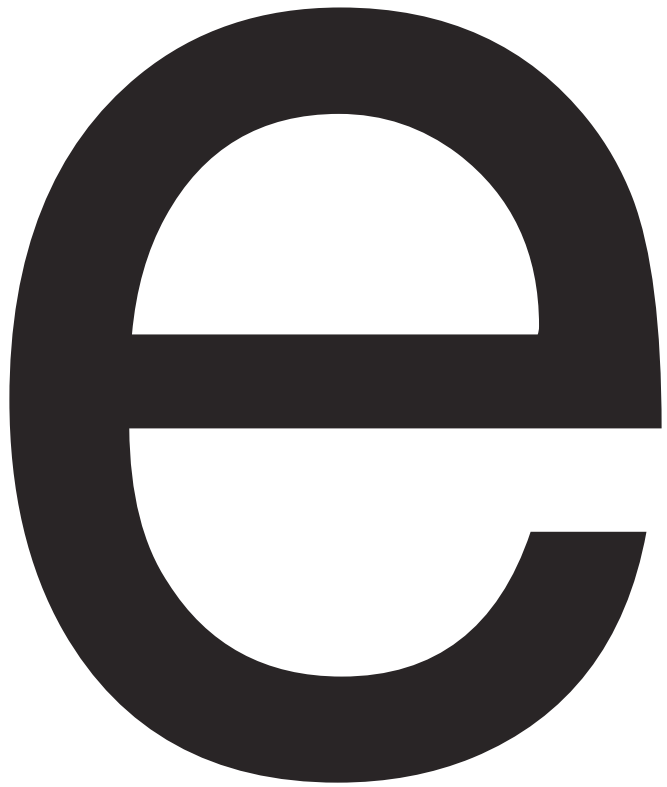

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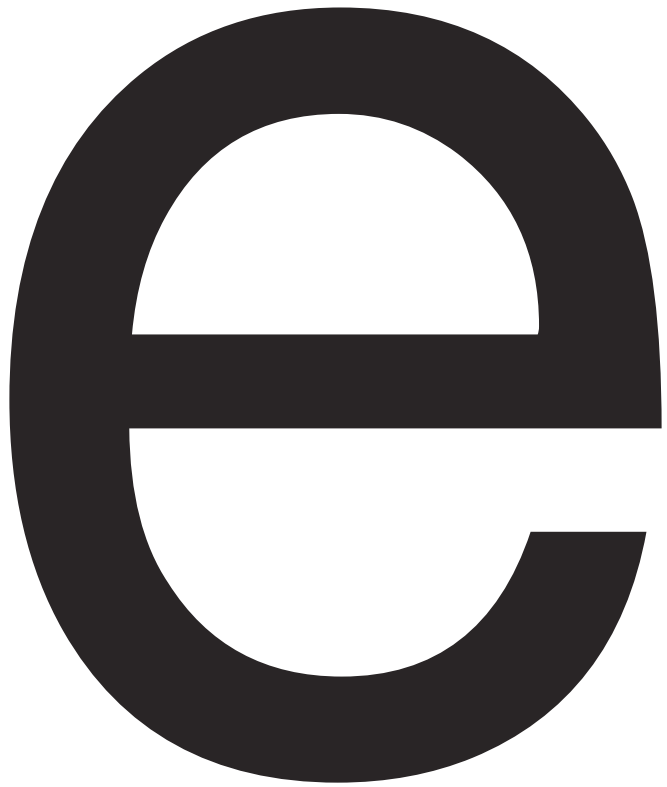

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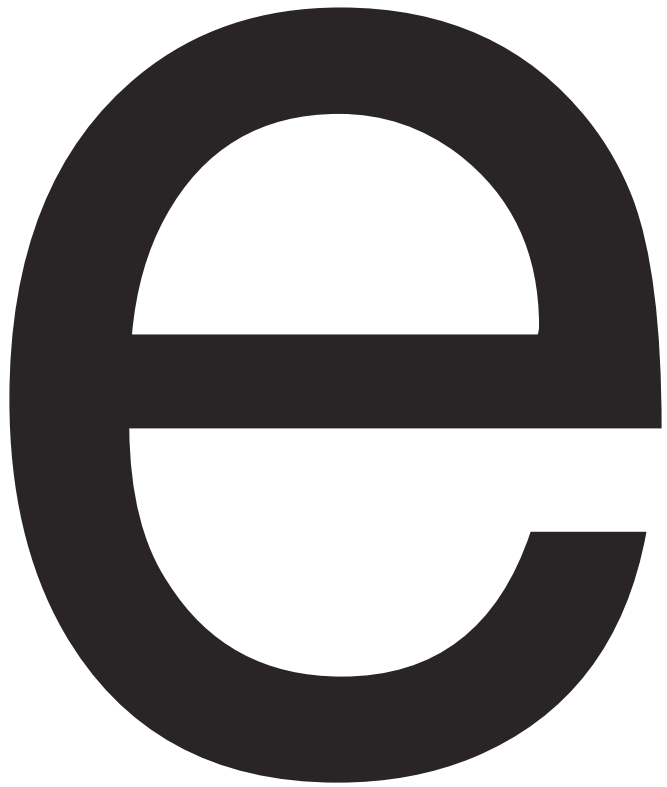

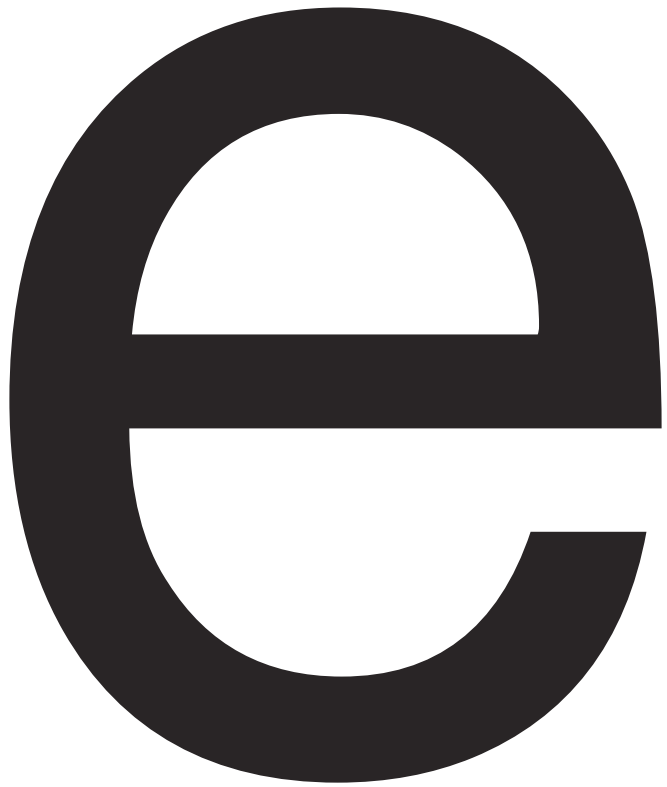

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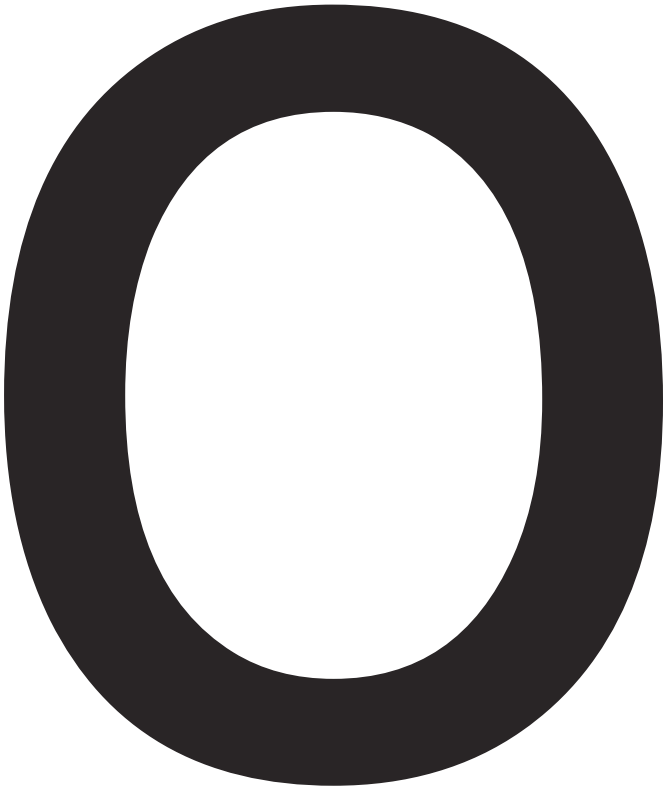

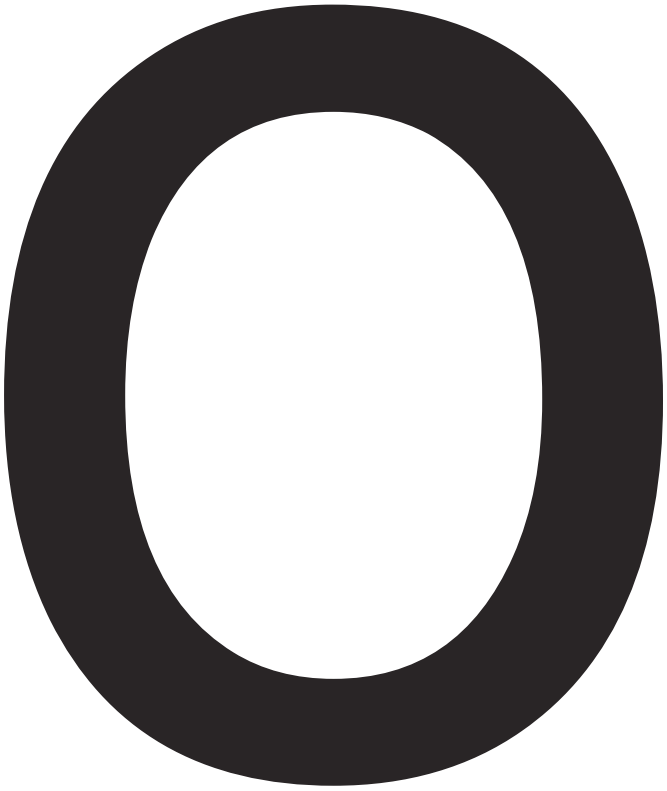

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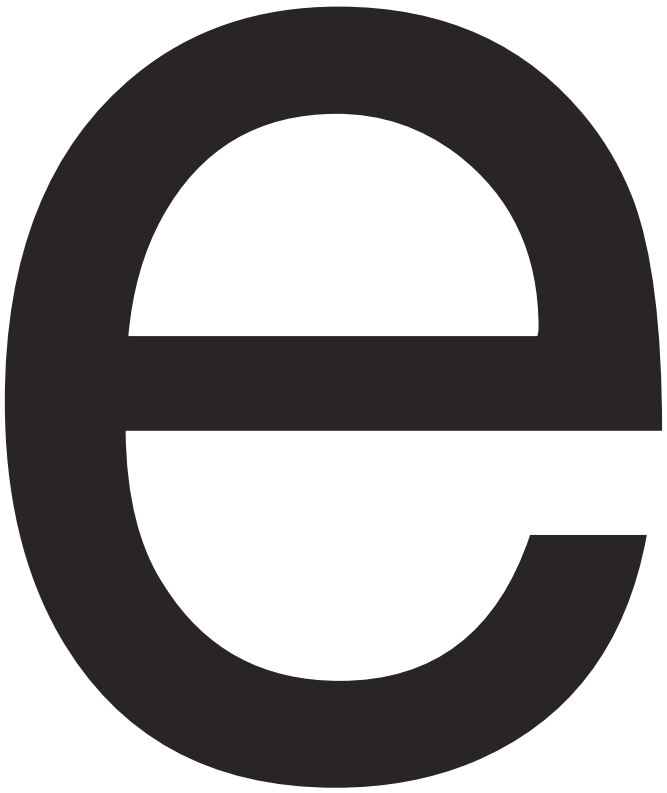

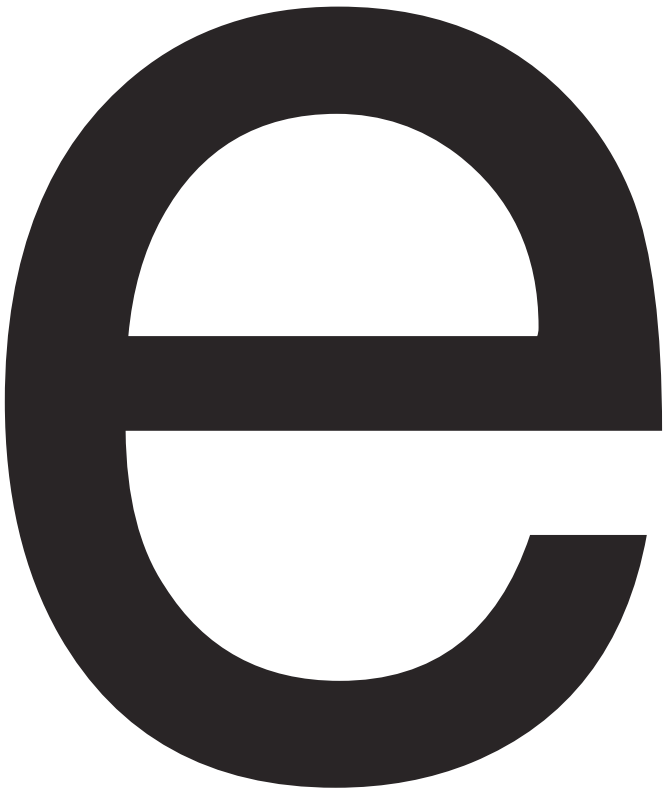

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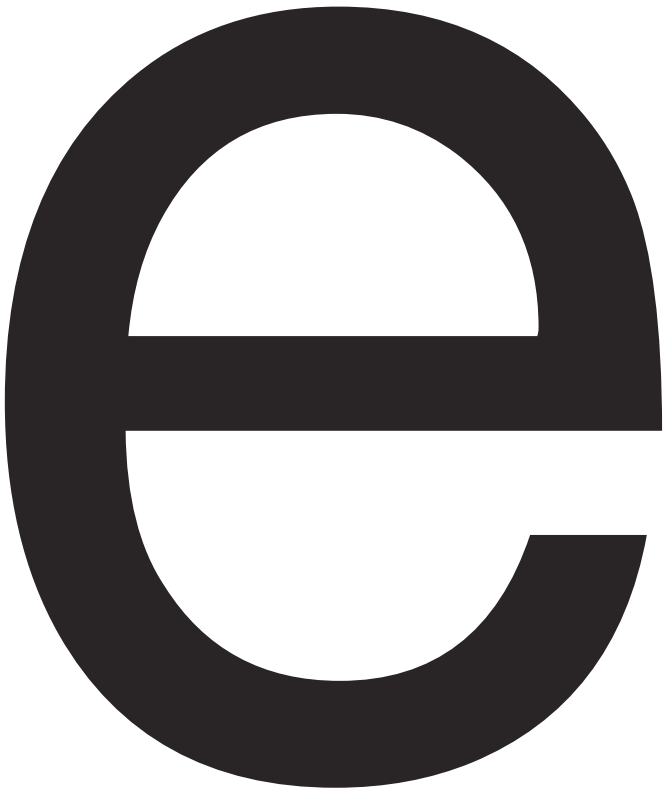

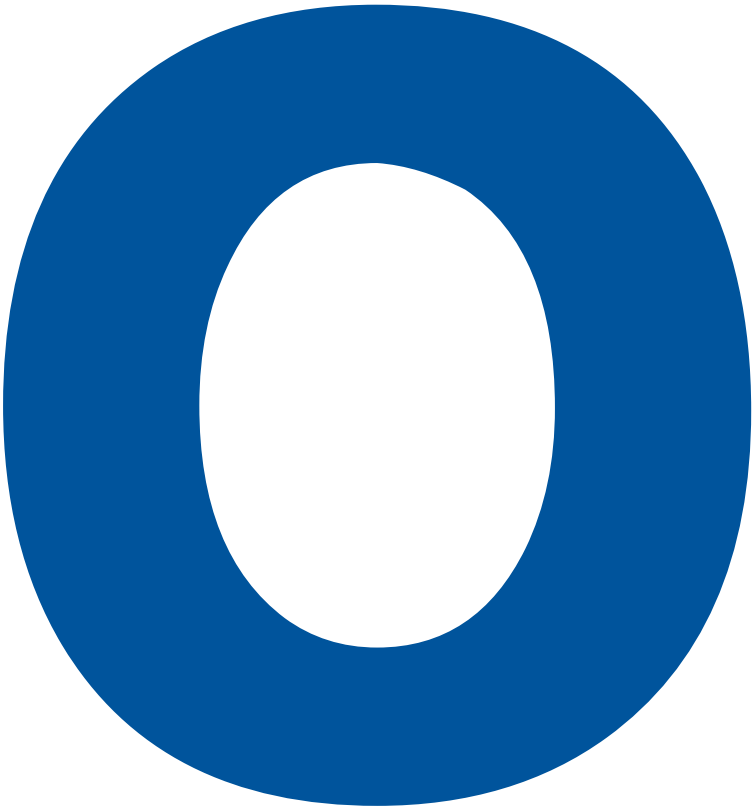

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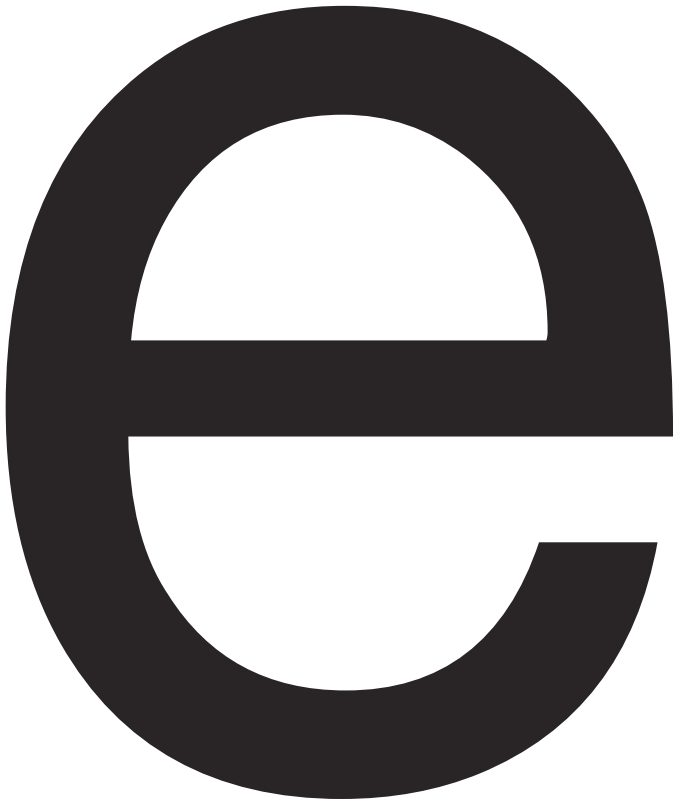

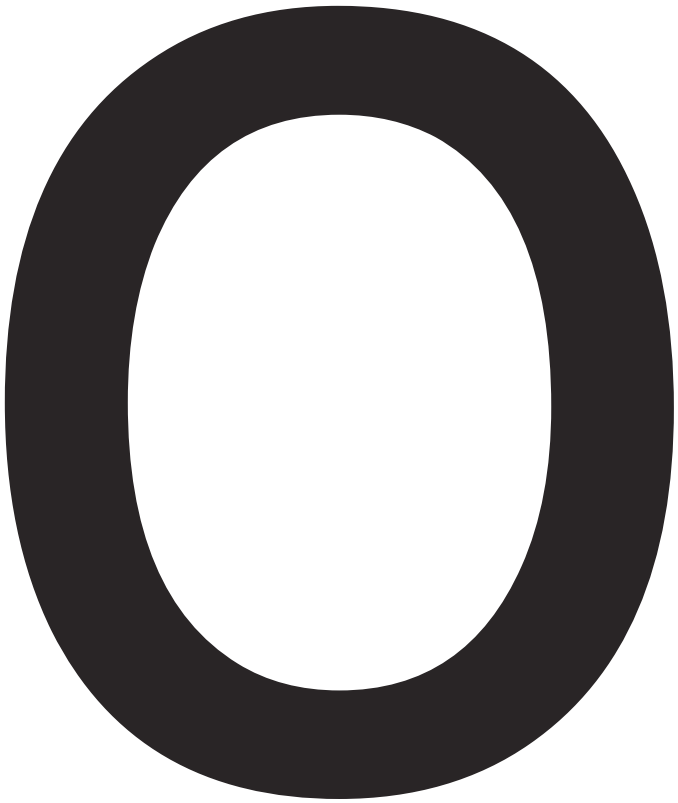

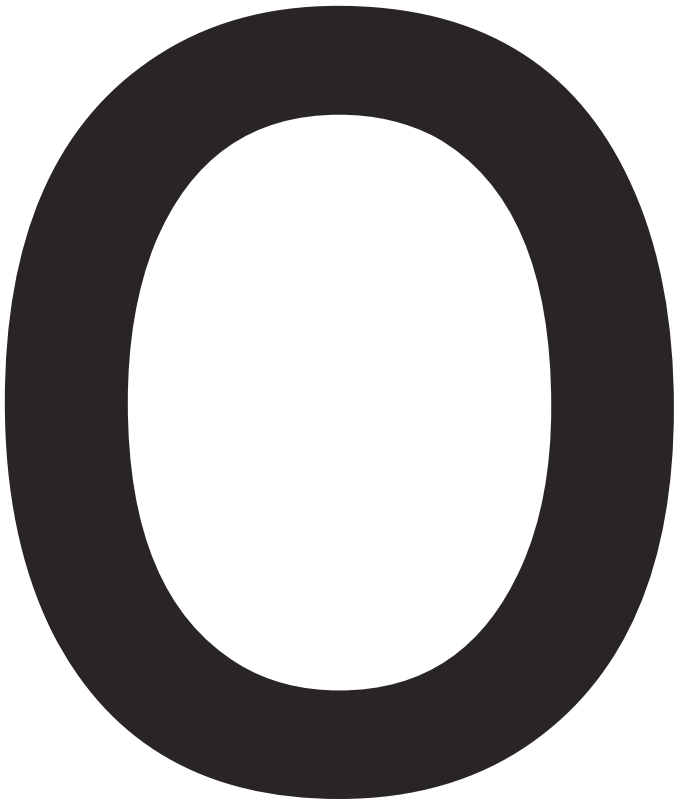

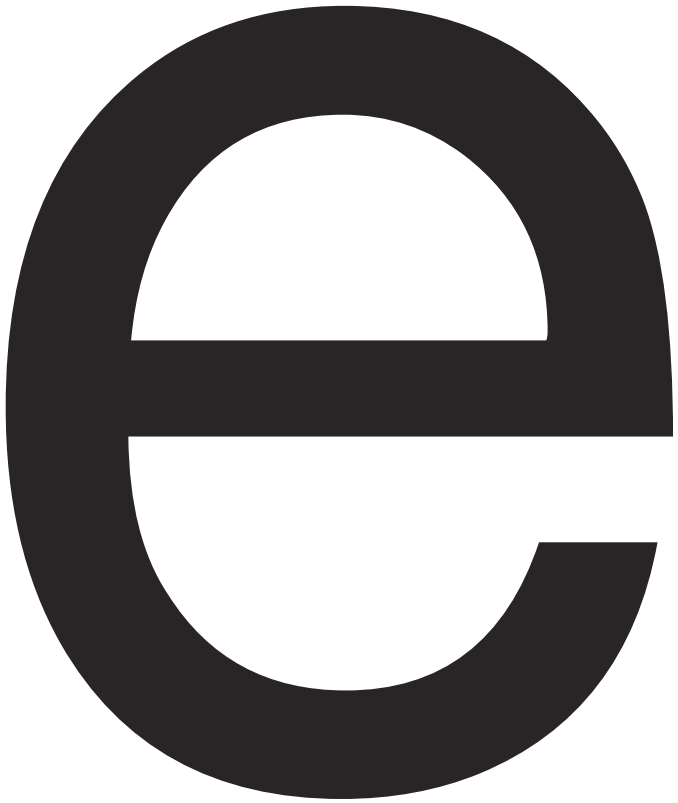

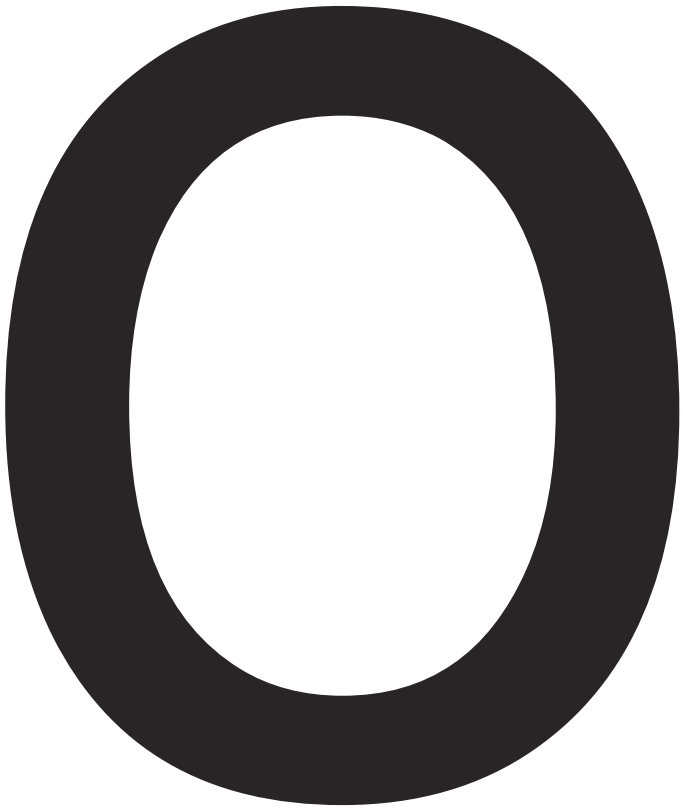

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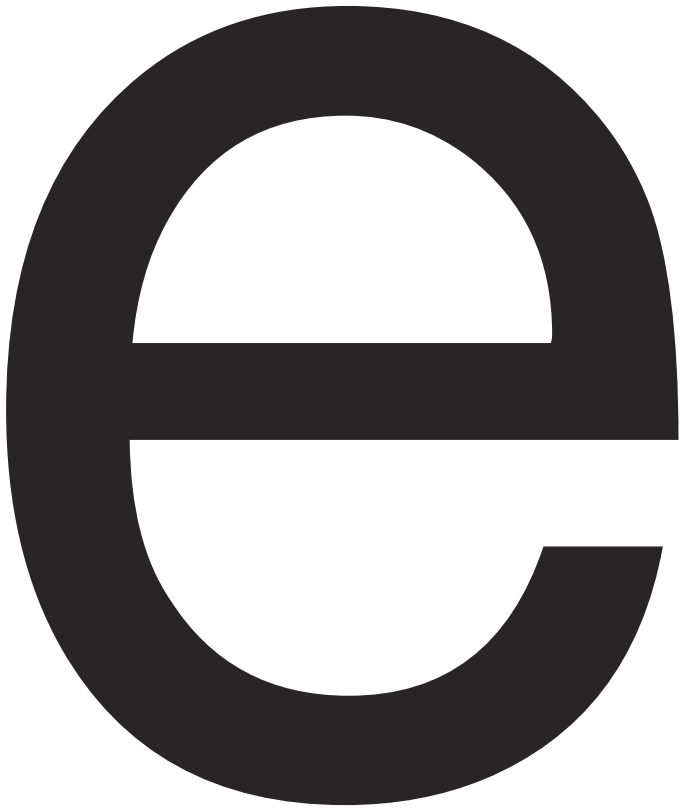

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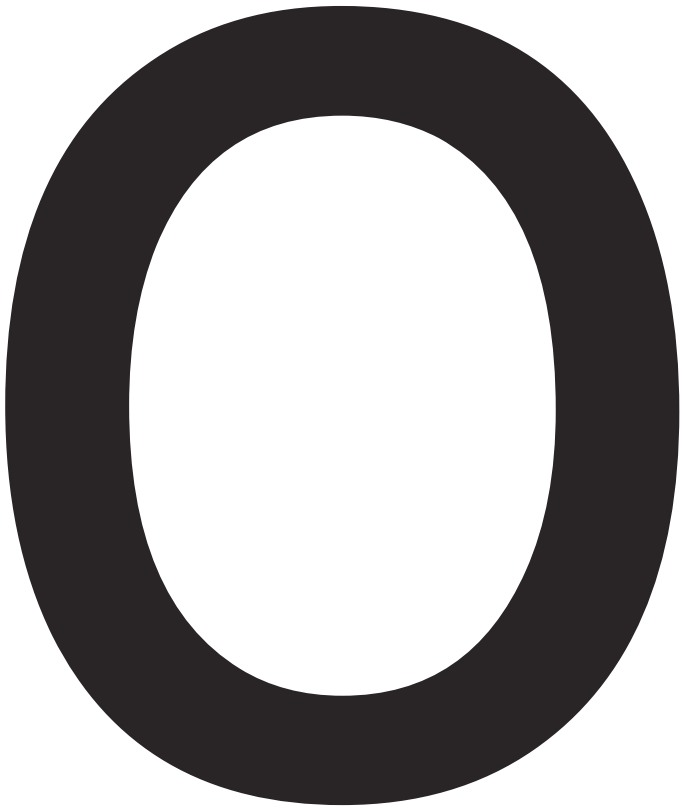

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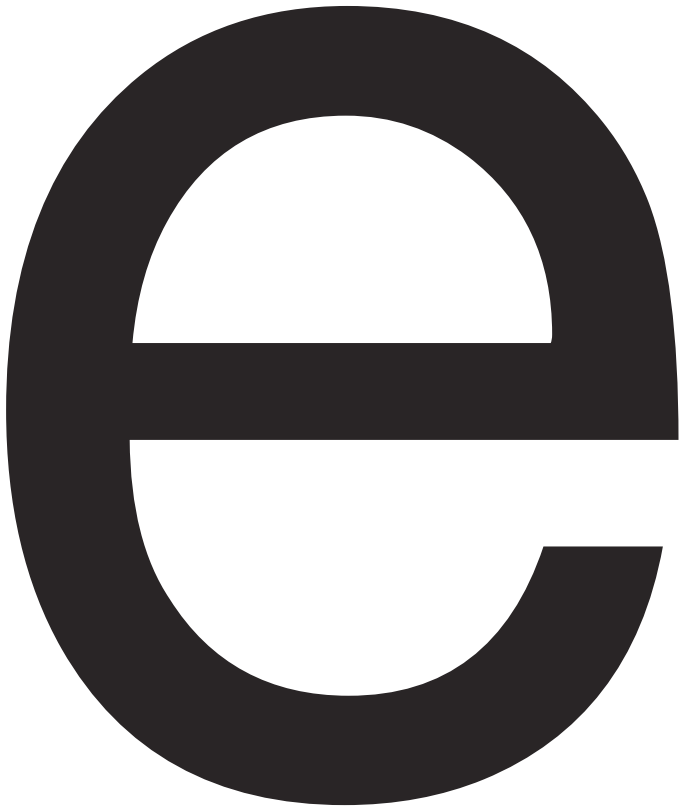

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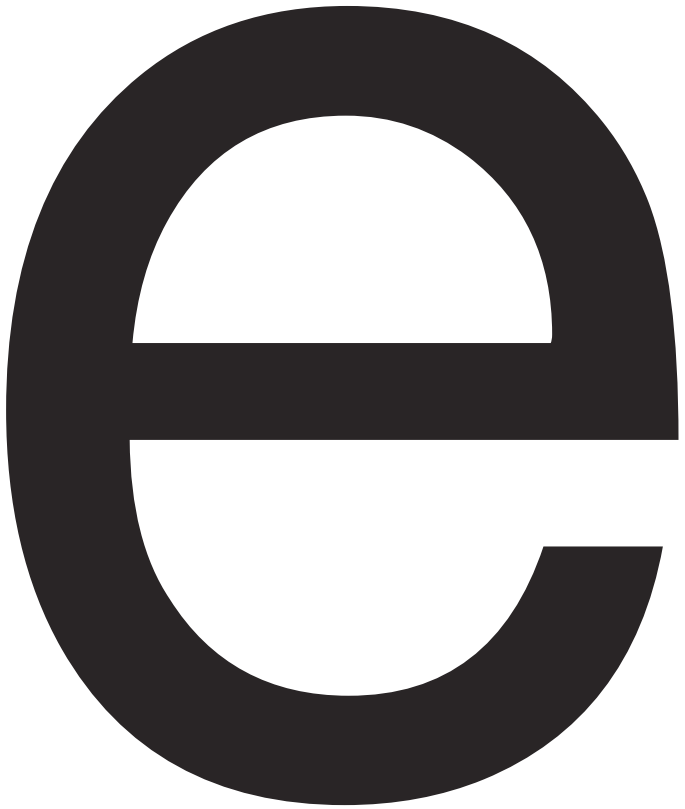

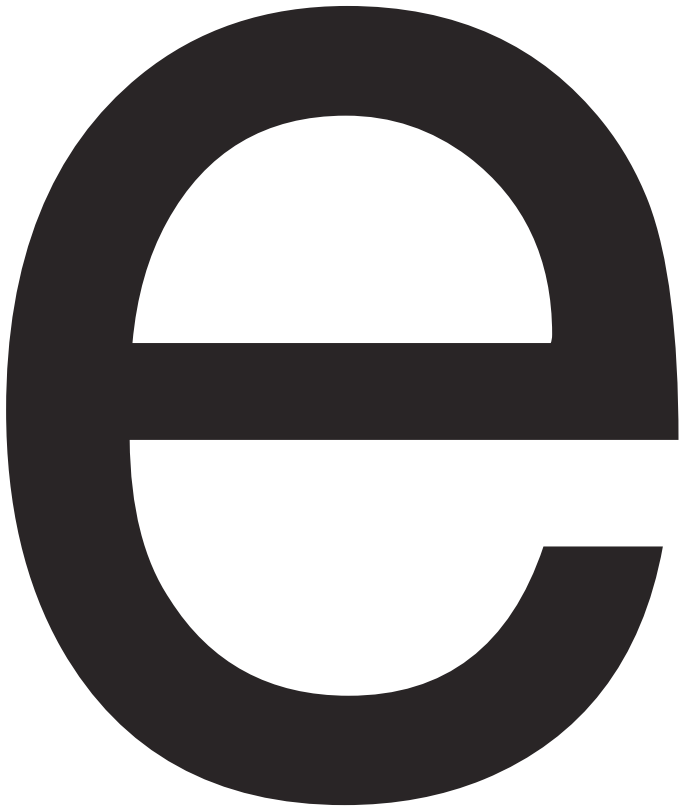

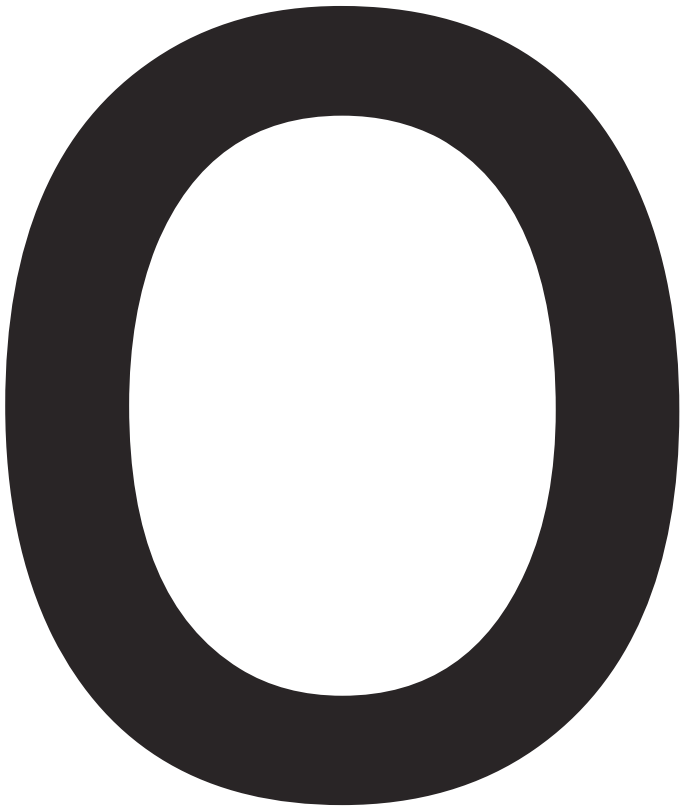

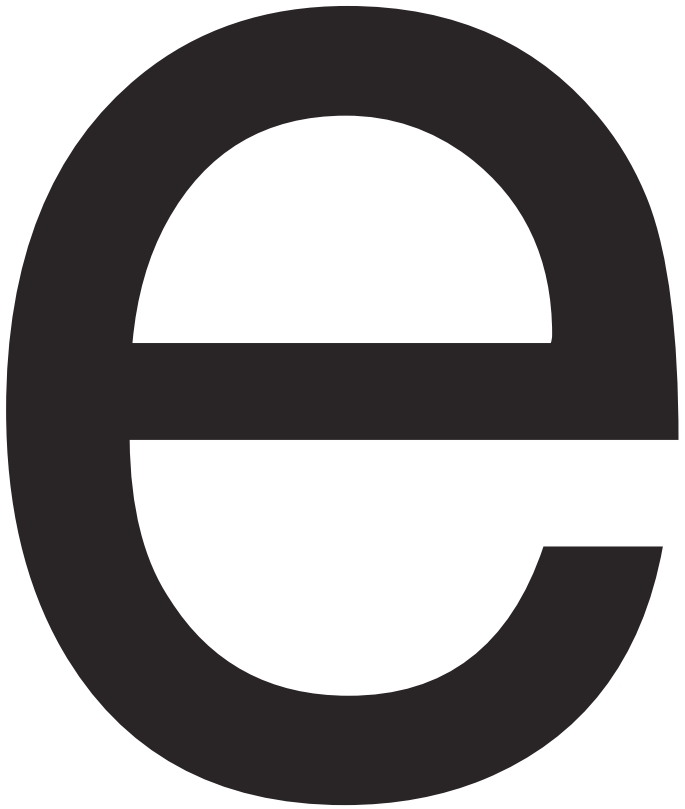

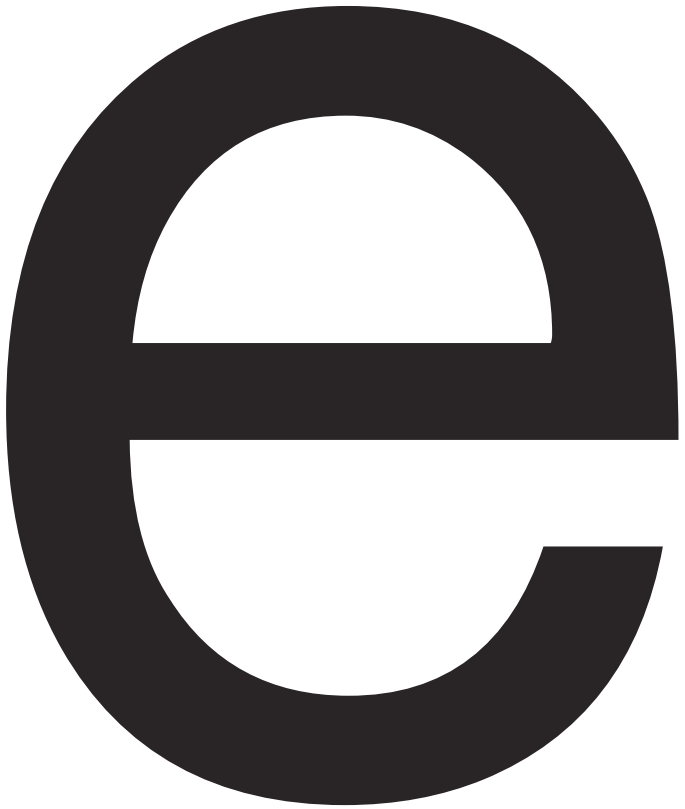

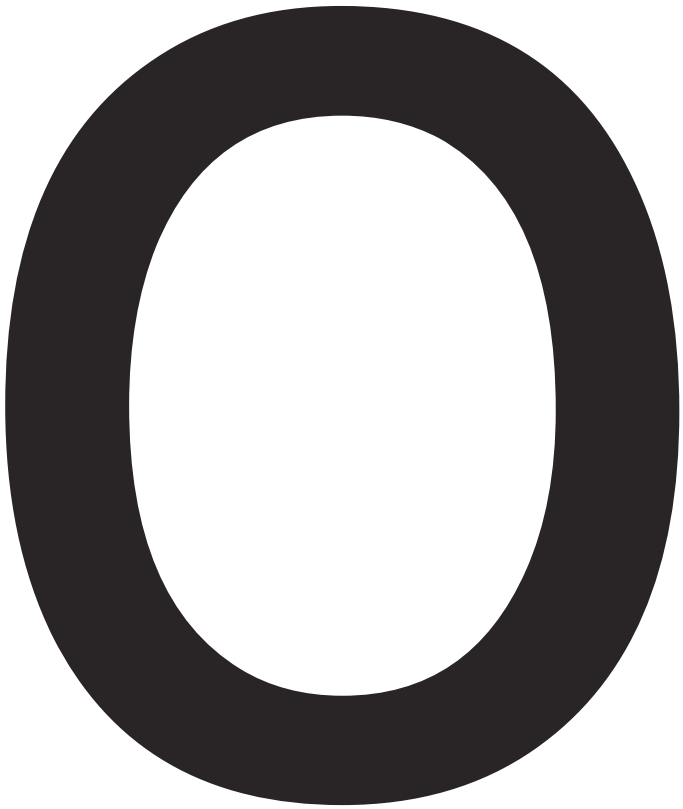

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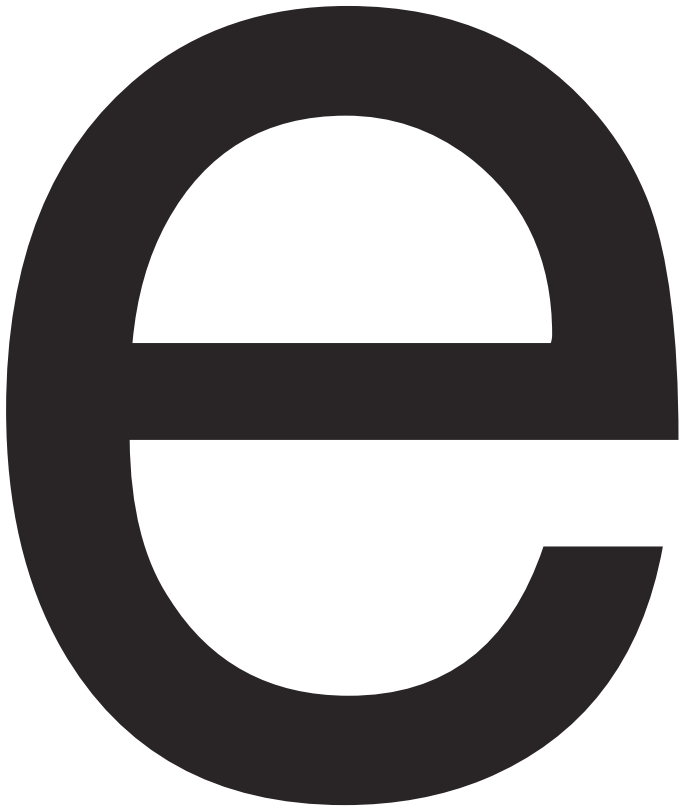

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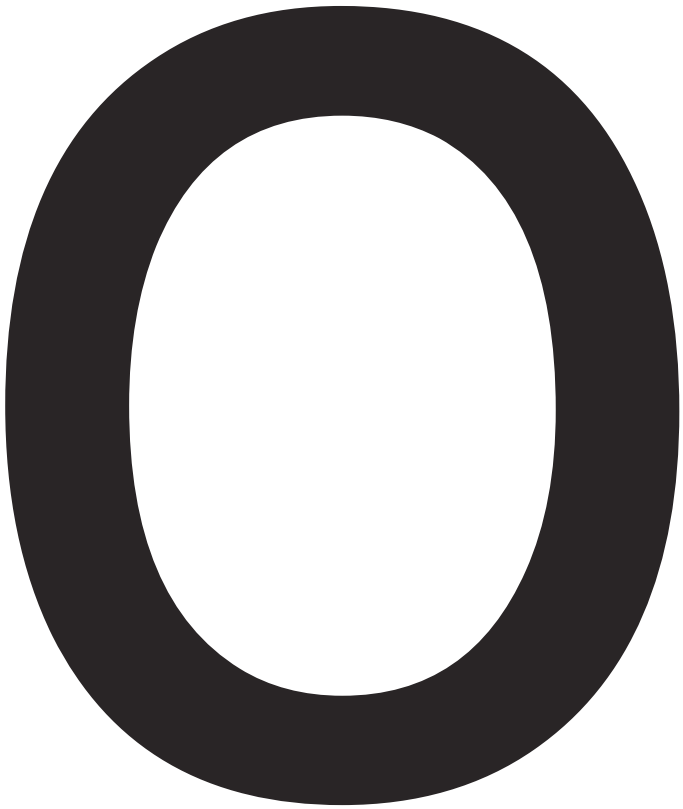

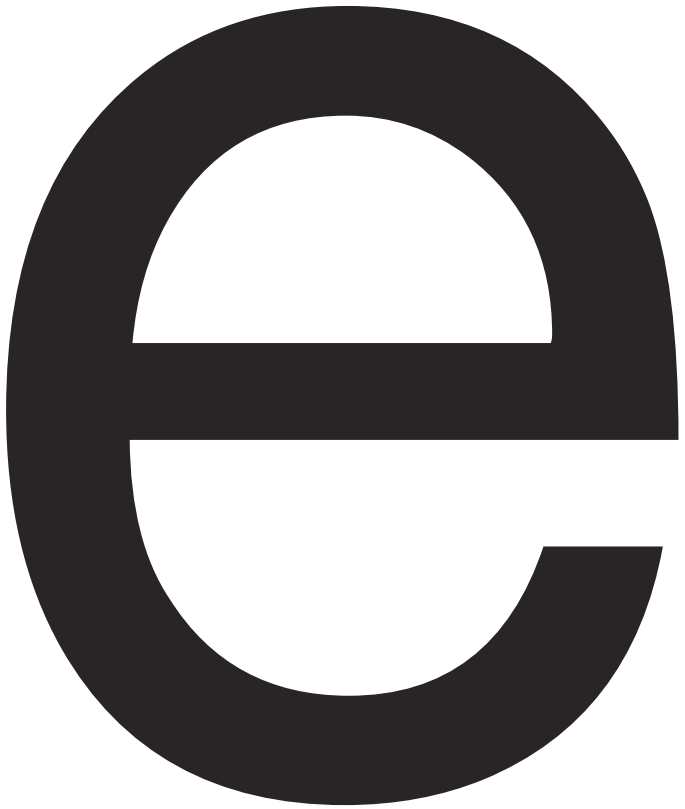

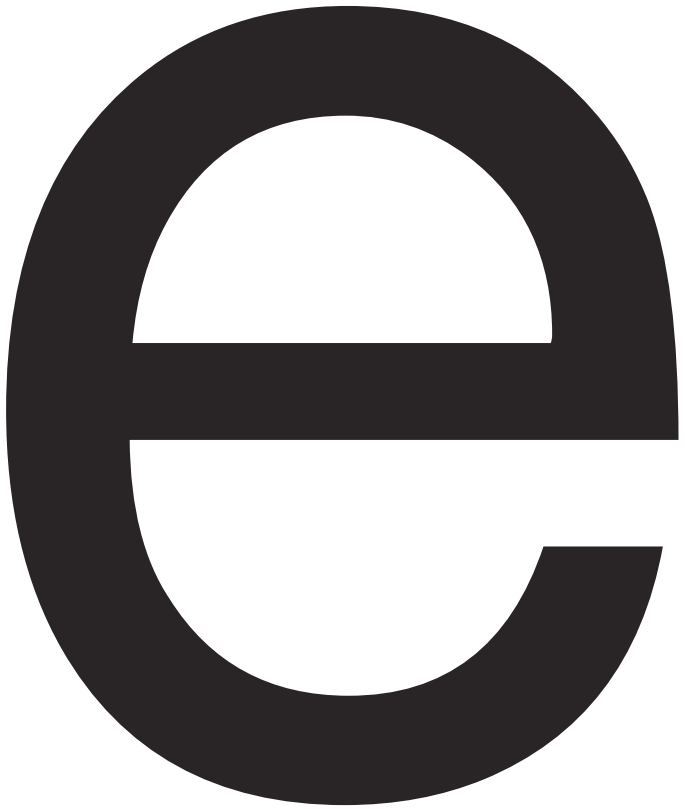

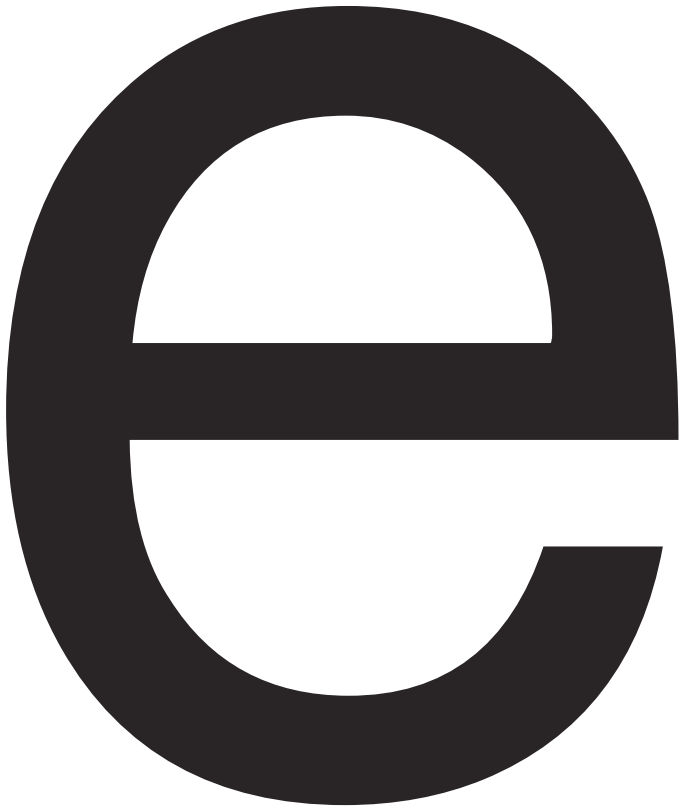

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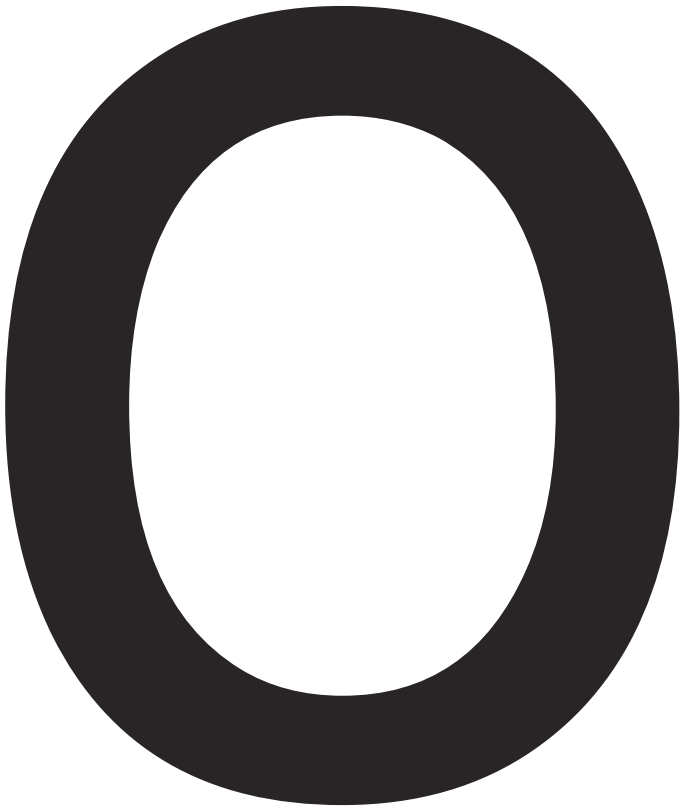

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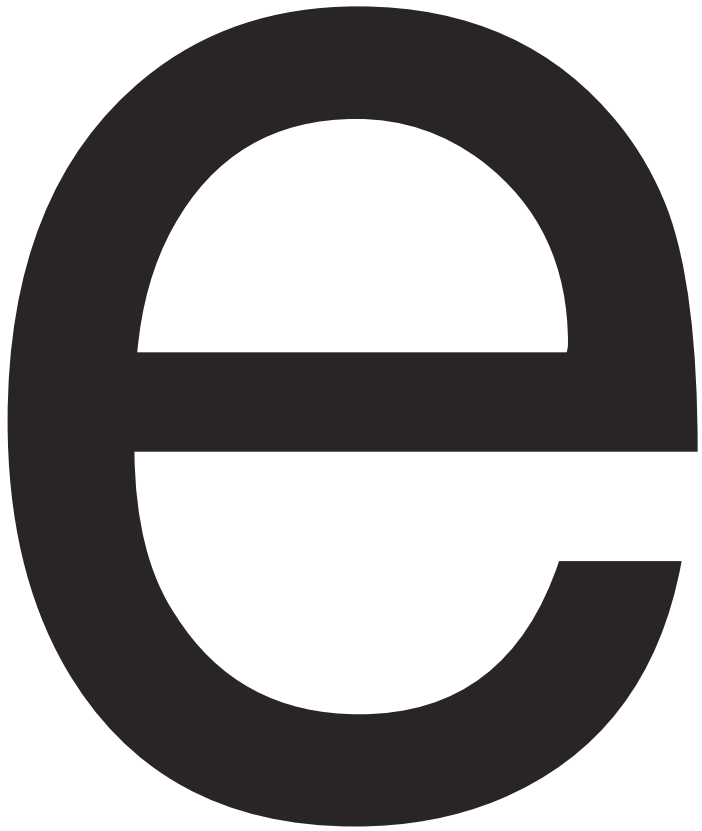

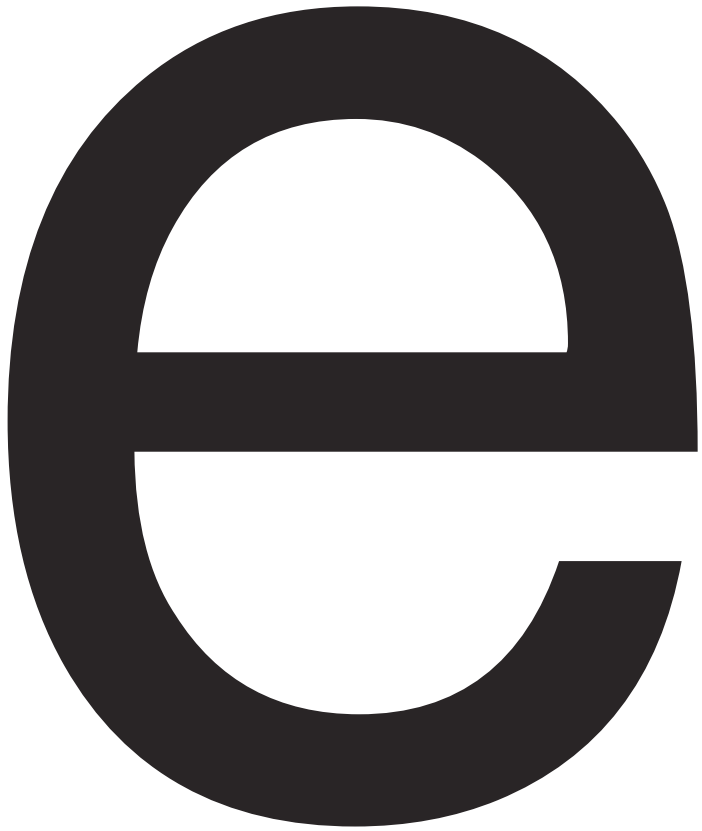

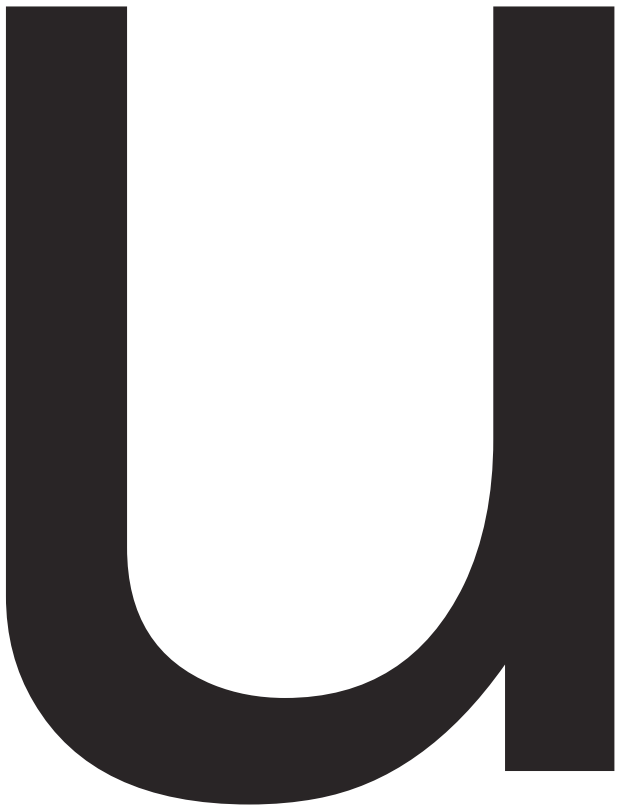

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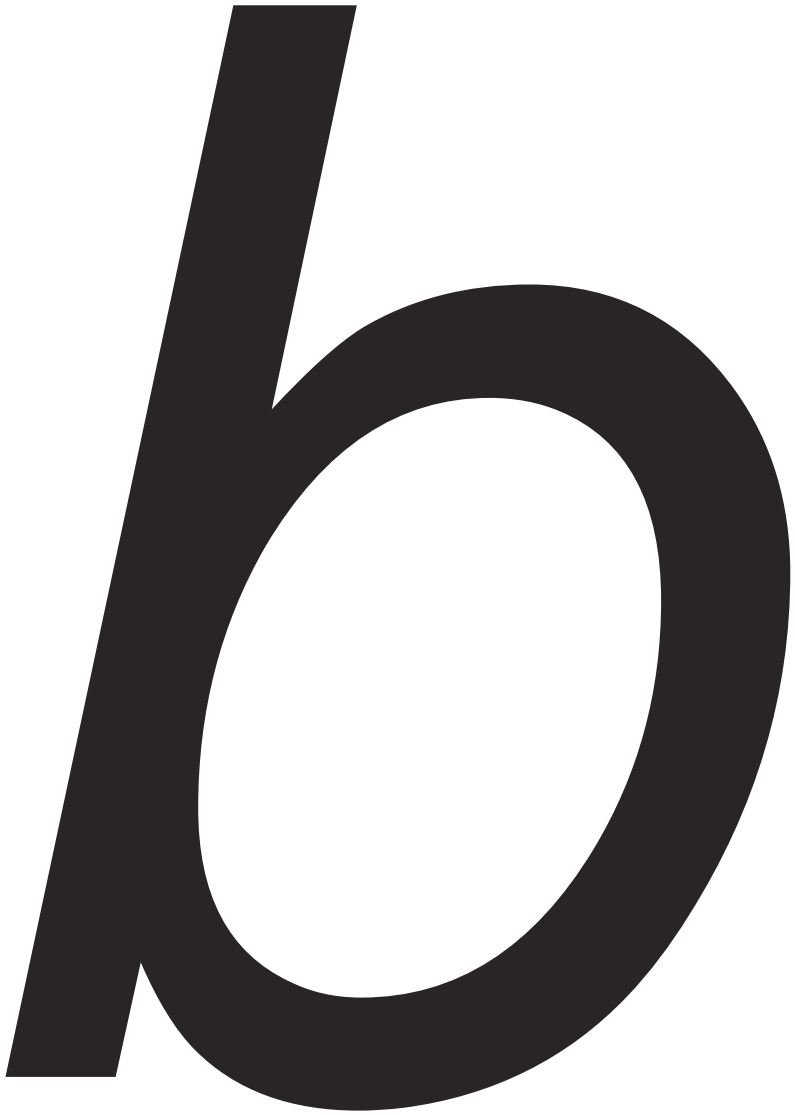

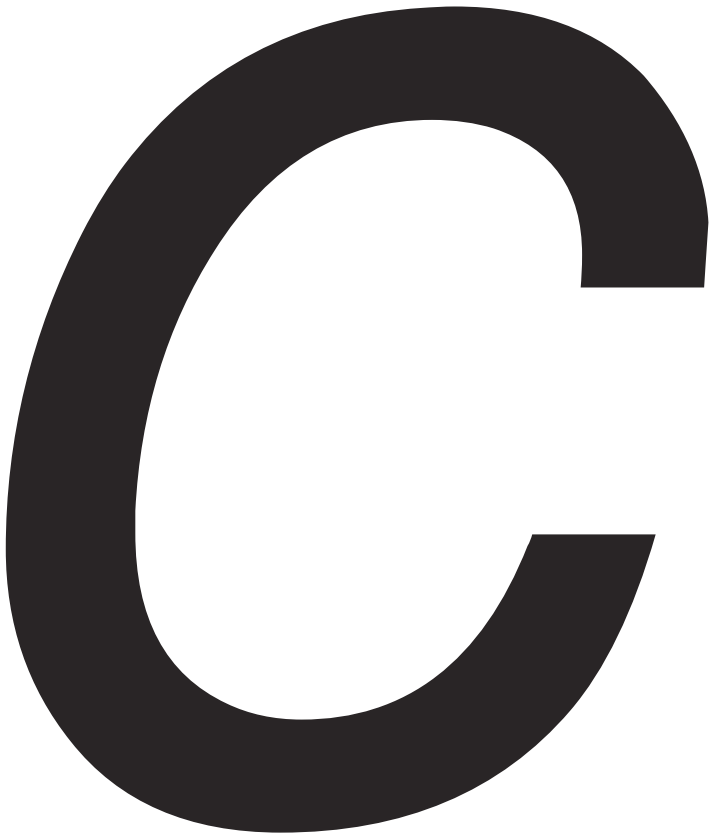

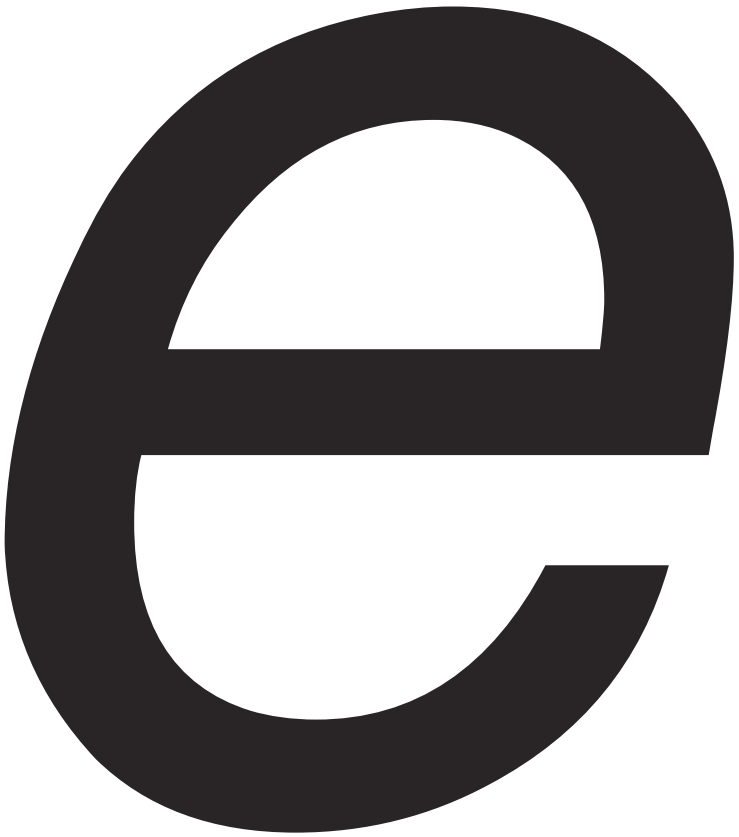

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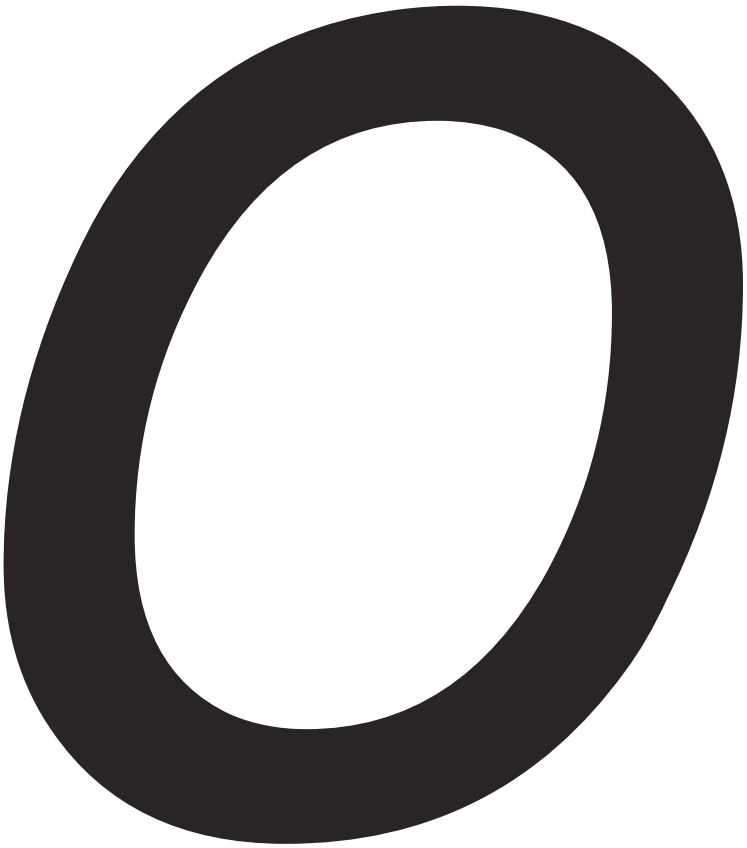

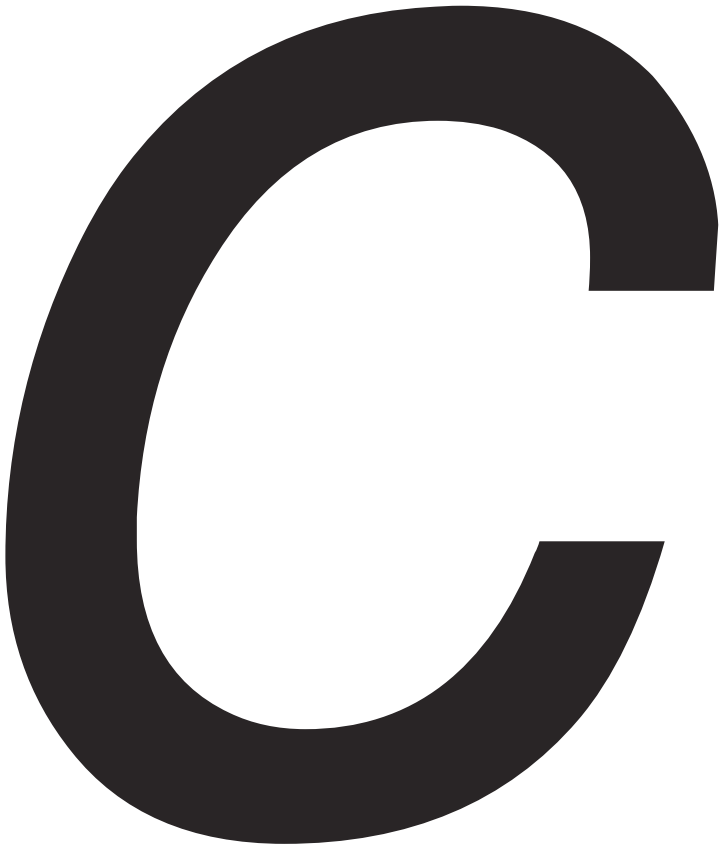

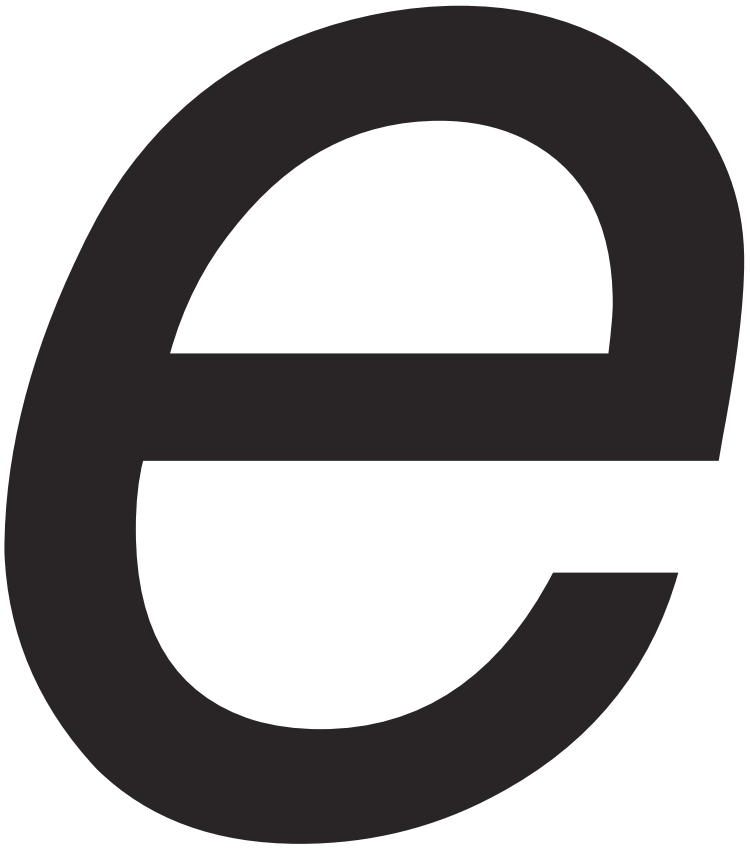

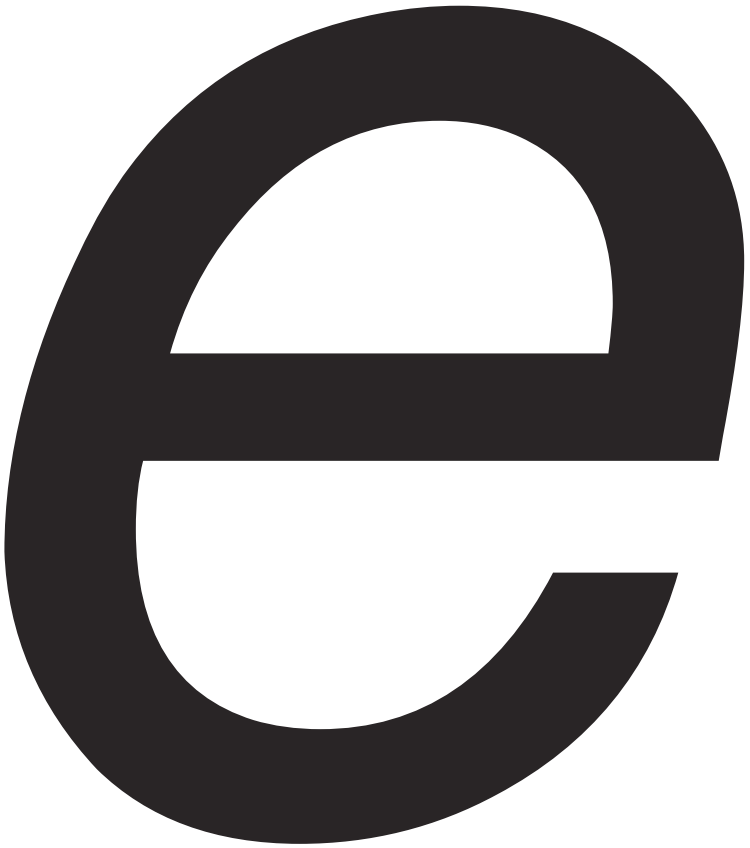

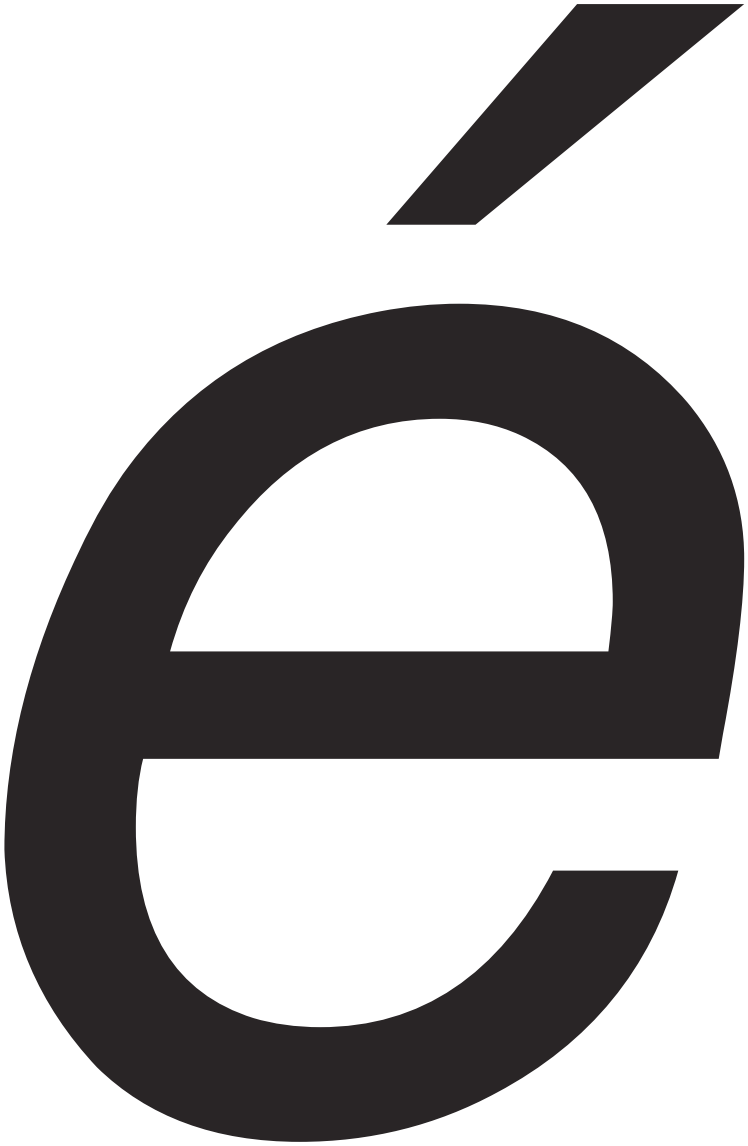

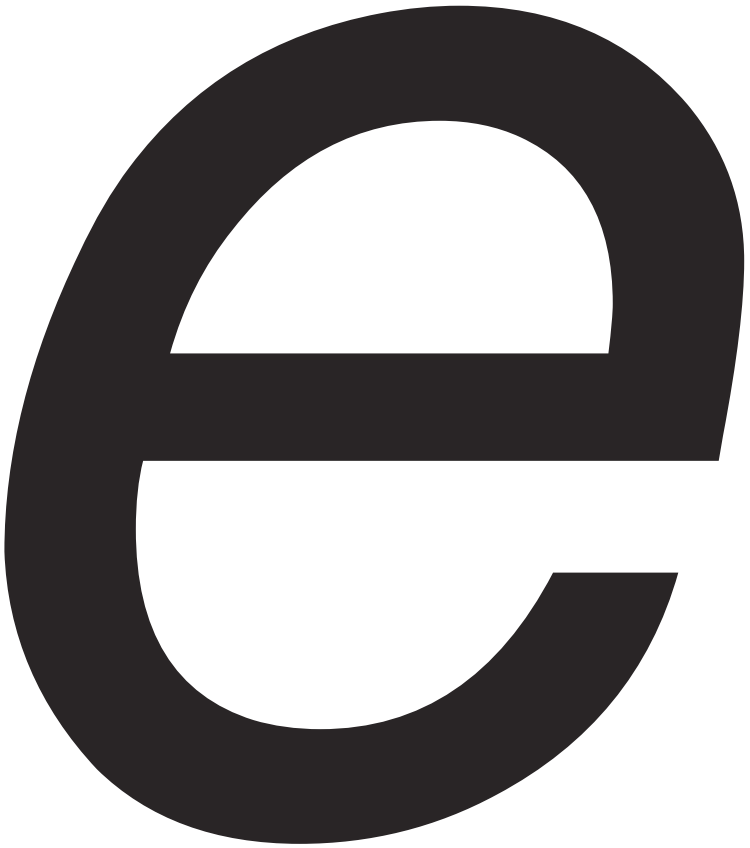

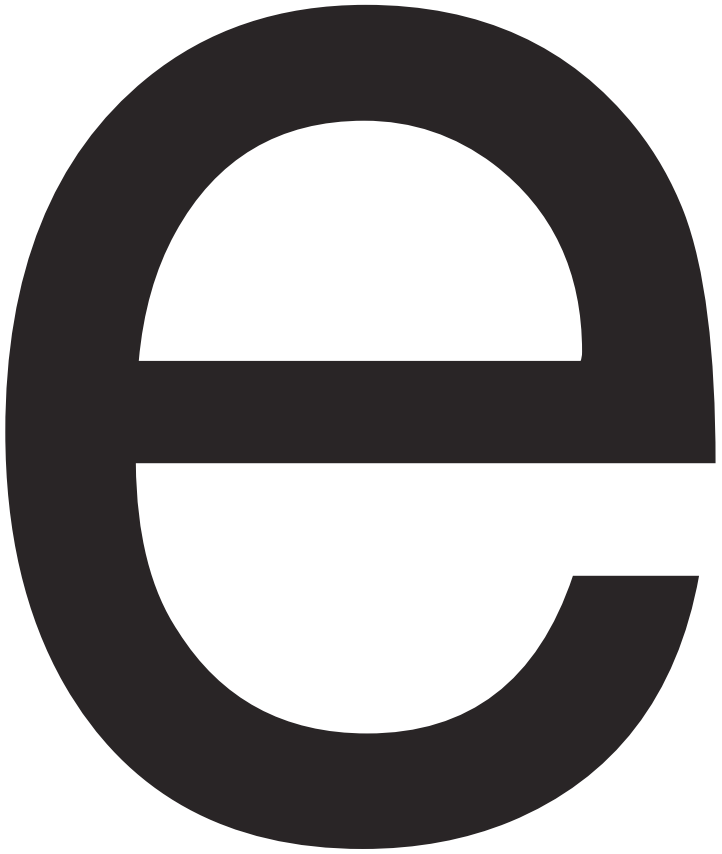

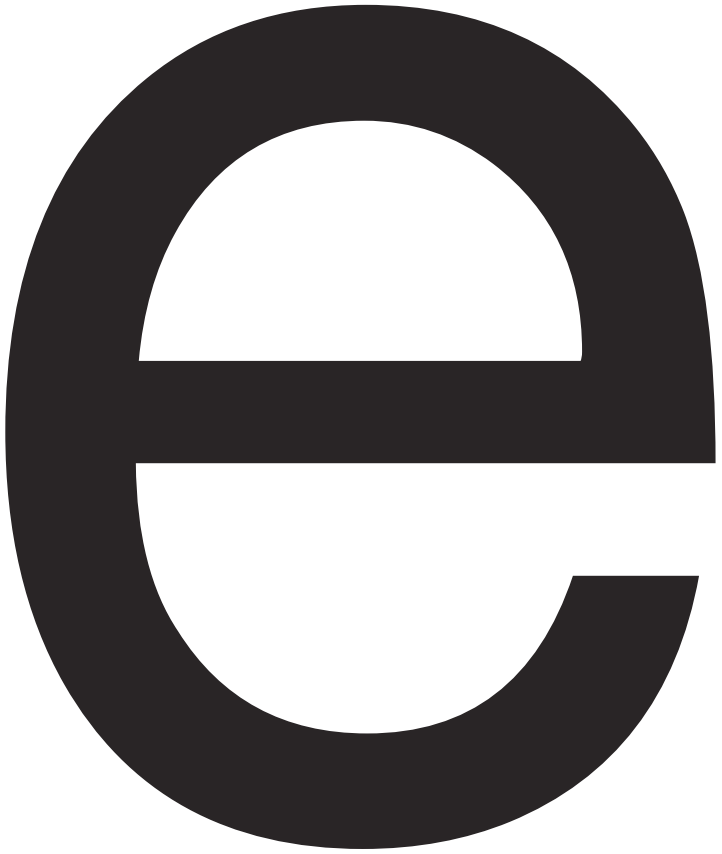

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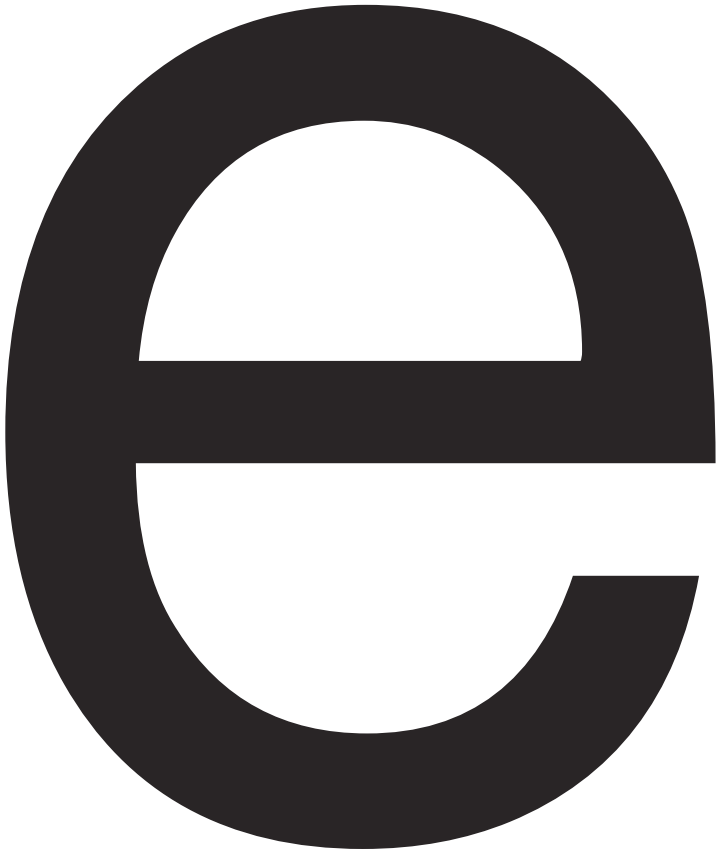

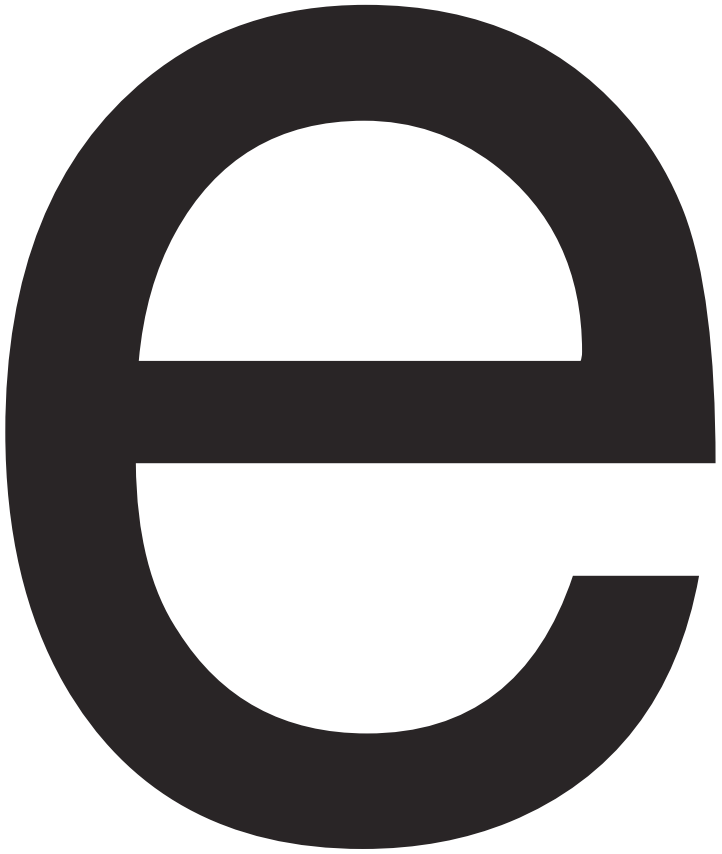

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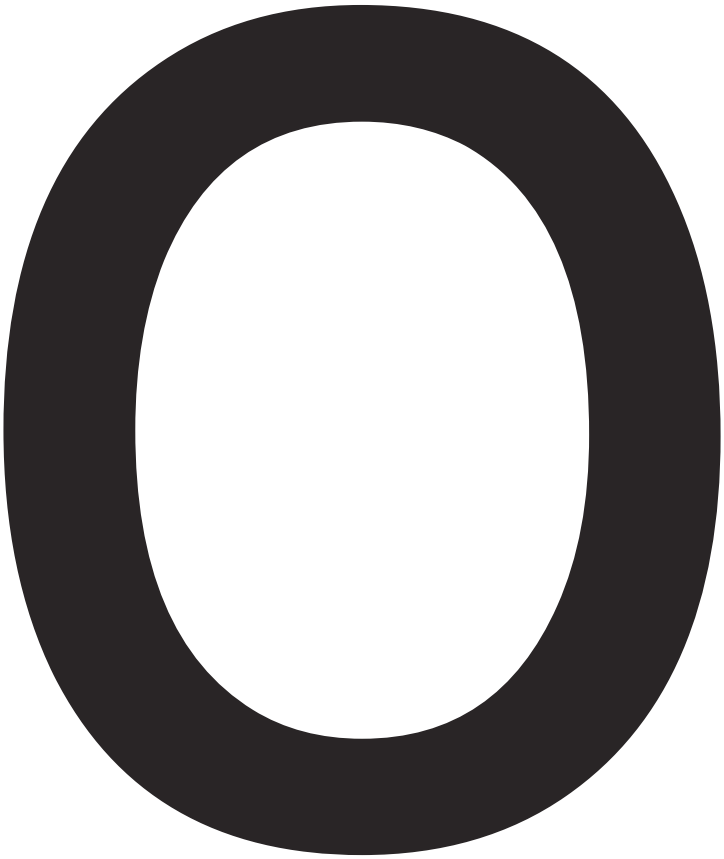

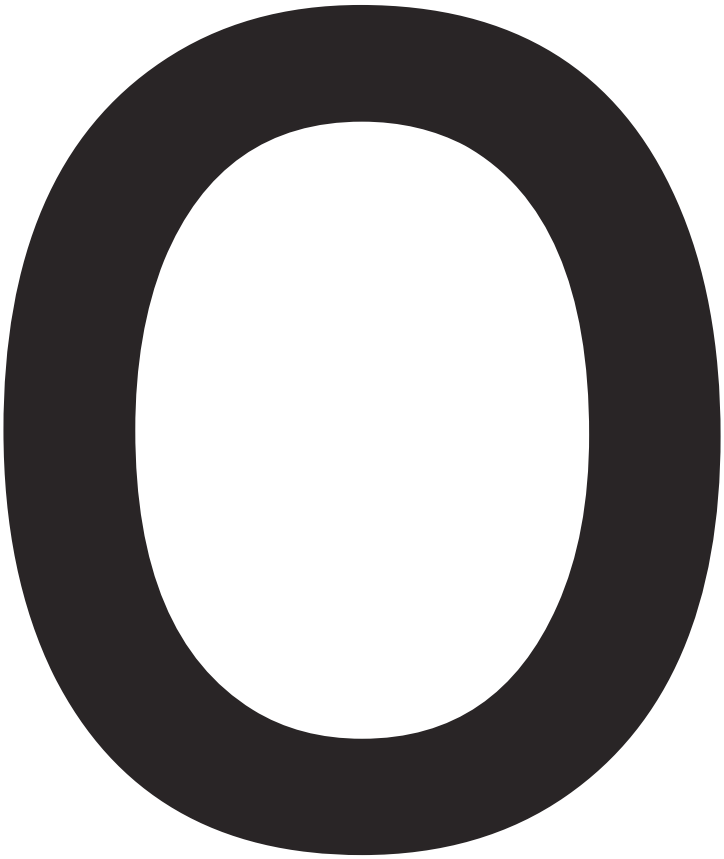

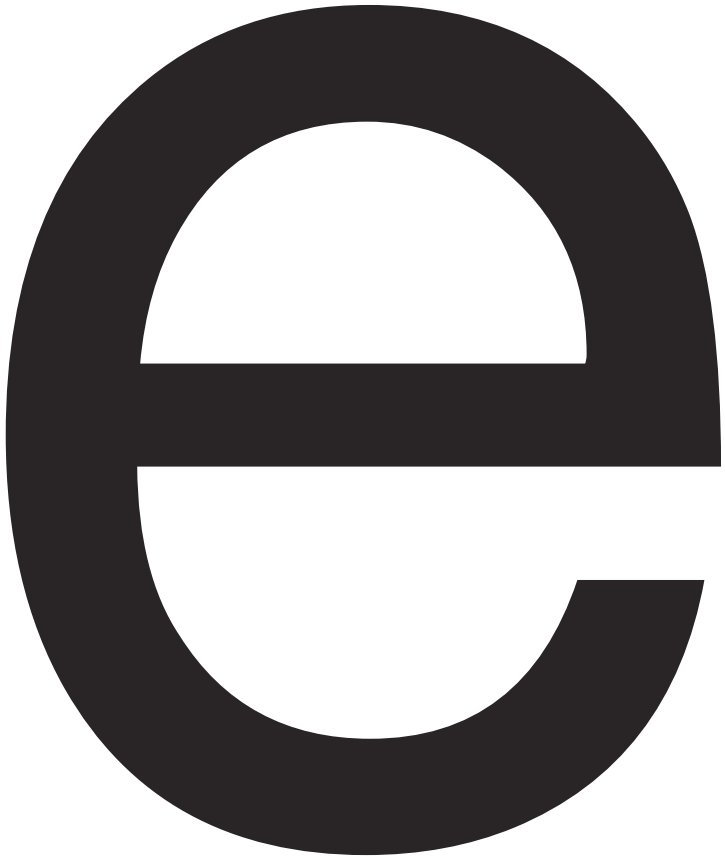

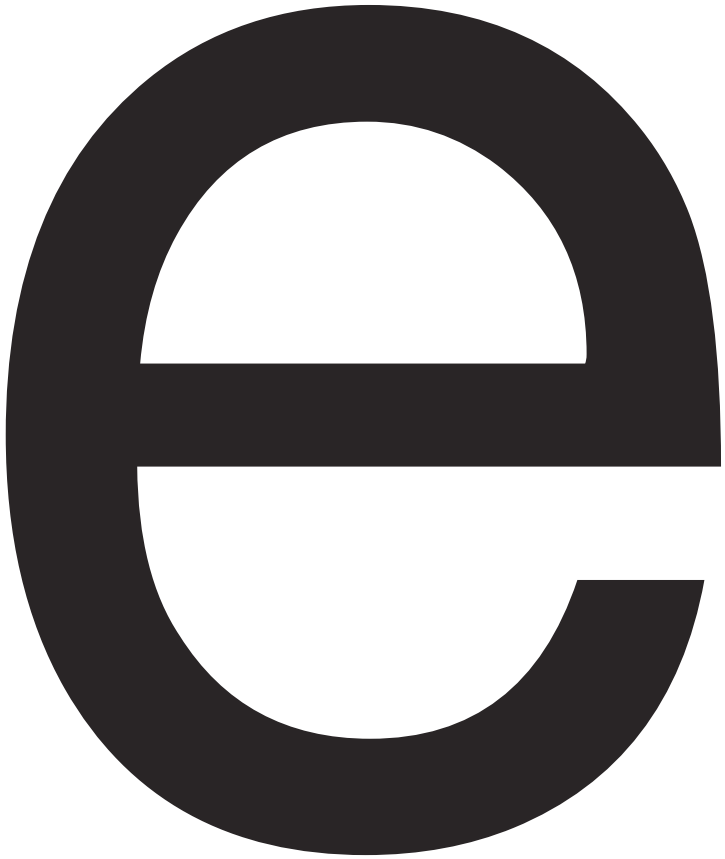

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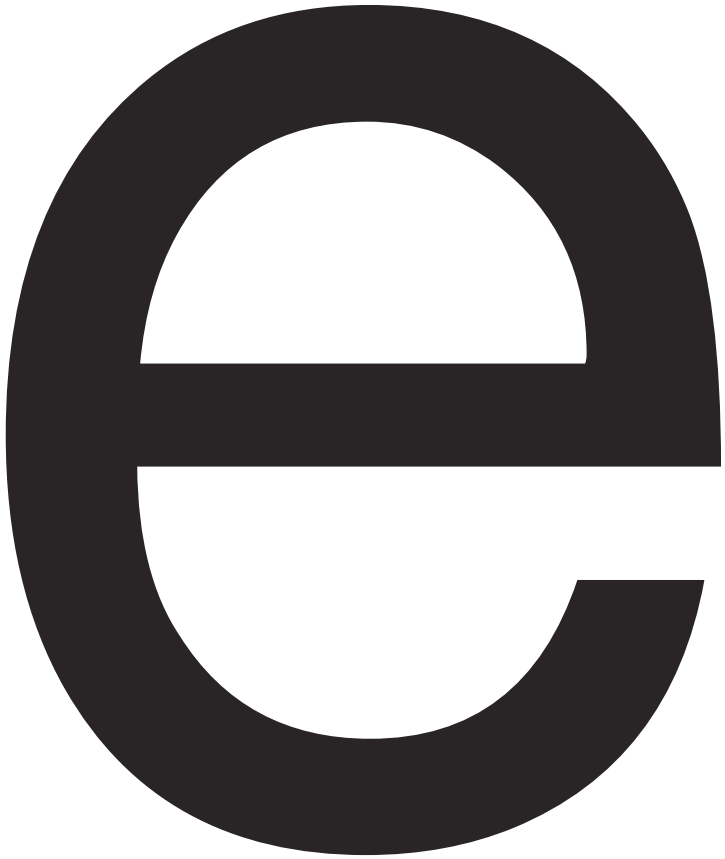

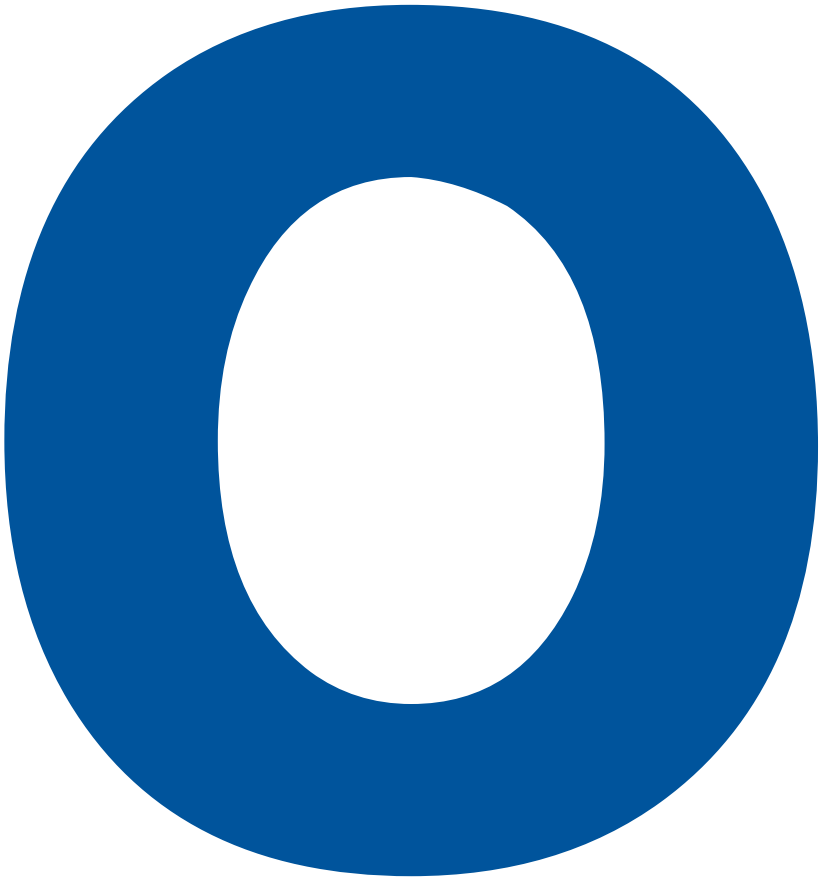

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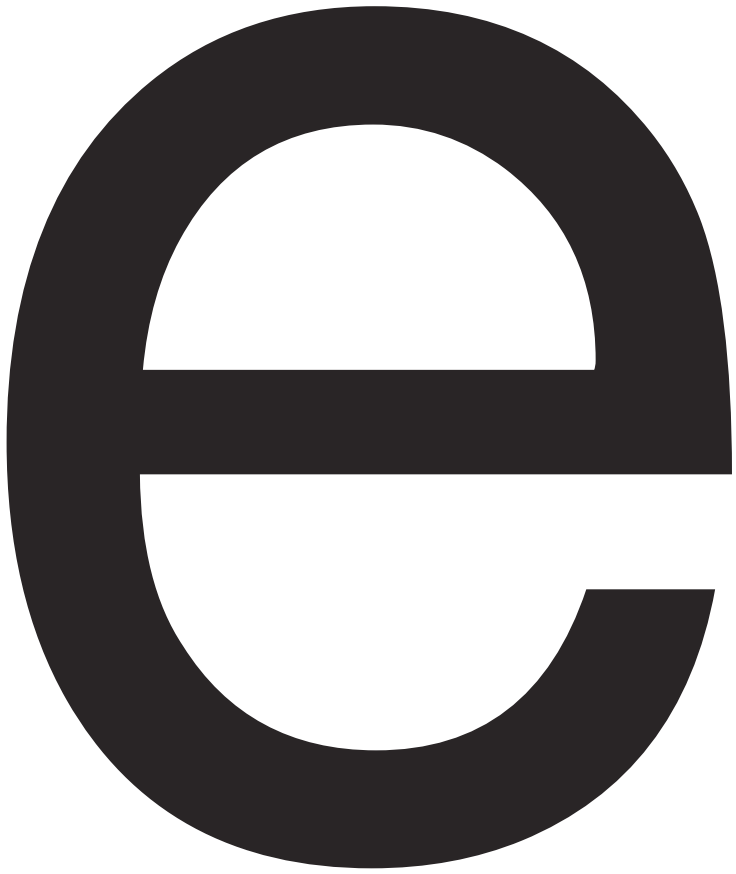

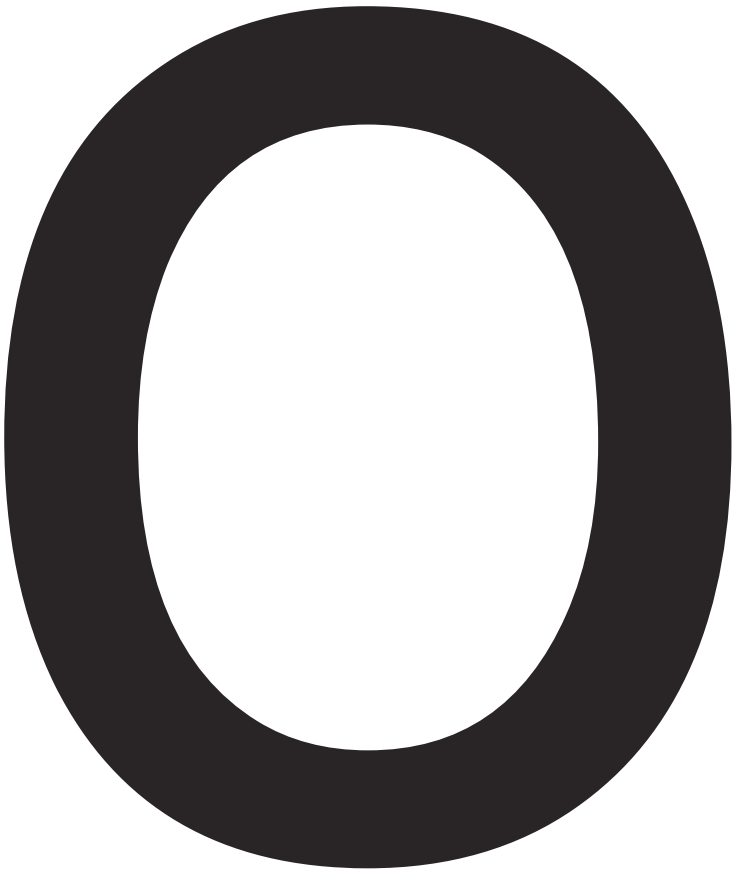

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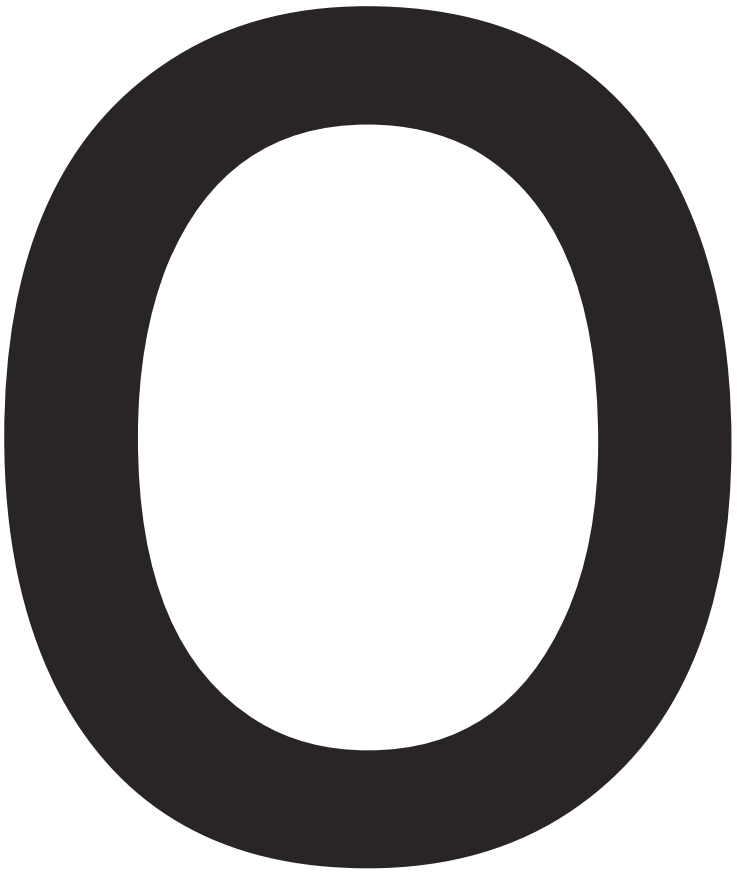

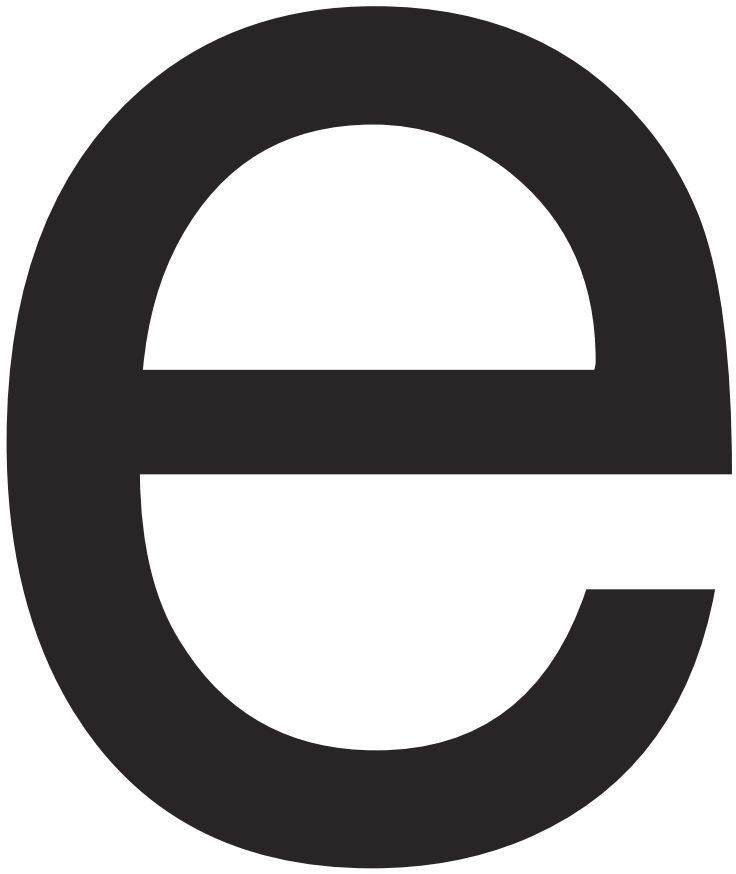

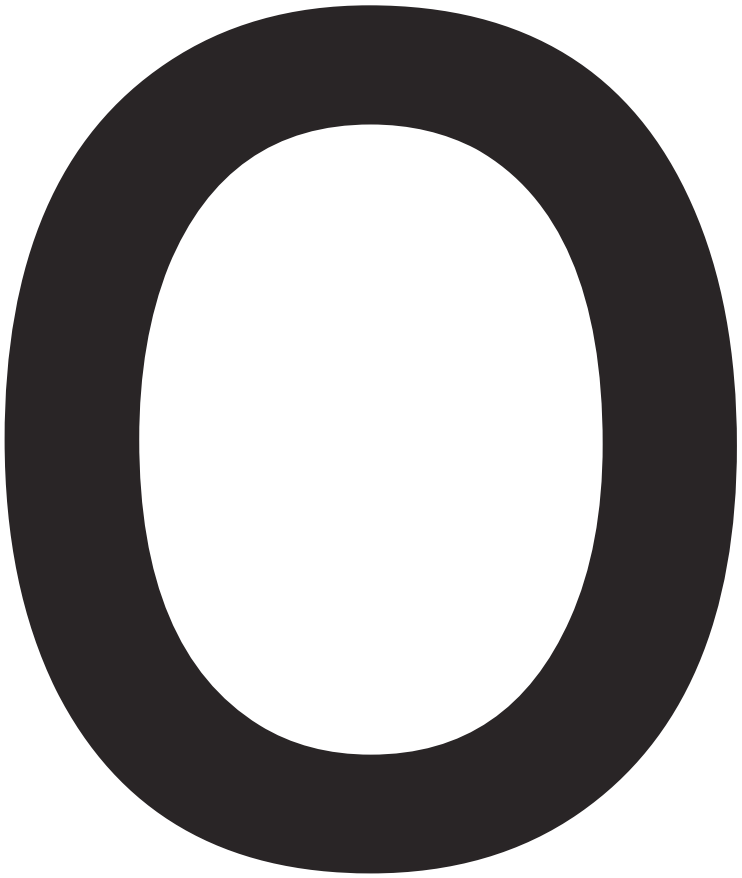

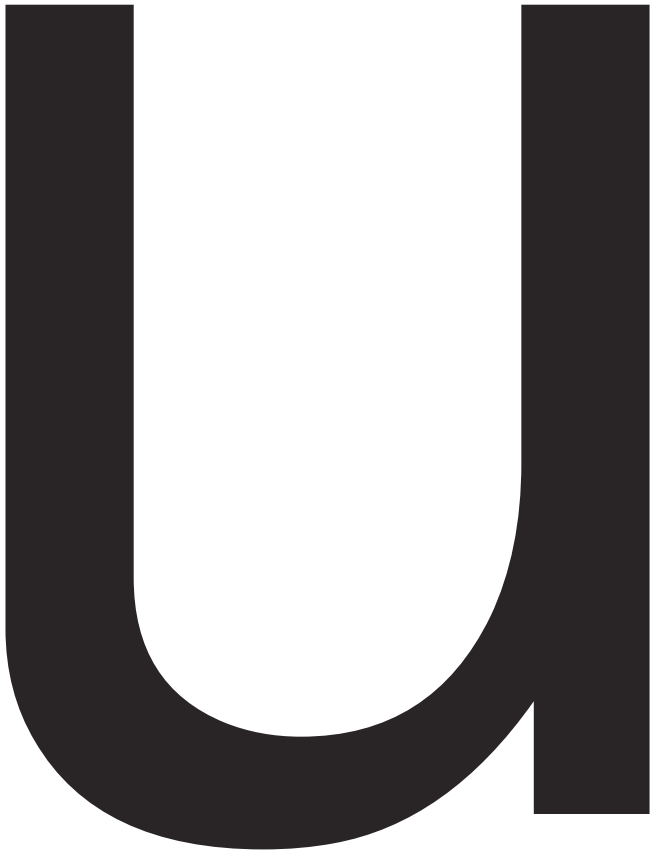

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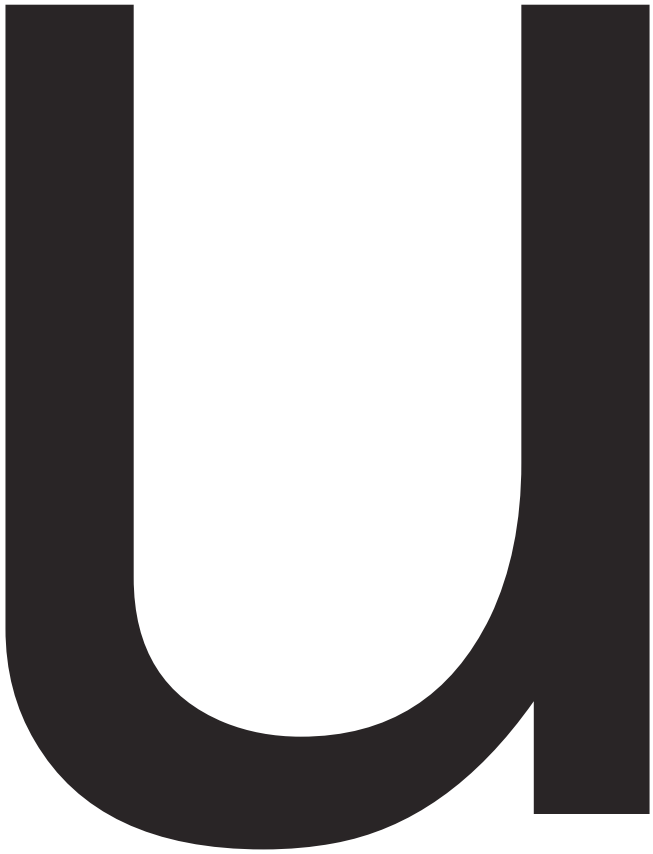

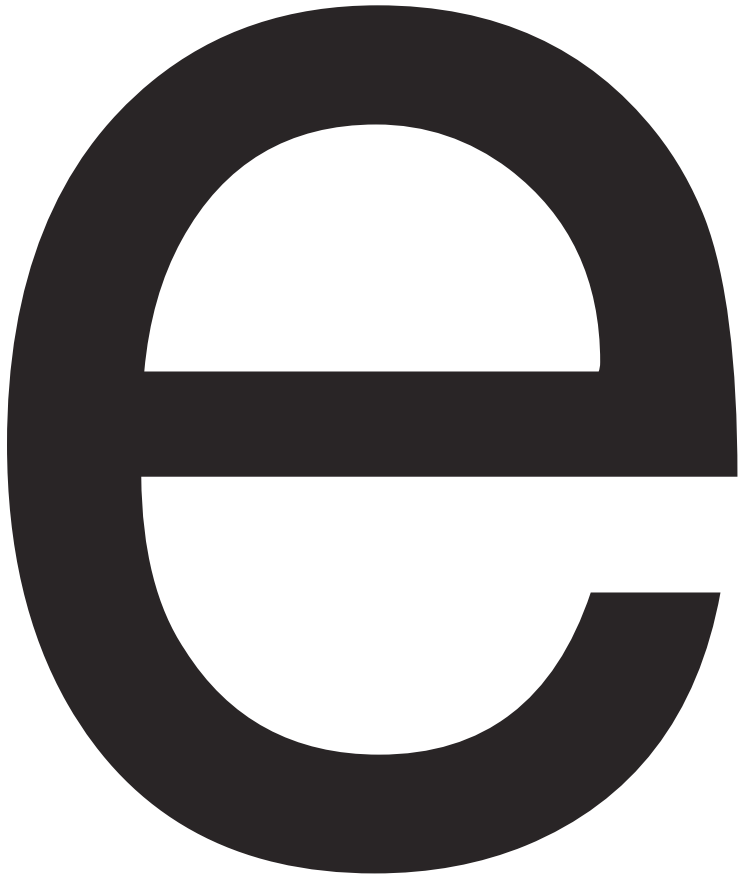

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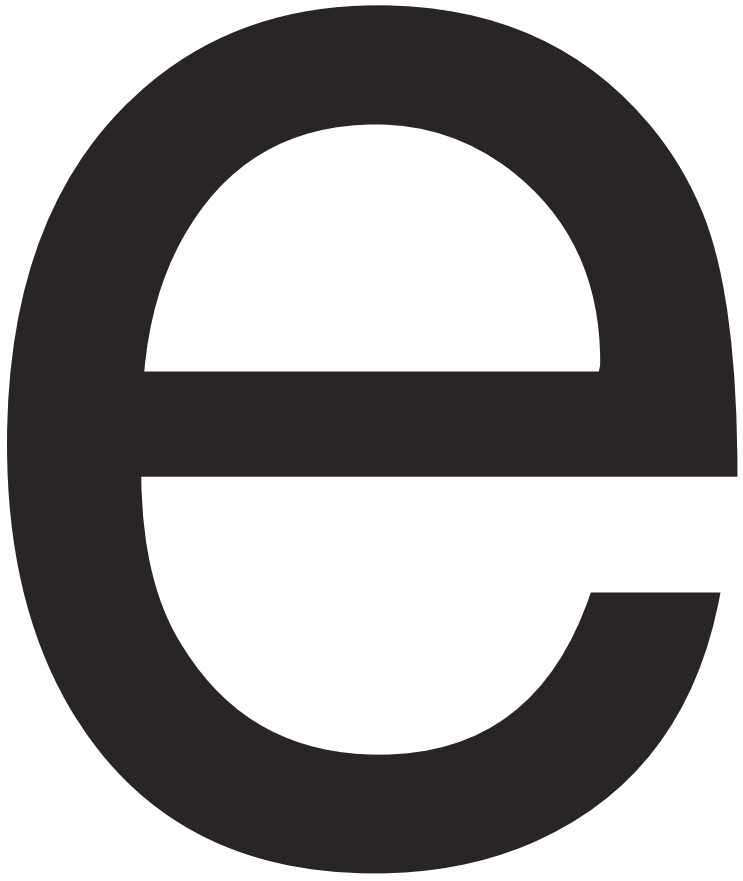

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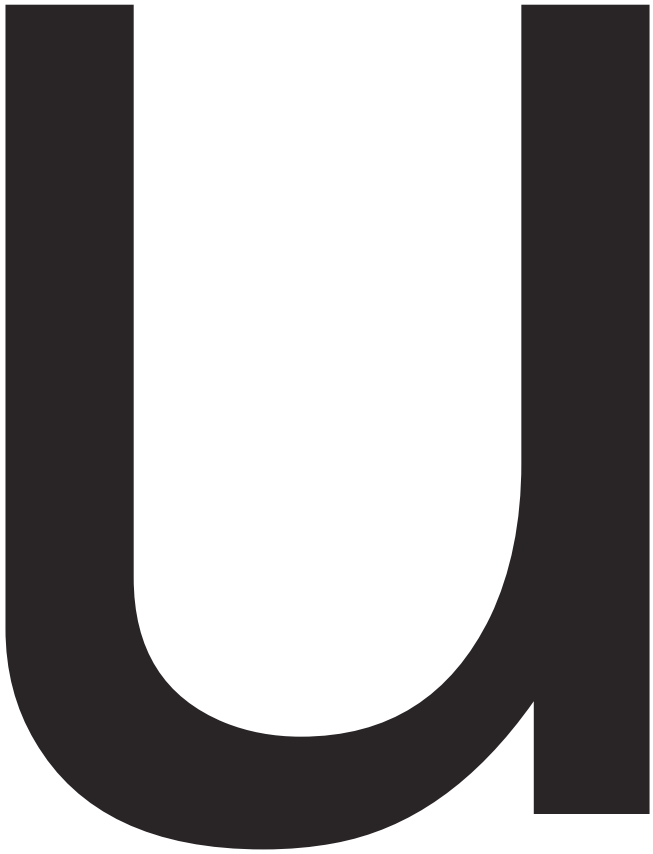

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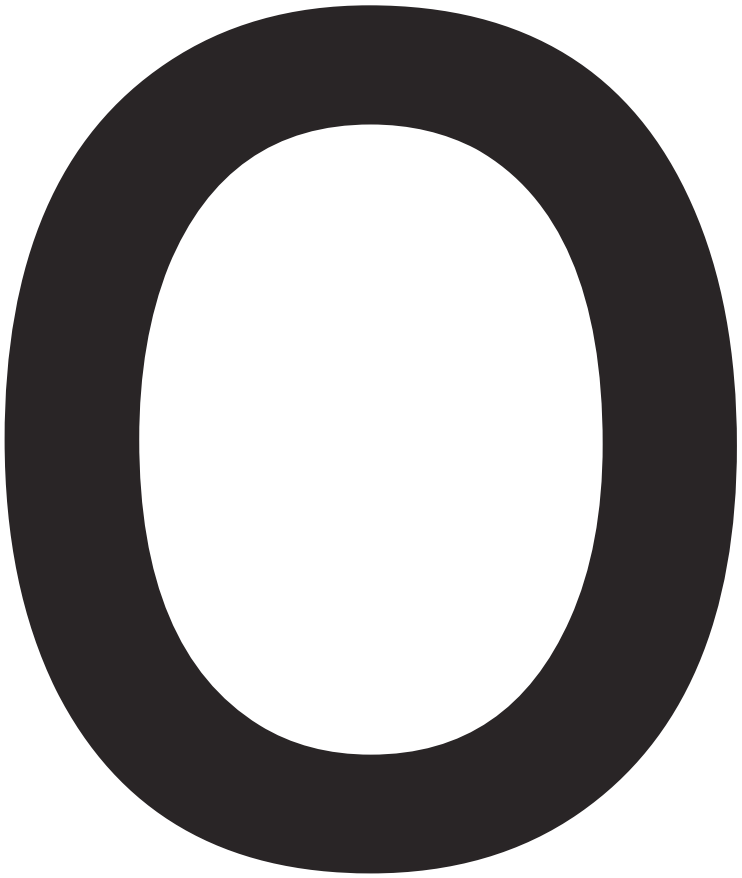

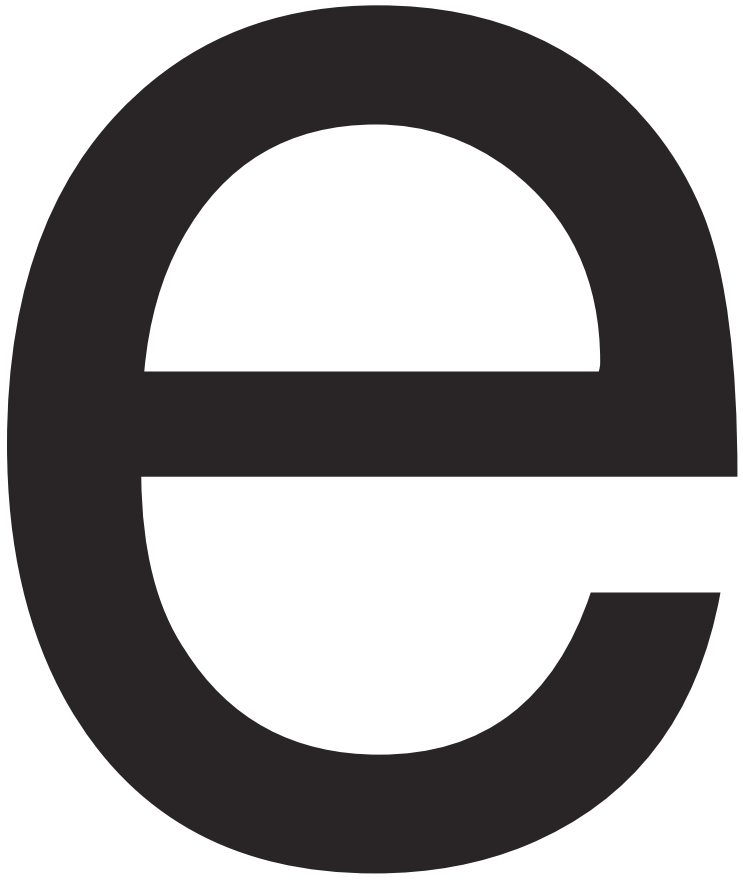

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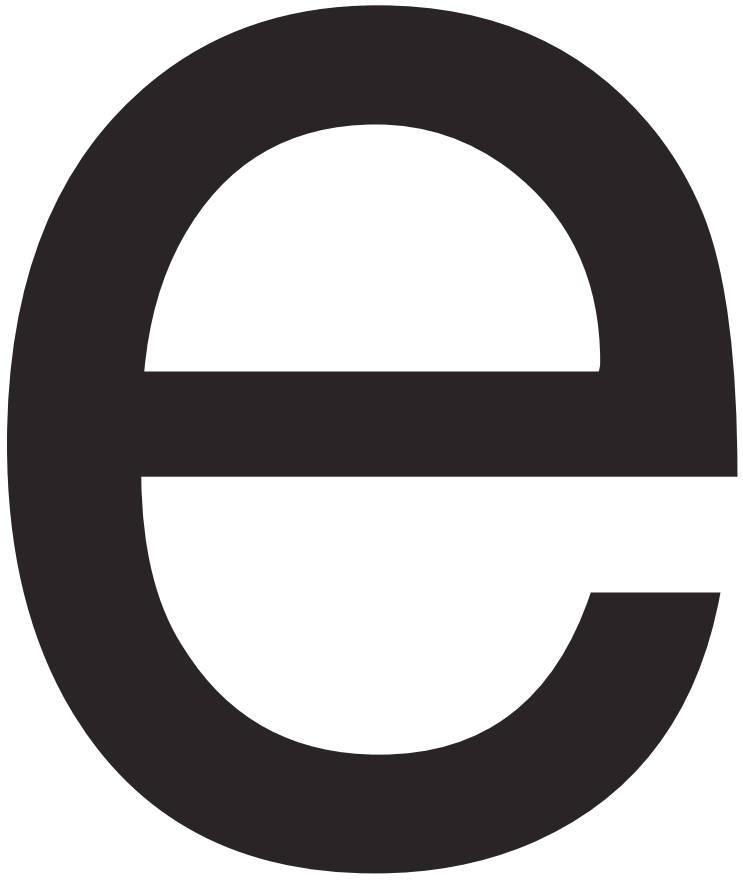

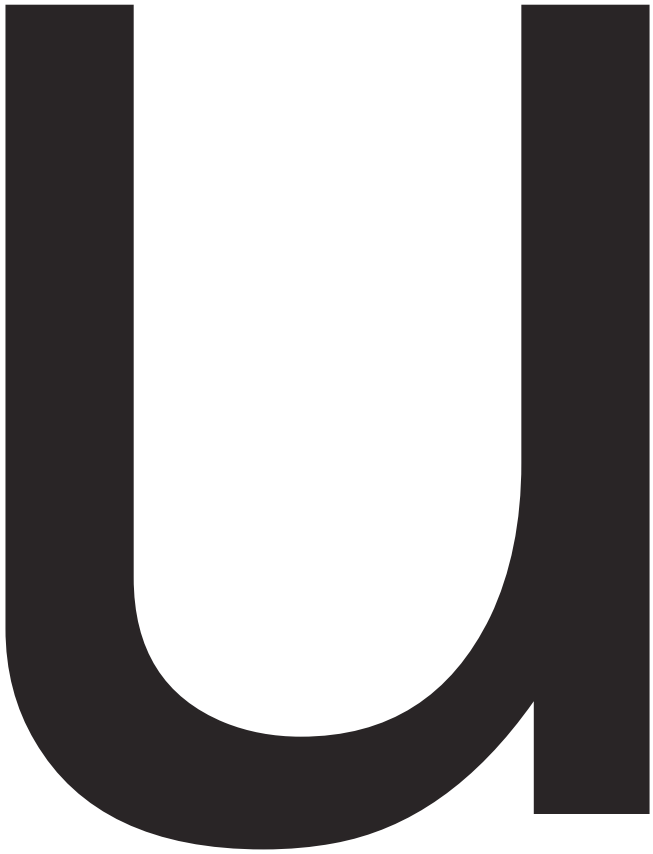

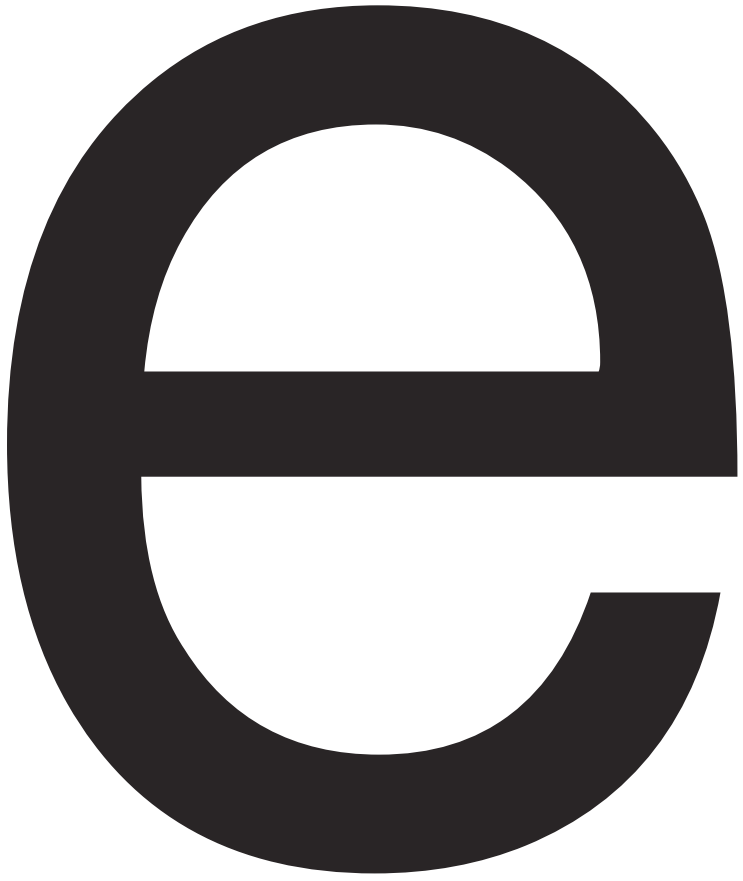

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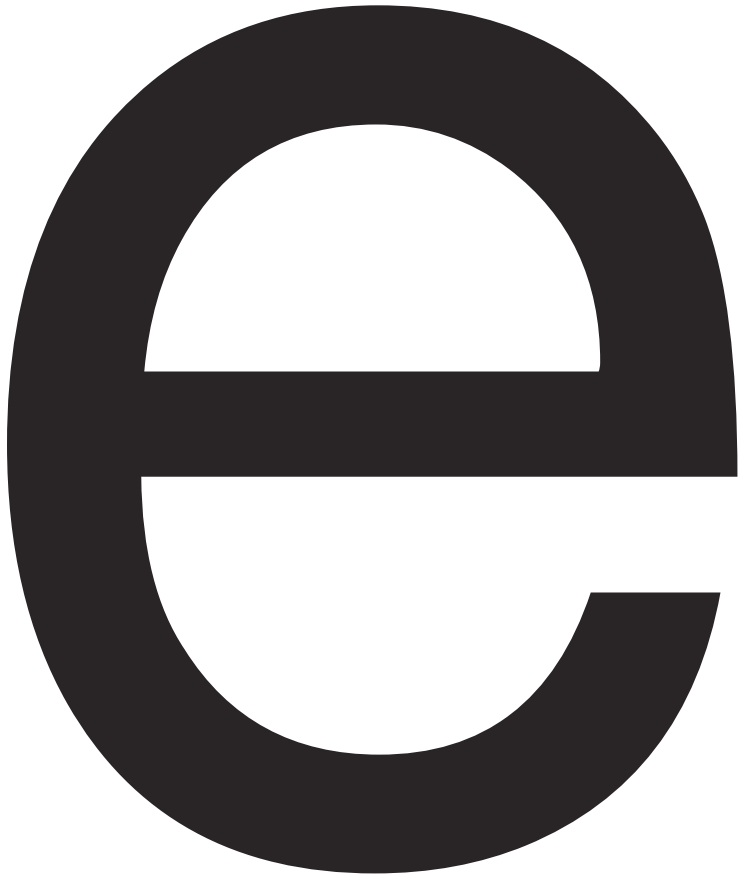

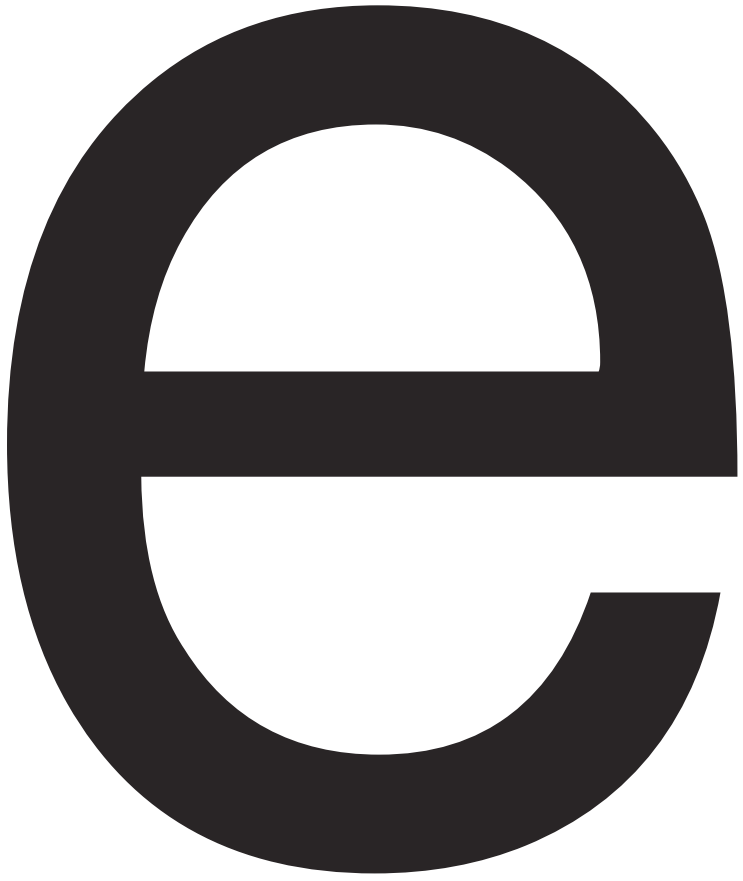

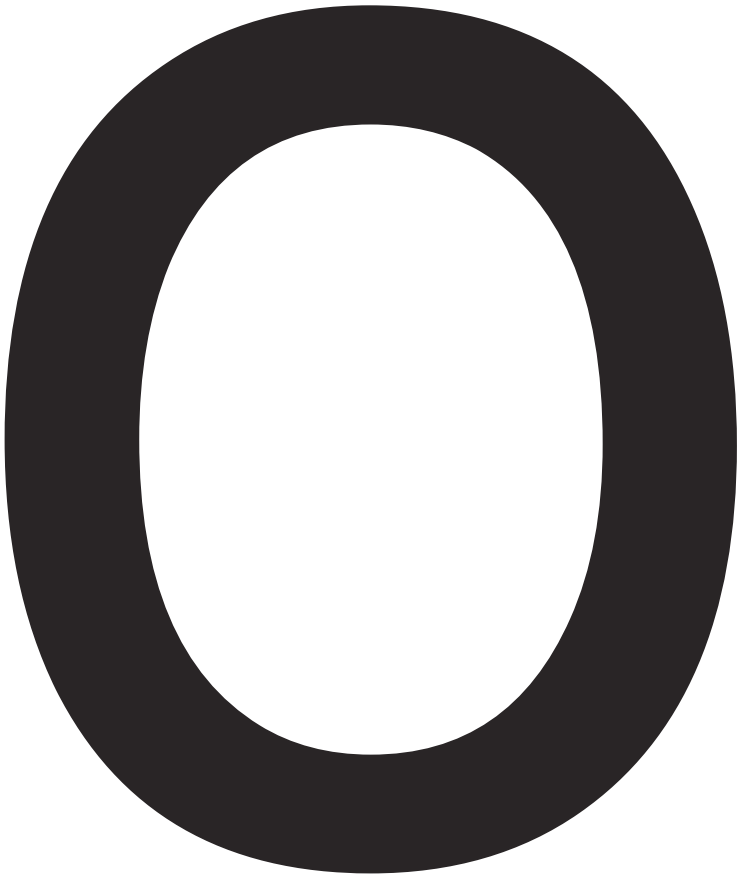

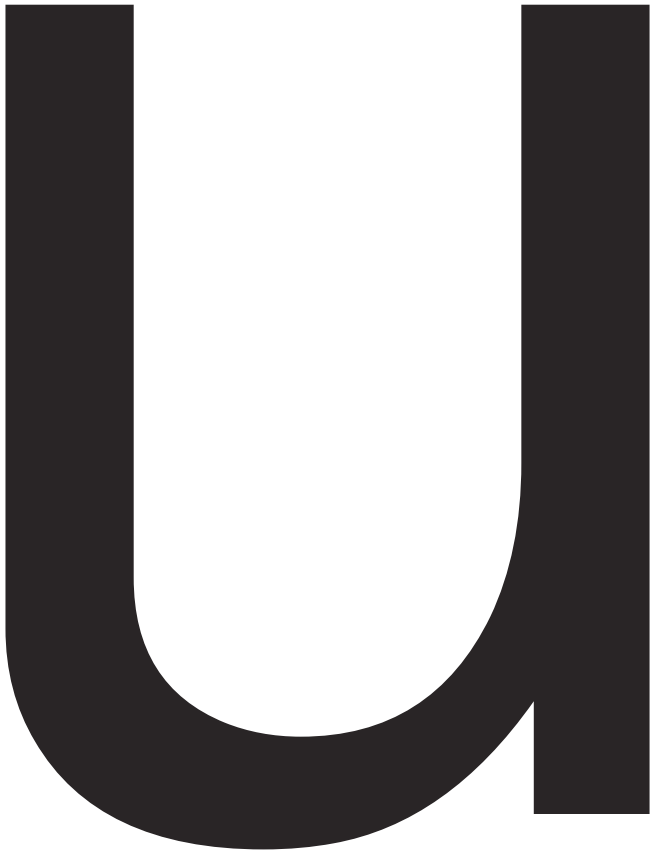

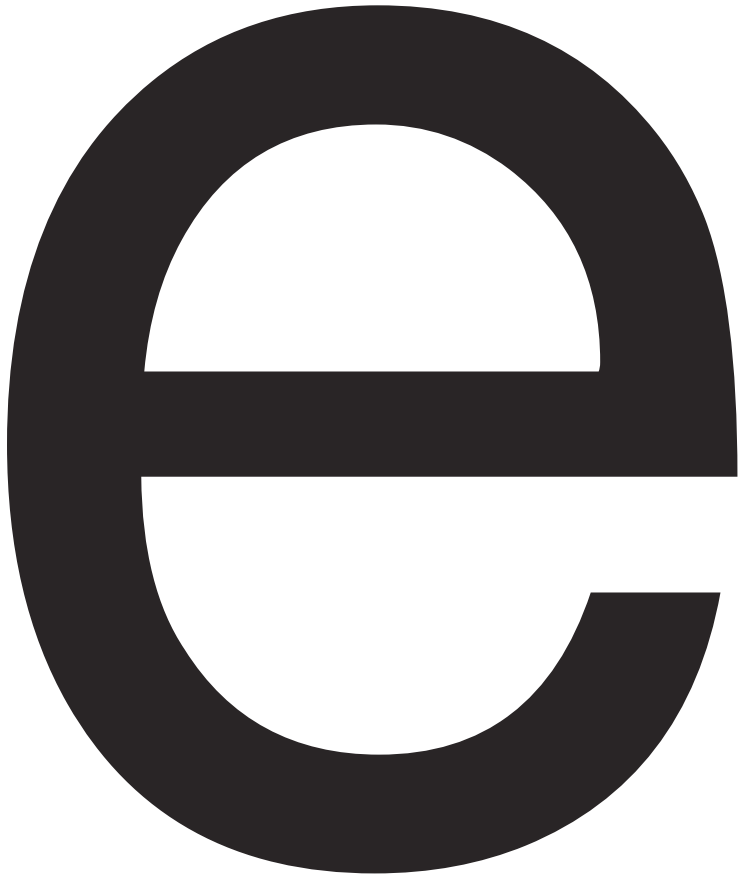

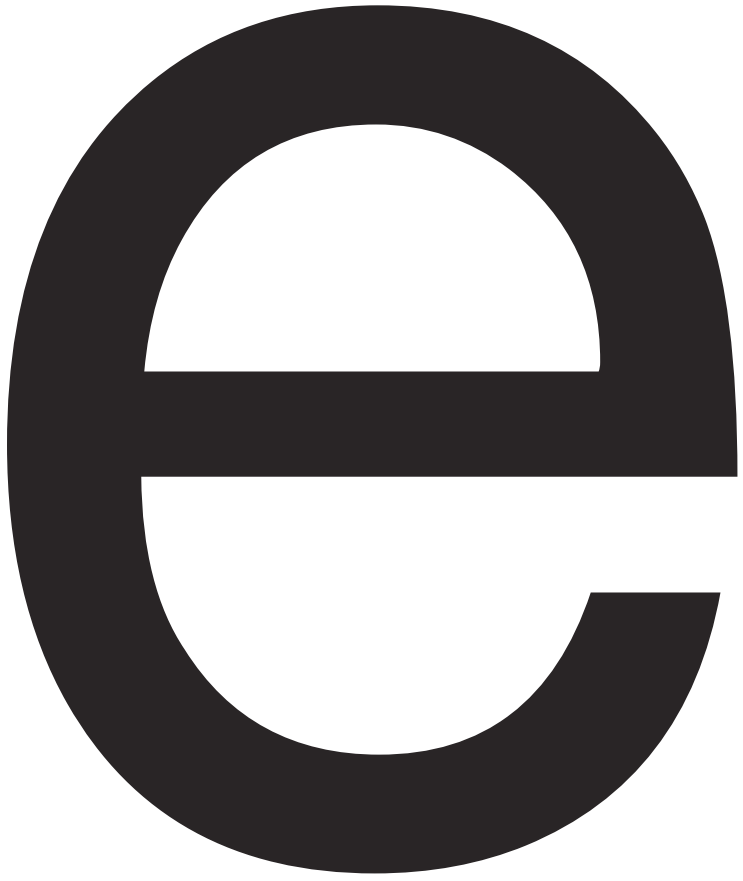

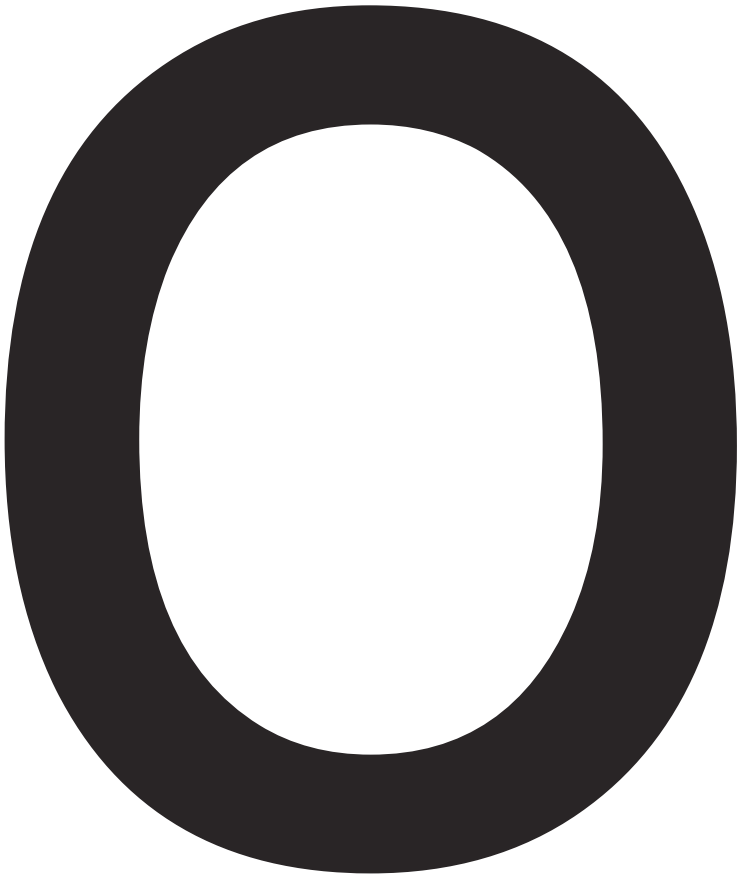

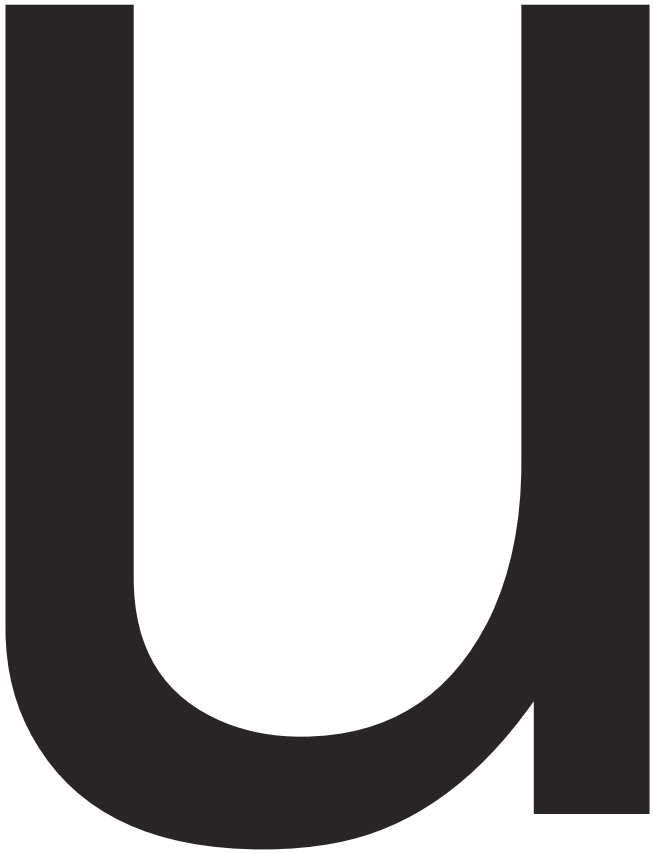

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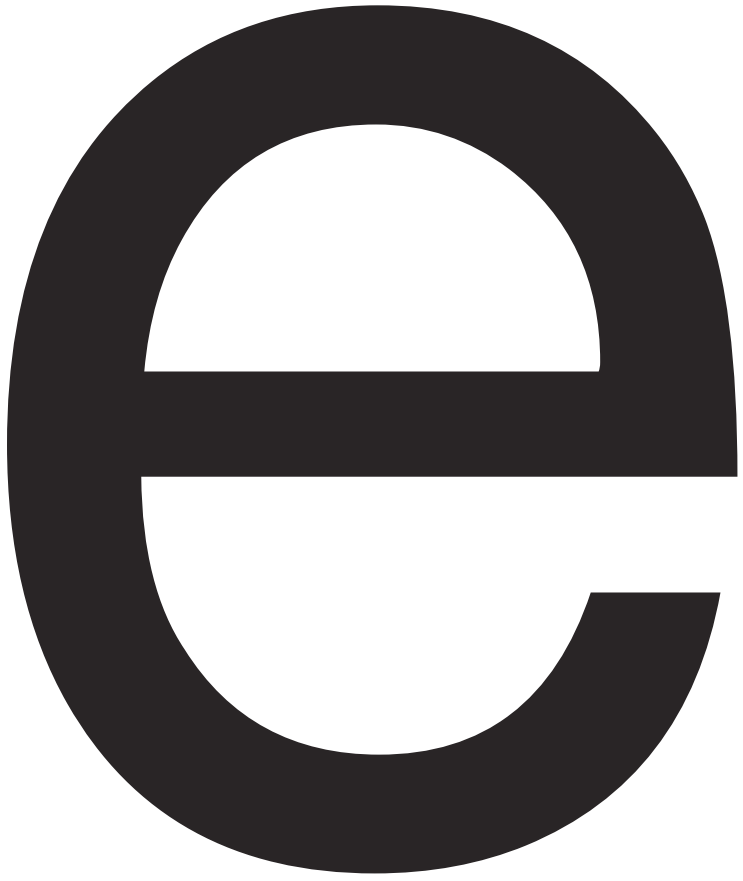

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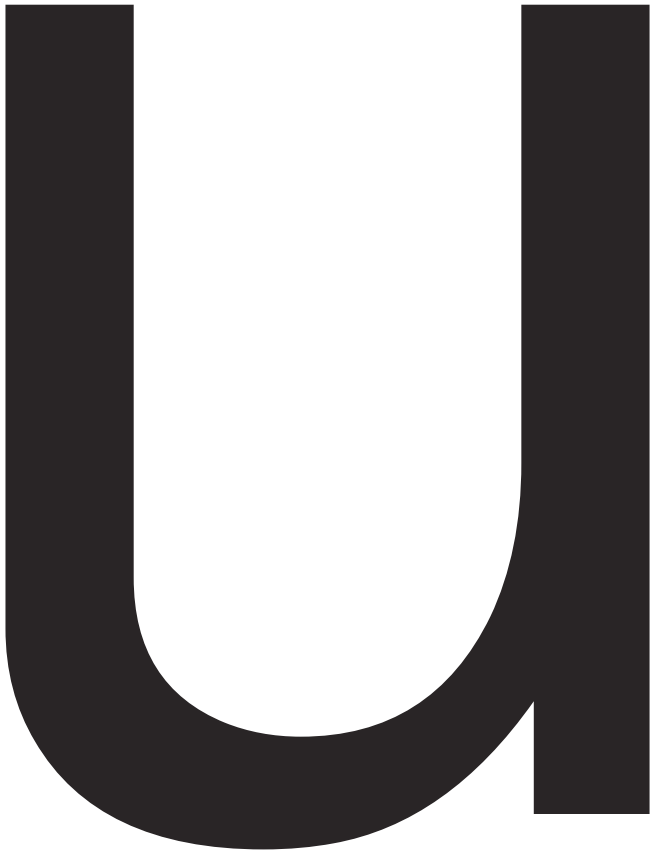

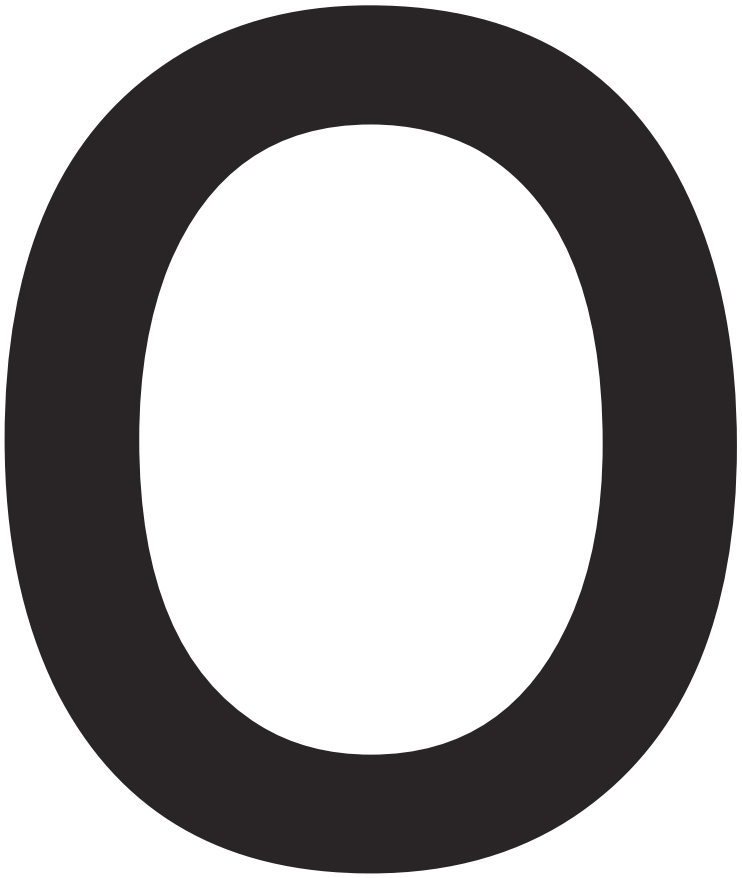

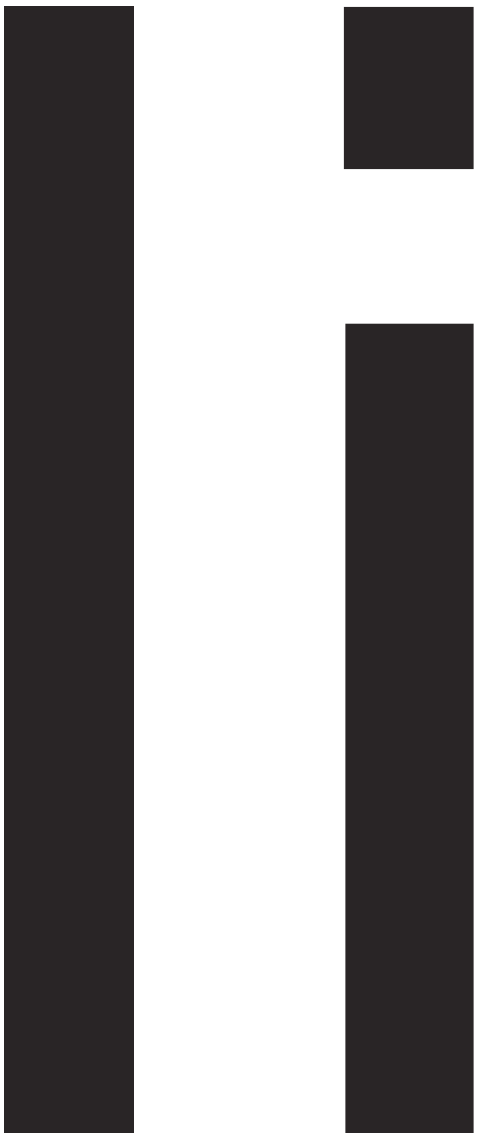

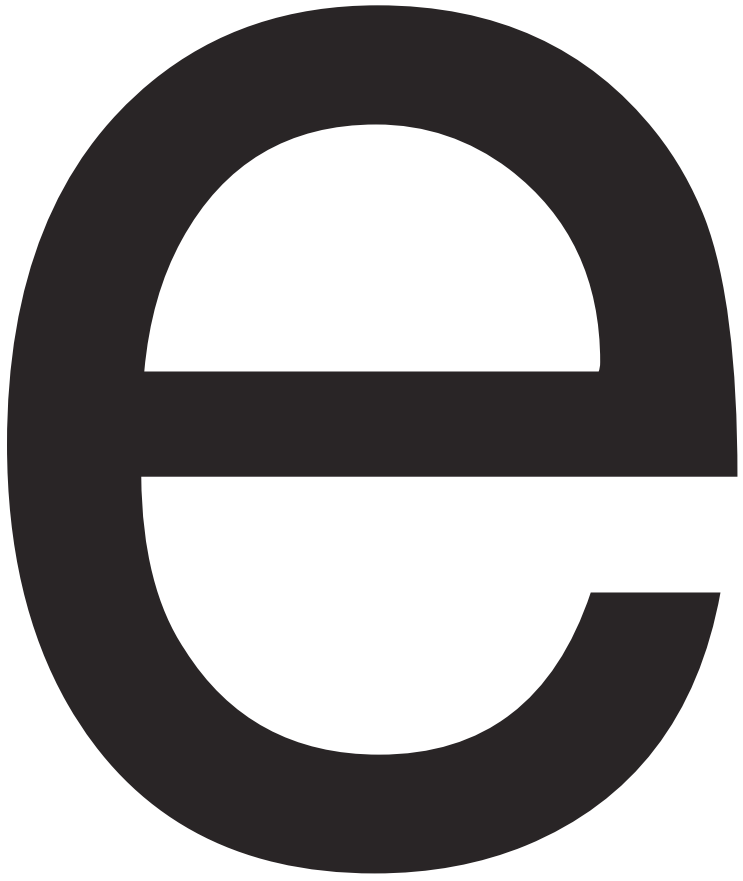

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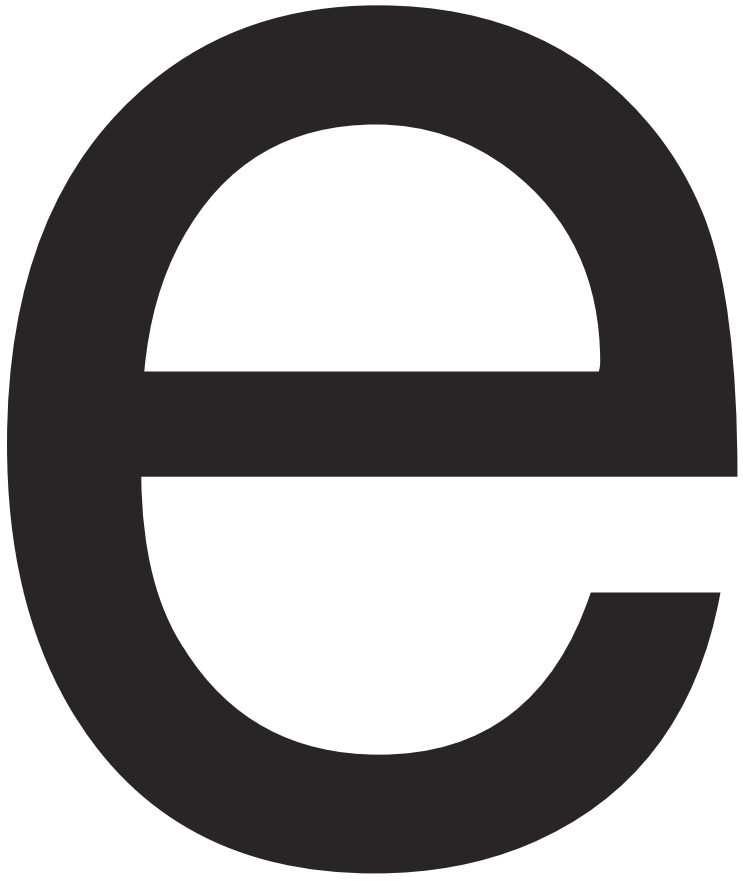

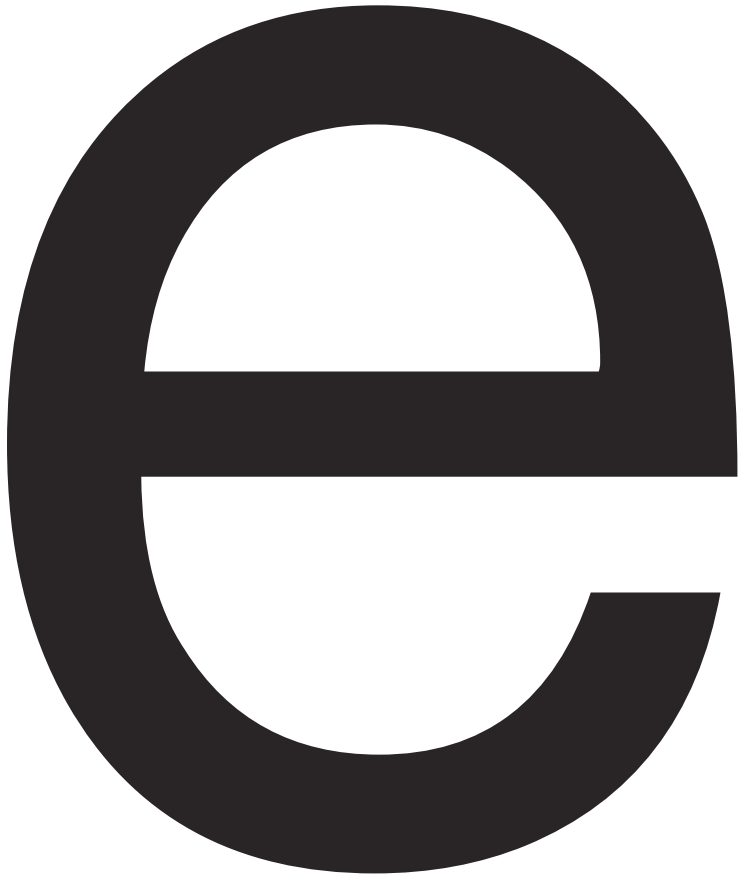

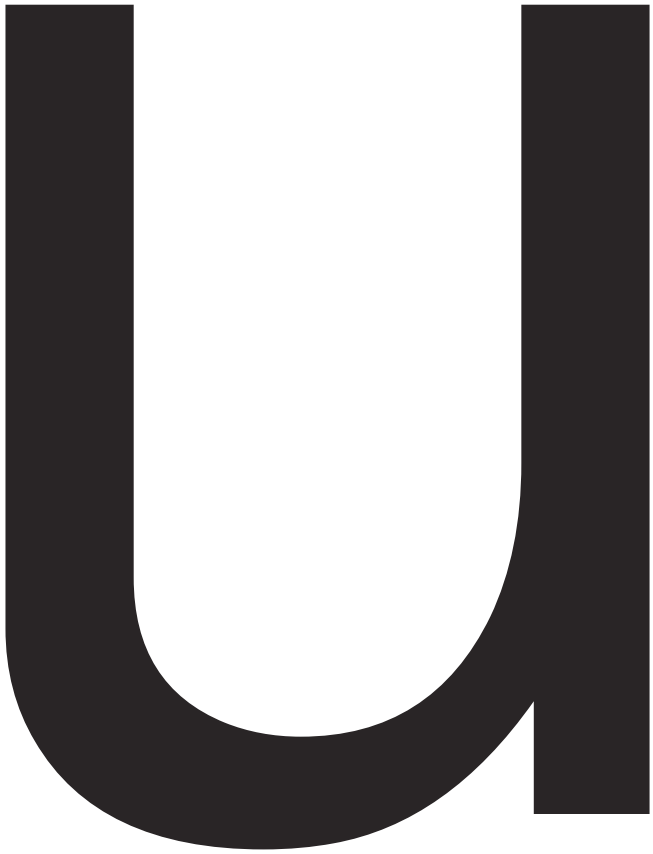

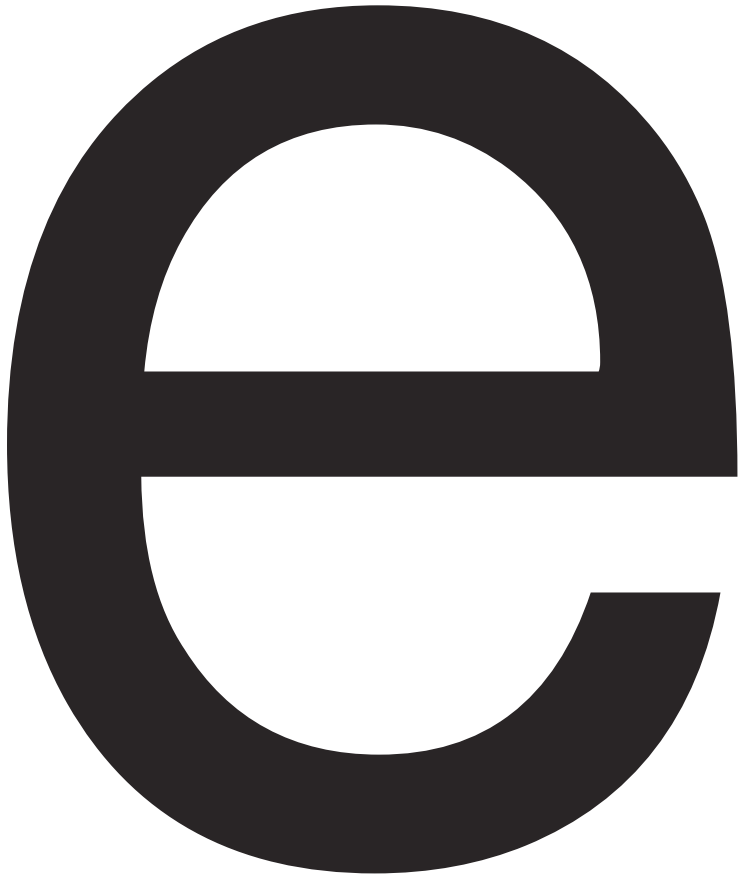

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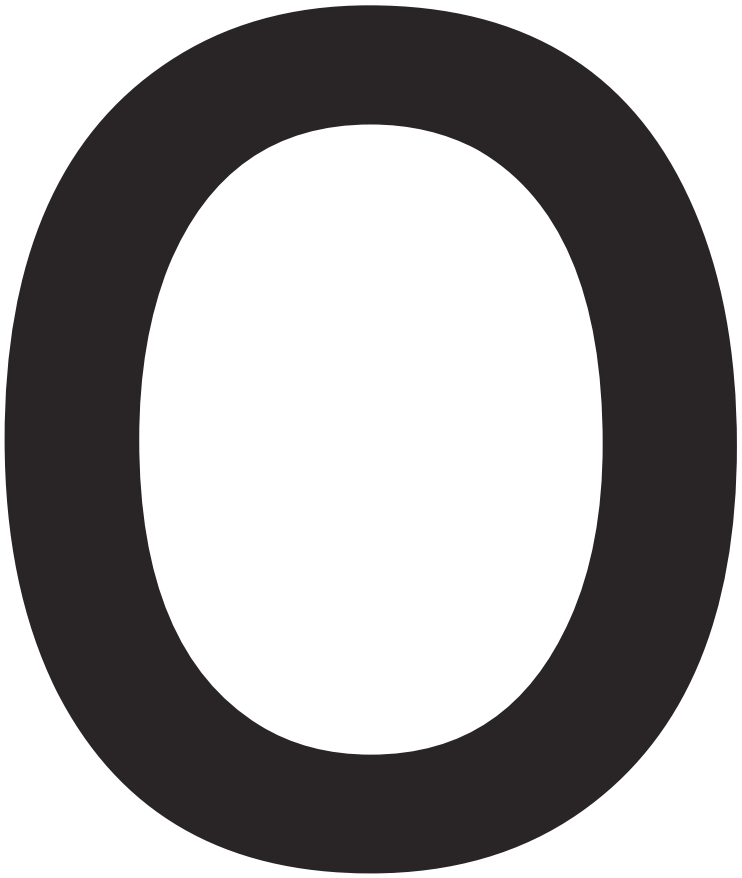

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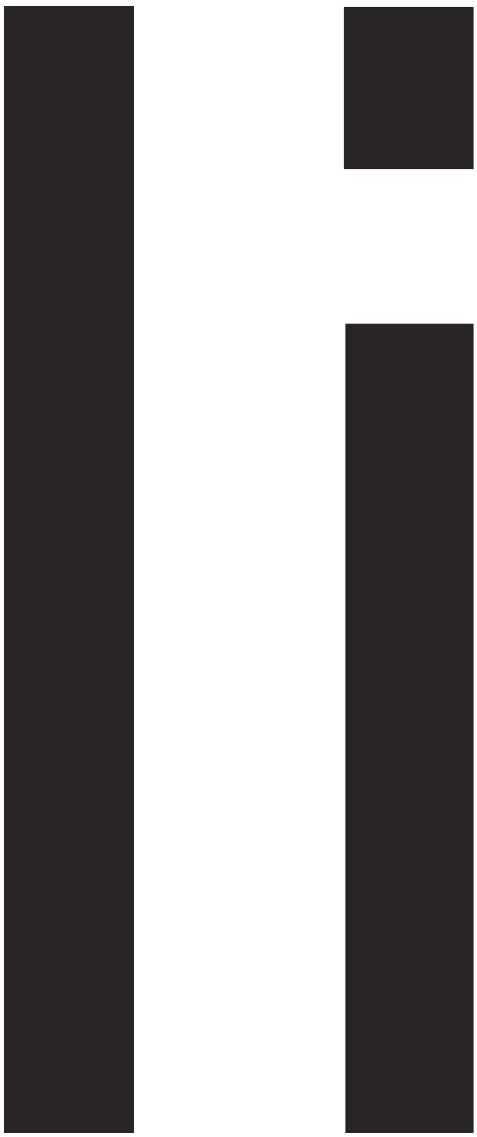
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