Comment distinguer les différents régimes de protection ?

La mesure de protection doit assurer dans les meilleures conditions affectives et matérielles possibles la protection de la personne et de son *patrimoine*.

Le souci de personnalisation des mesures impose de se repérer parmi l'éventail des protections.

Au besoin de protection provisoire qu'assure la ***sauvegarde de justice*** répond la protection durable de la *curatelle*

et de la *tutelle*, cette dernière constituant un dernier recours à l'égard des

majeurs pour lesquels les effets des autres régimes s'avéreraient insuffisants.

Le choix entre *curatelle* et *tutelle*

s'opère en fonction du besoin de protection révélé par

l'état du majeur : celui d'être représenté d'une

manière continue ou celui d'être conseillé ou contrôlé

pour le majeur présentant un degré d'autonomi

e psychologique et physique suffisante

et ayant conservé les moyens et le désir d'intervenir

dans la gestion de ses affaires.

En outre, la *curatelle* est seule envisage

able

lorsque la protection résulte de

la prodigalité, l'intempér

ance ou l'oisiveté du majeur.

Même renforcée, une *curatelle*

doit être préférée à une *tutelle*

organisée sous la

forme simplifiée de la

gérance, voire aména

gée,

car tout

oppose

un

système

fondé

sur la représentation

où il apparti ent à

autrui de penser

et d'agir aux lieu et place

du majeur, et un

système fondé sur

l'assistance où les

actes

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De plus, la *cur*

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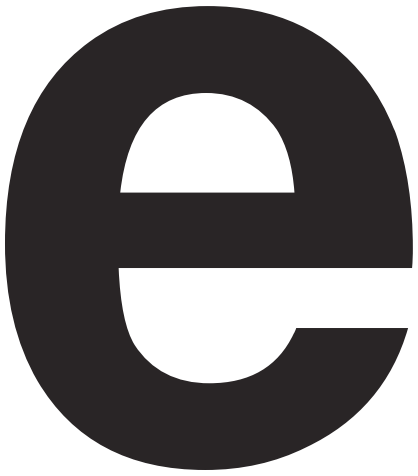

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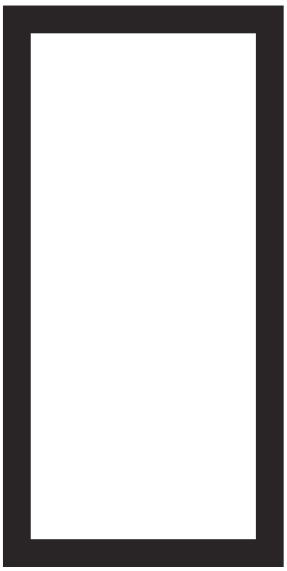

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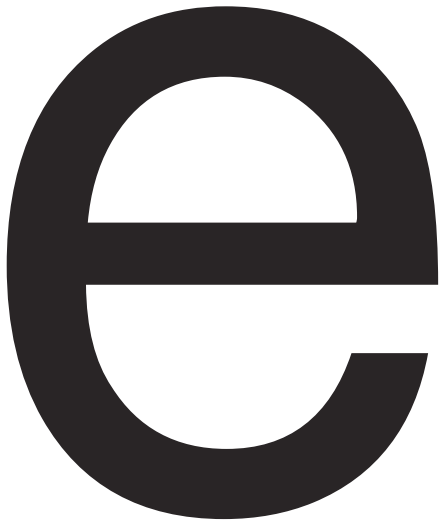

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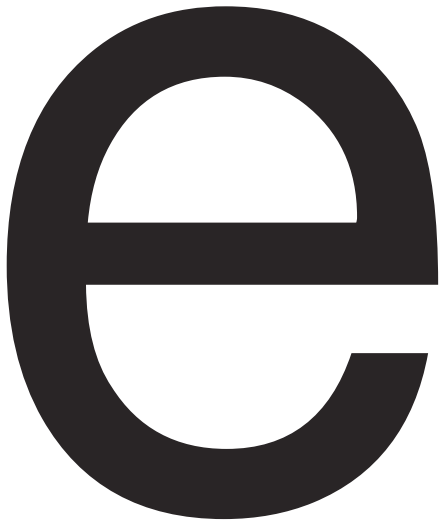

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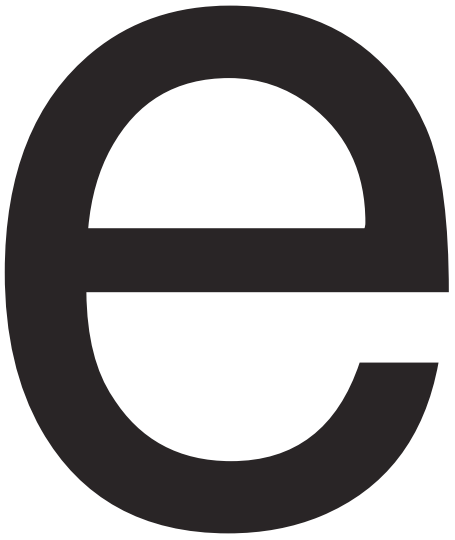

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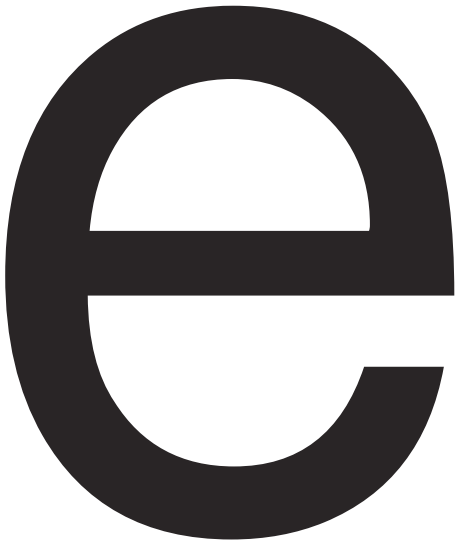

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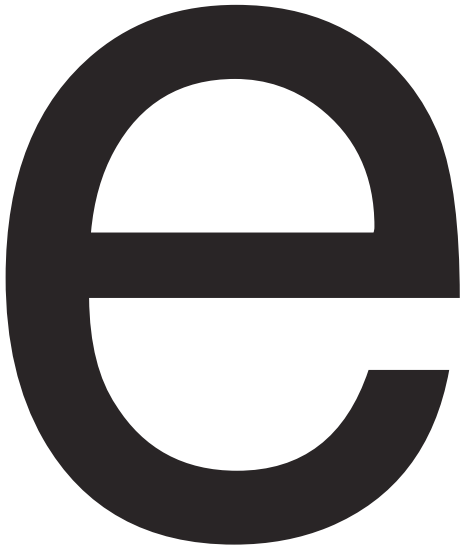

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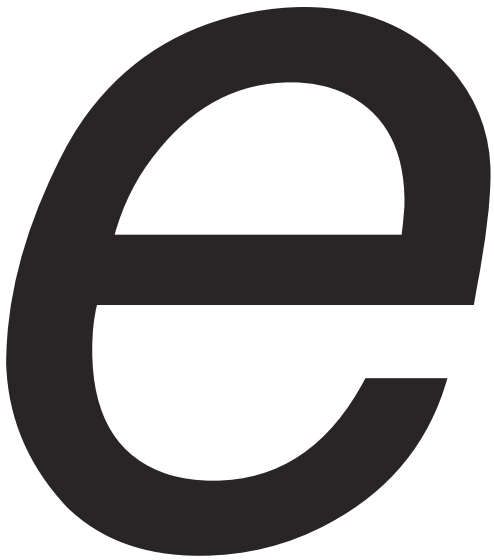

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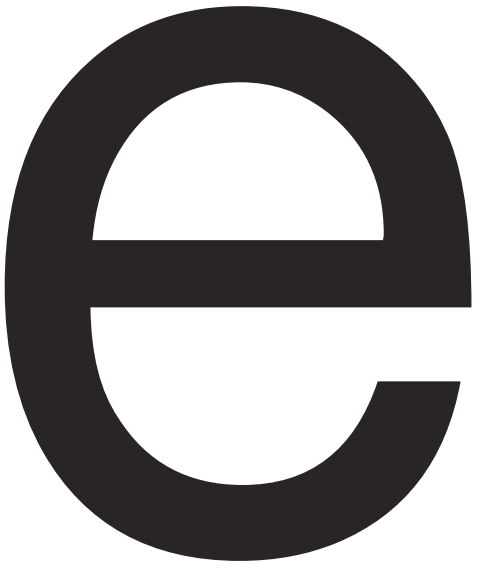

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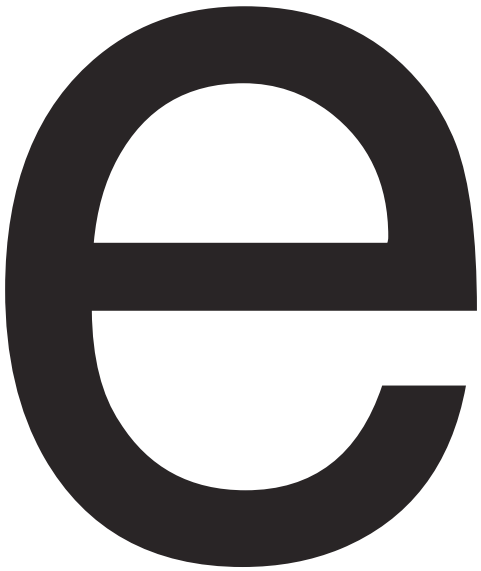

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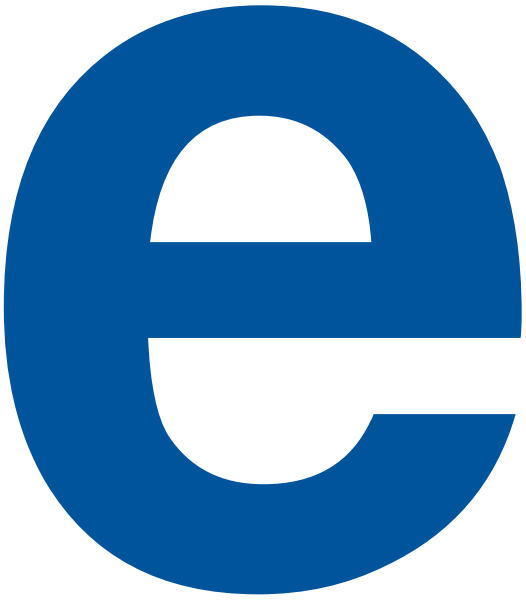

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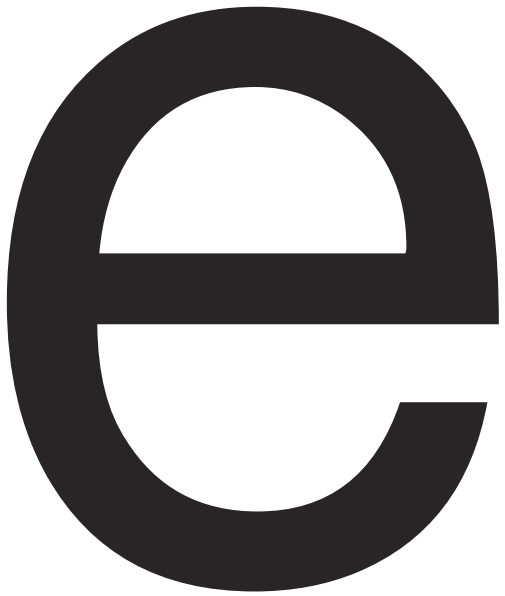

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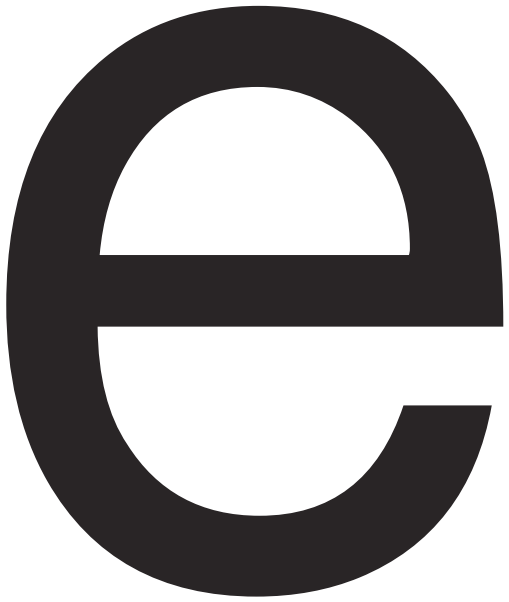

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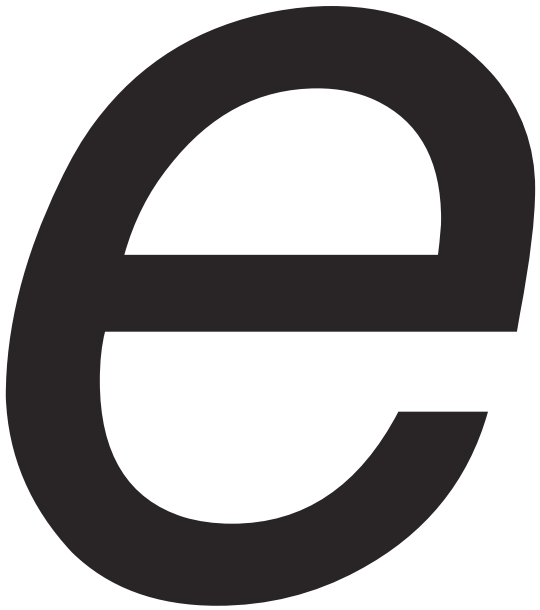

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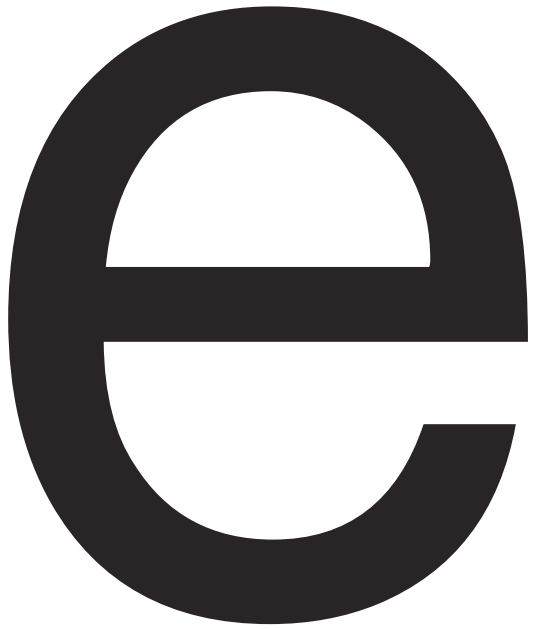

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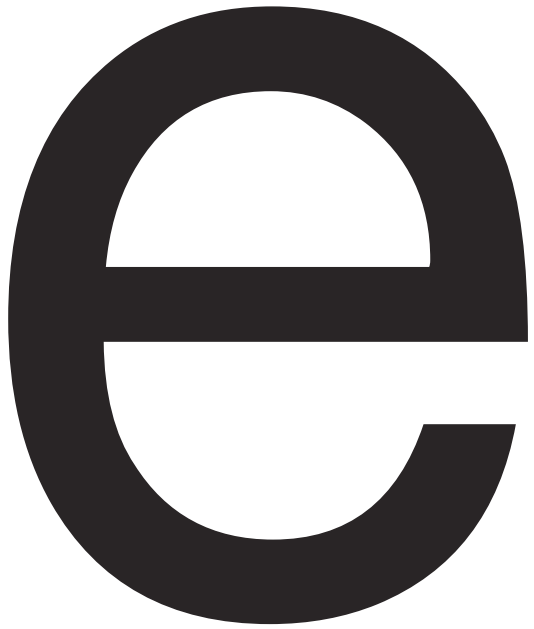

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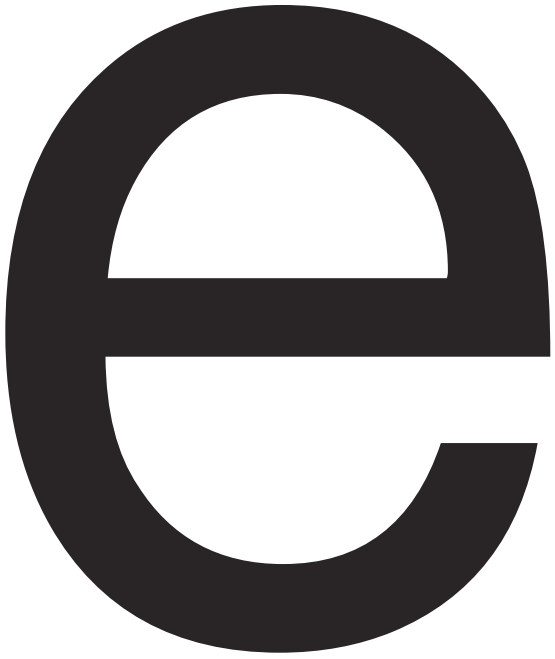

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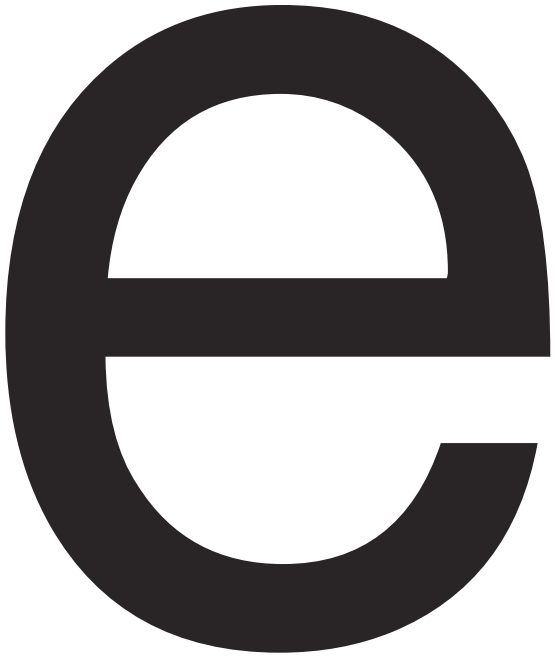

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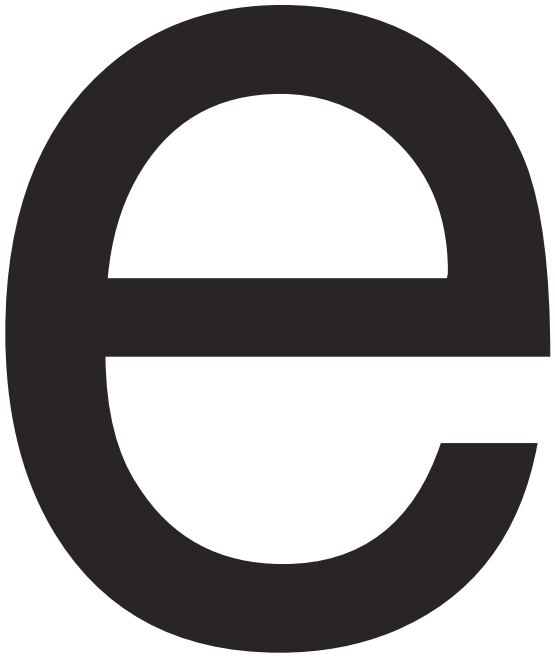

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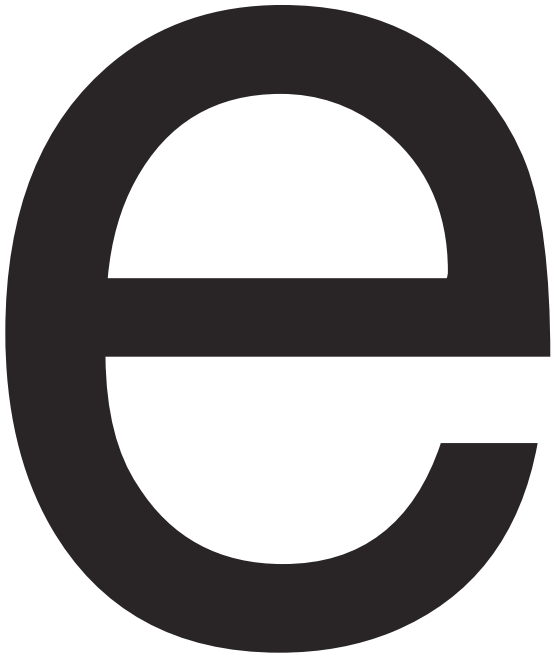

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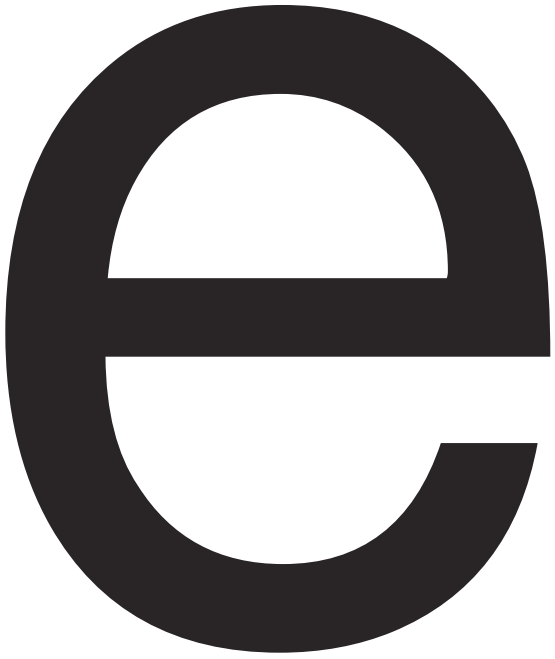

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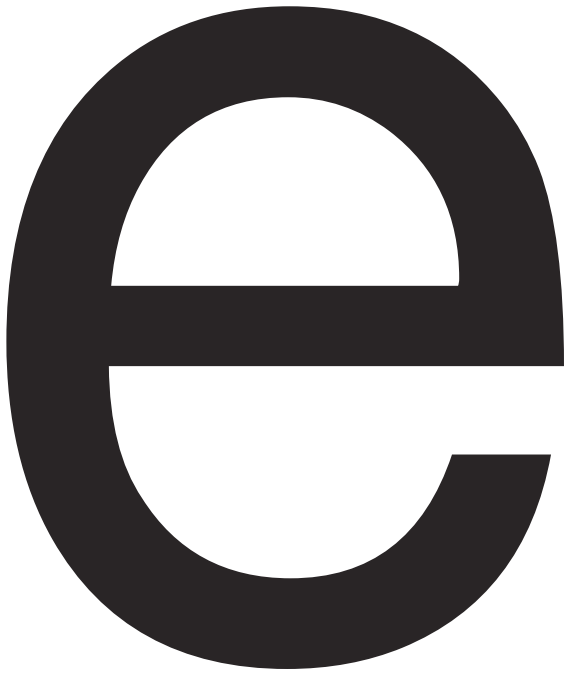

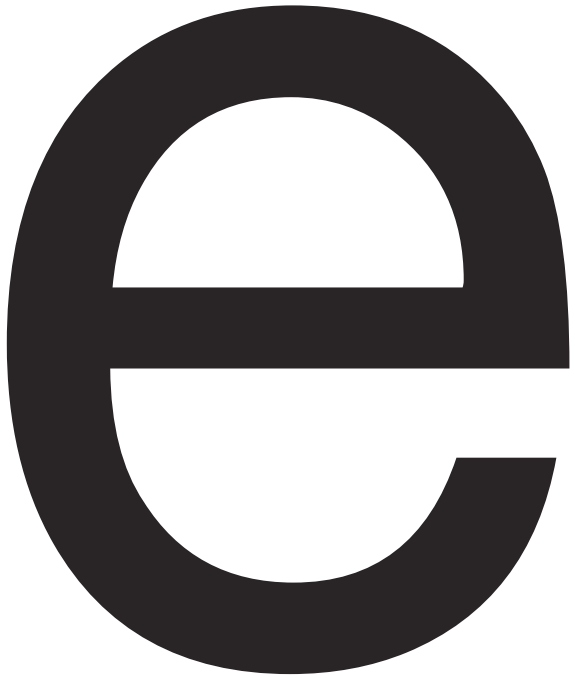

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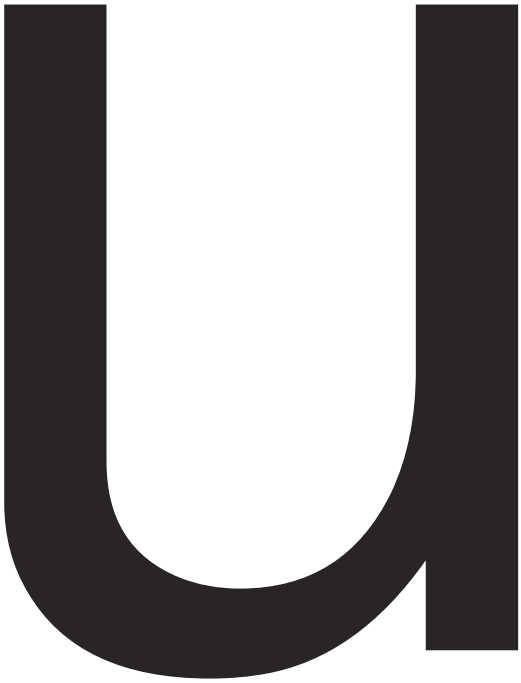

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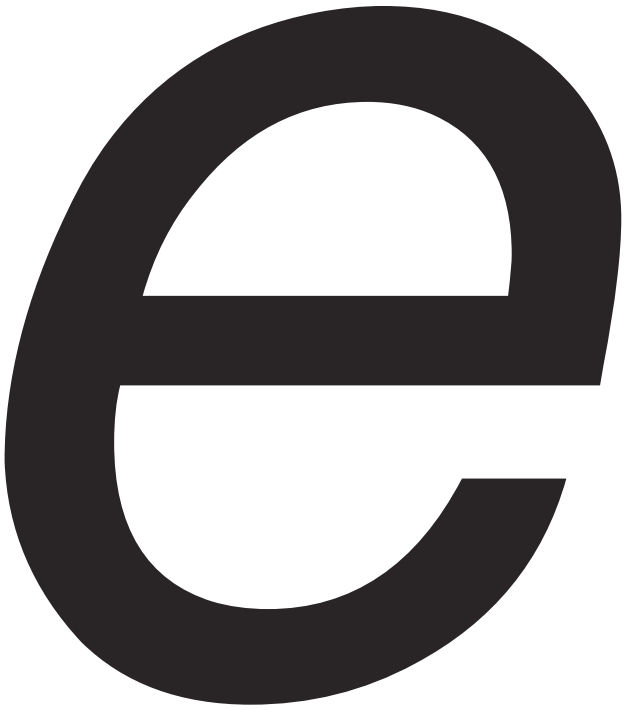

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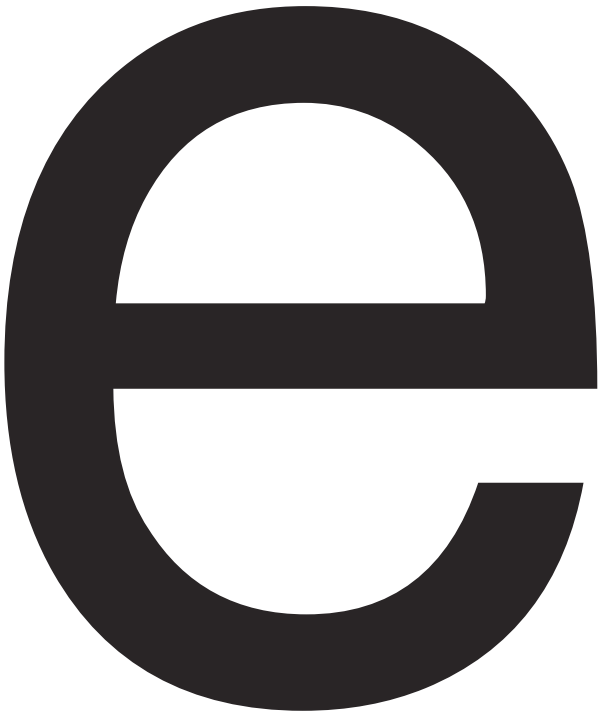

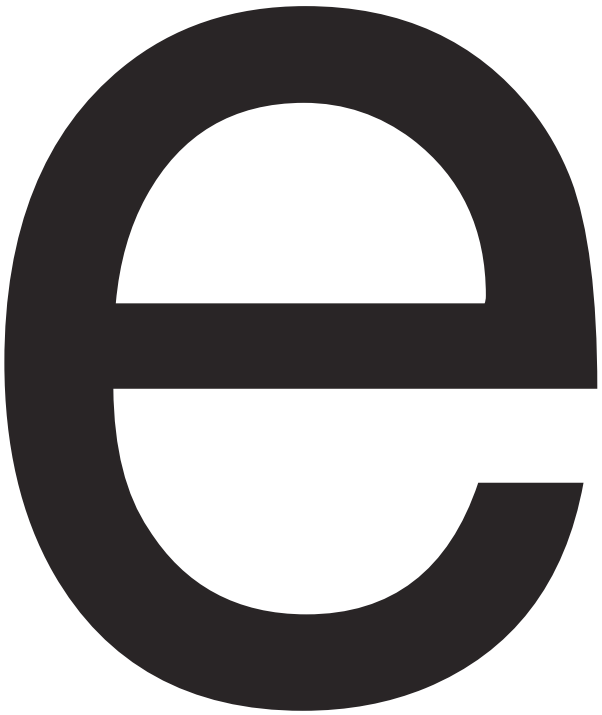

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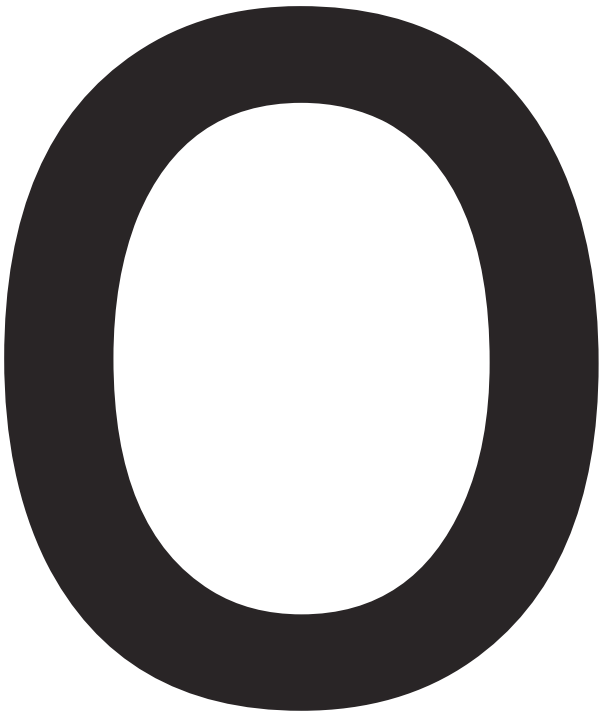

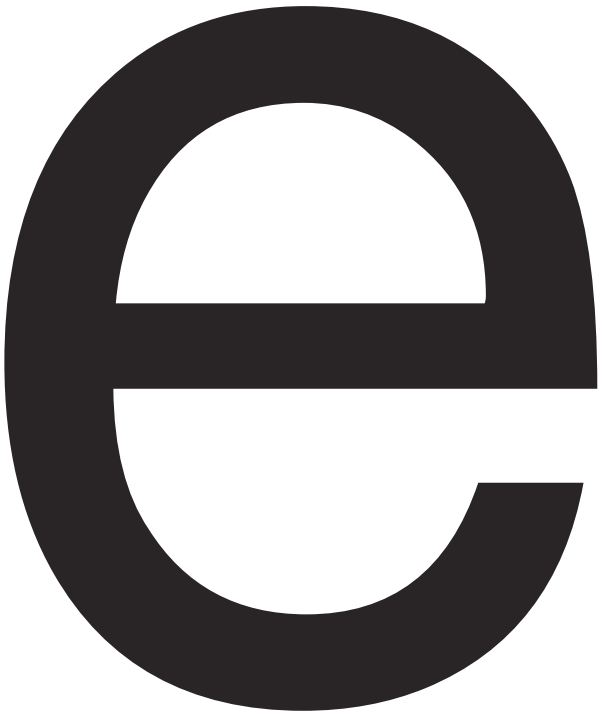

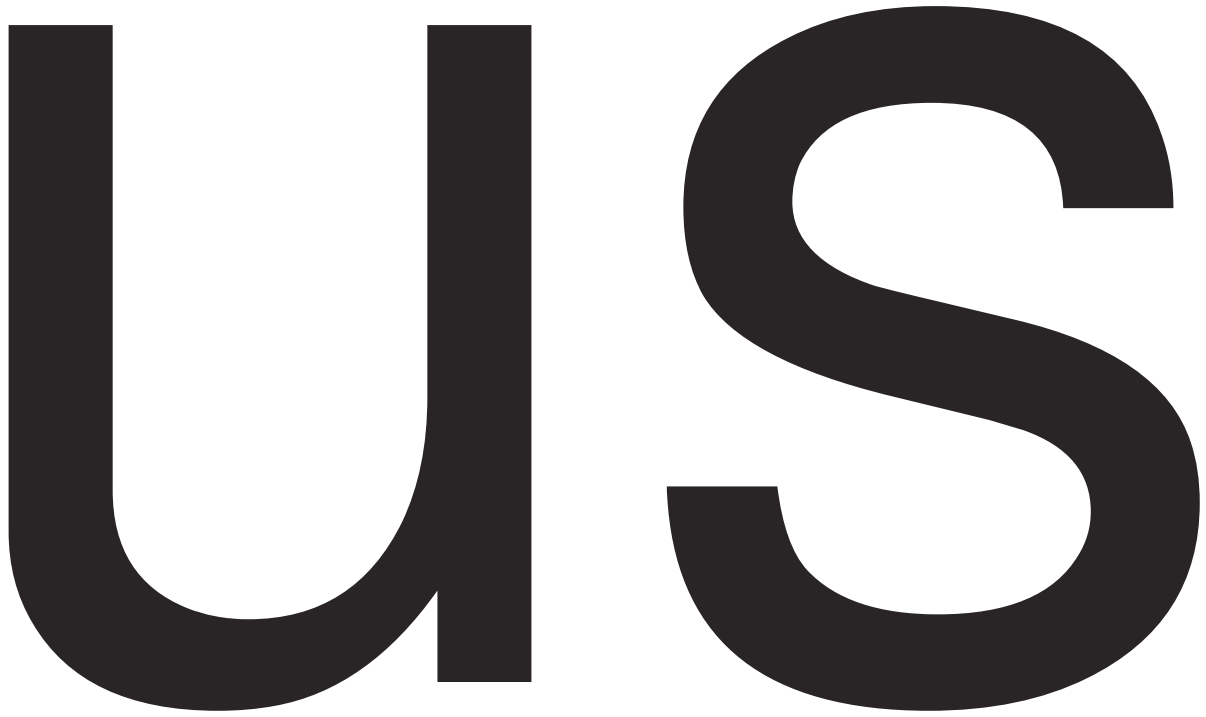

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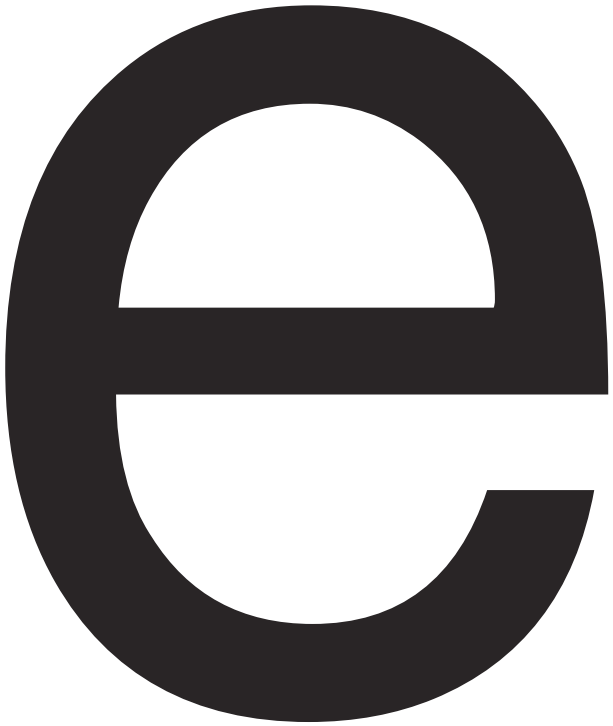

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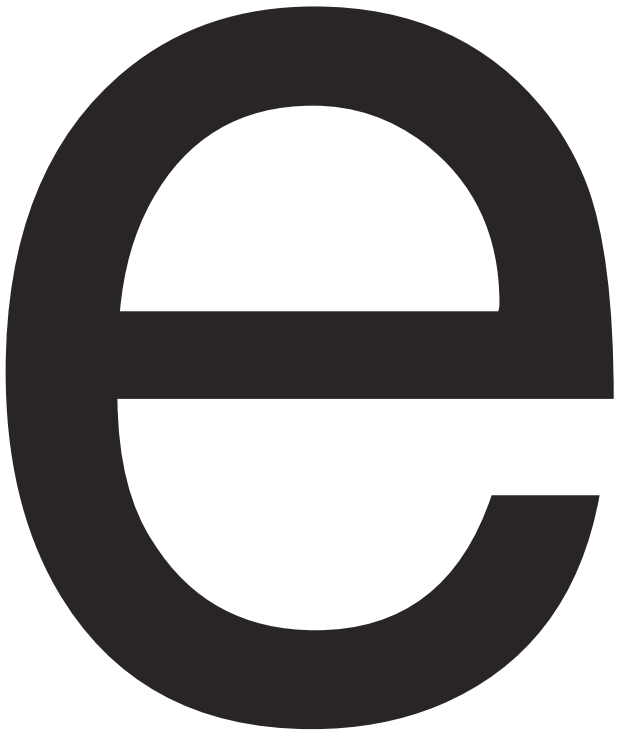

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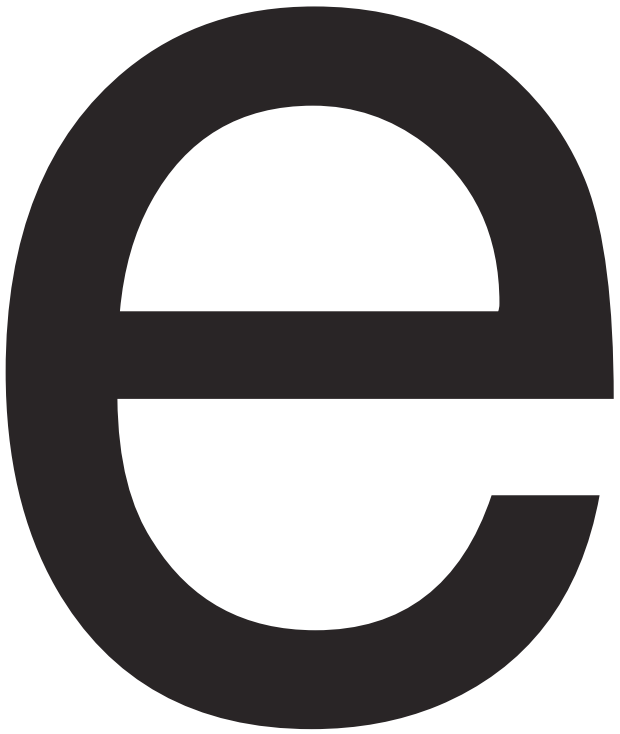

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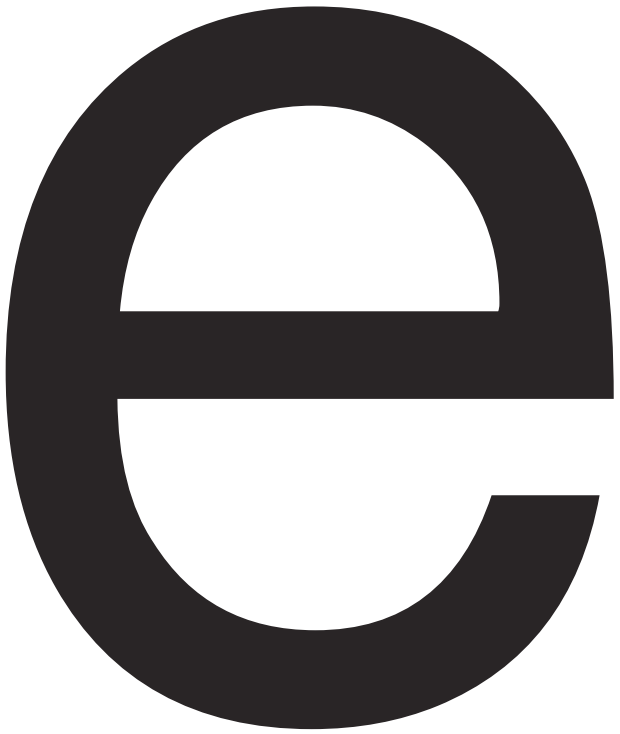

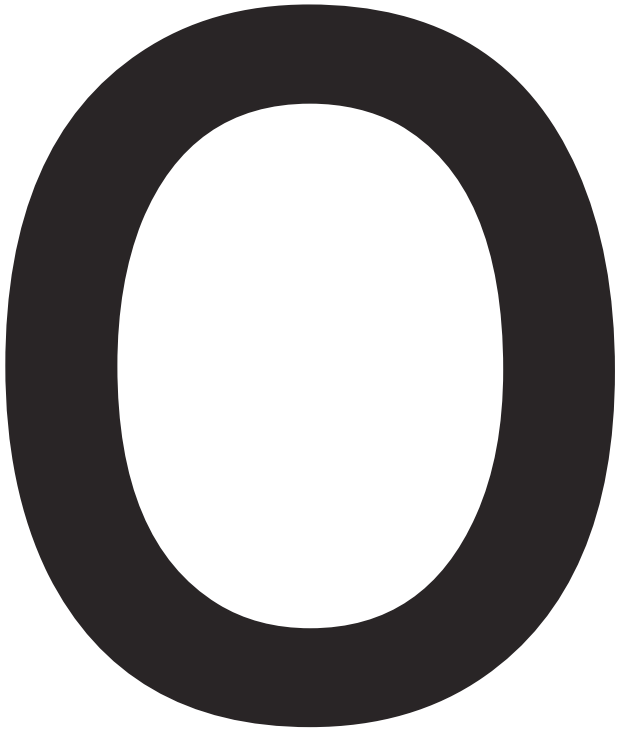

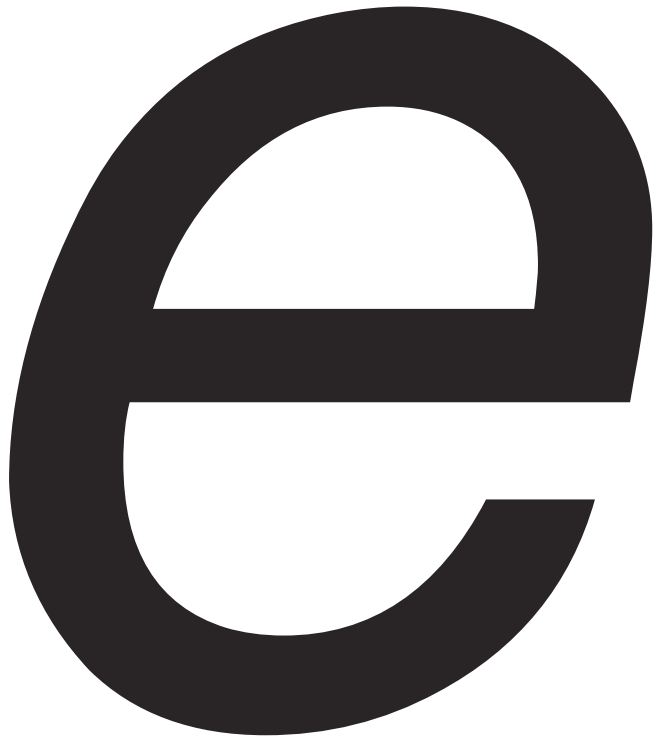

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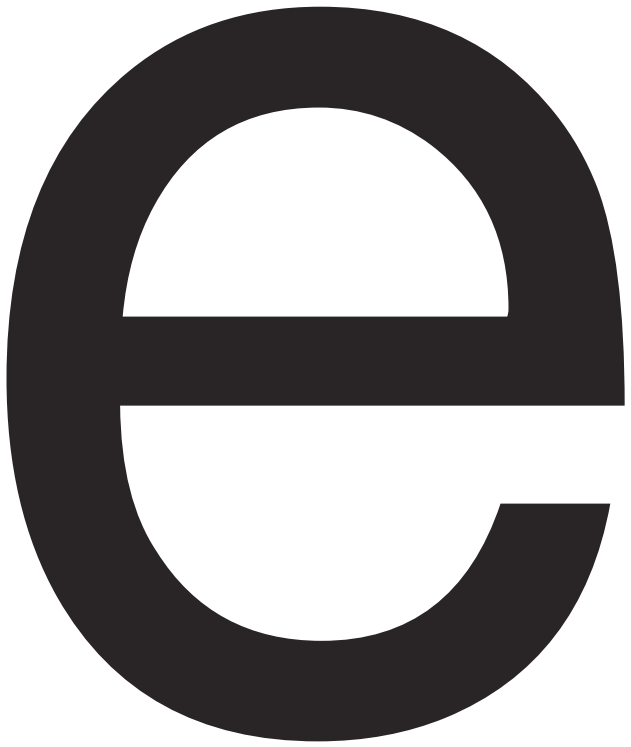

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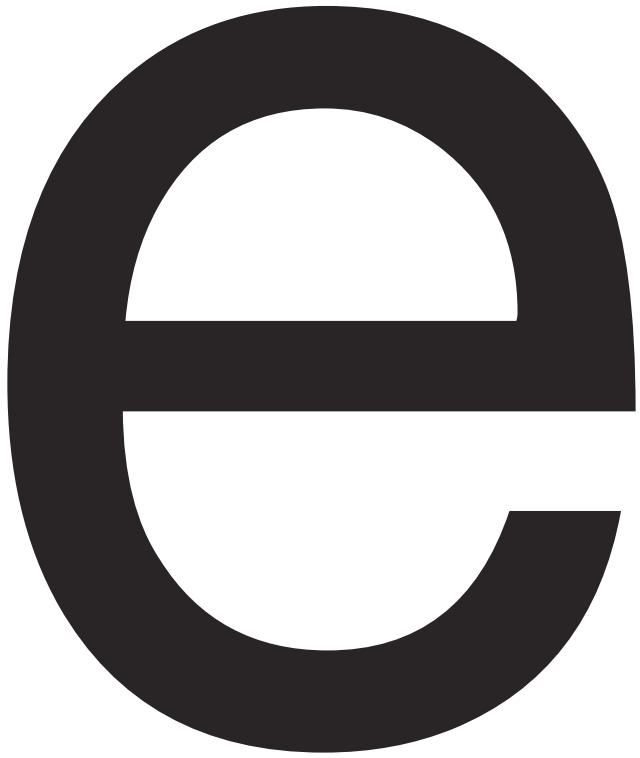

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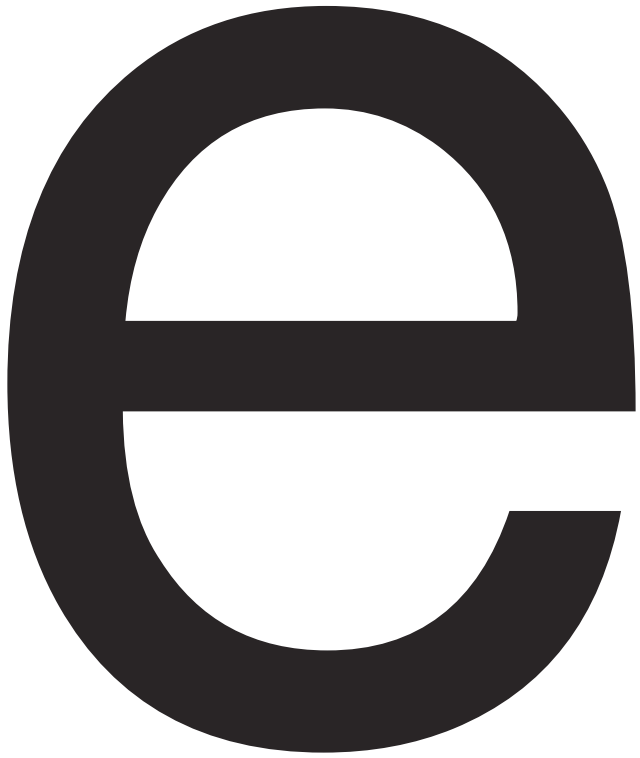

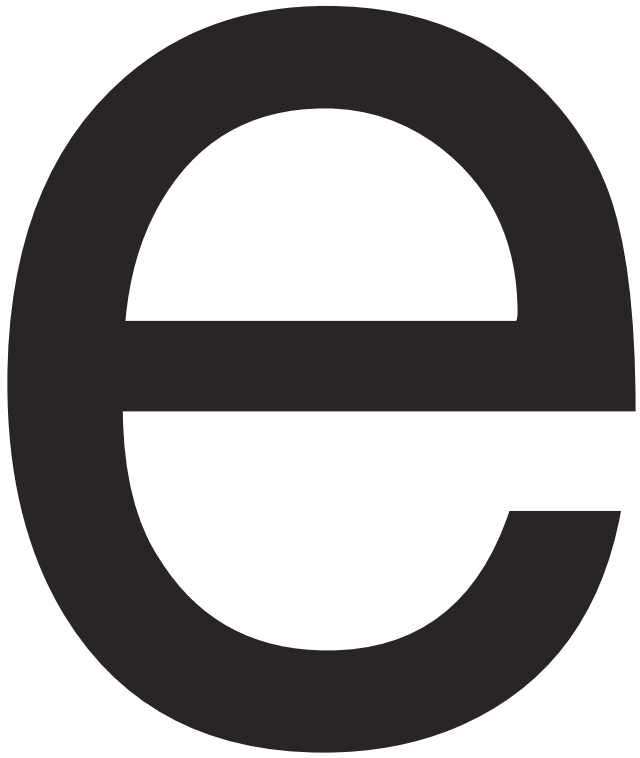

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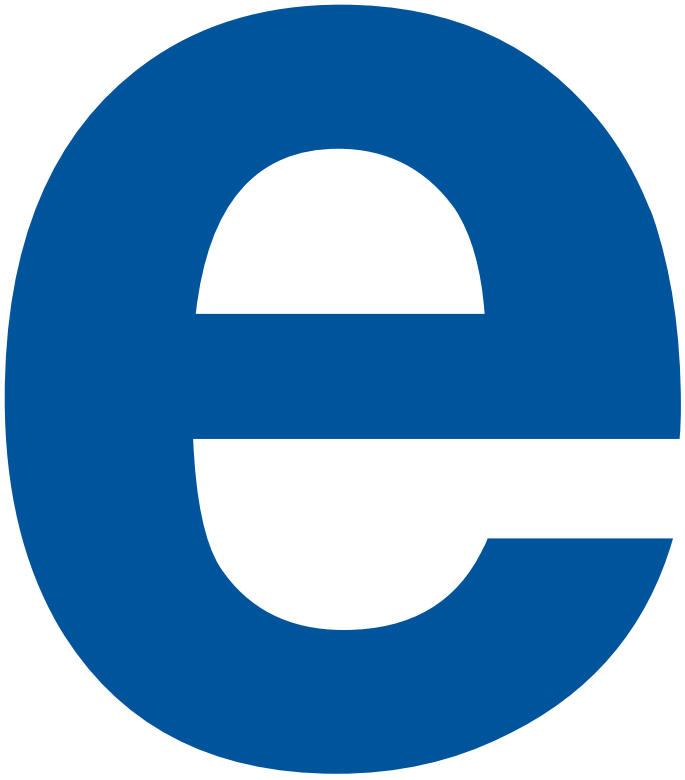

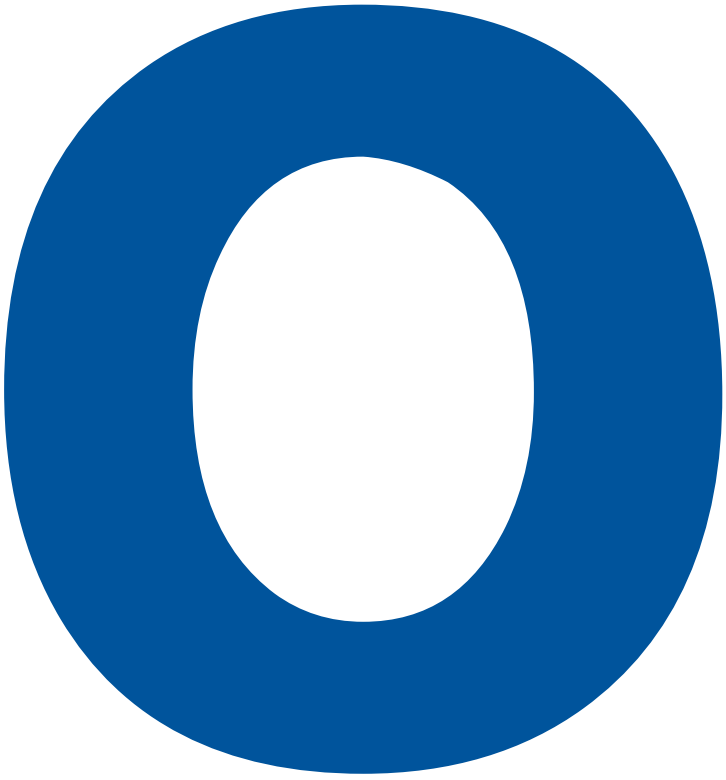

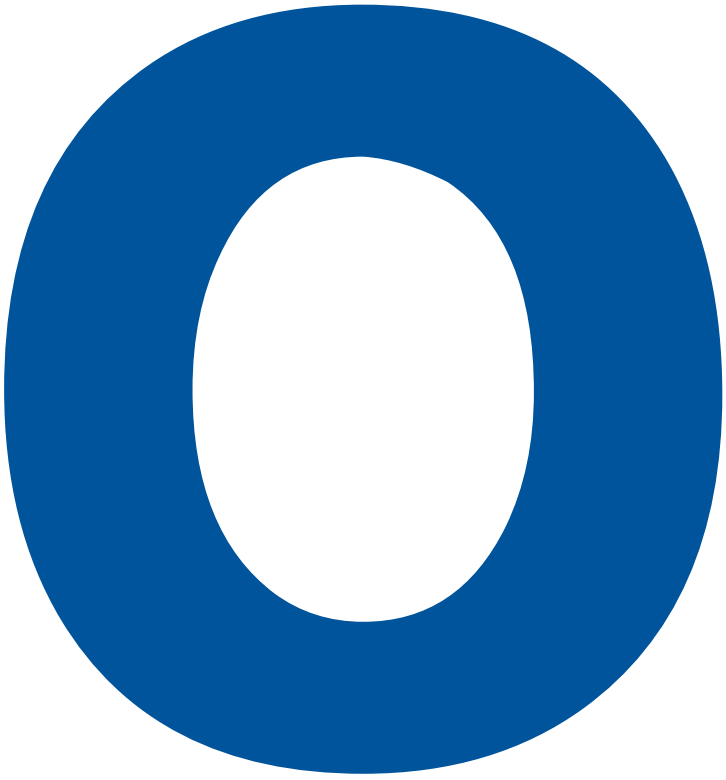

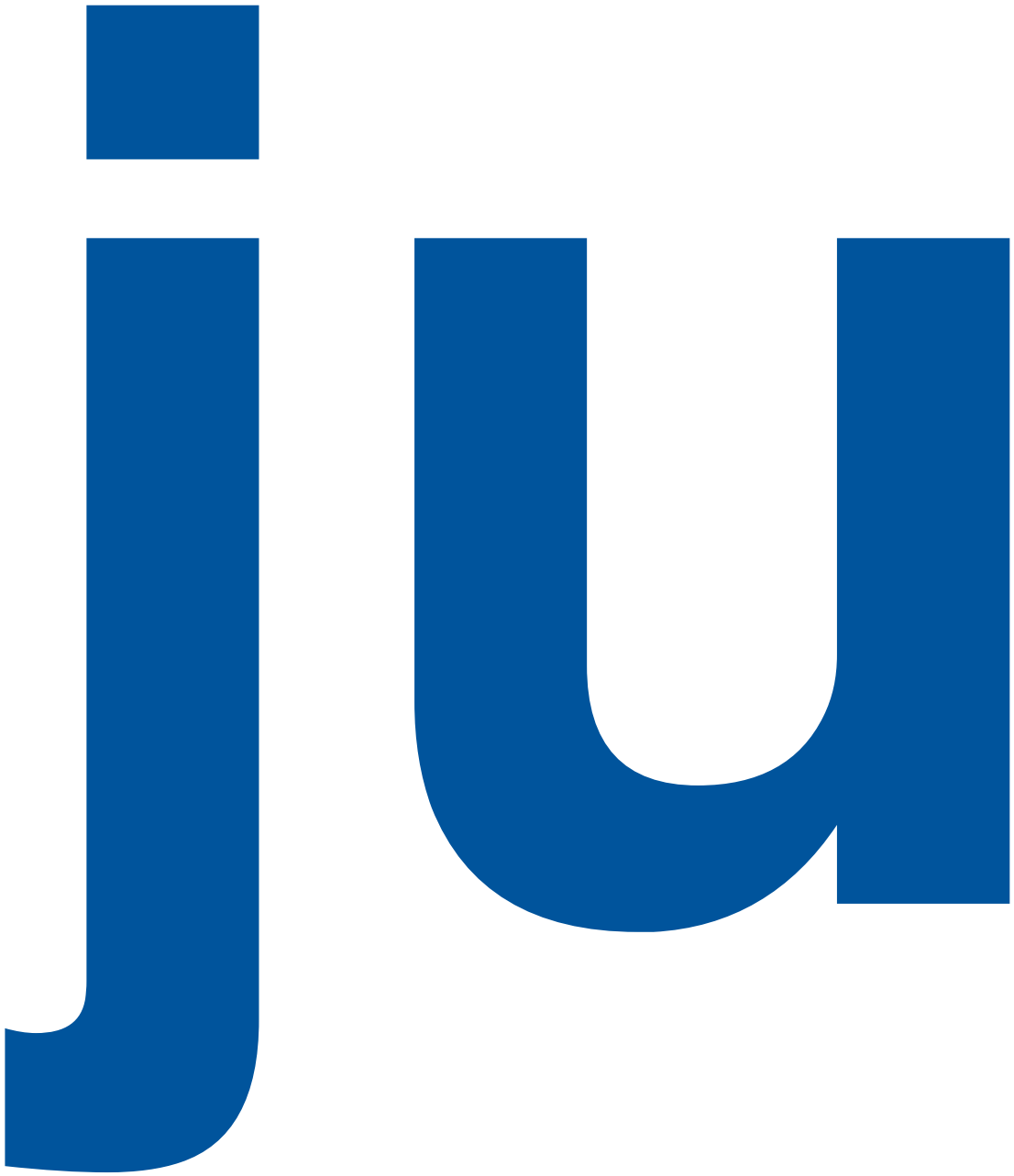

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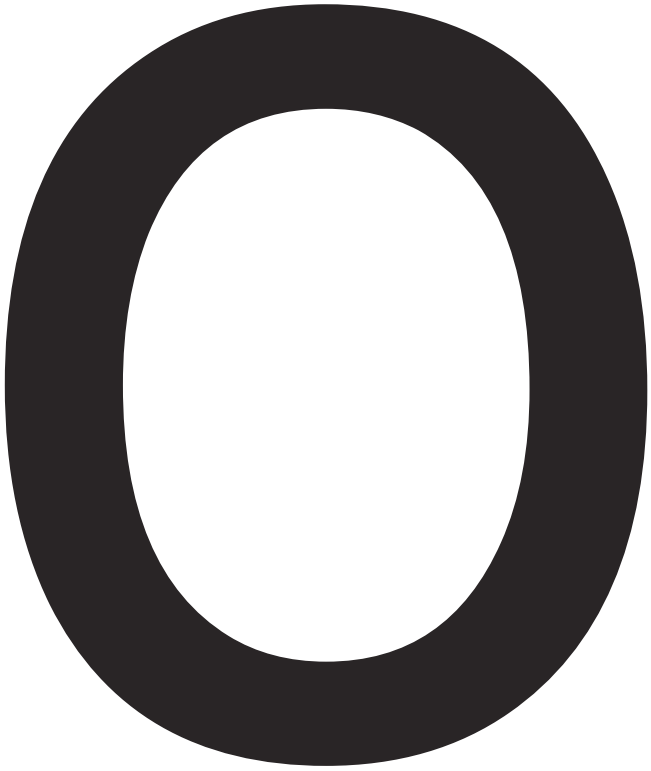

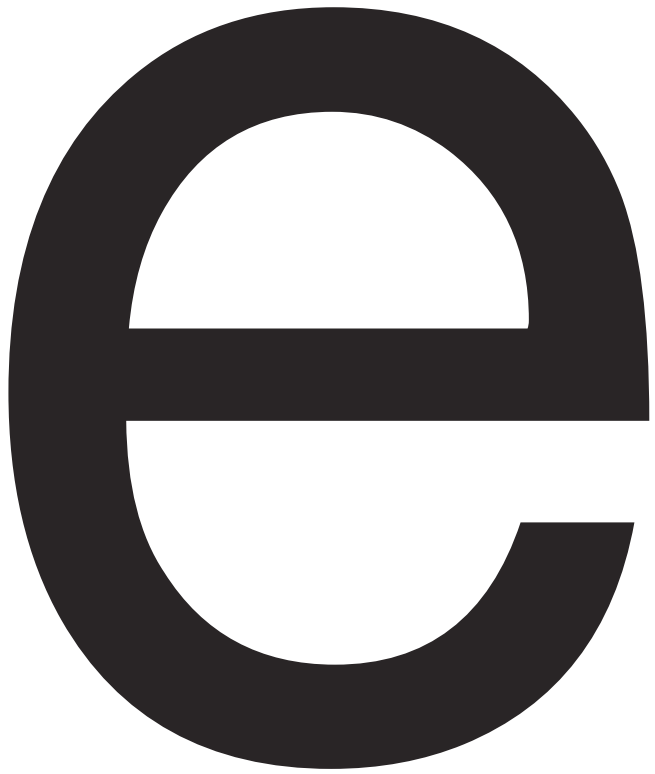

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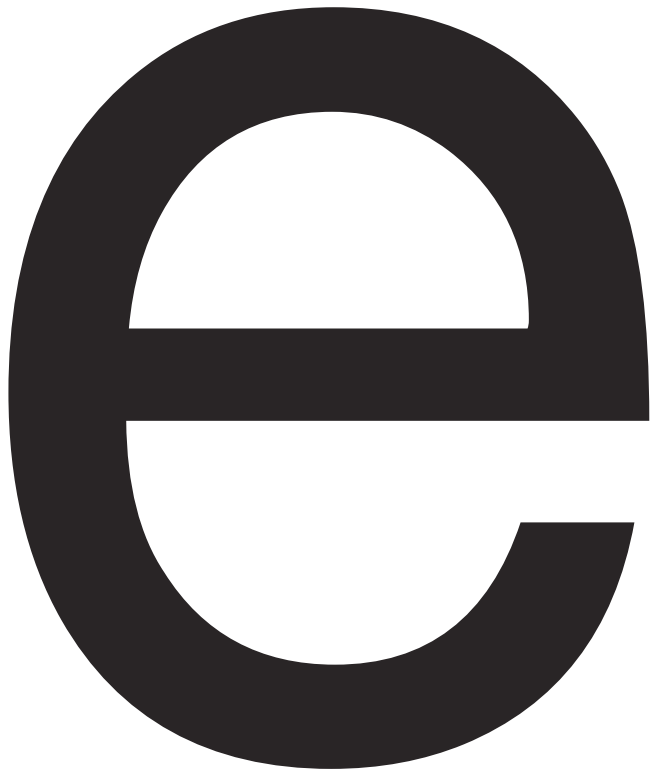

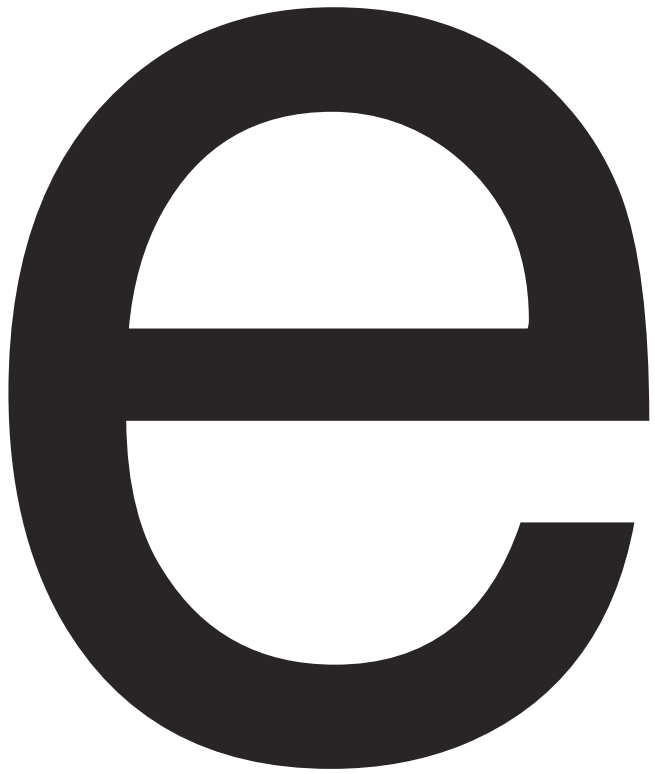

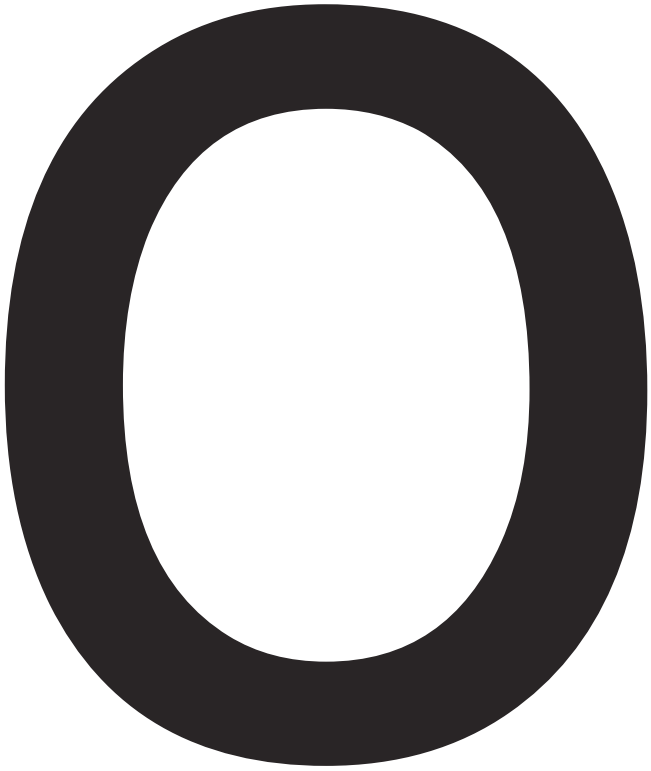

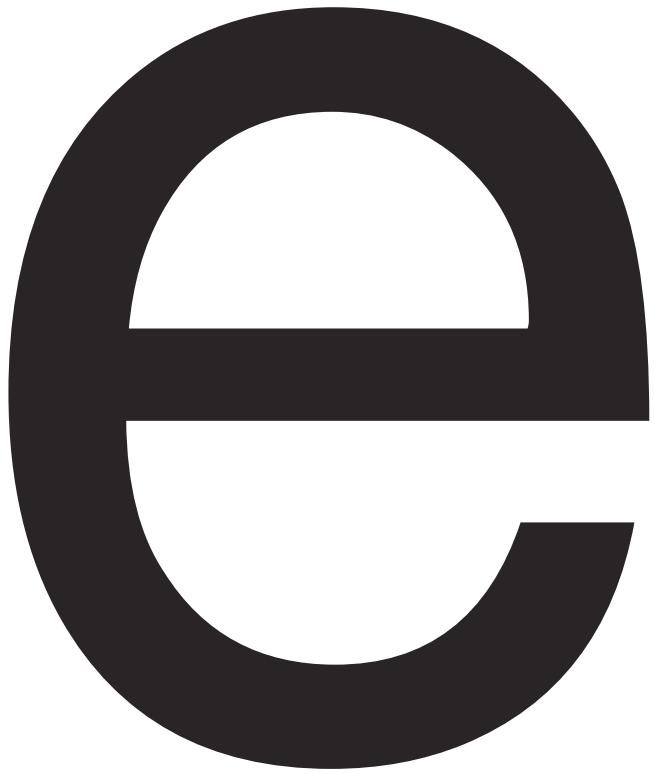

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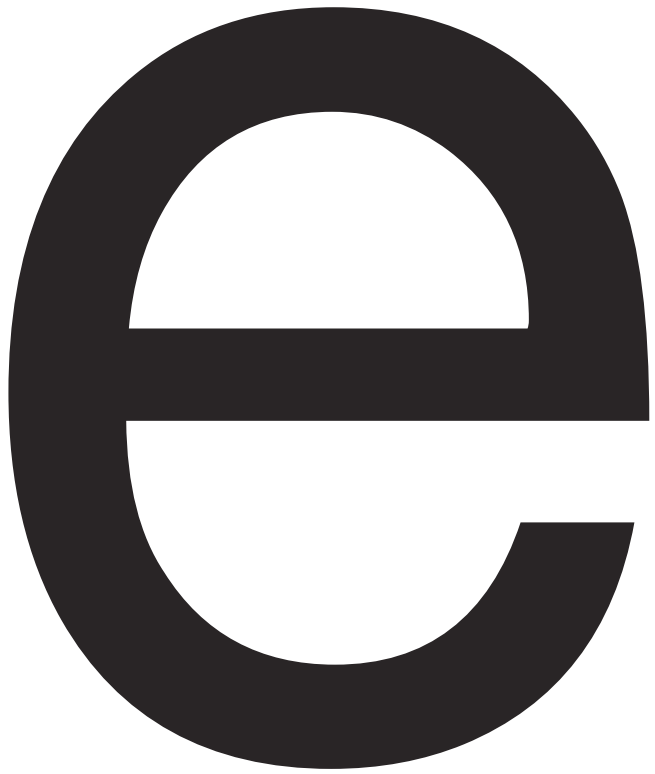

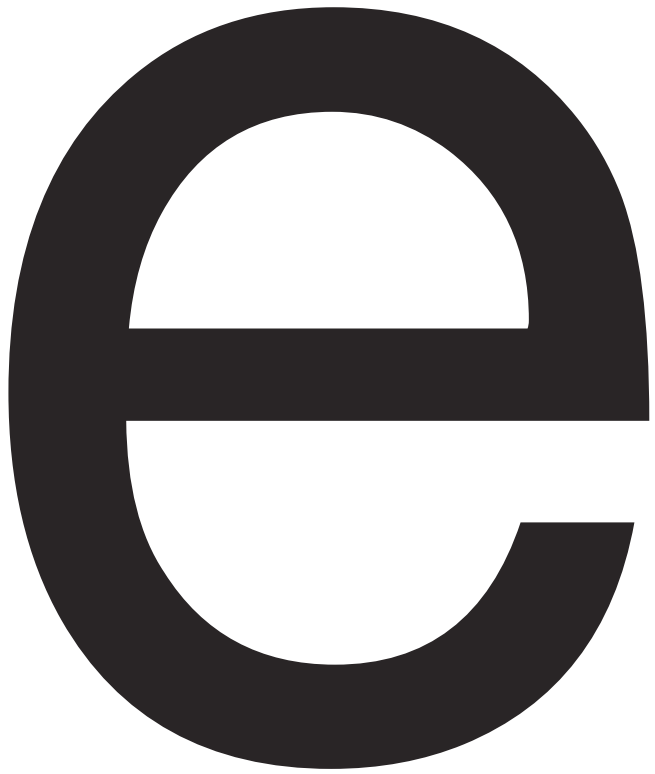

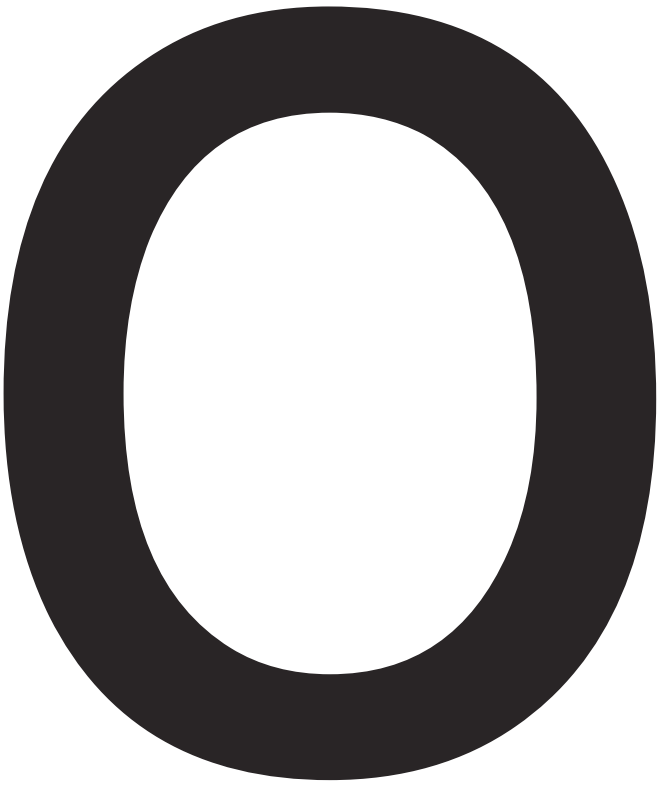

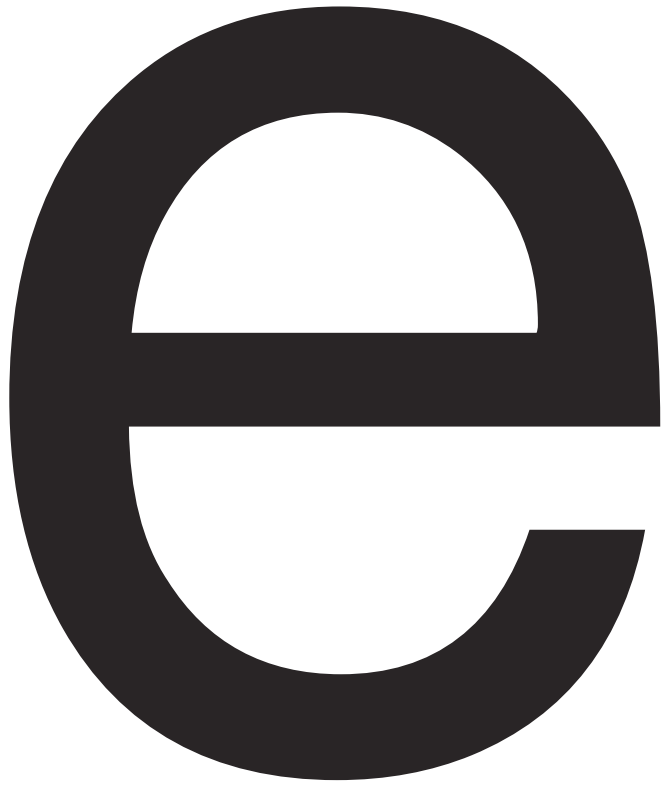

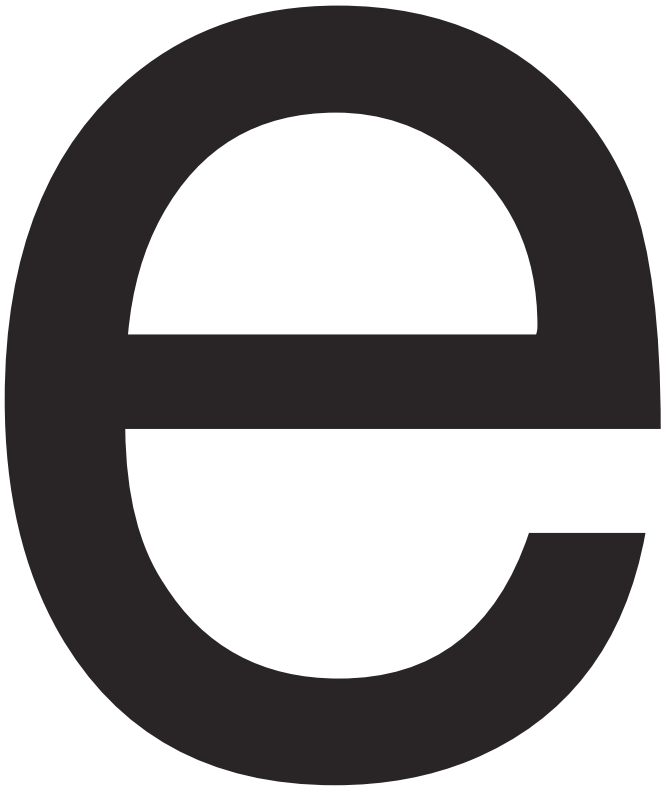

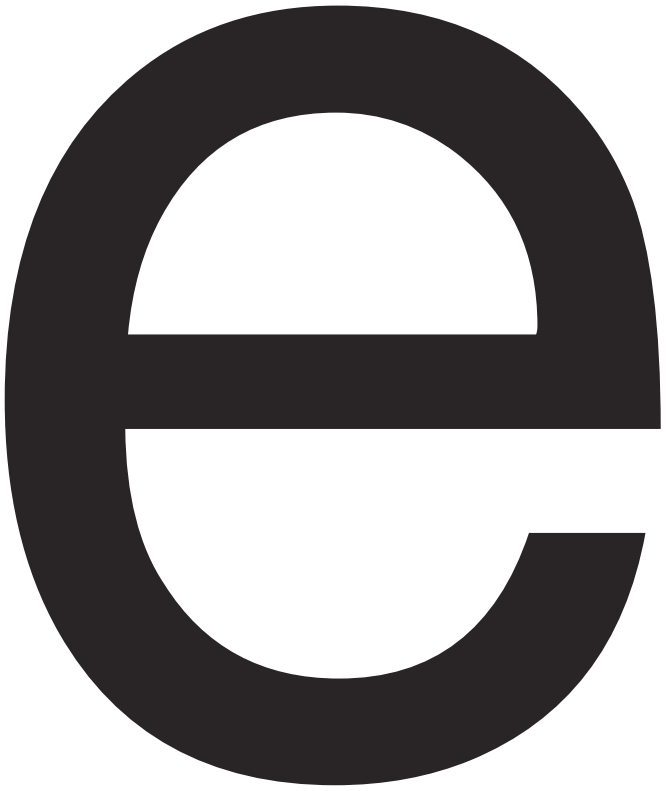

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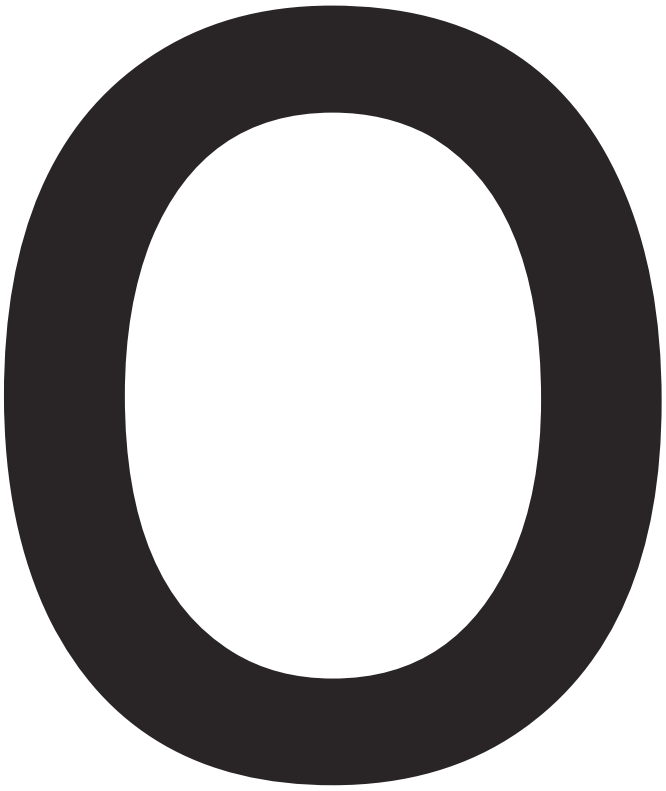

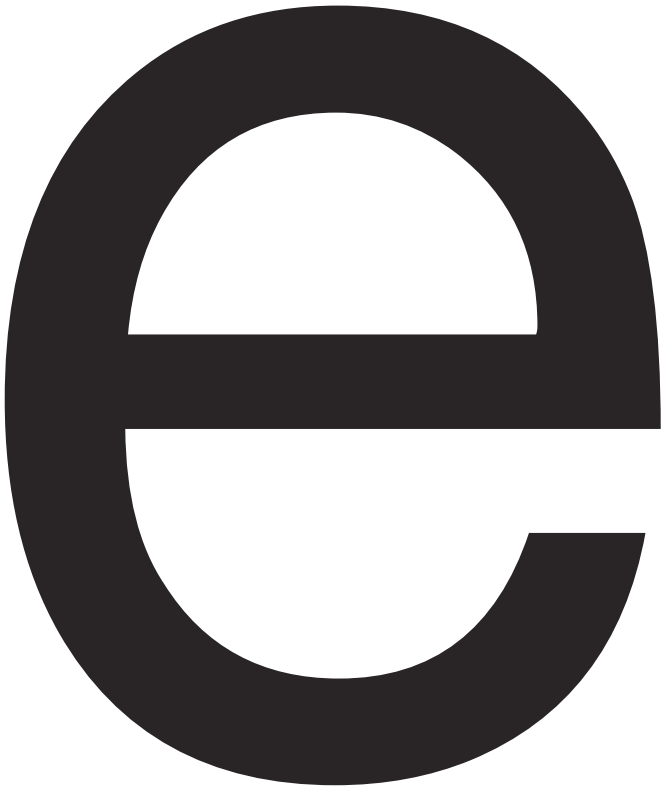

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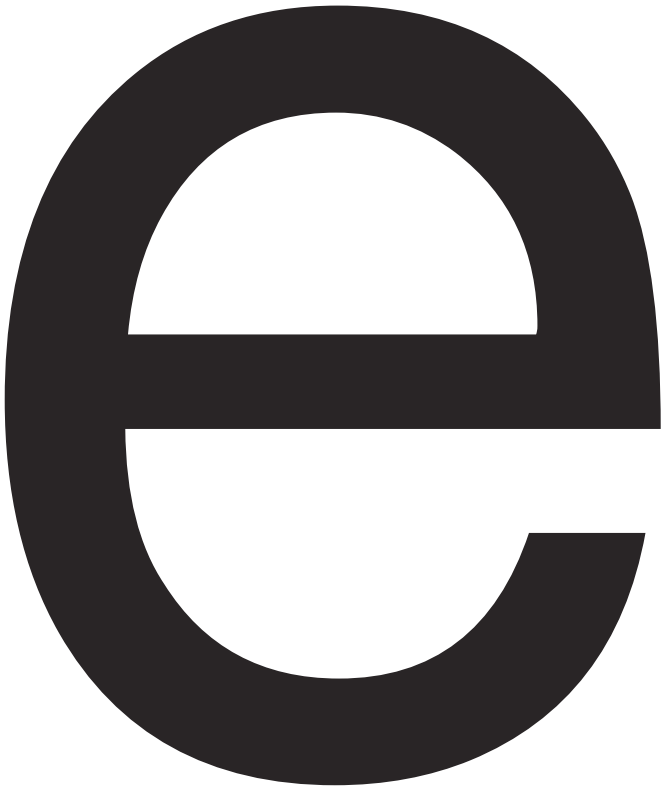

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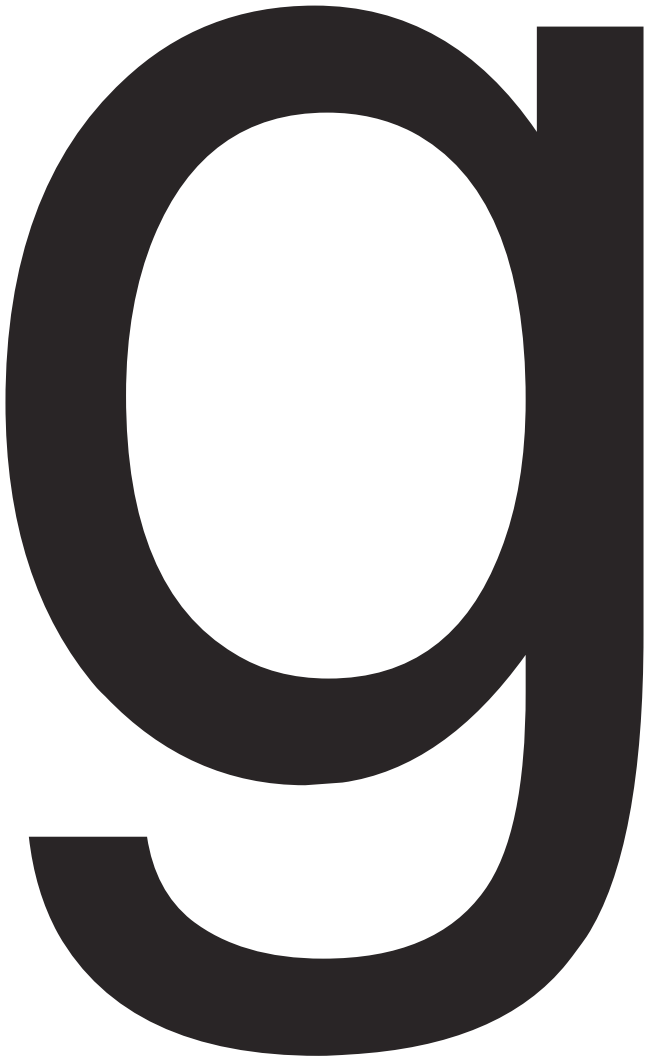

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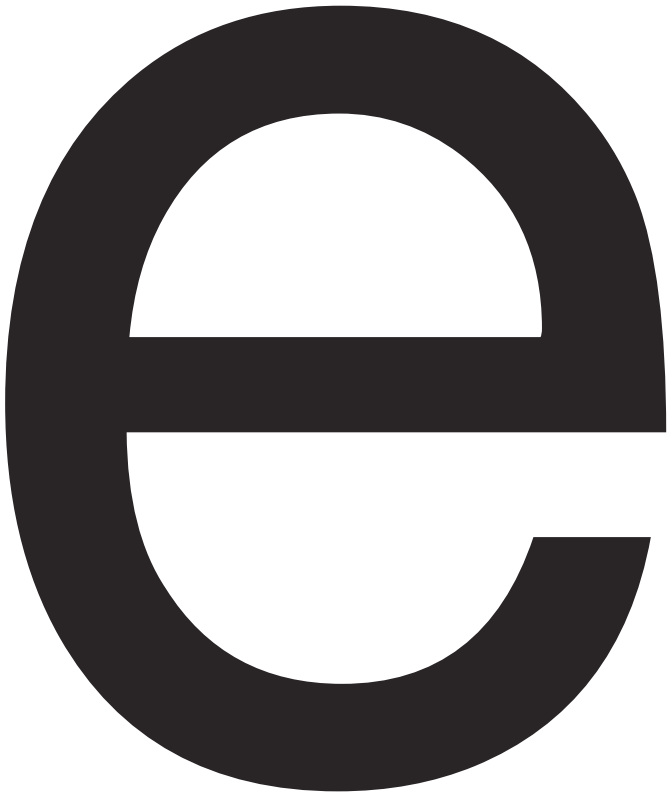

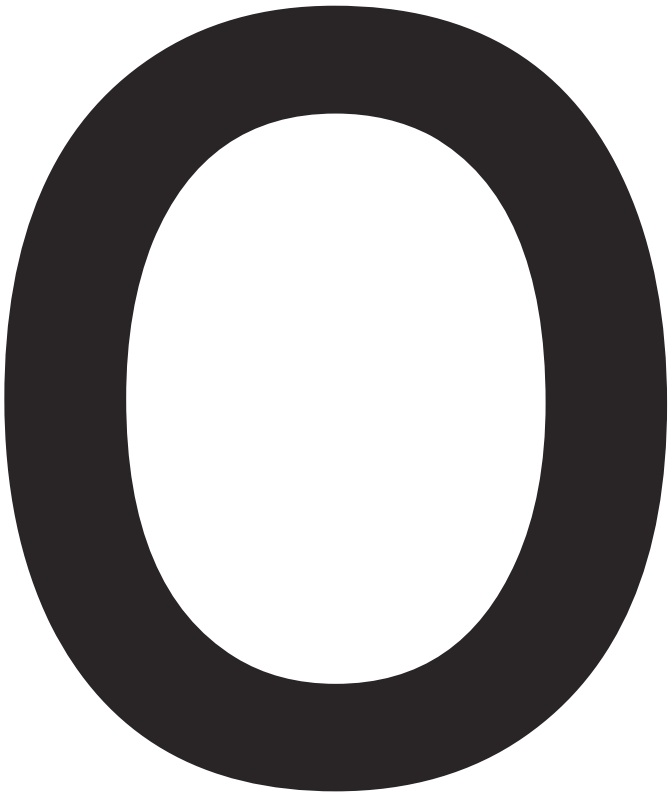

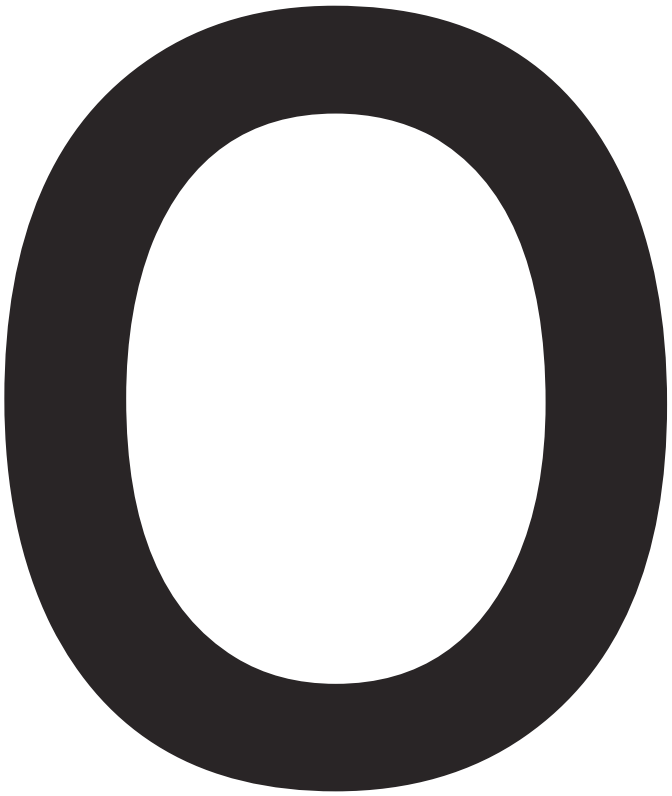

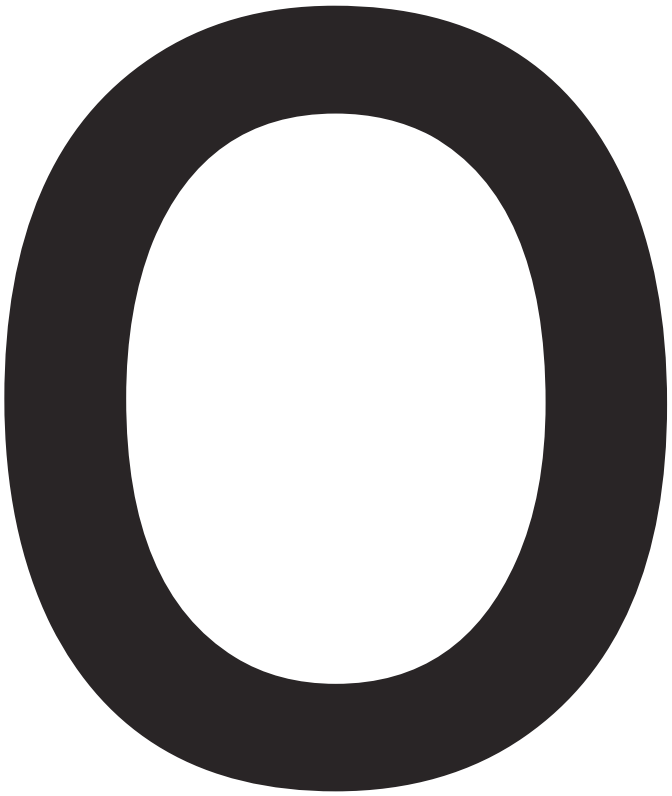

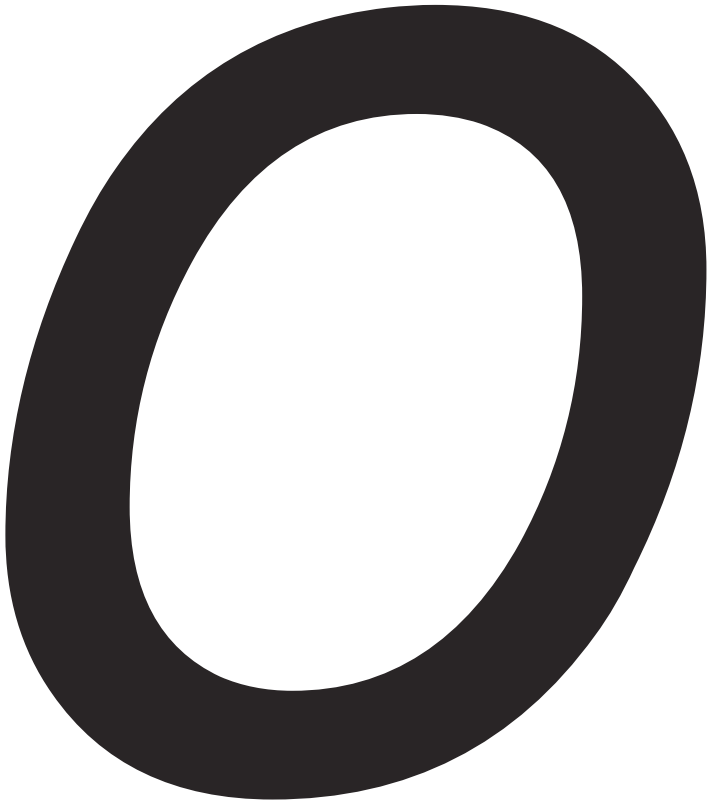

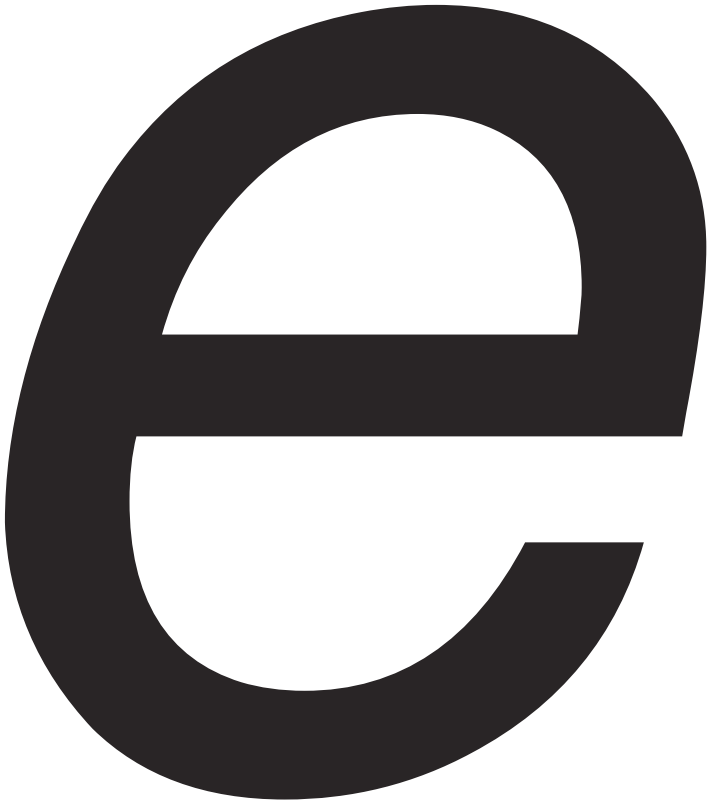

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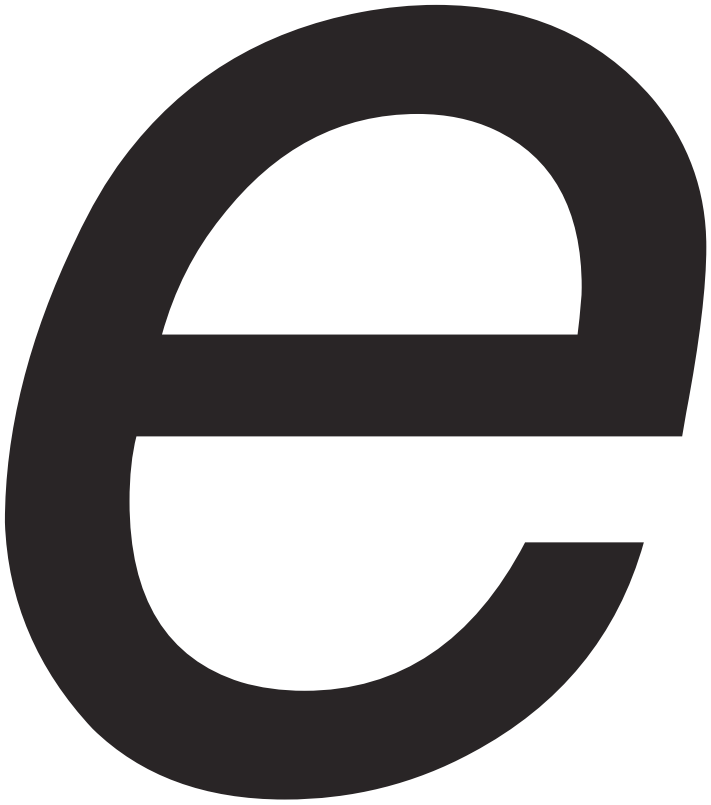

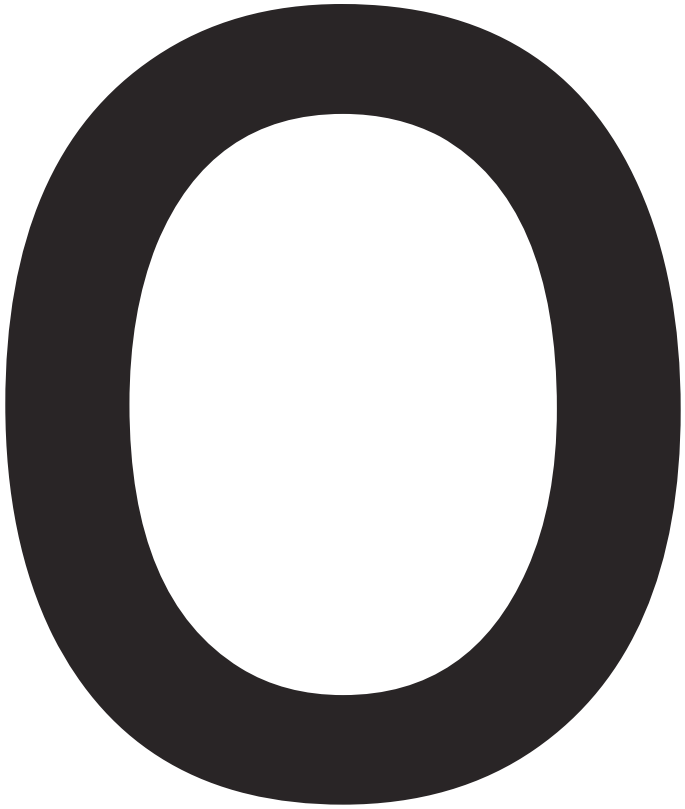

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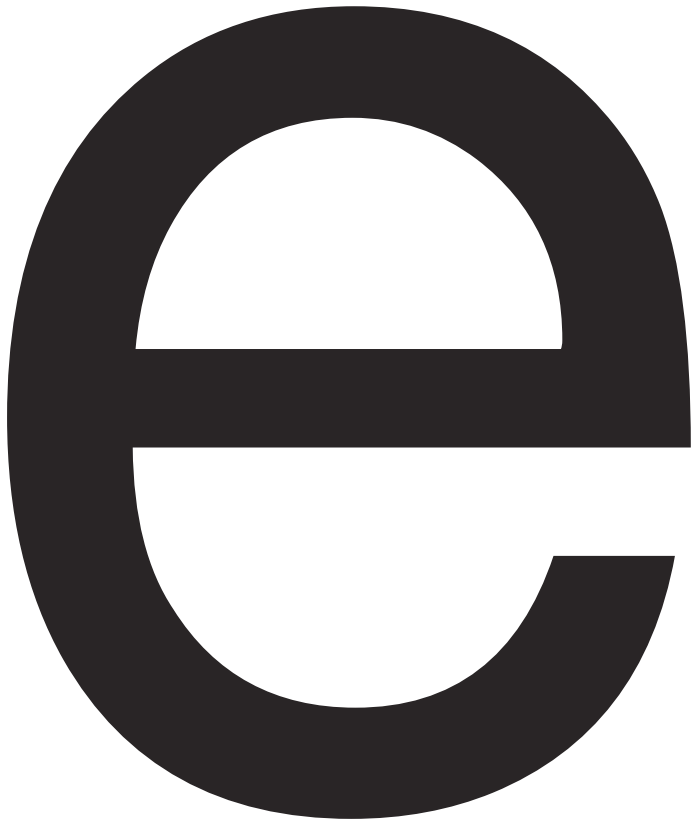

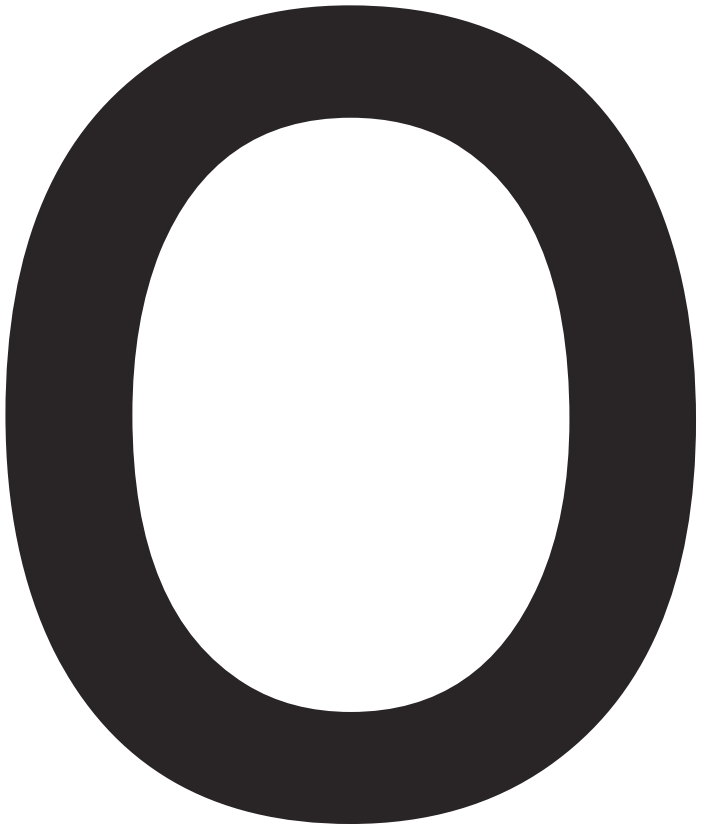

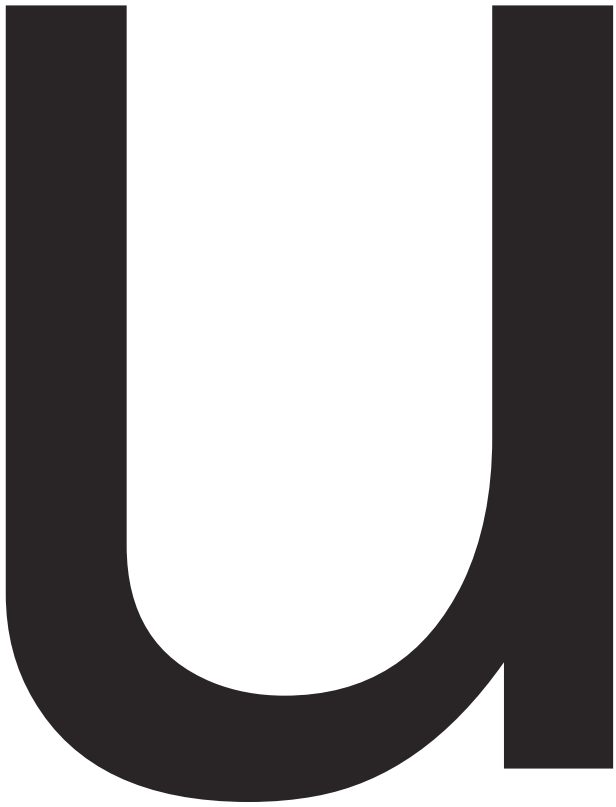

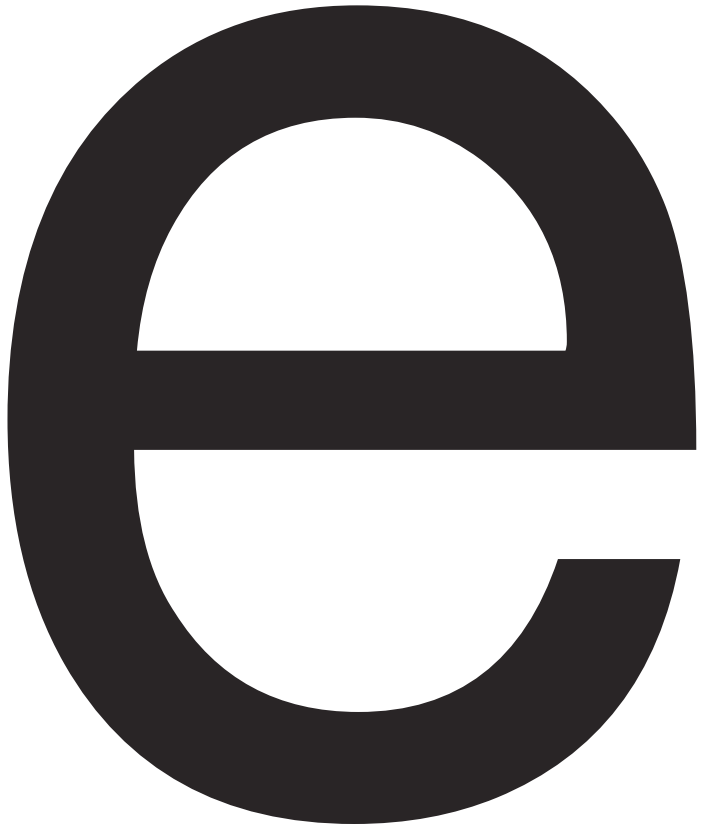

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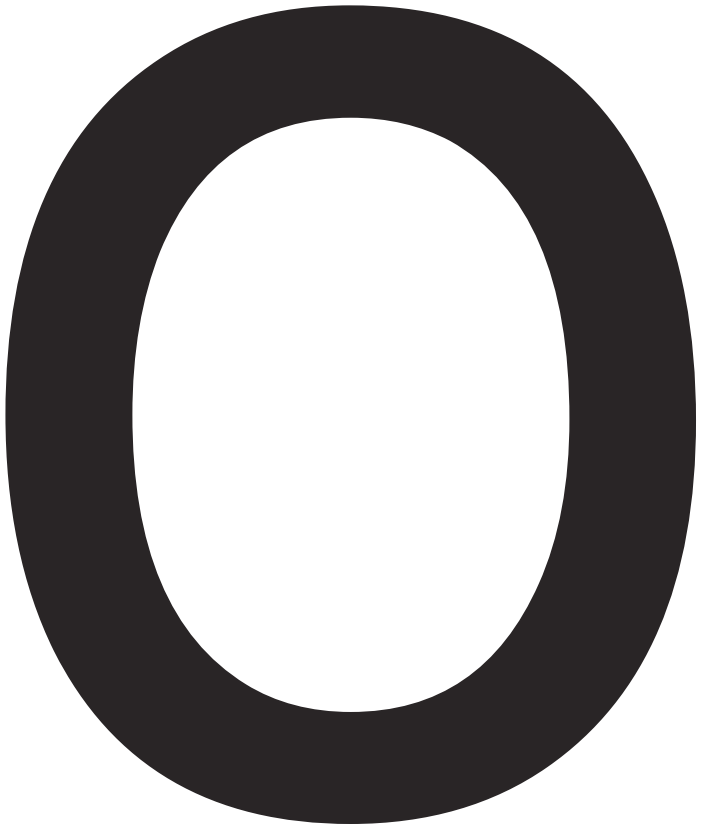

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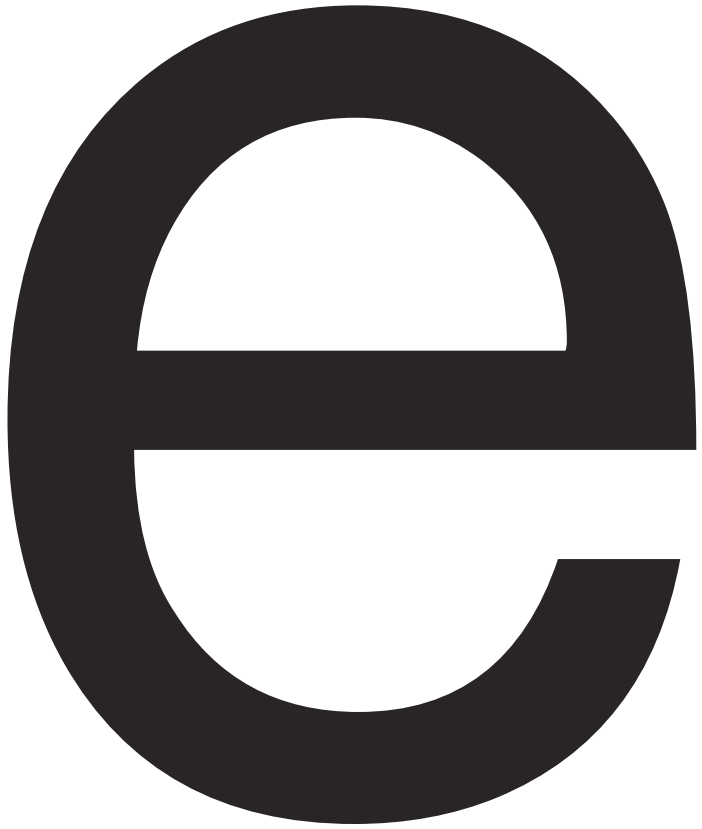

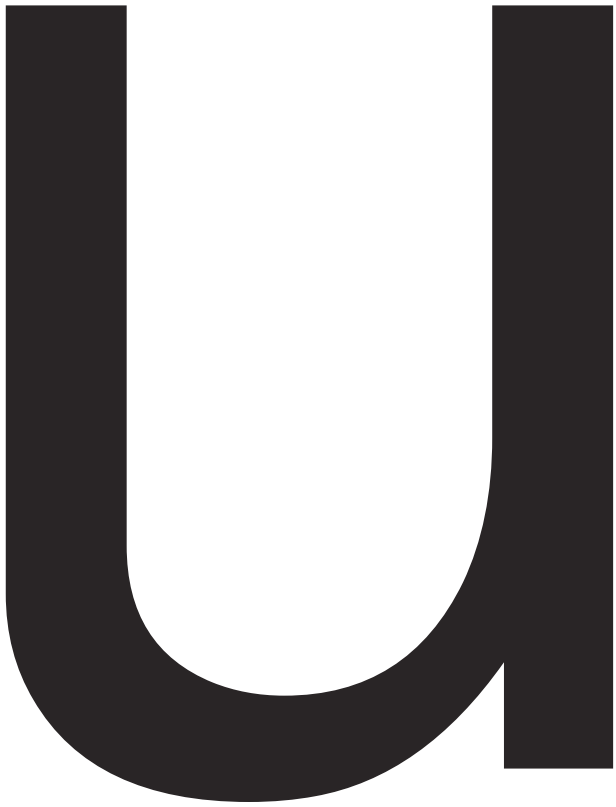

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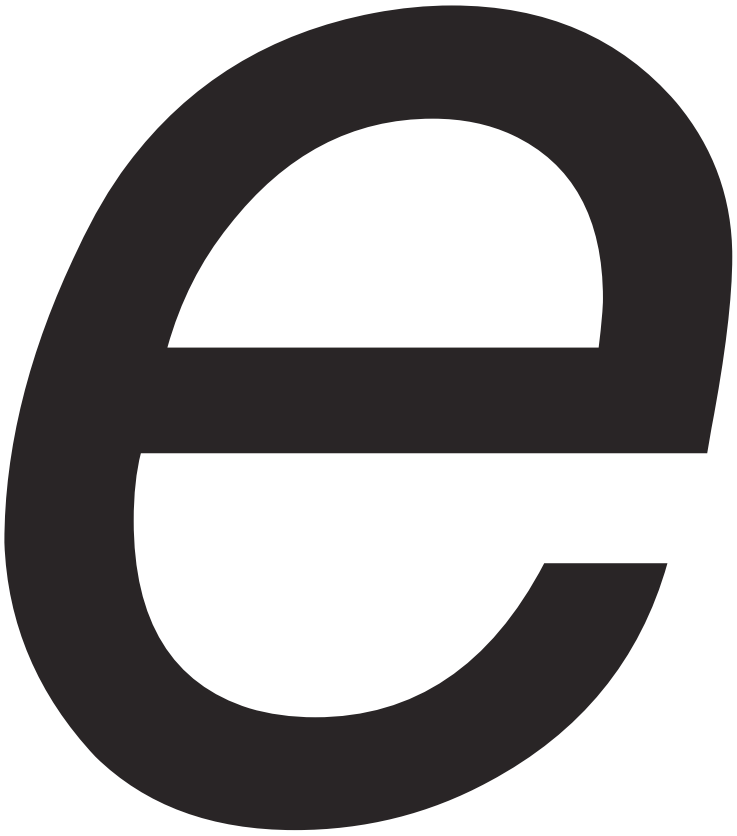

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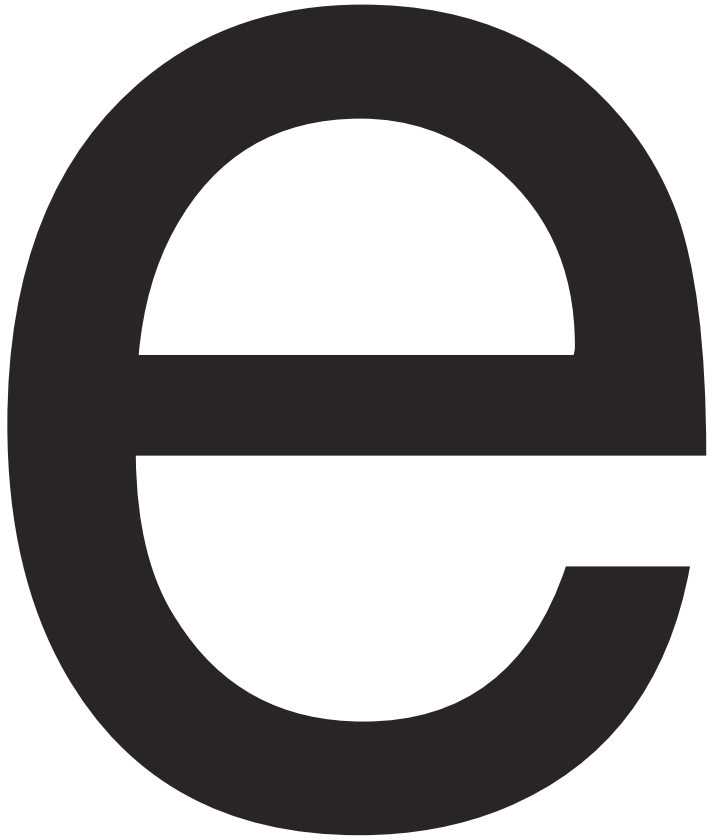

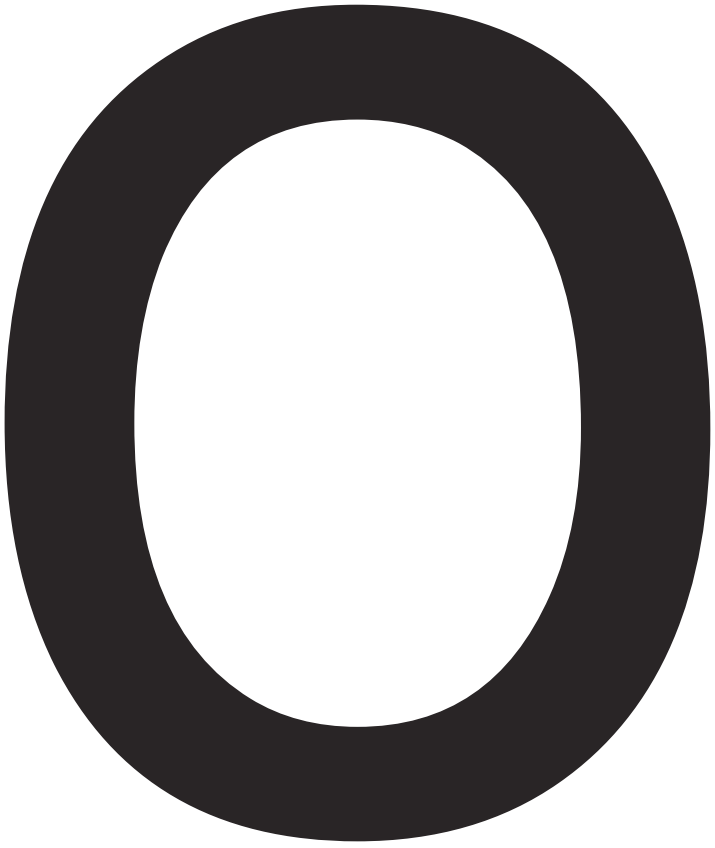

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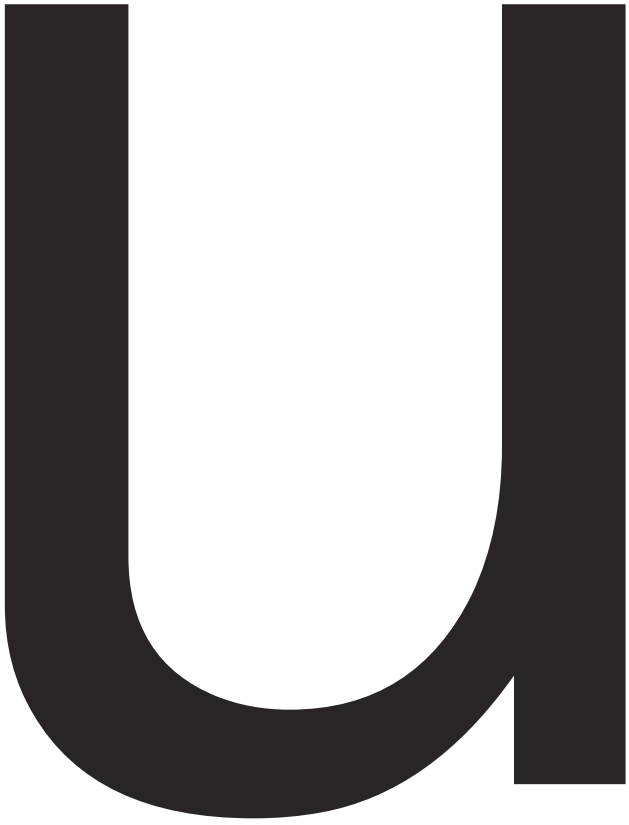

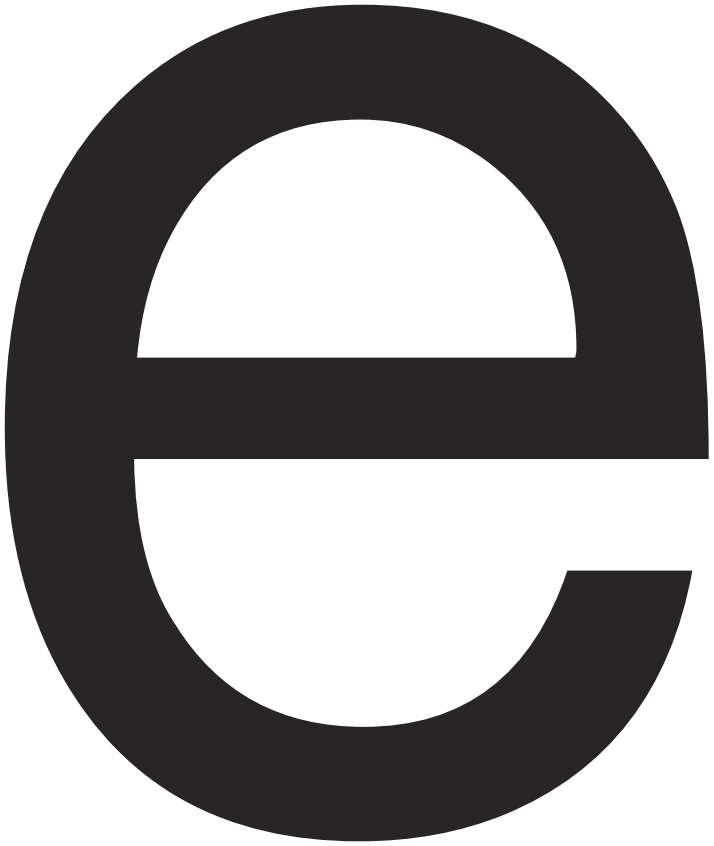

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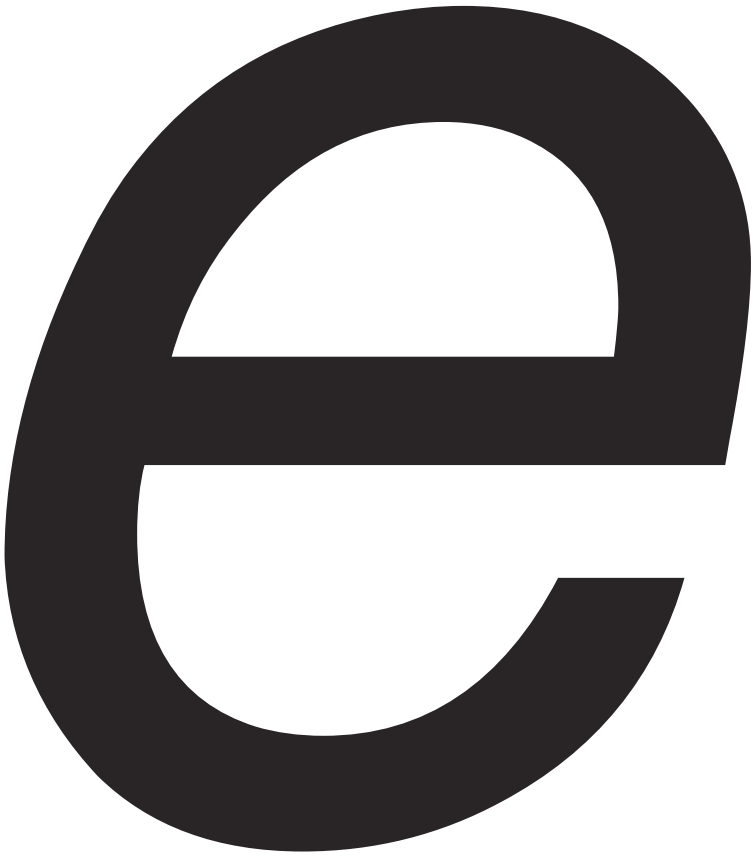

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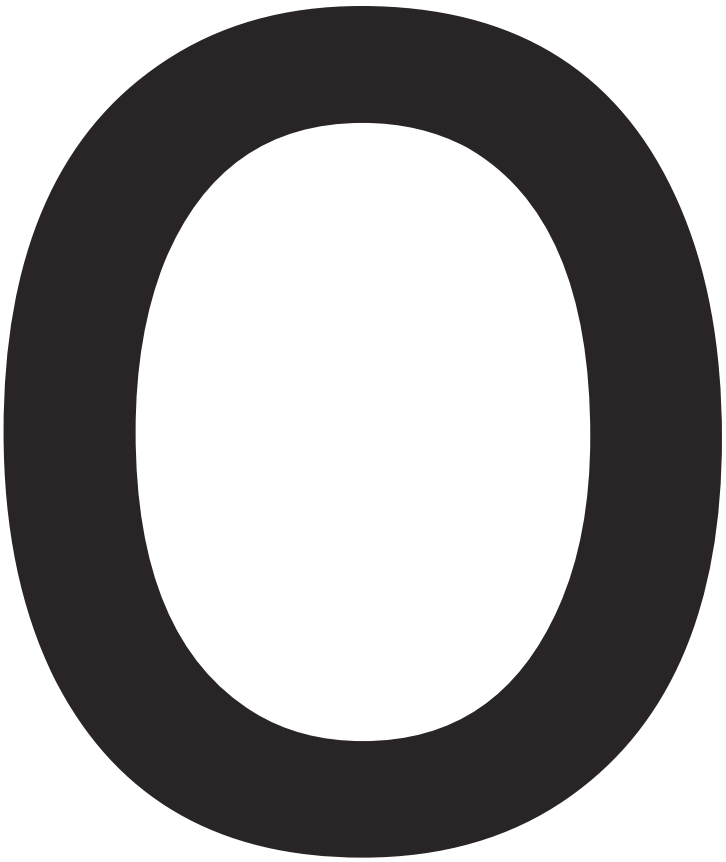

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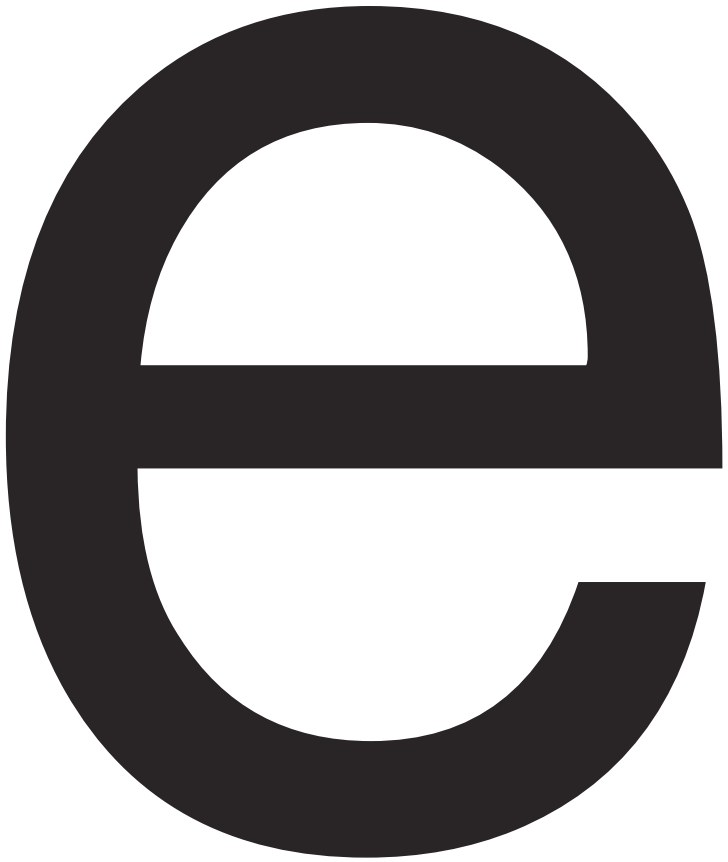

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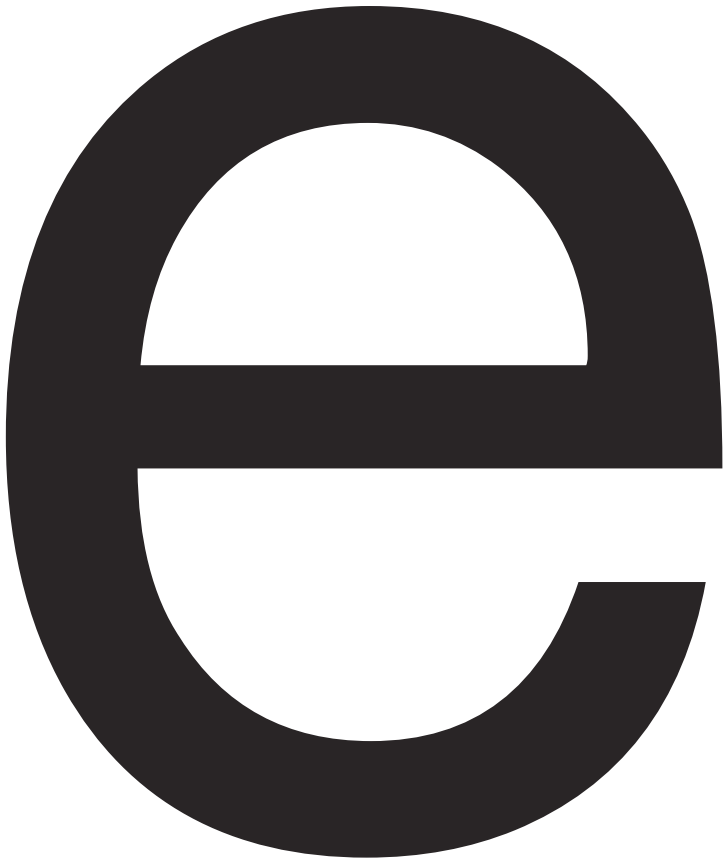

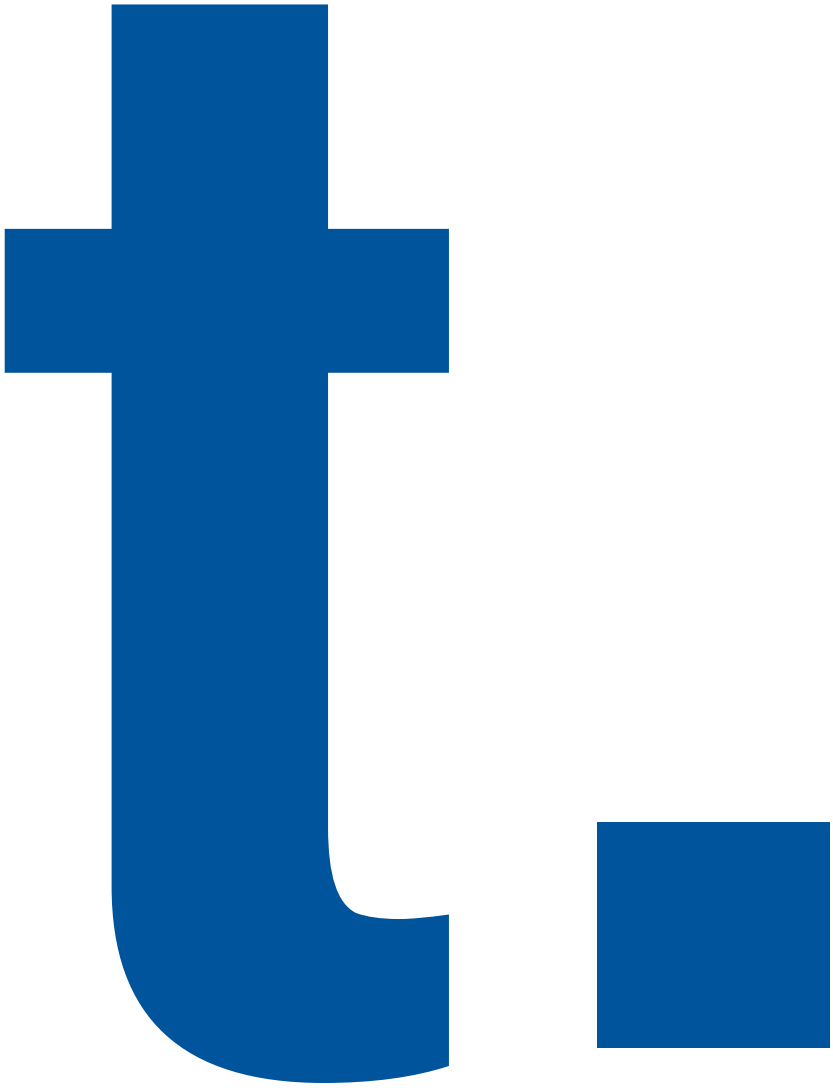

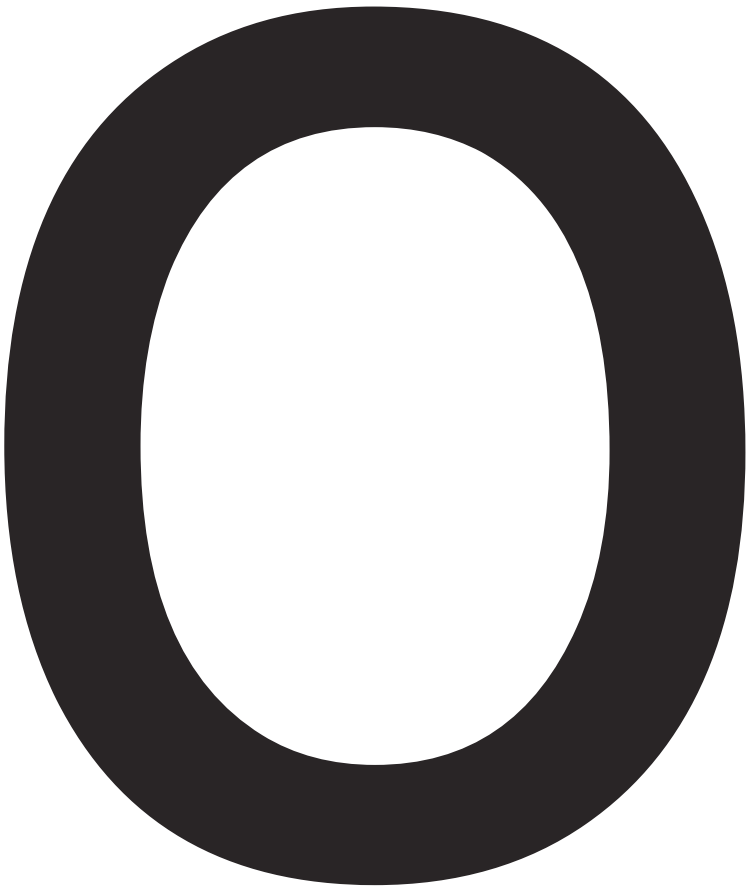

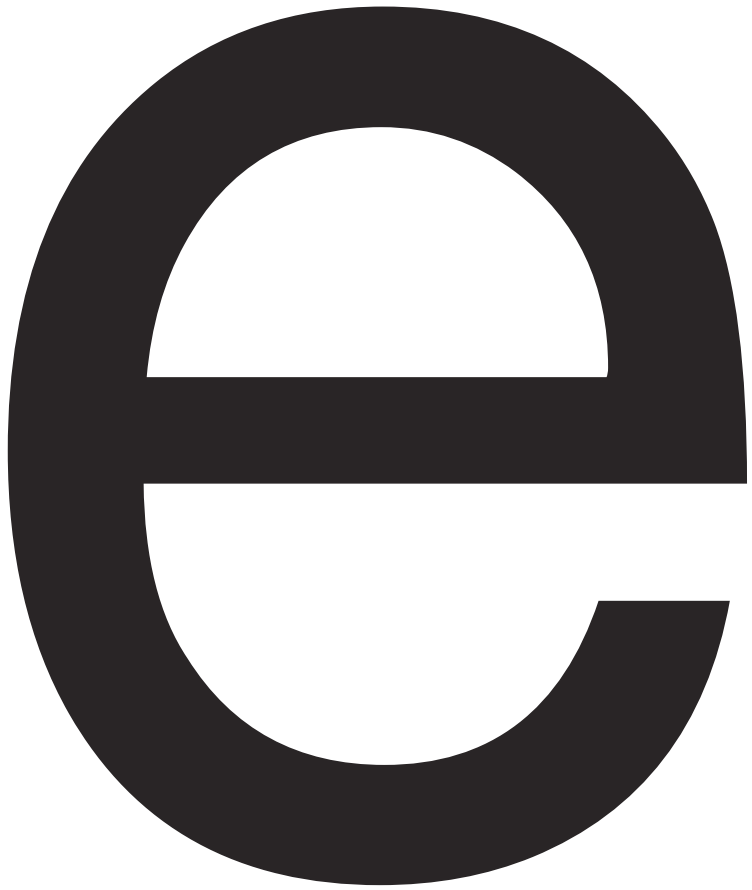

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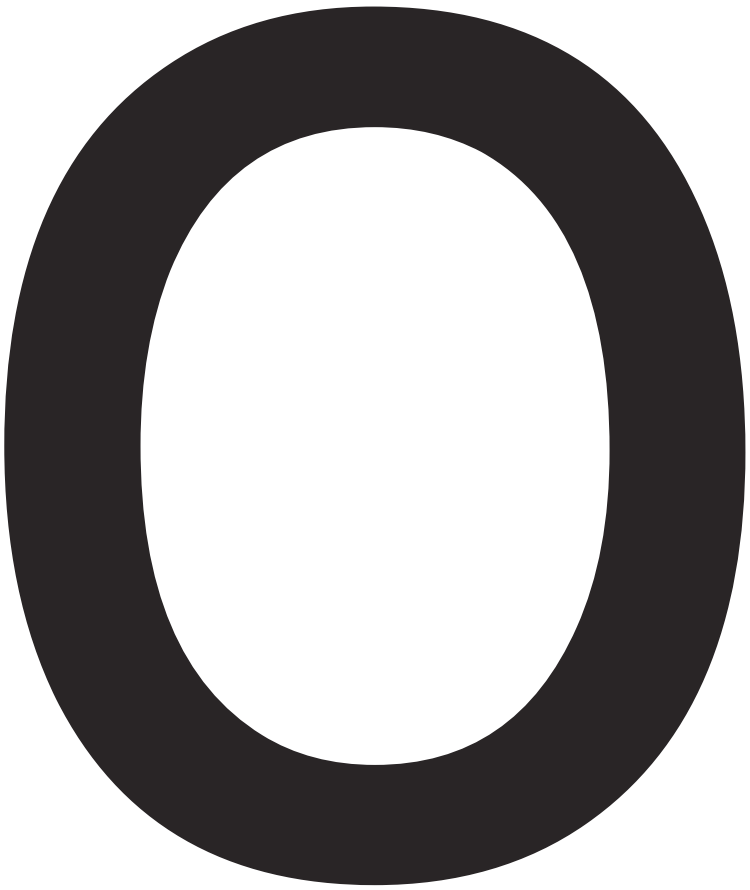

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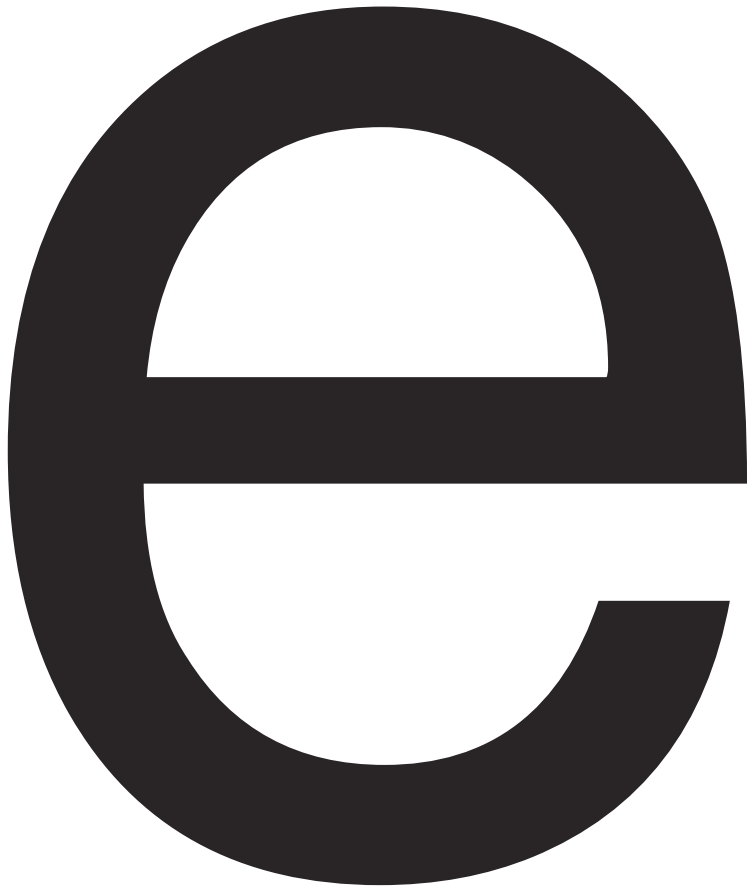

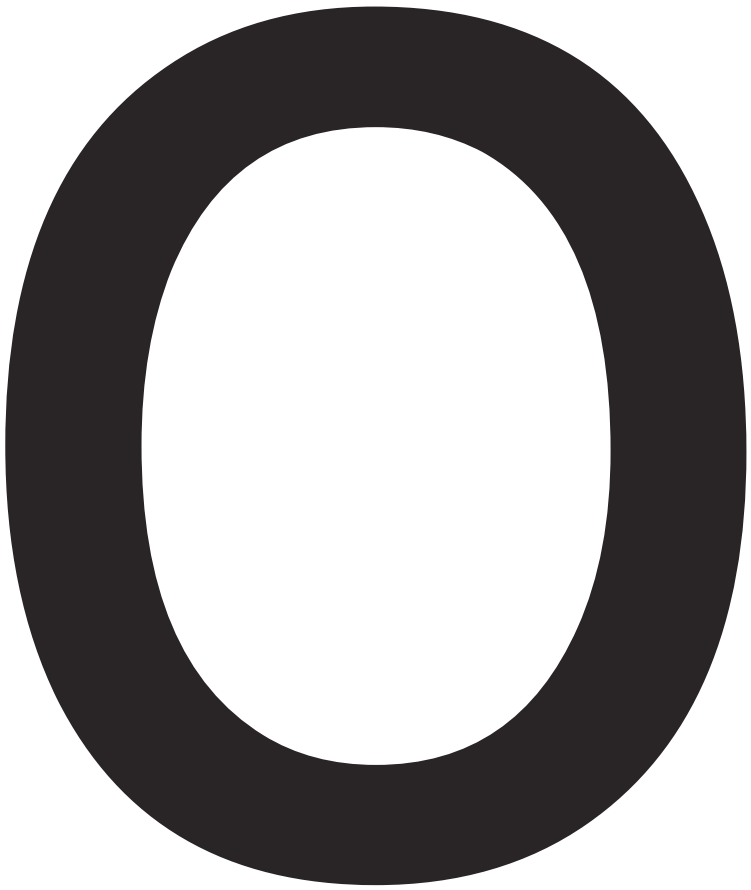

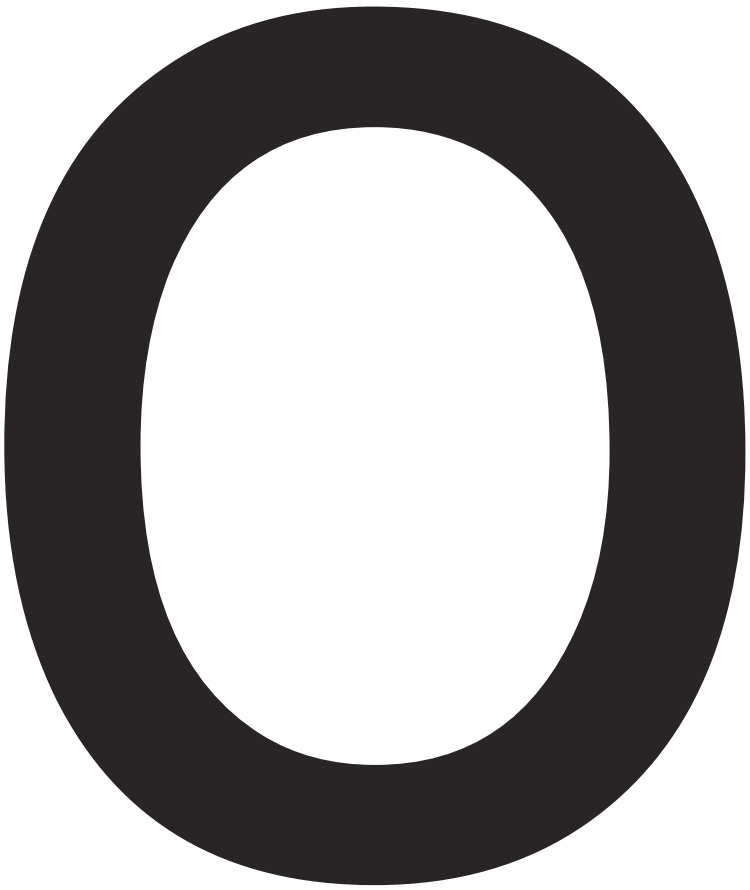

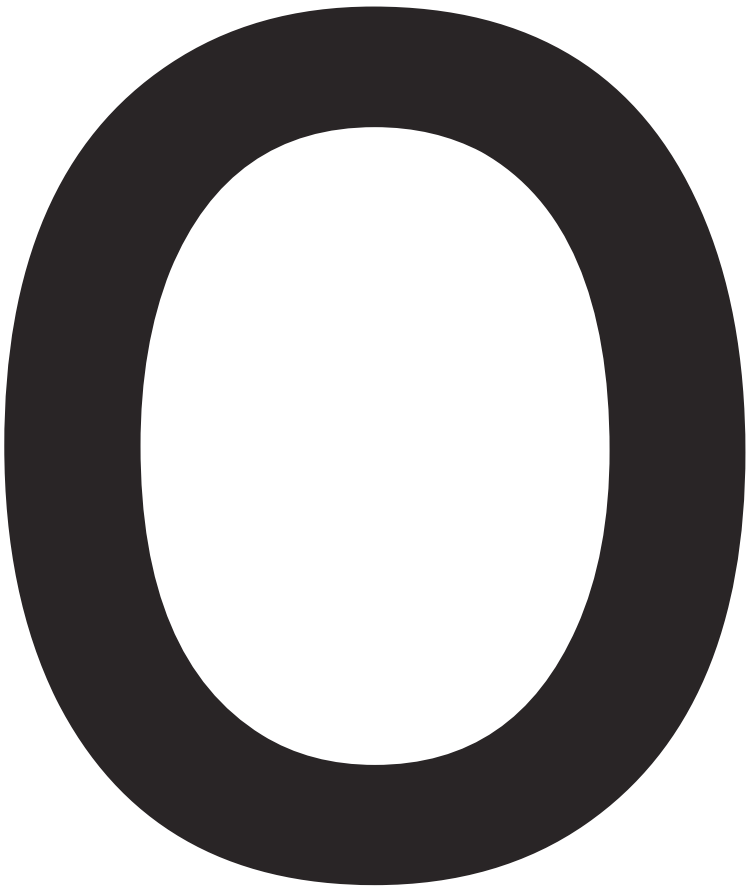

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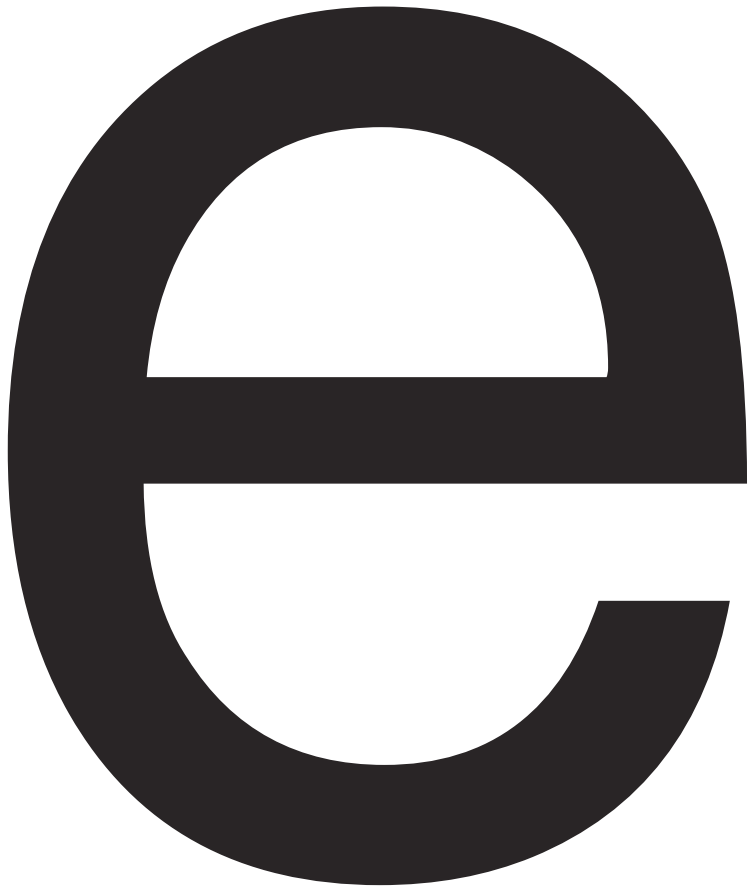

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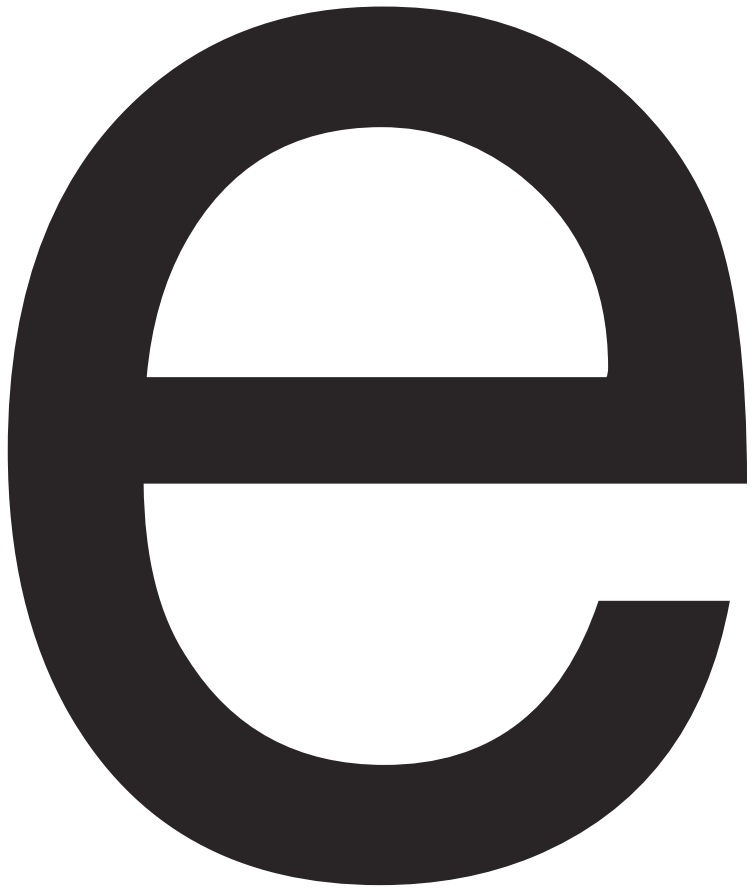

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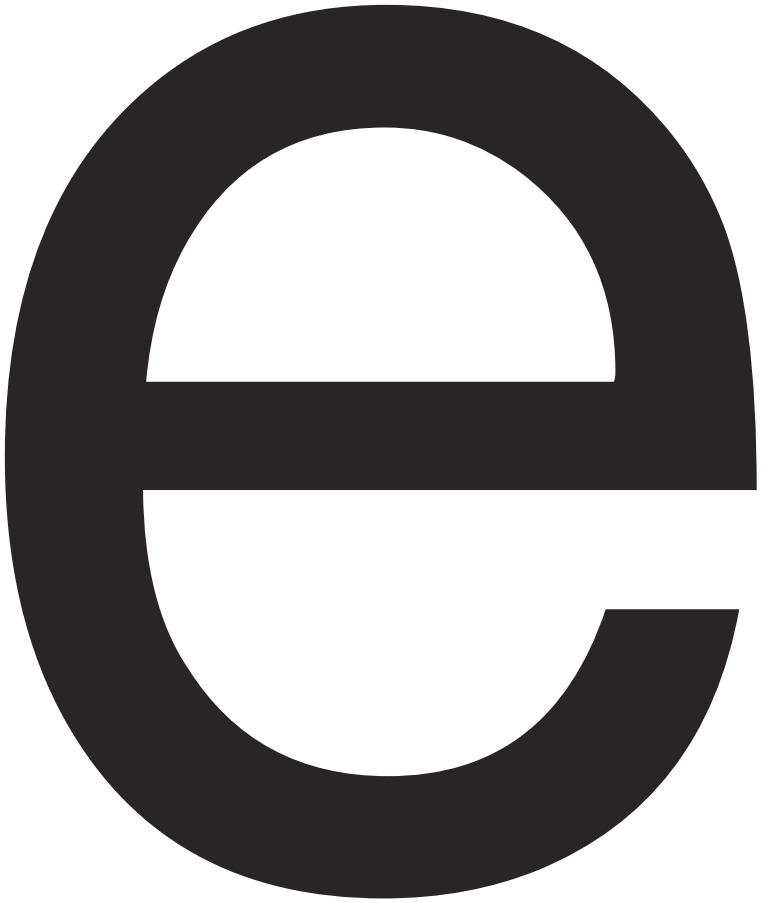

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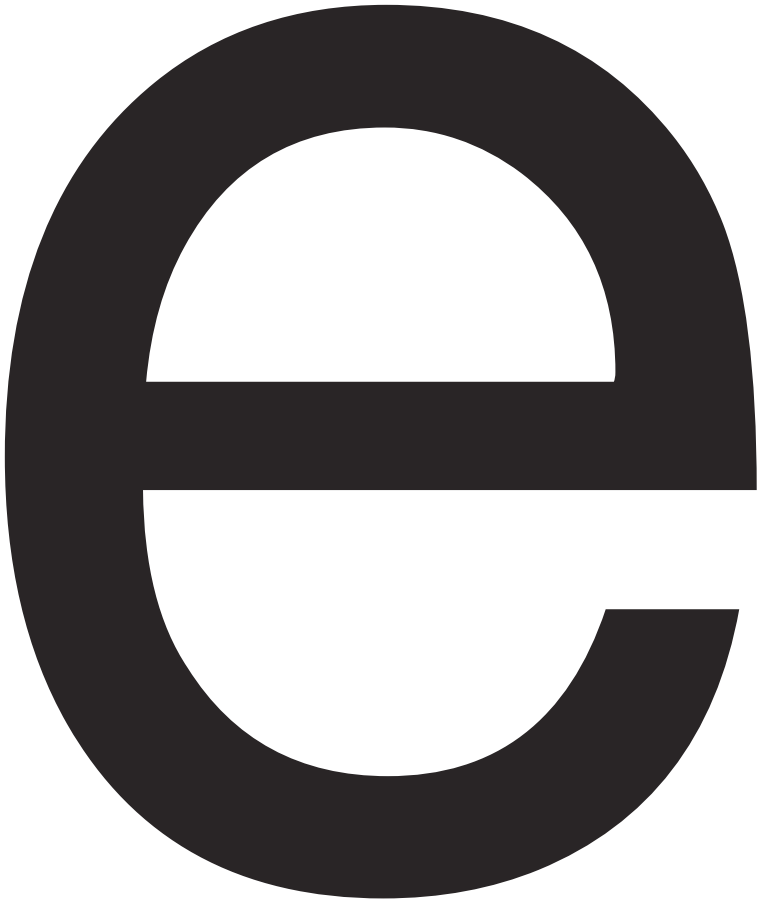

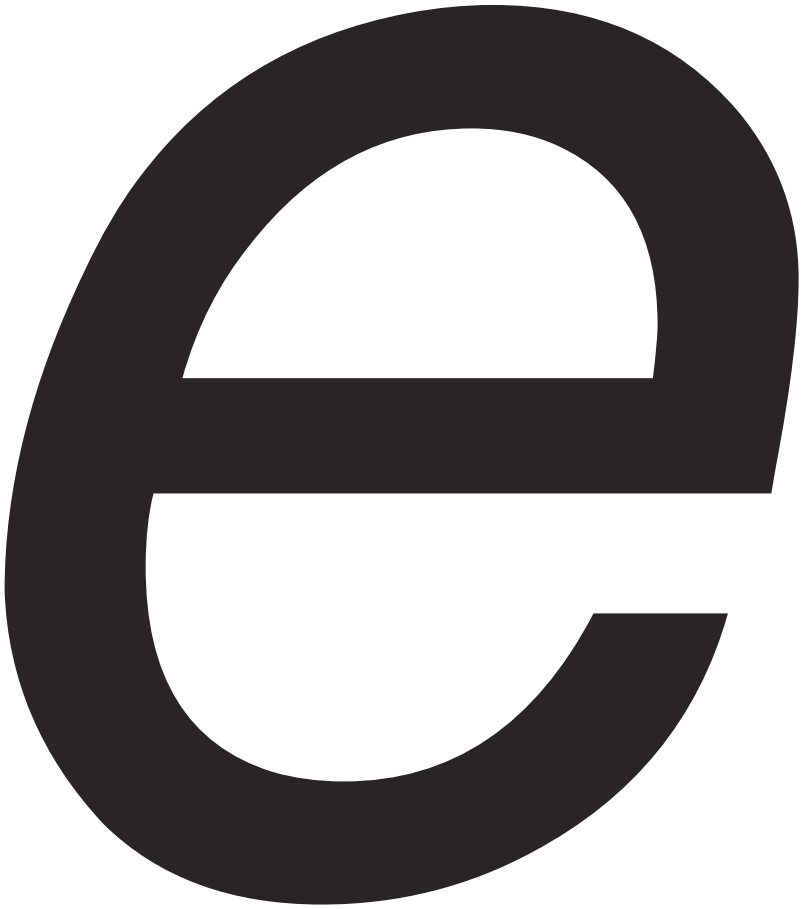

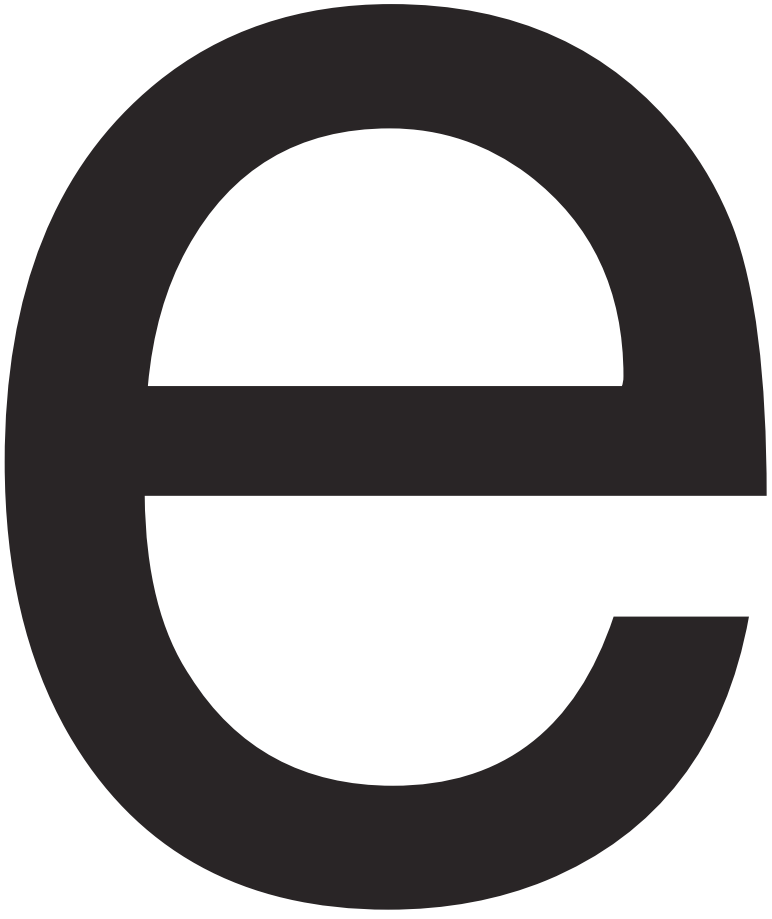

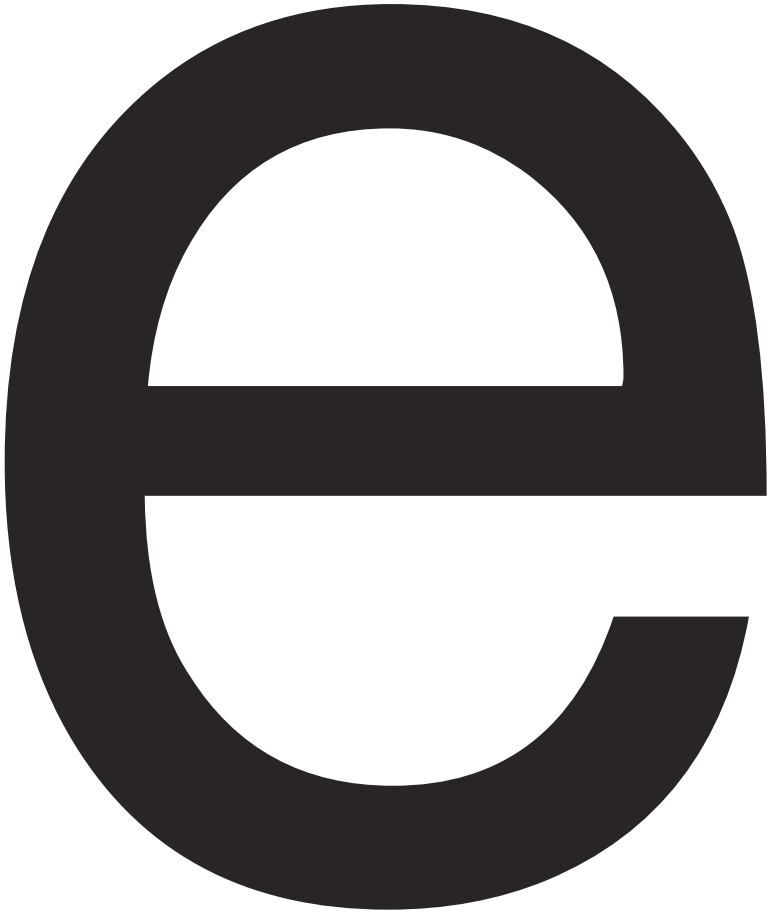

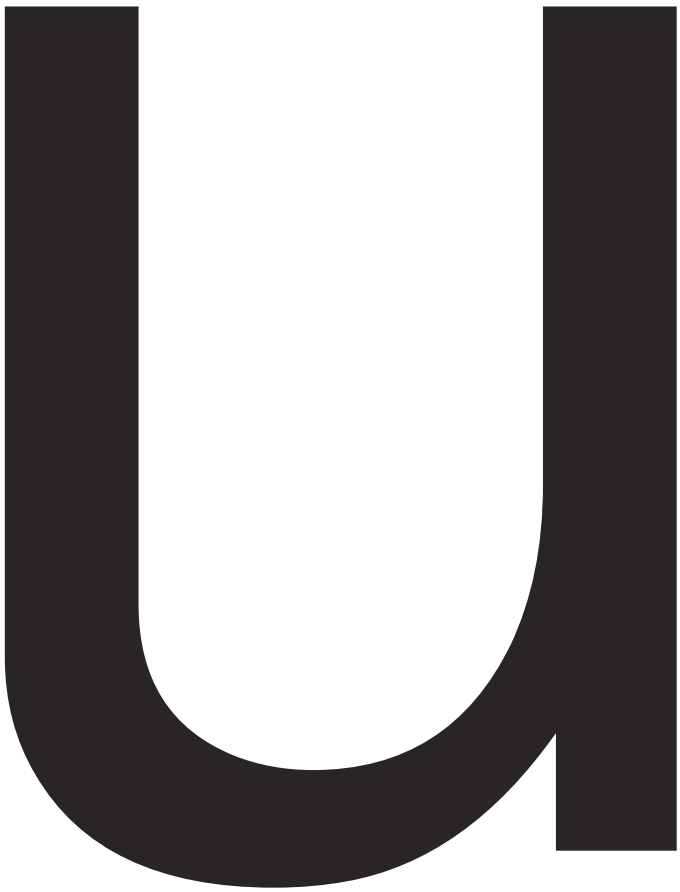

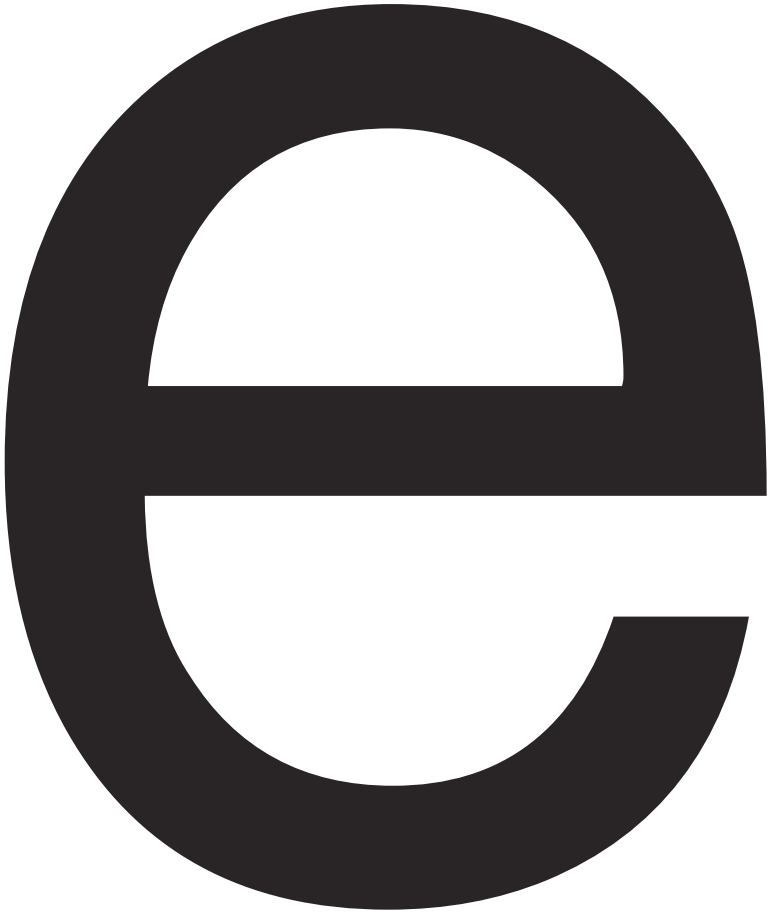

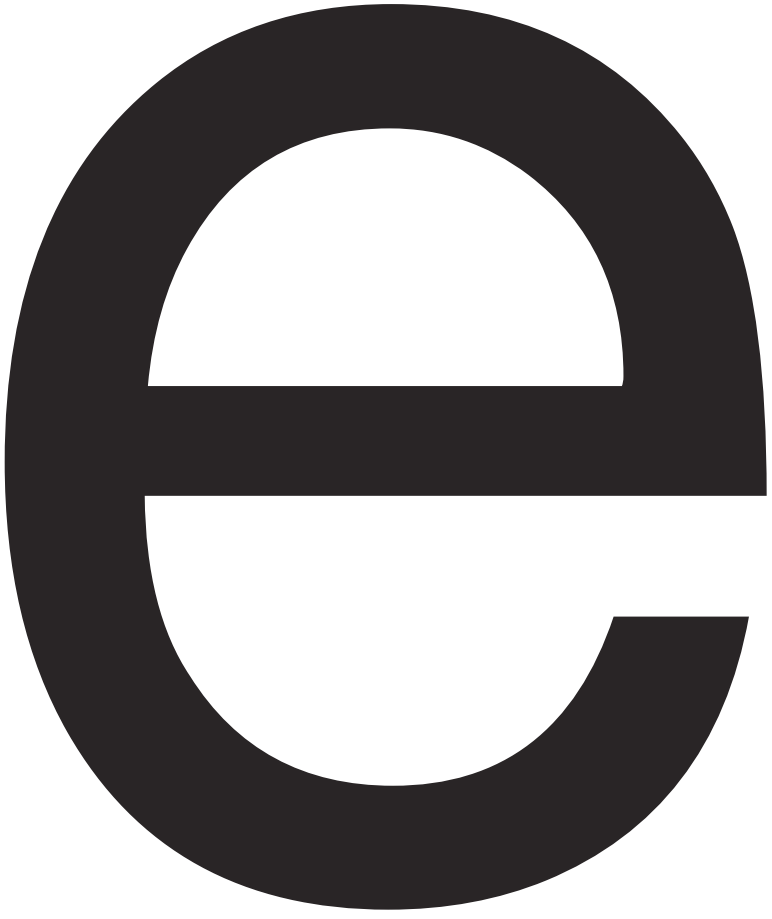

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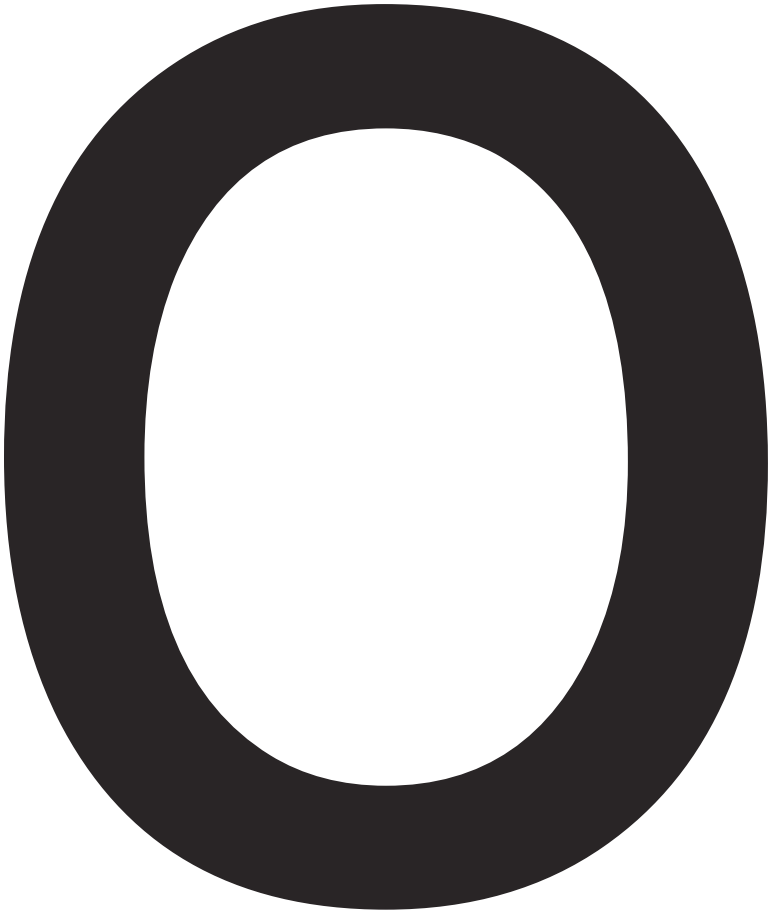

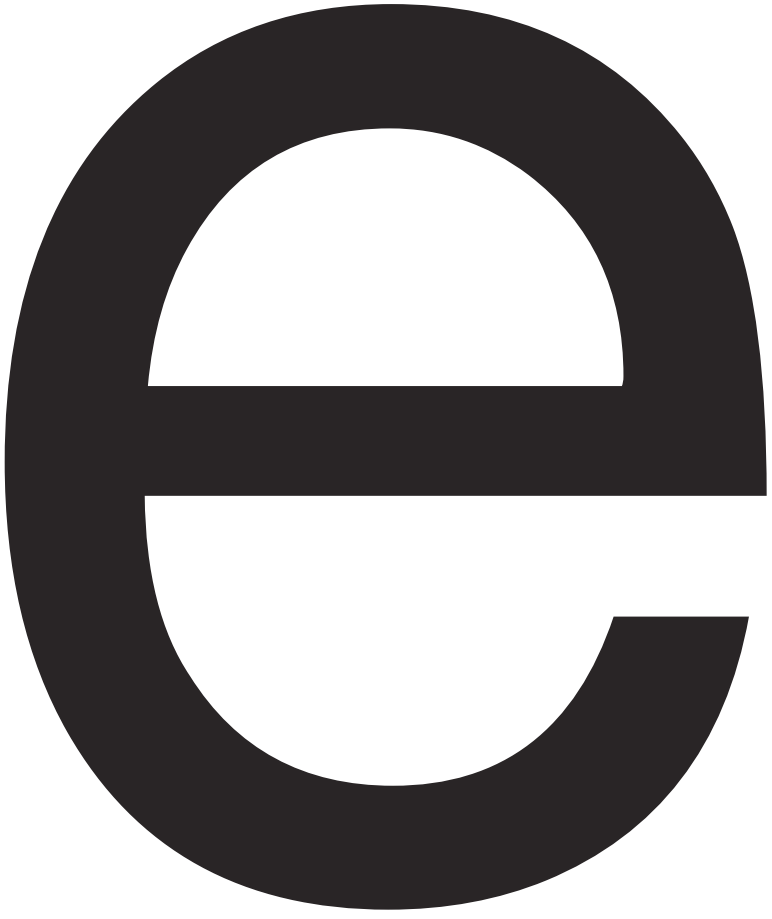

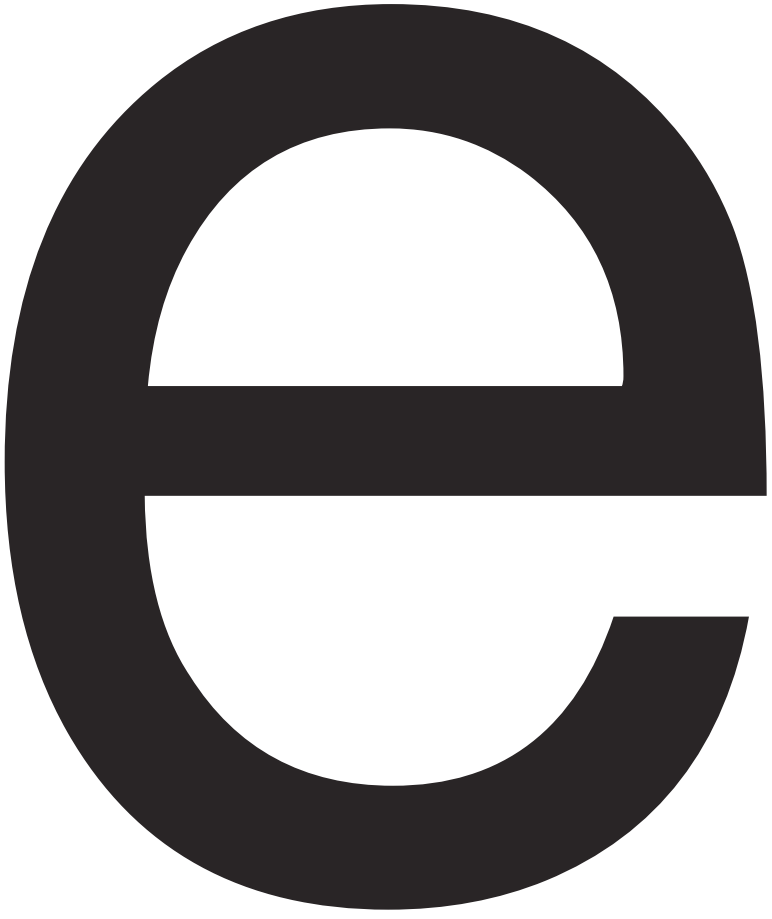

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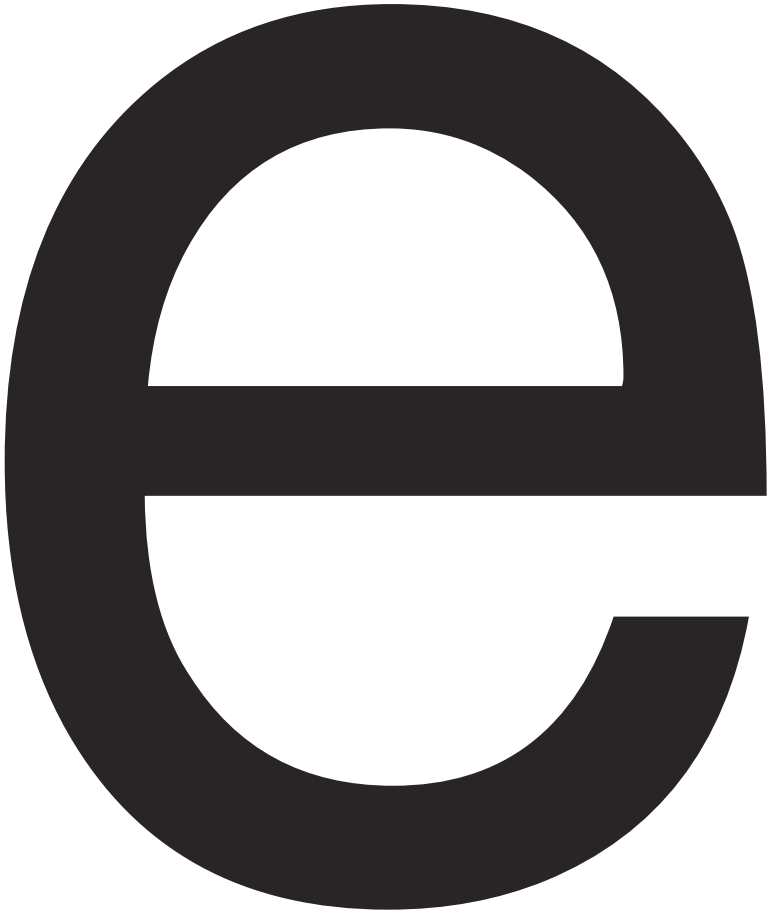

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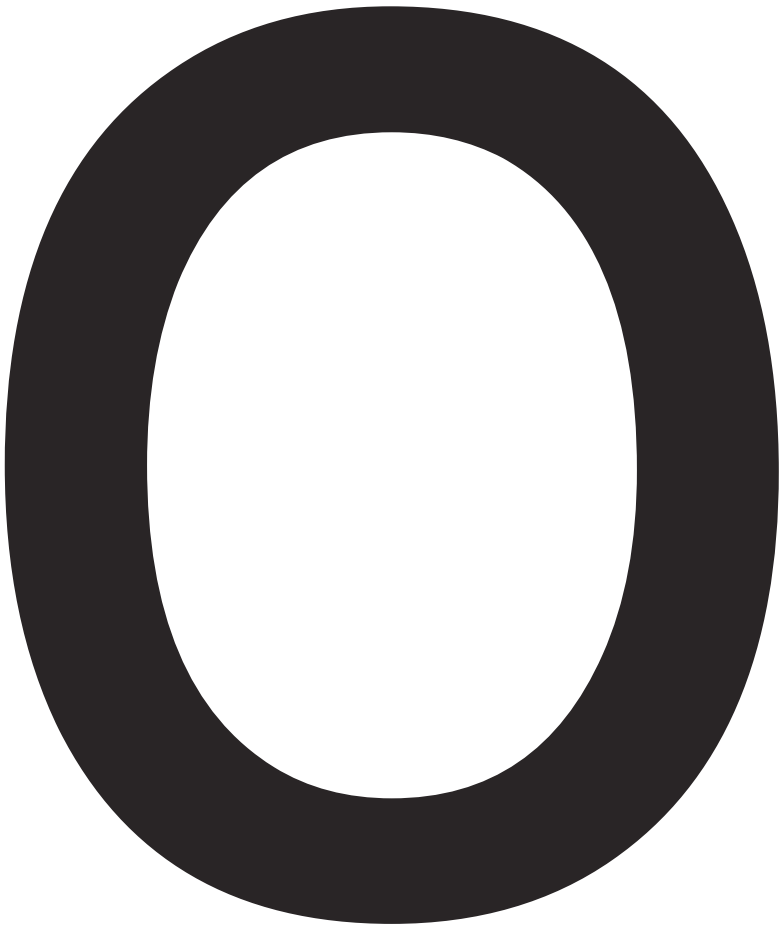

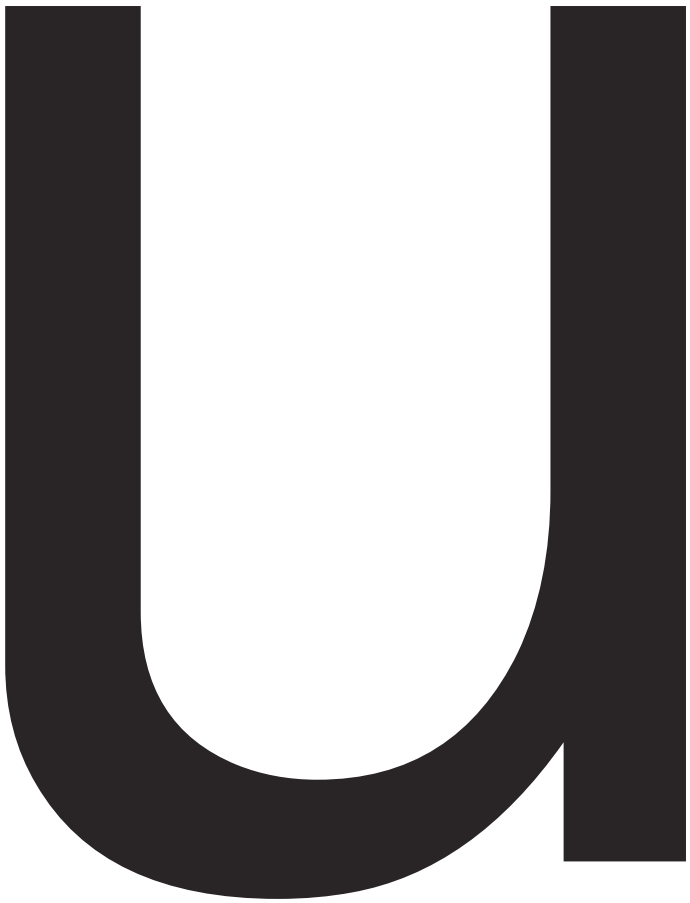

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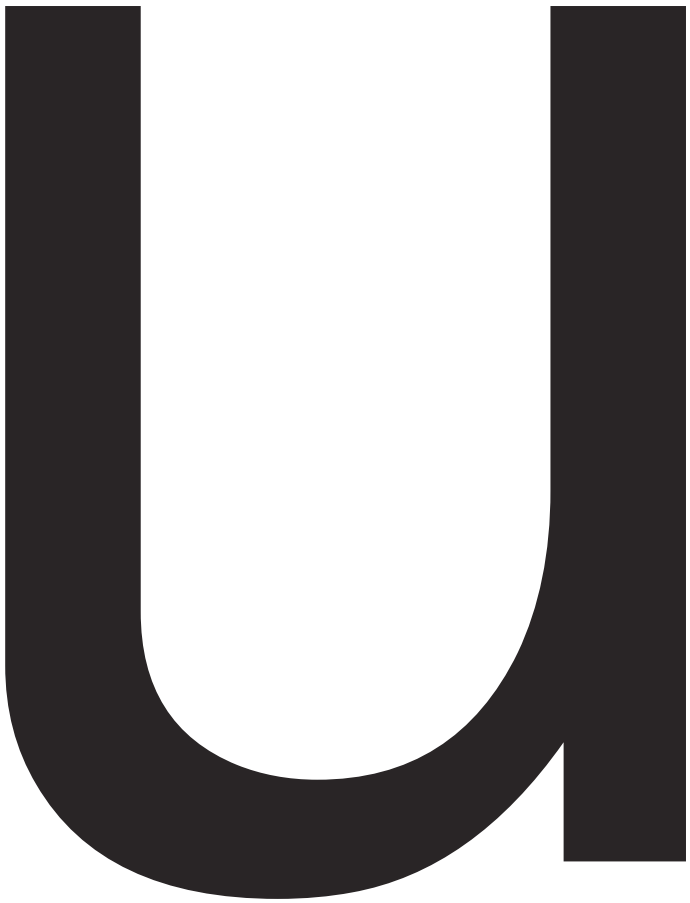

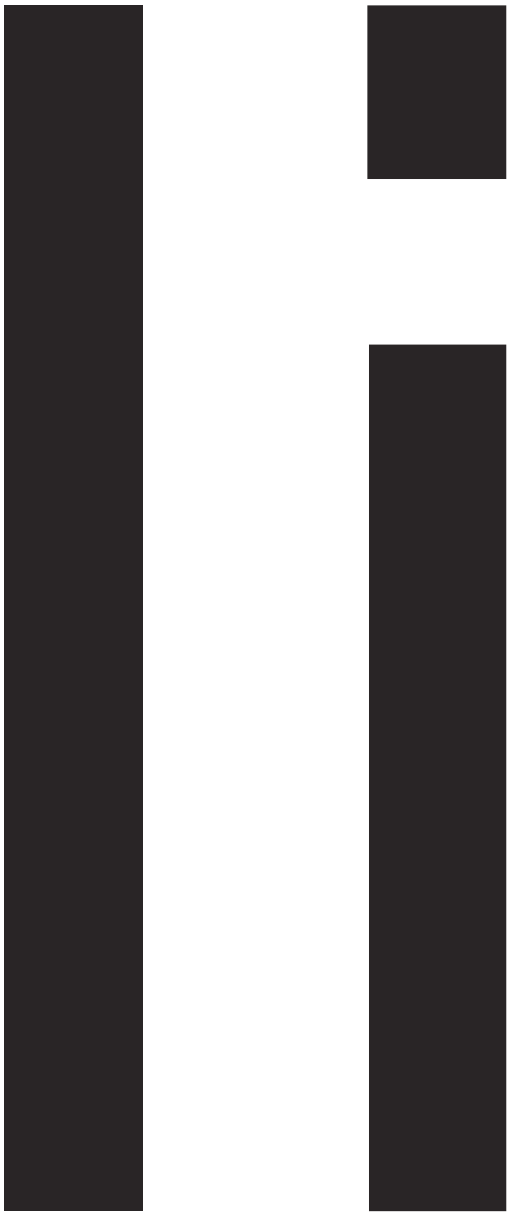

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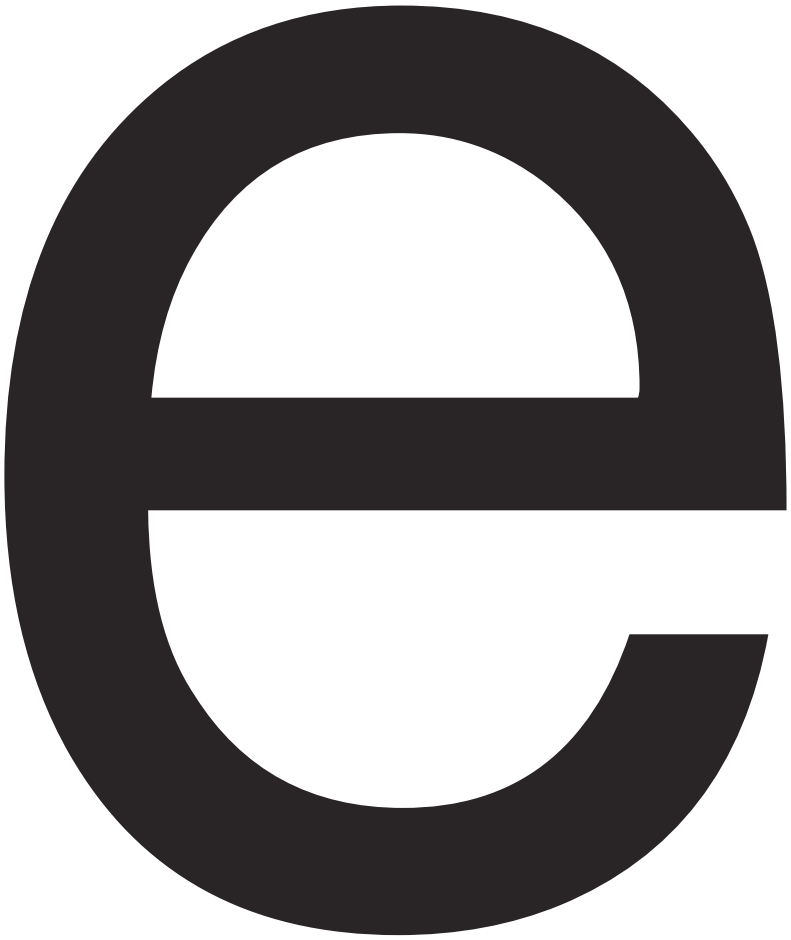

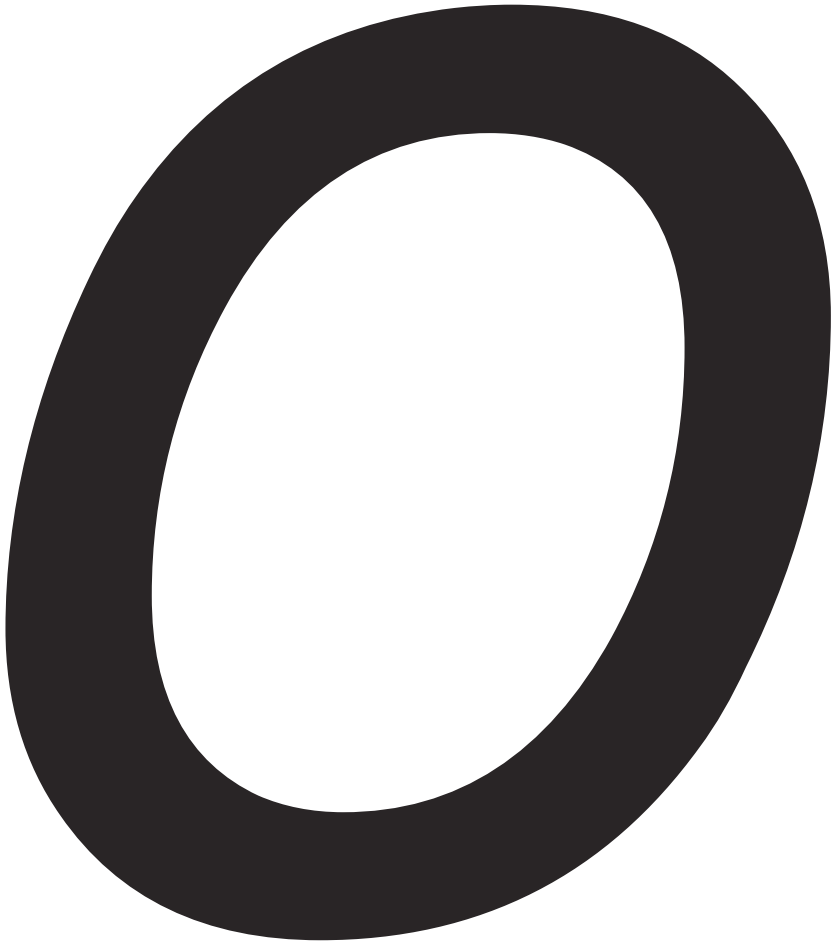

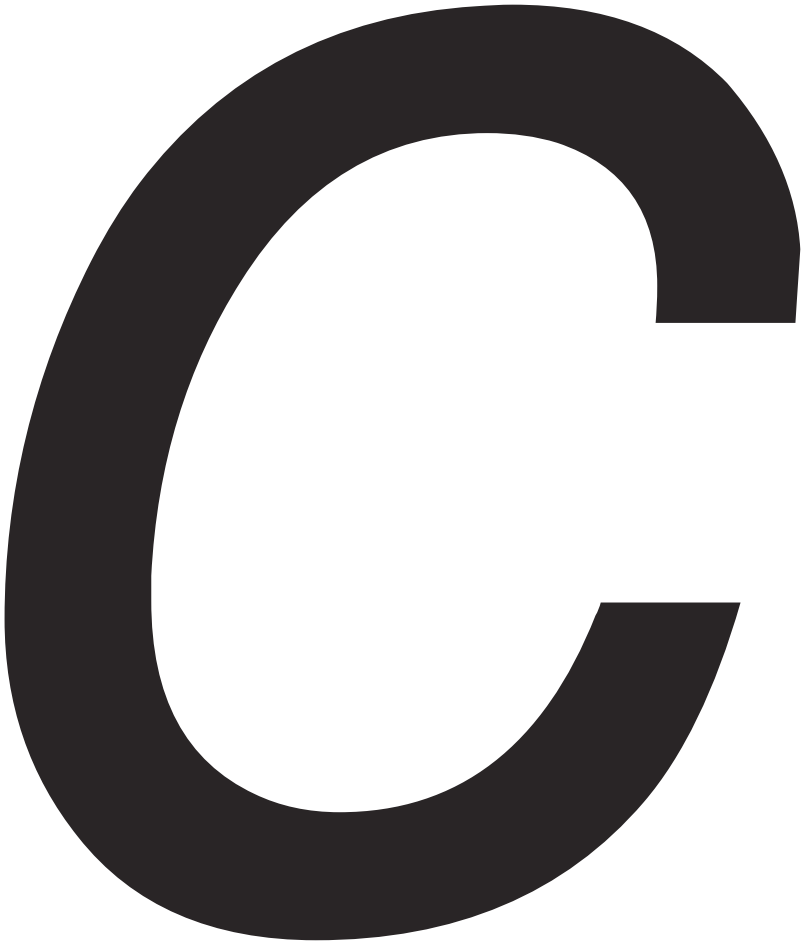

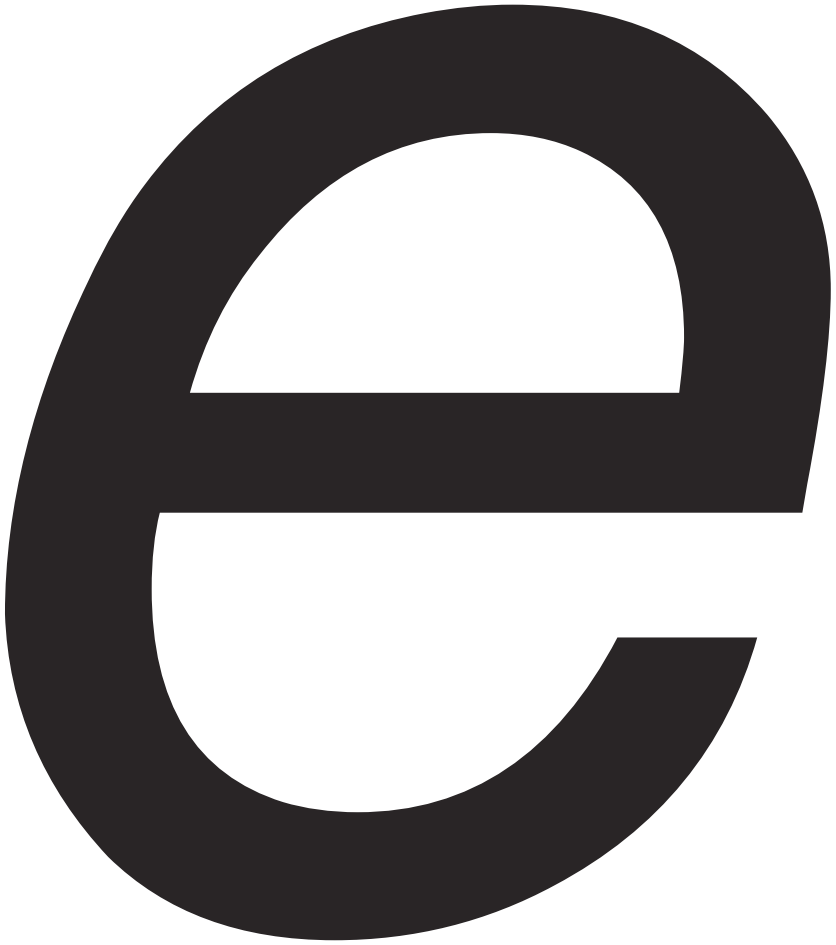

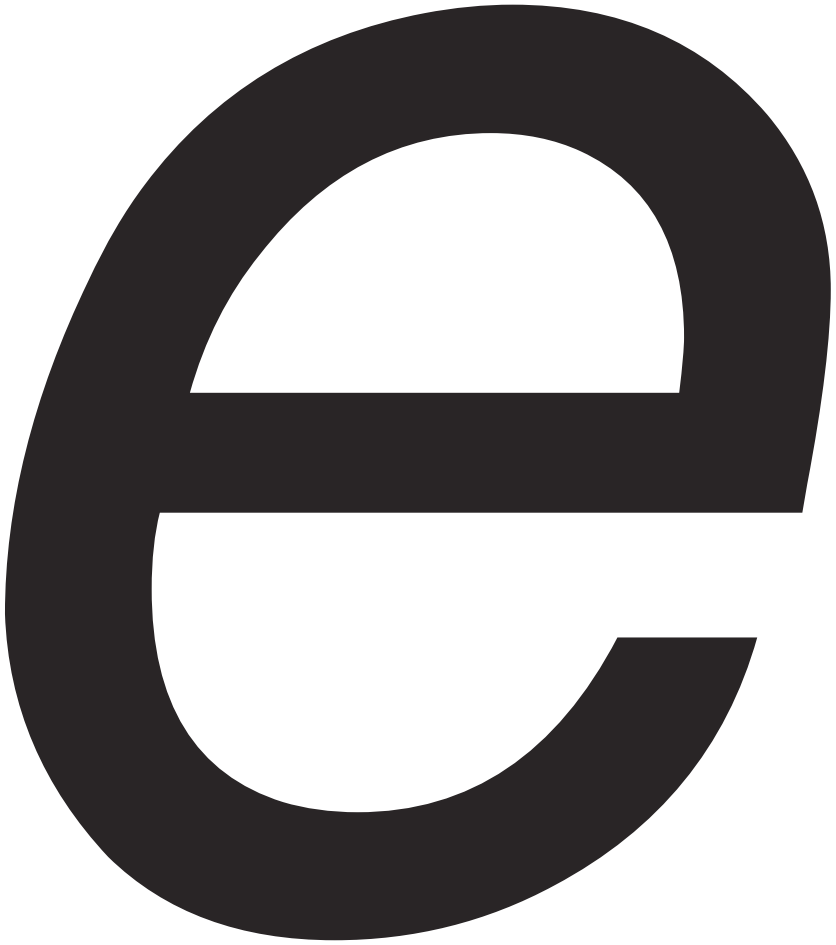

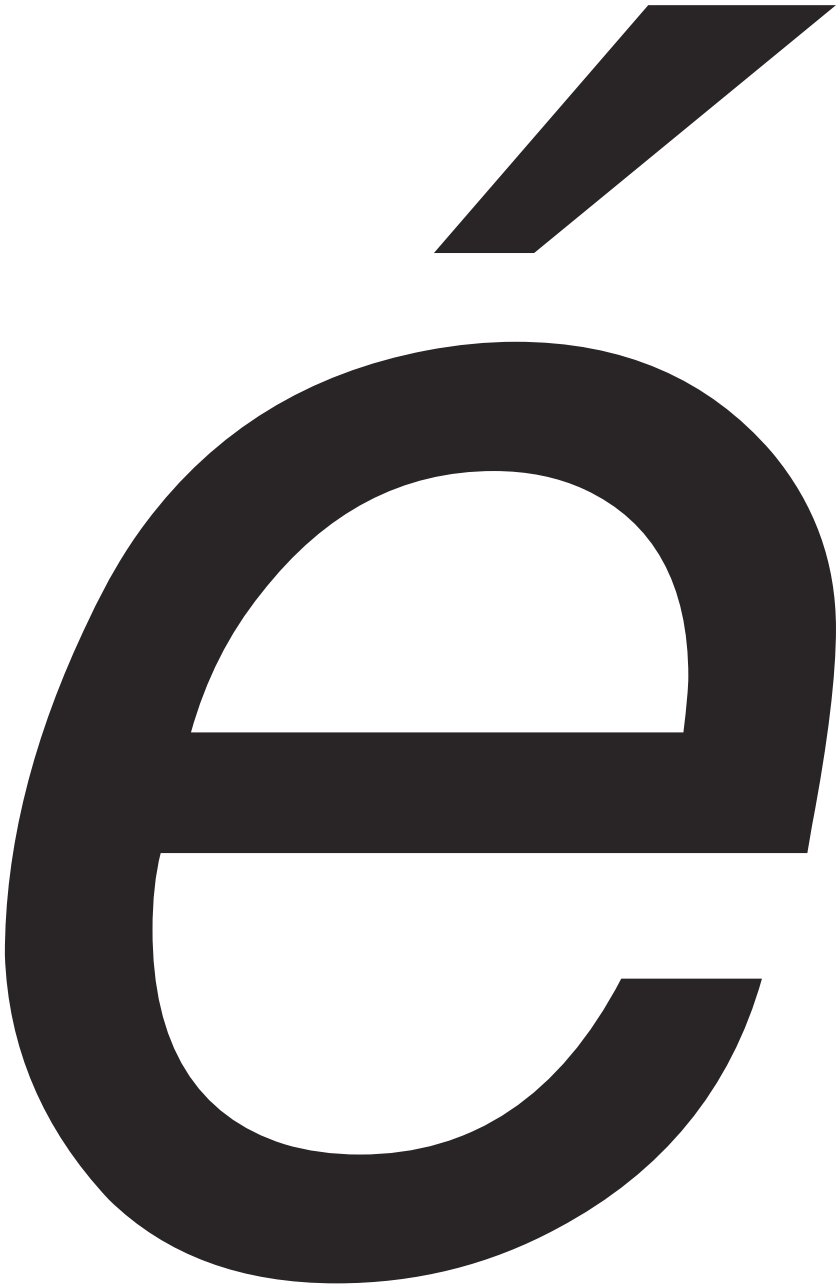

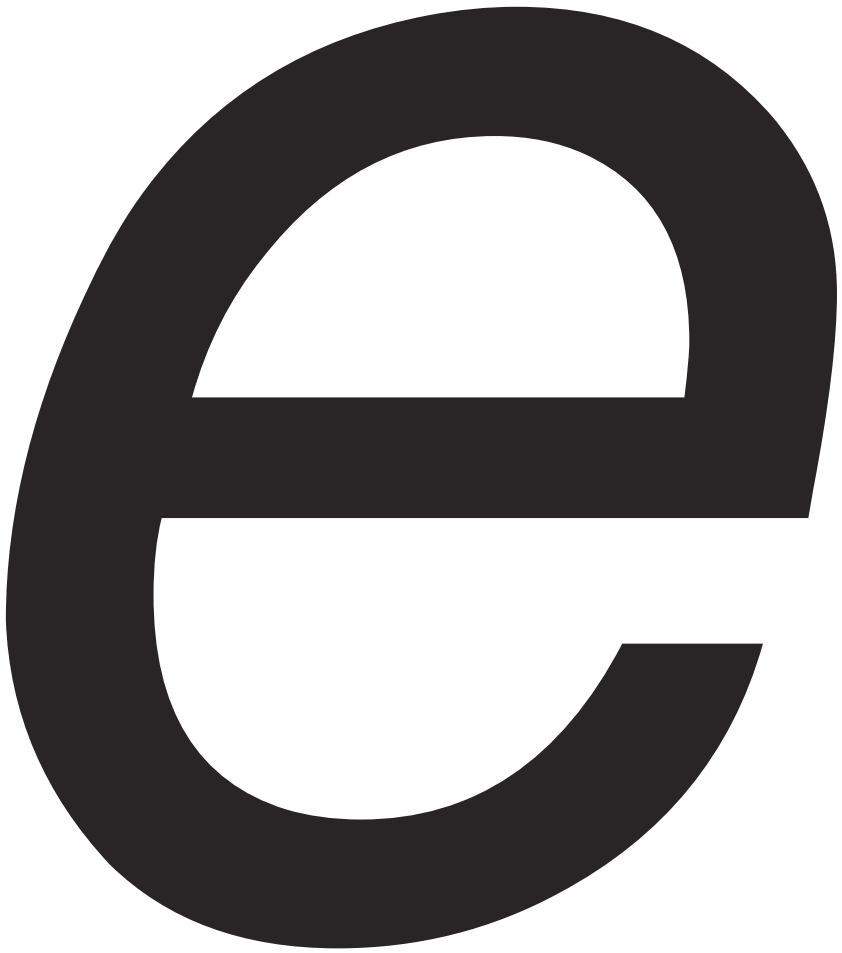

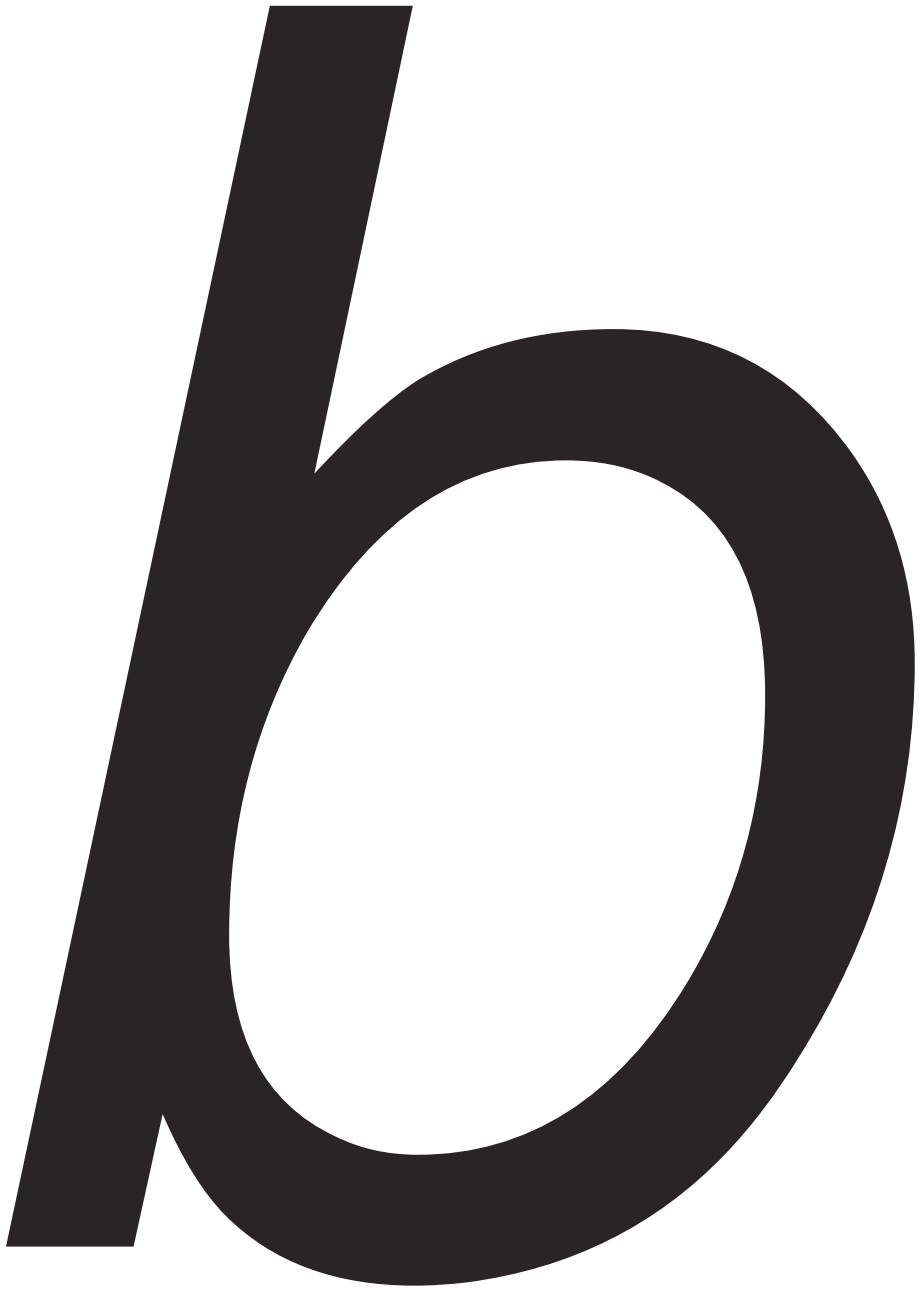

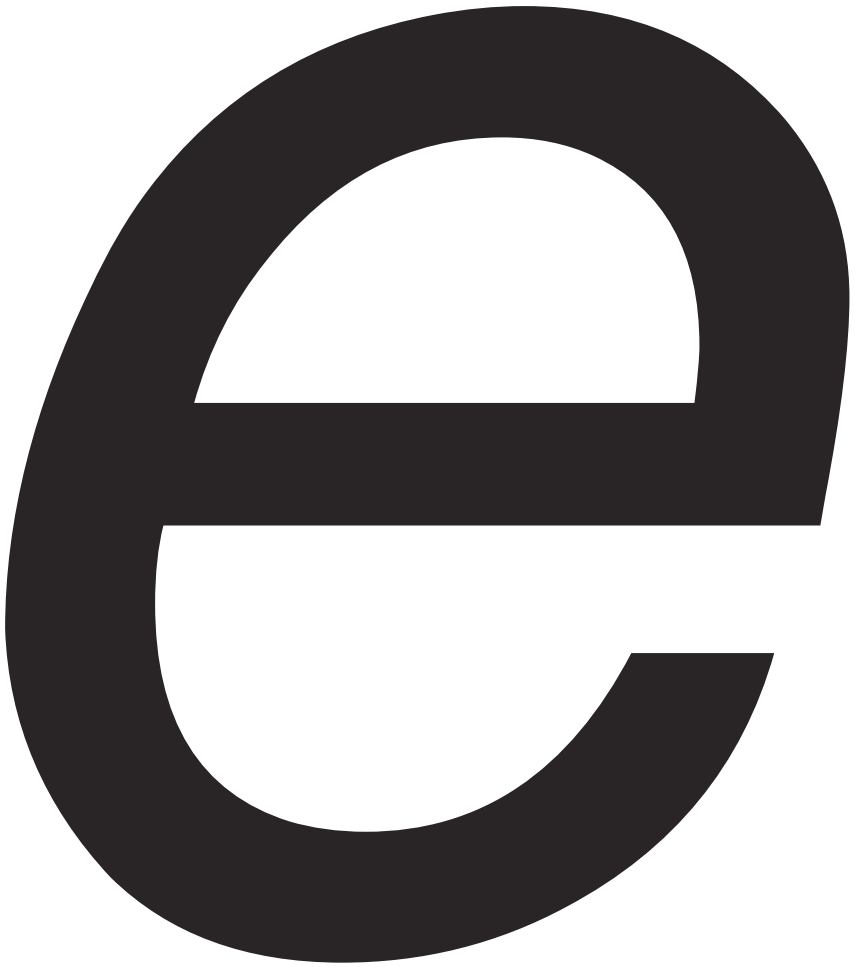

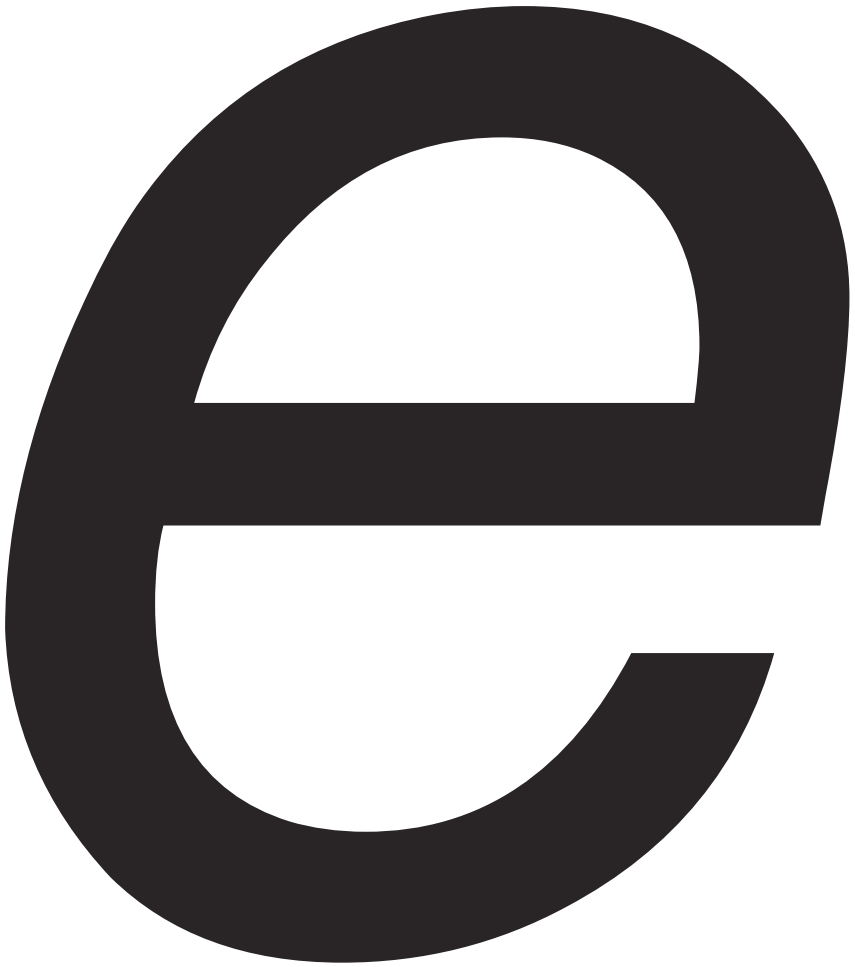

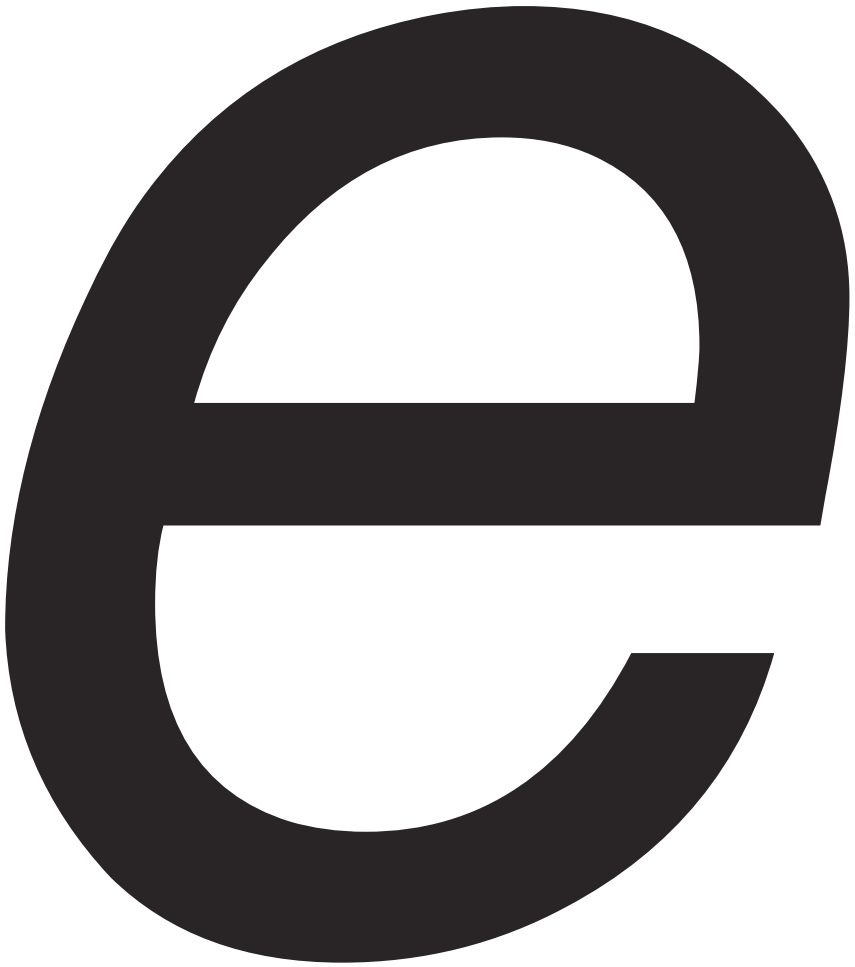

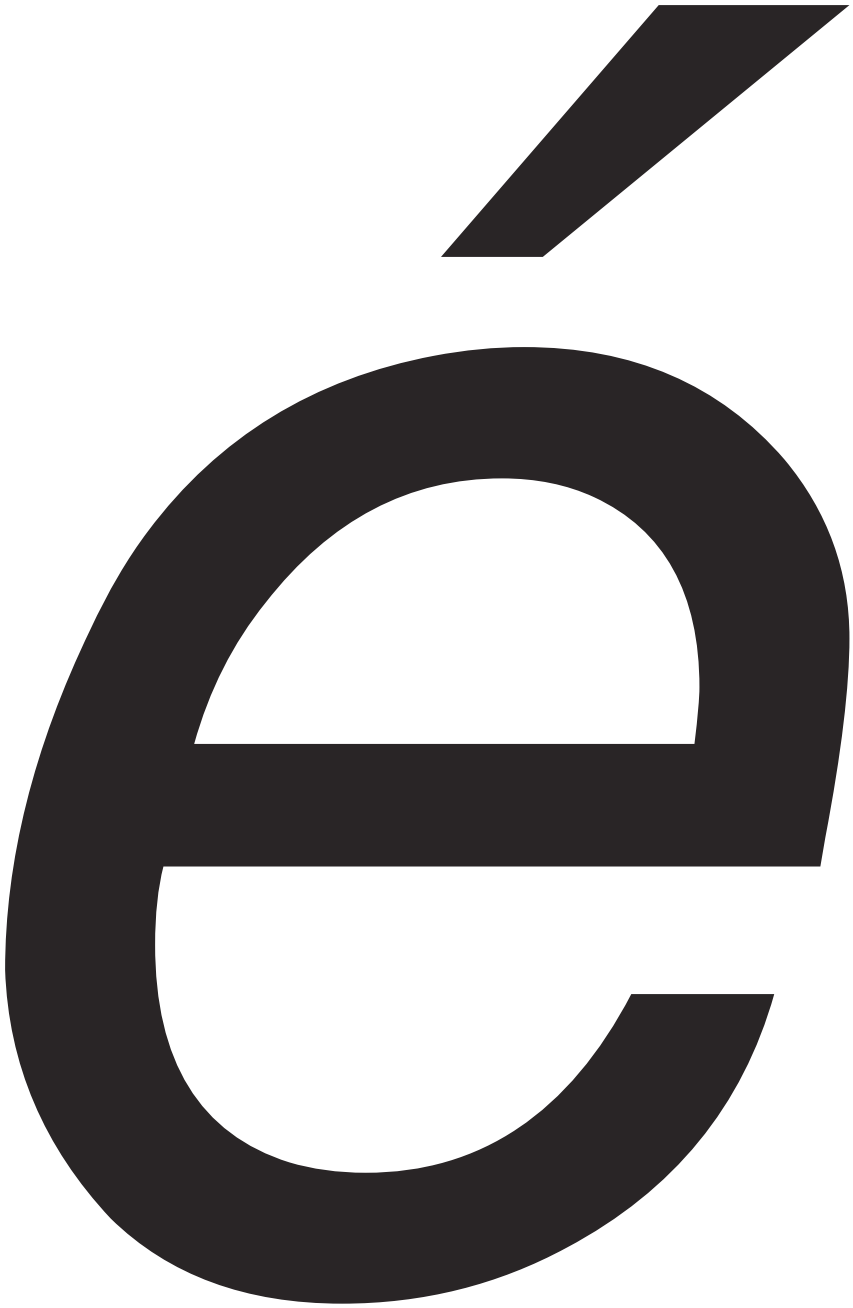

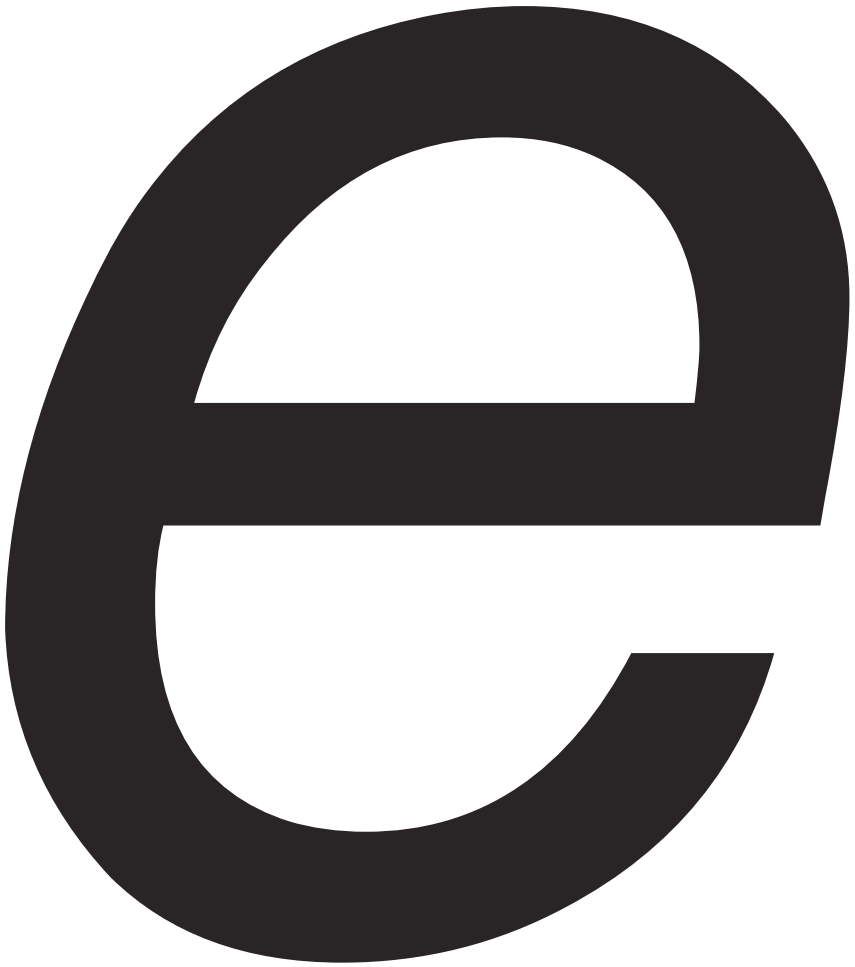

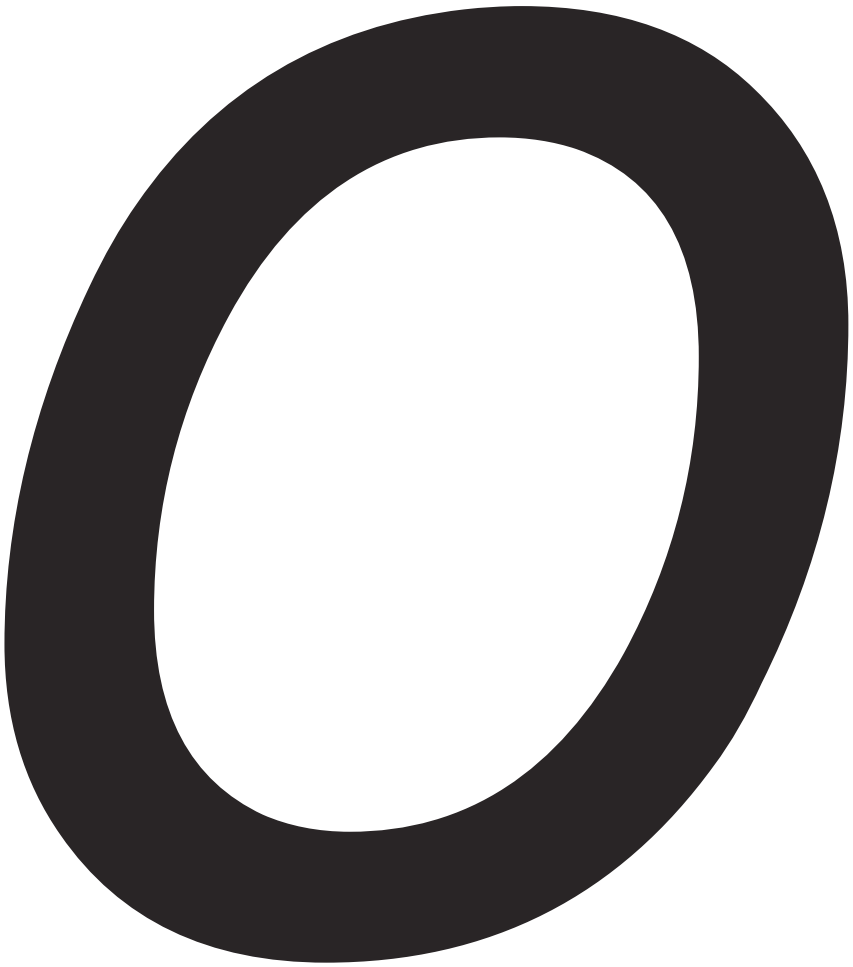

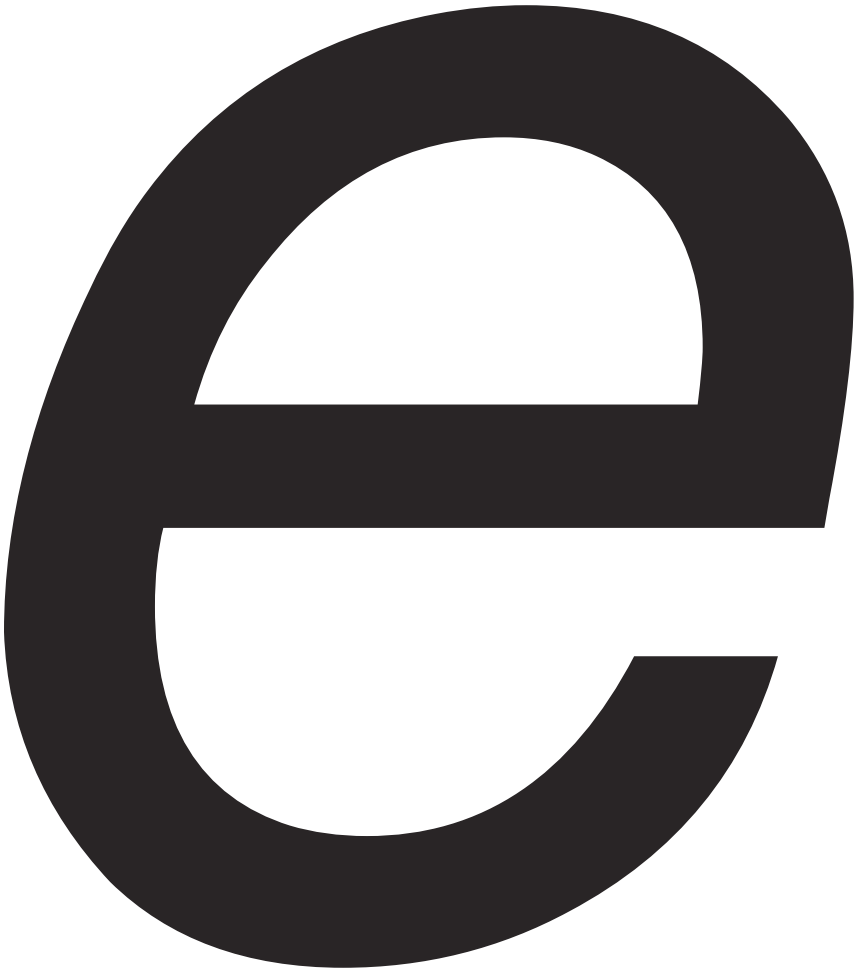

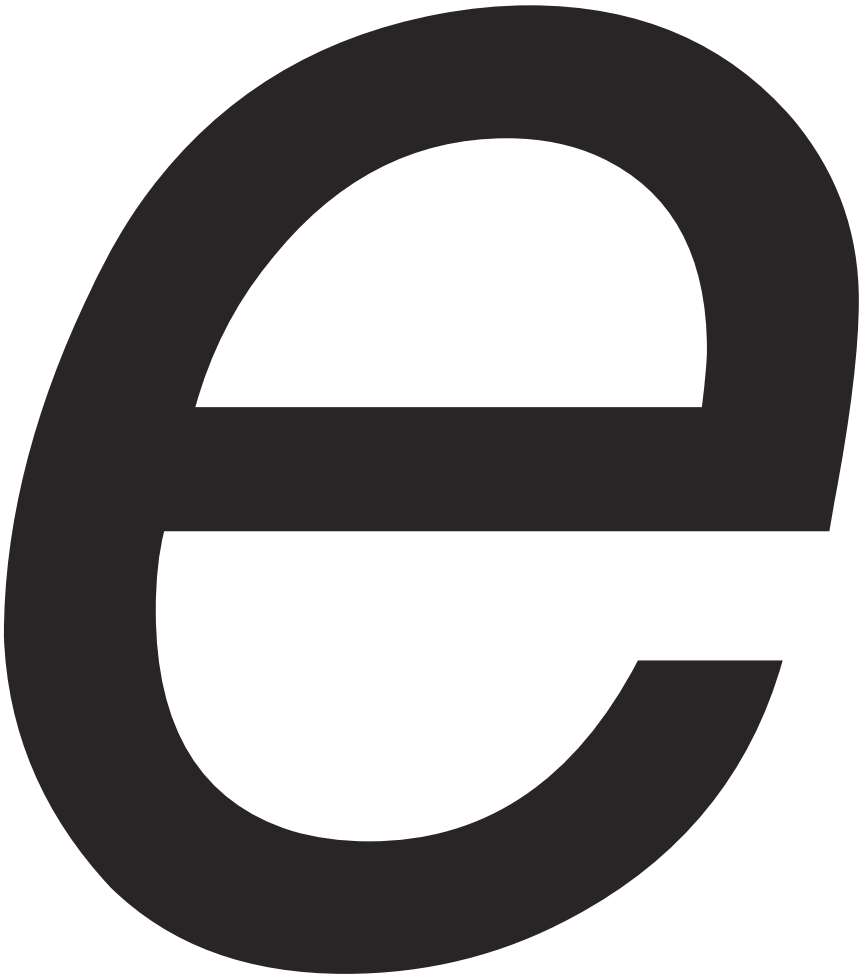

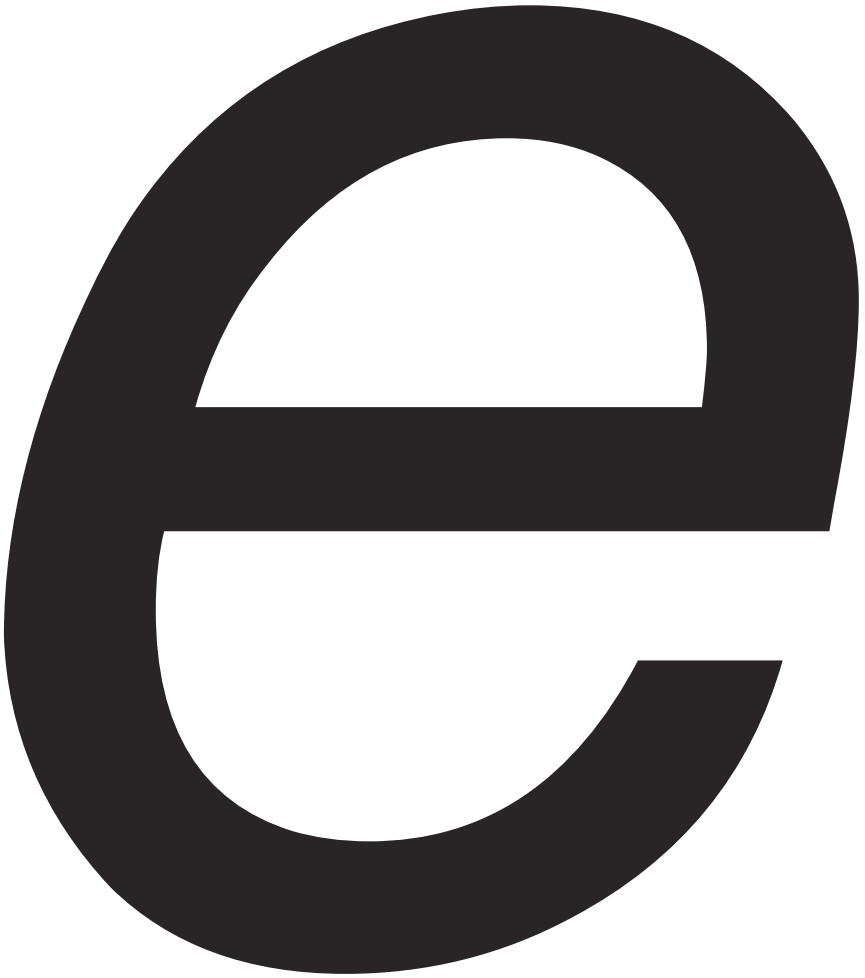

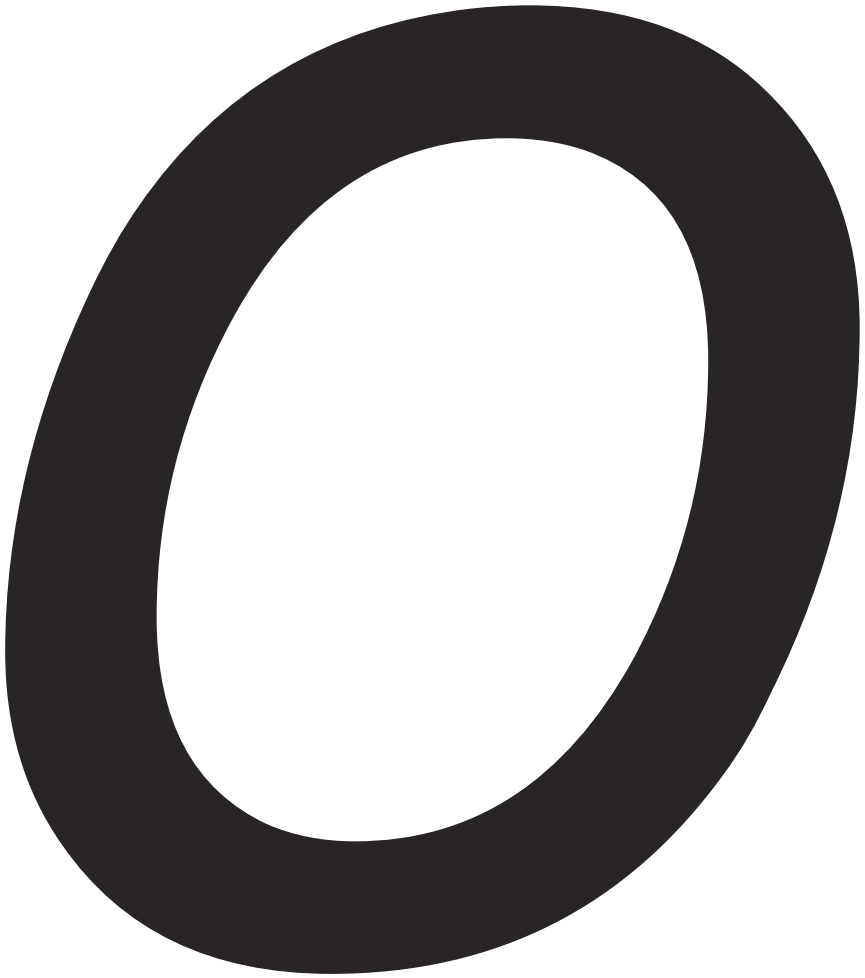

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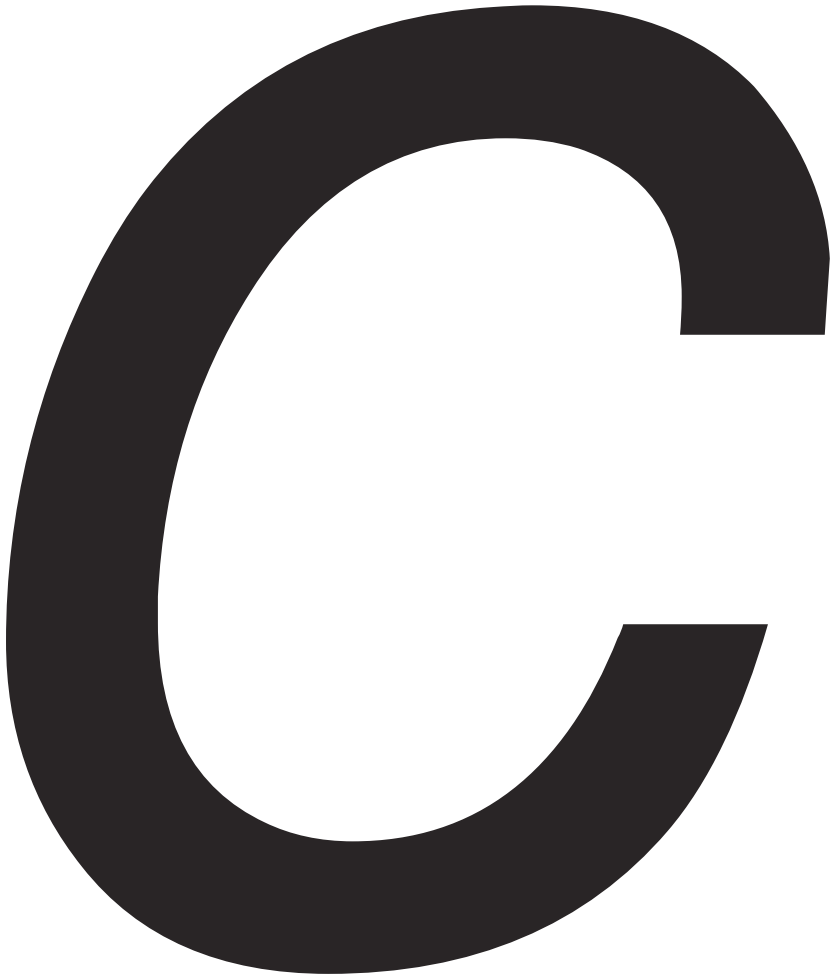

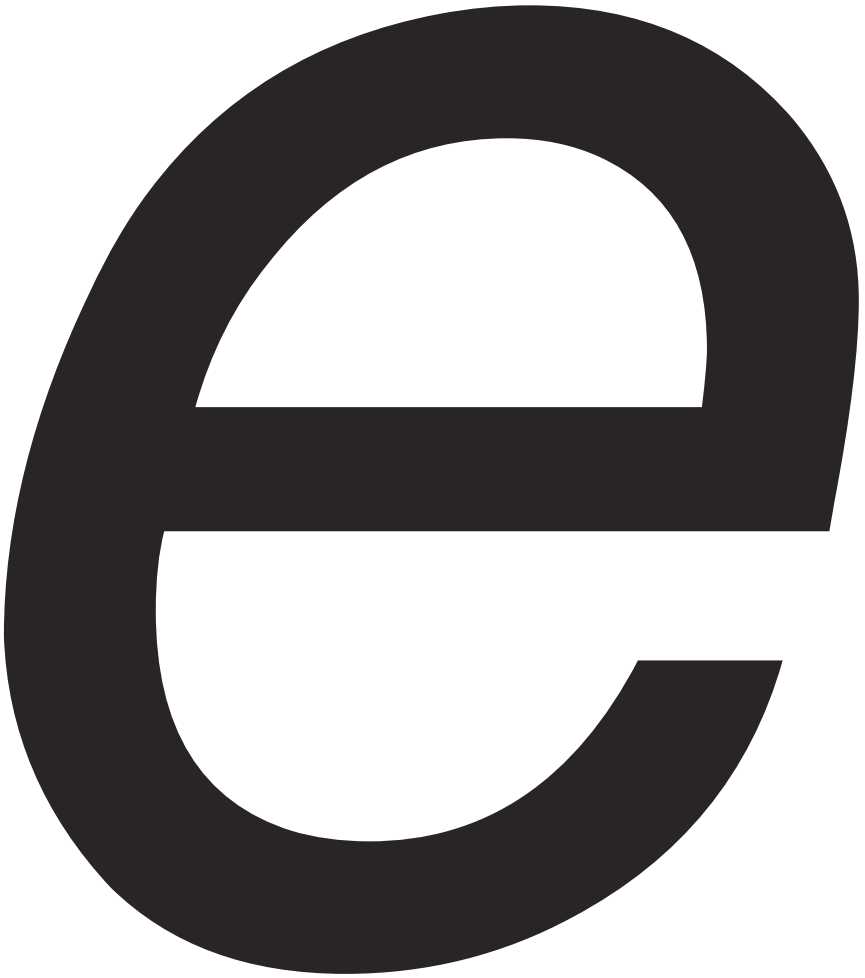

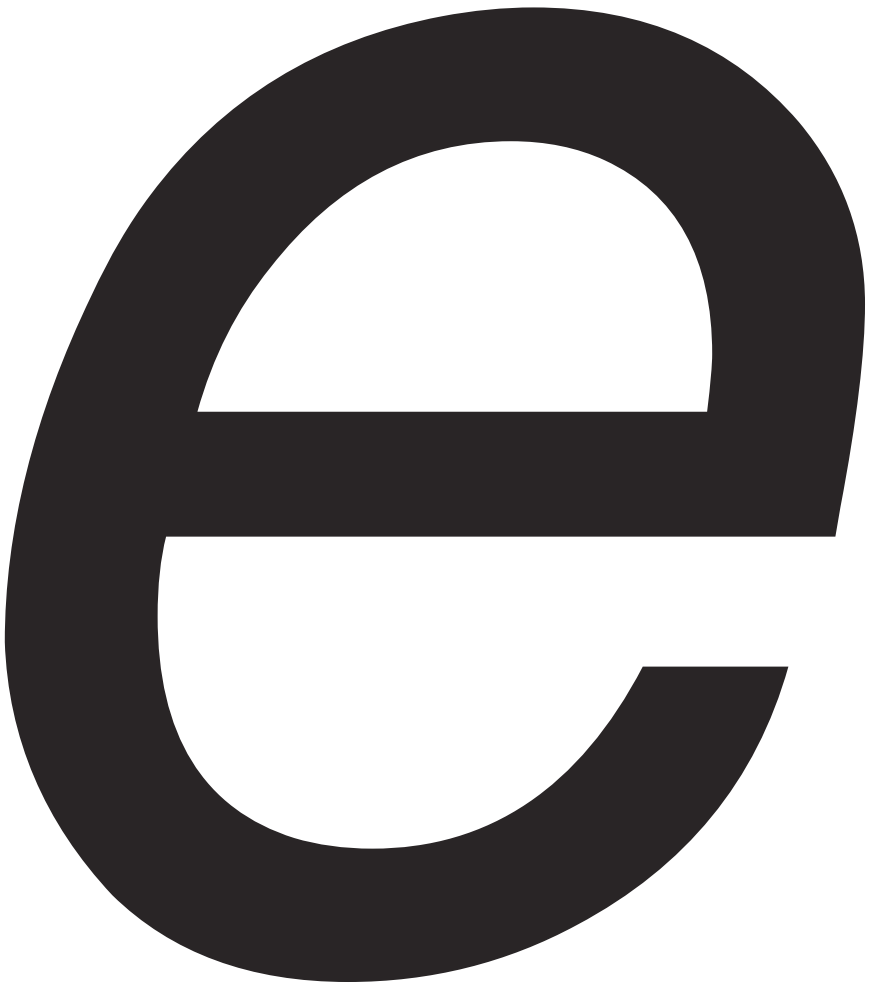

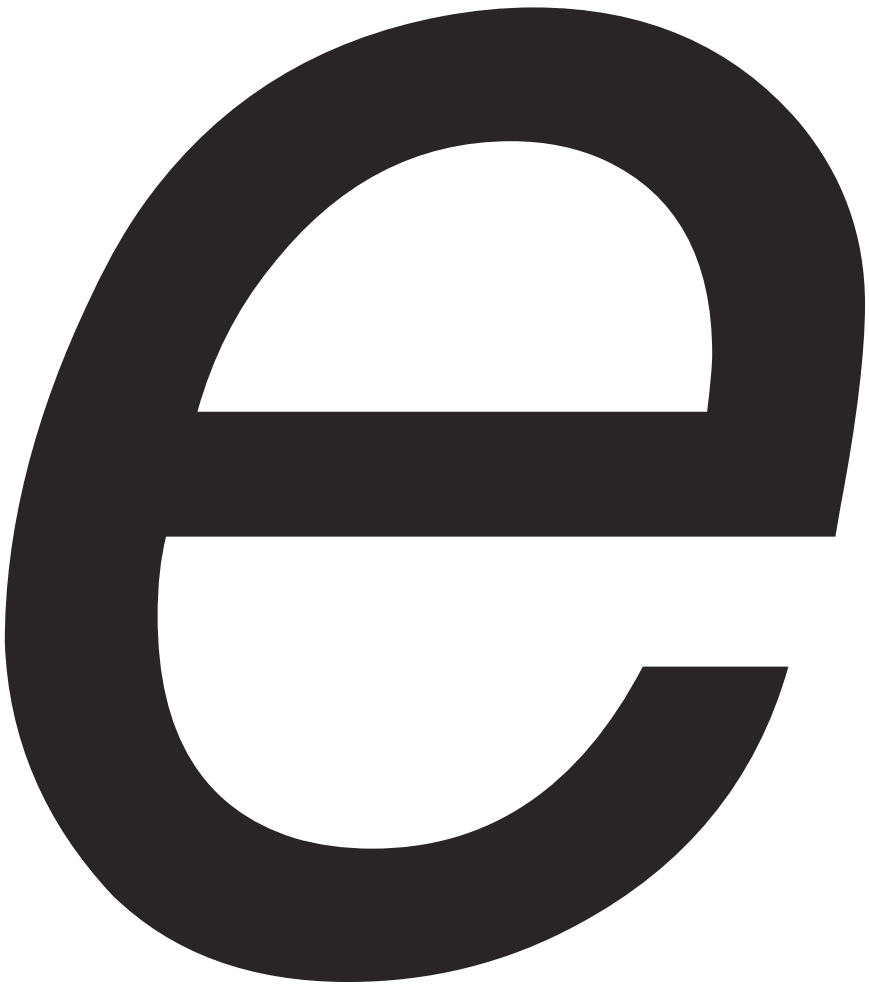

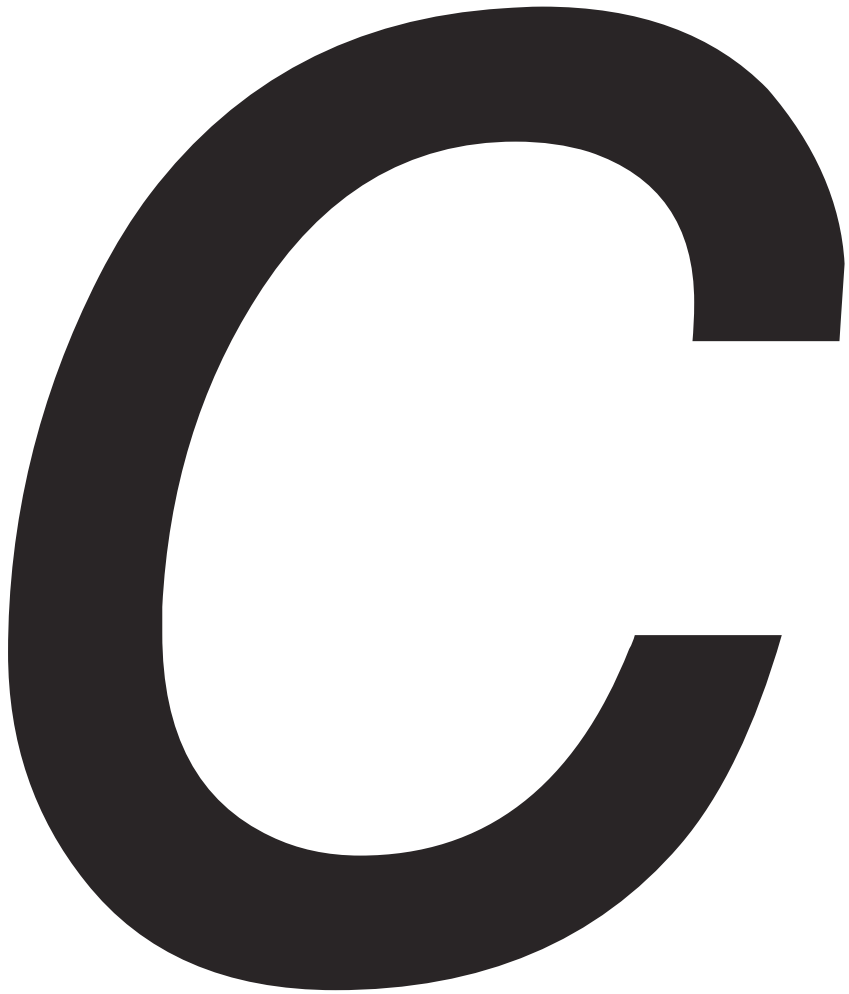

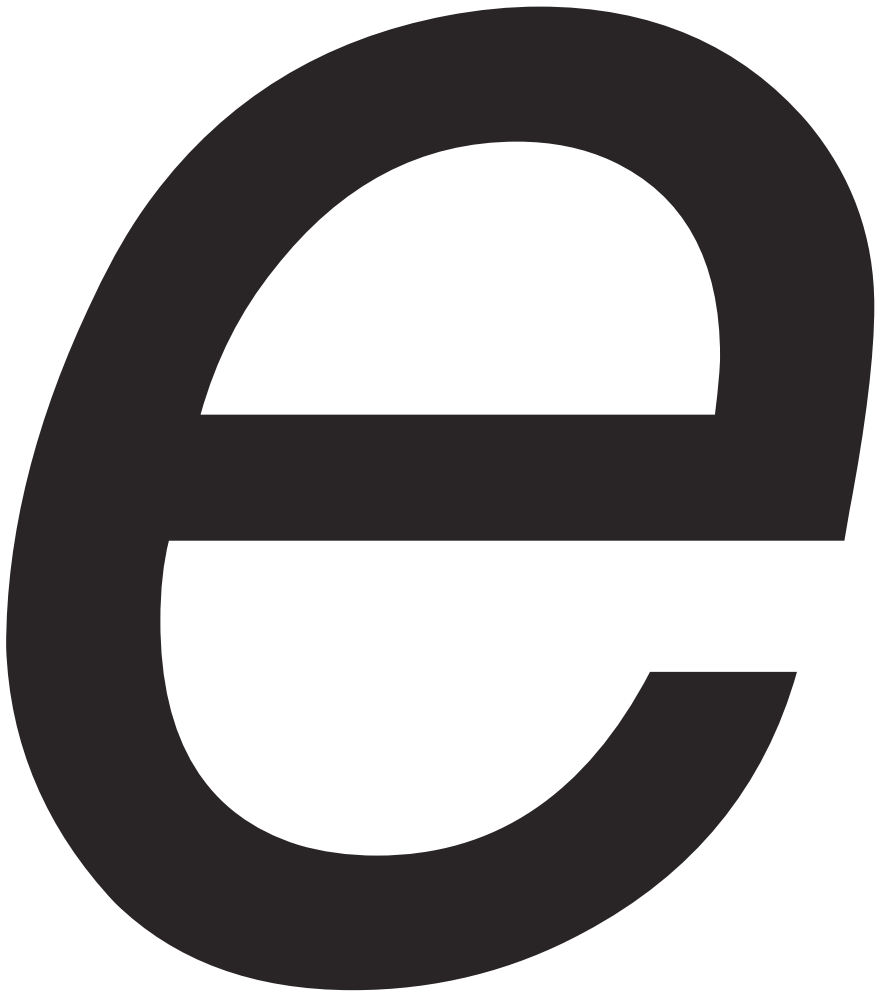

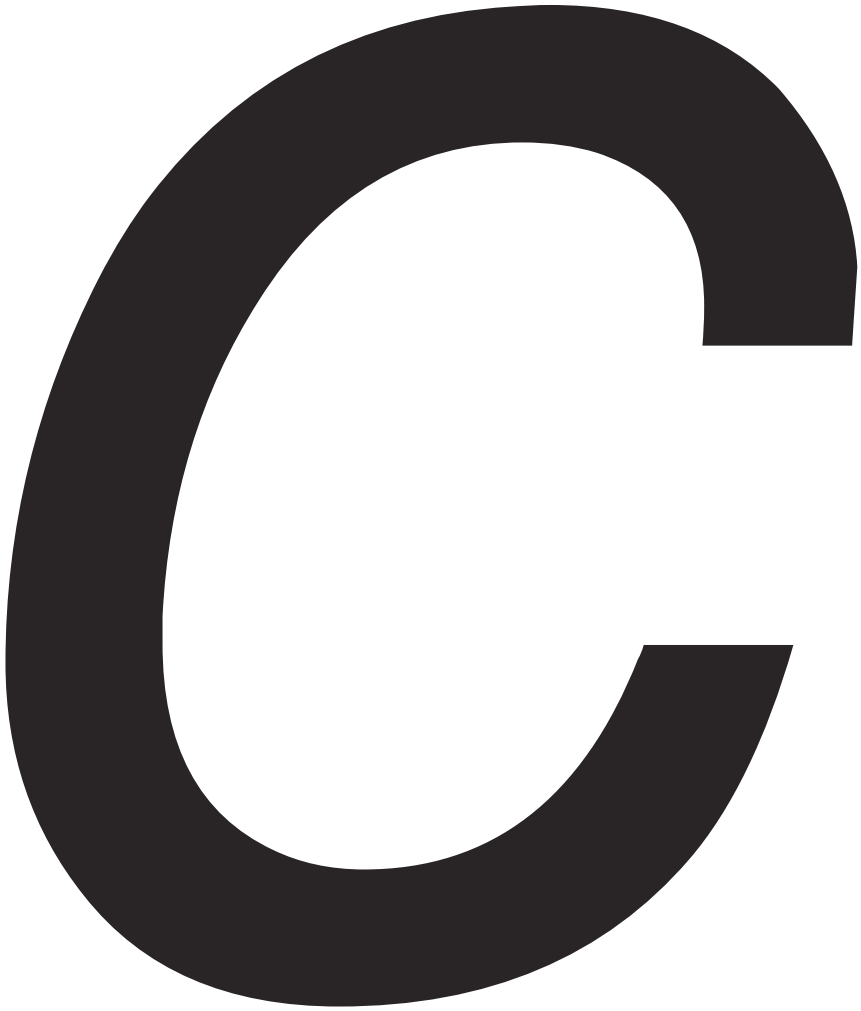

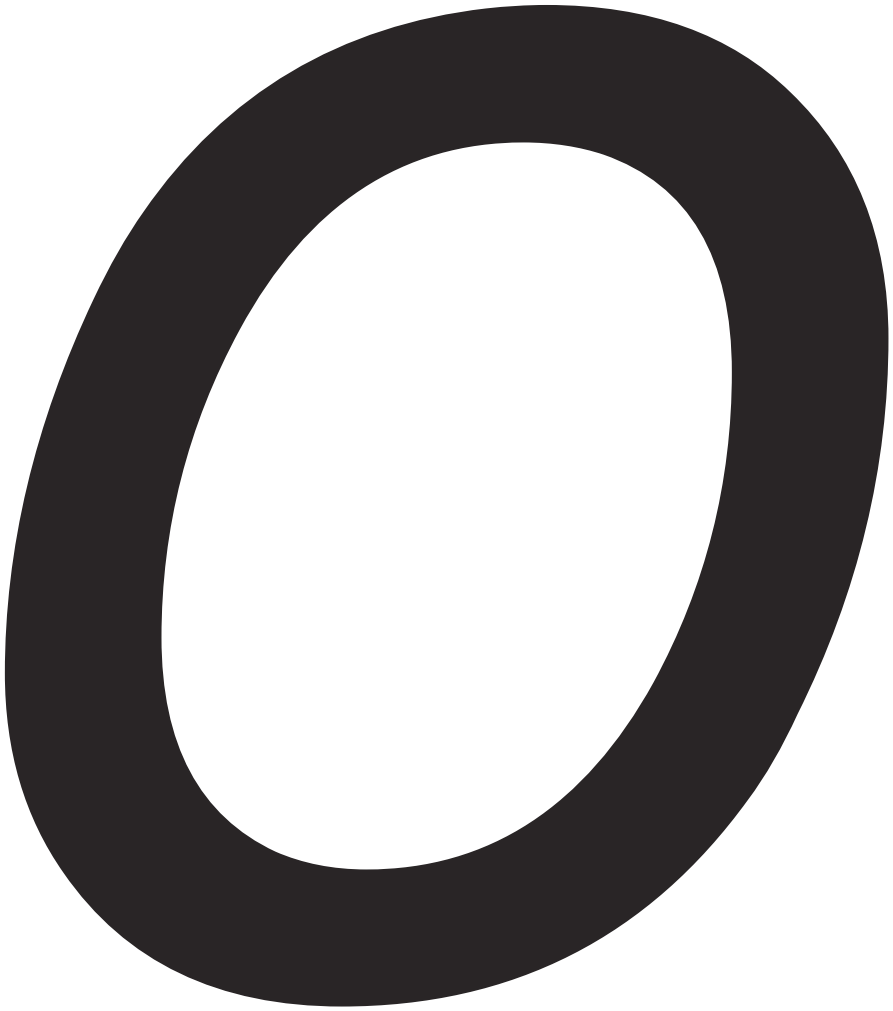

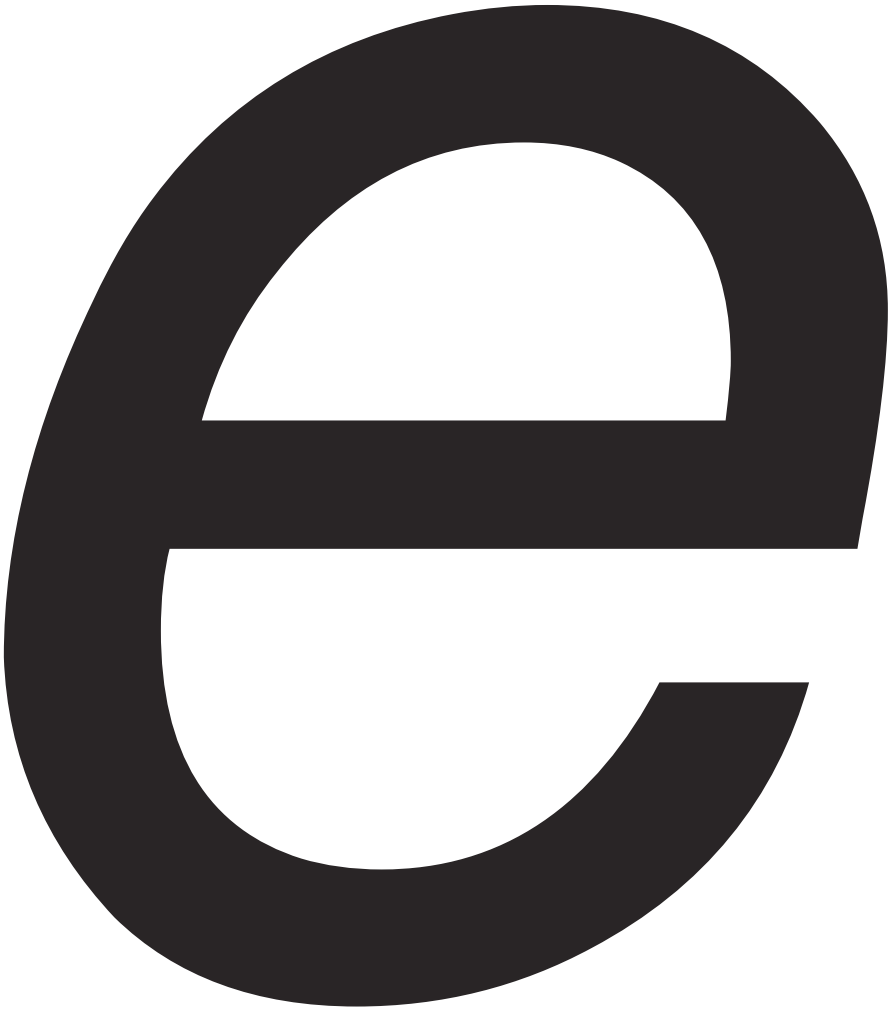

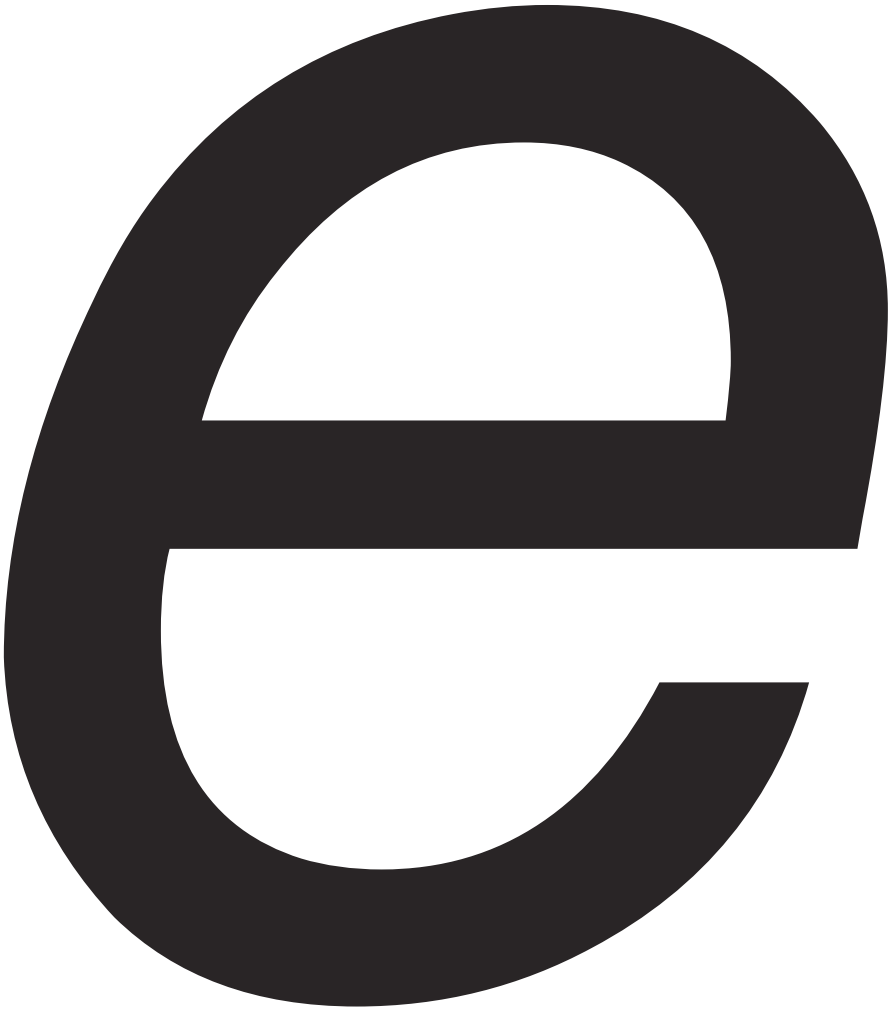

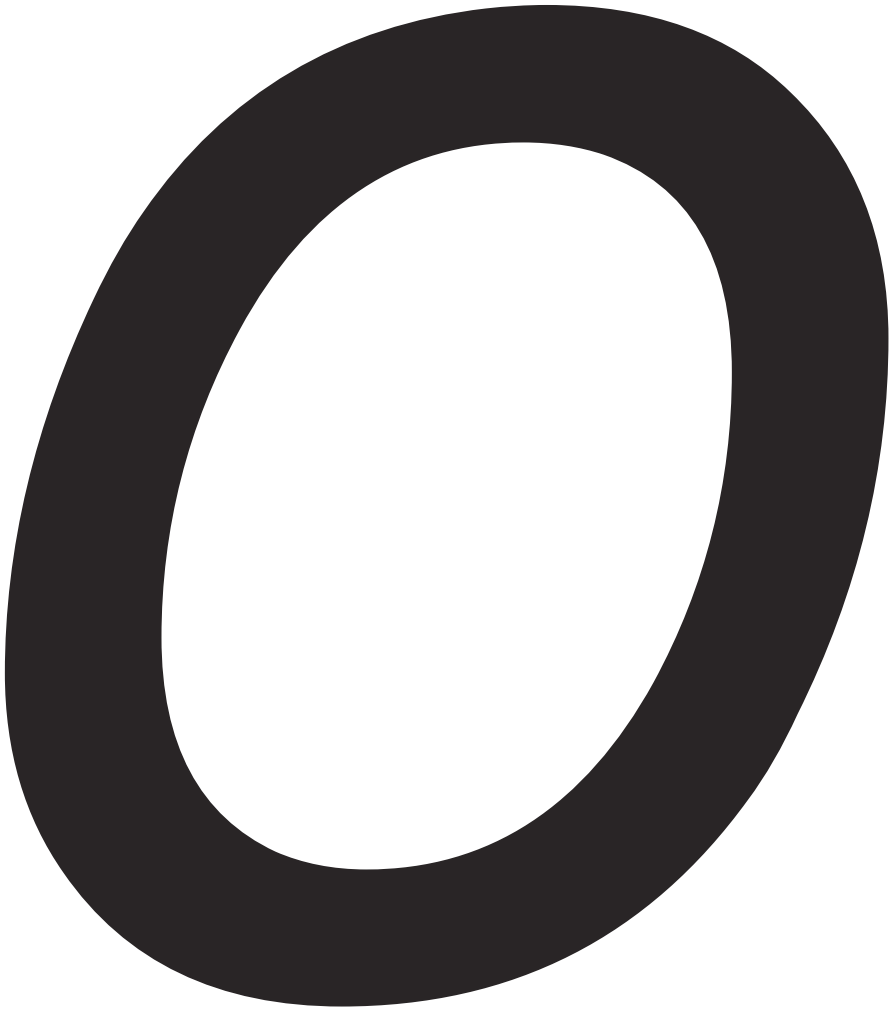

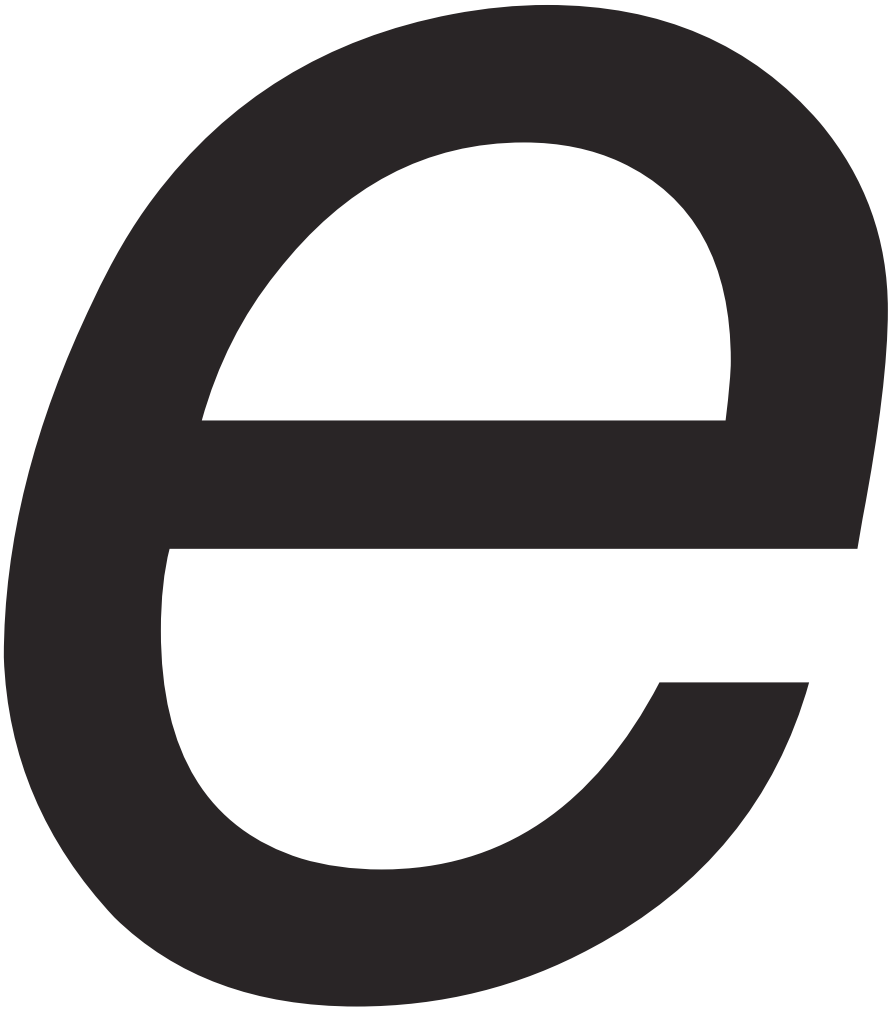

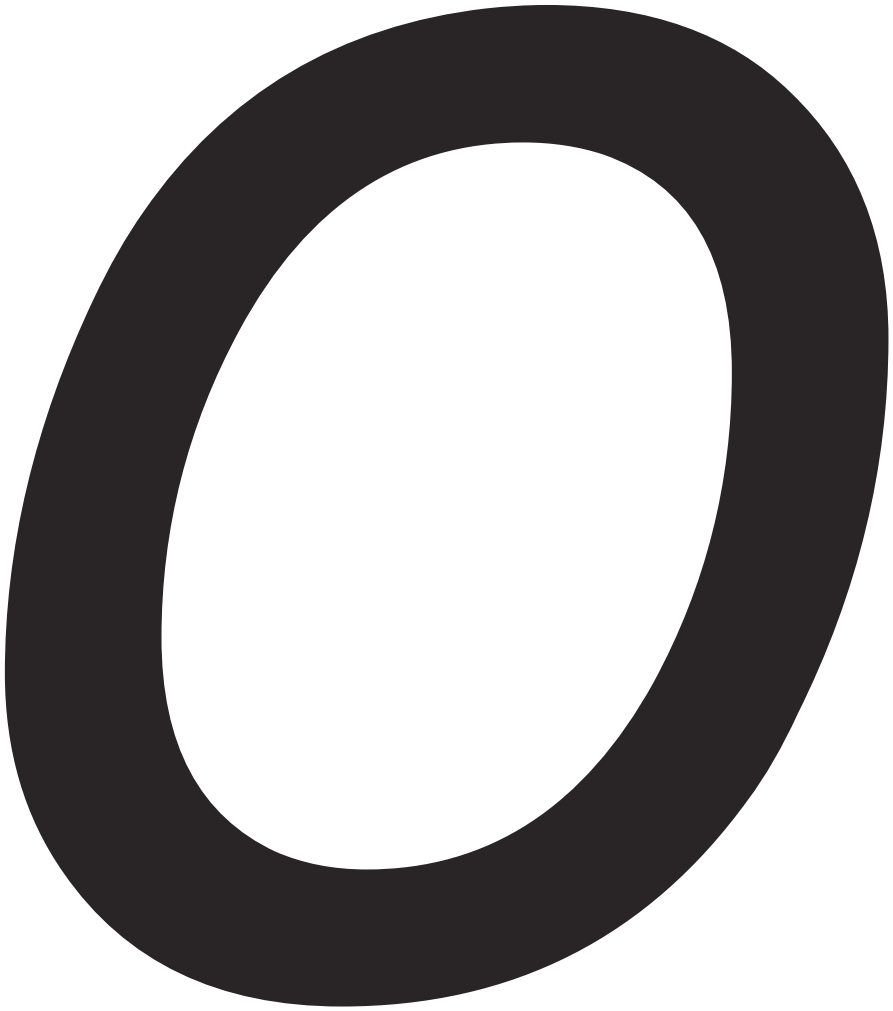

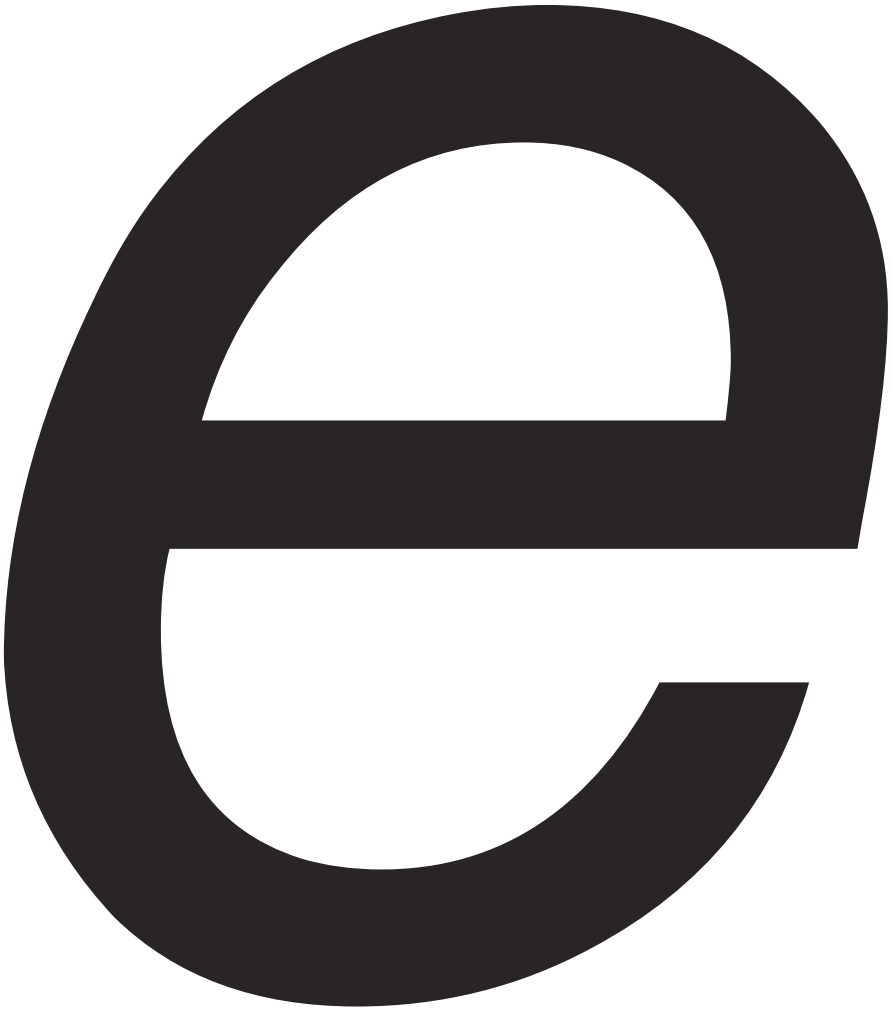

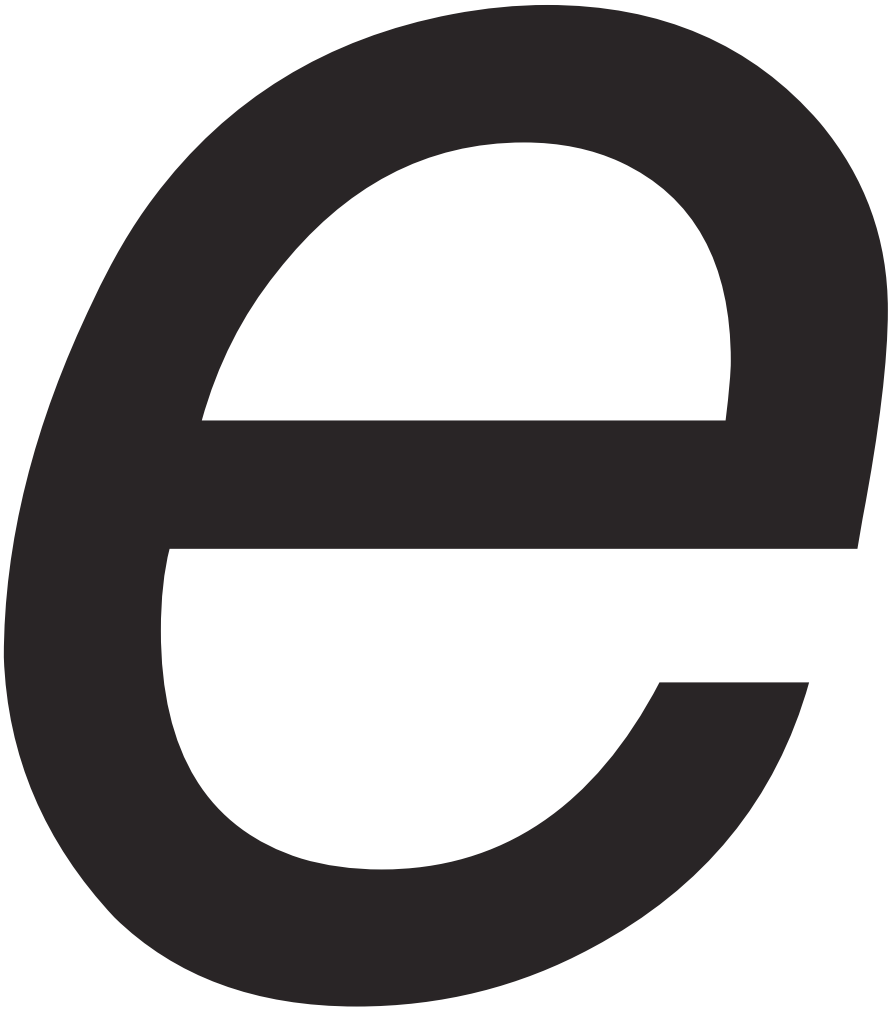

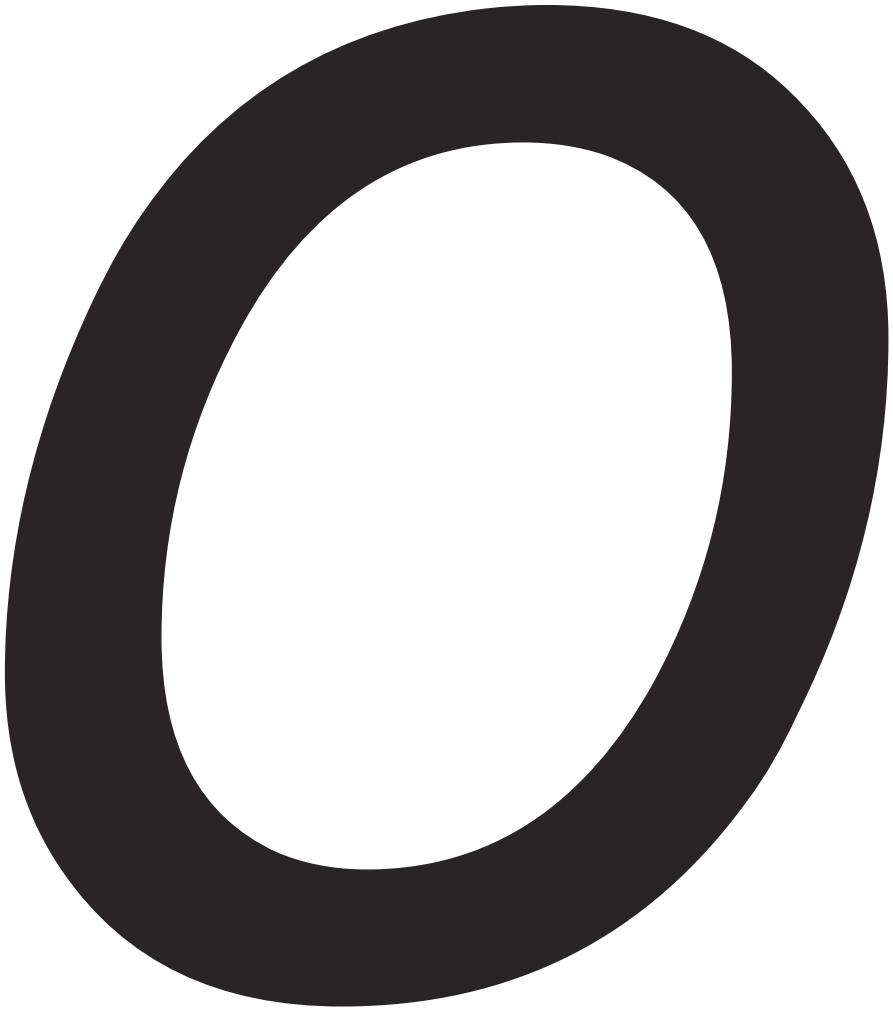

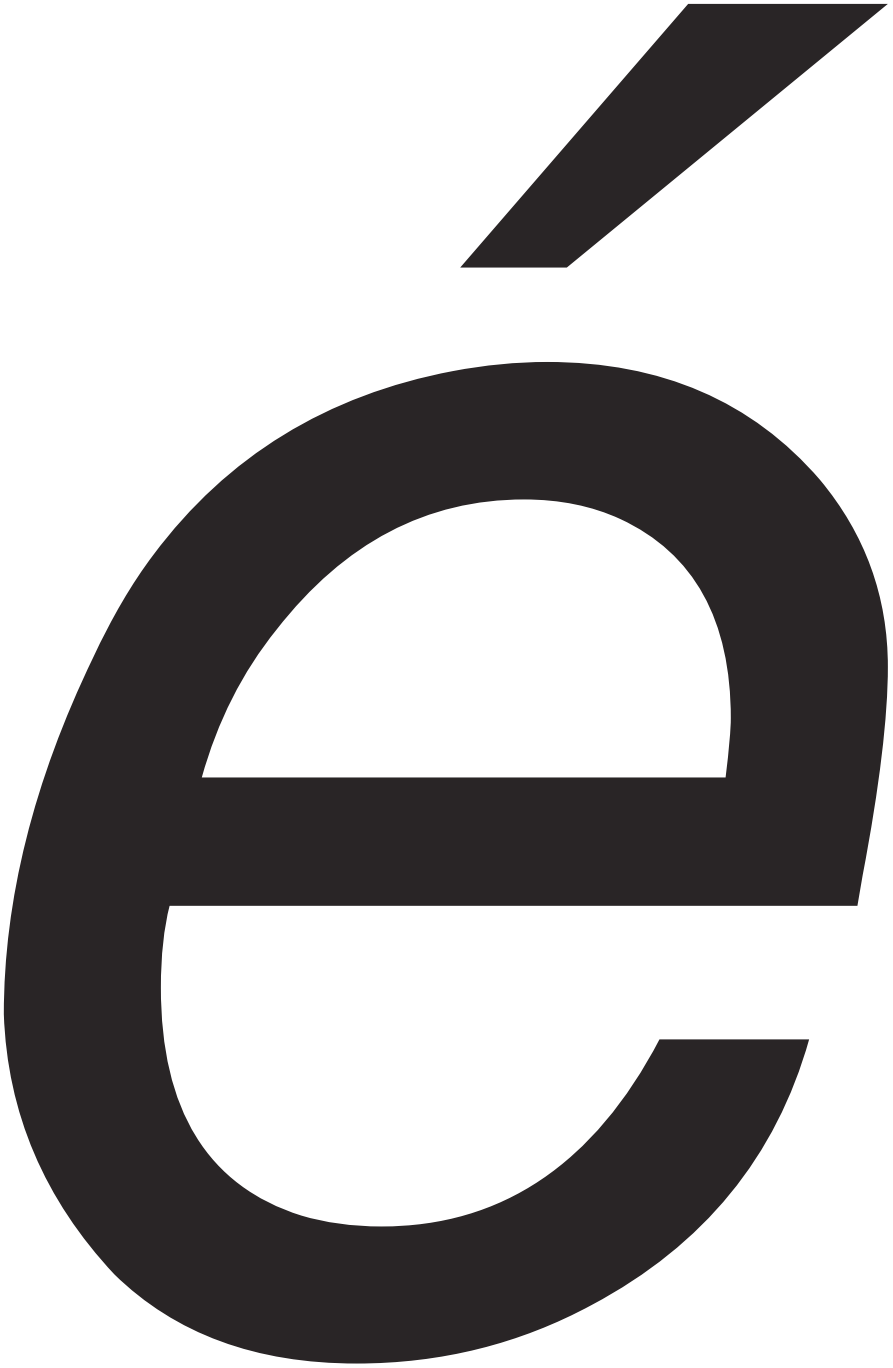

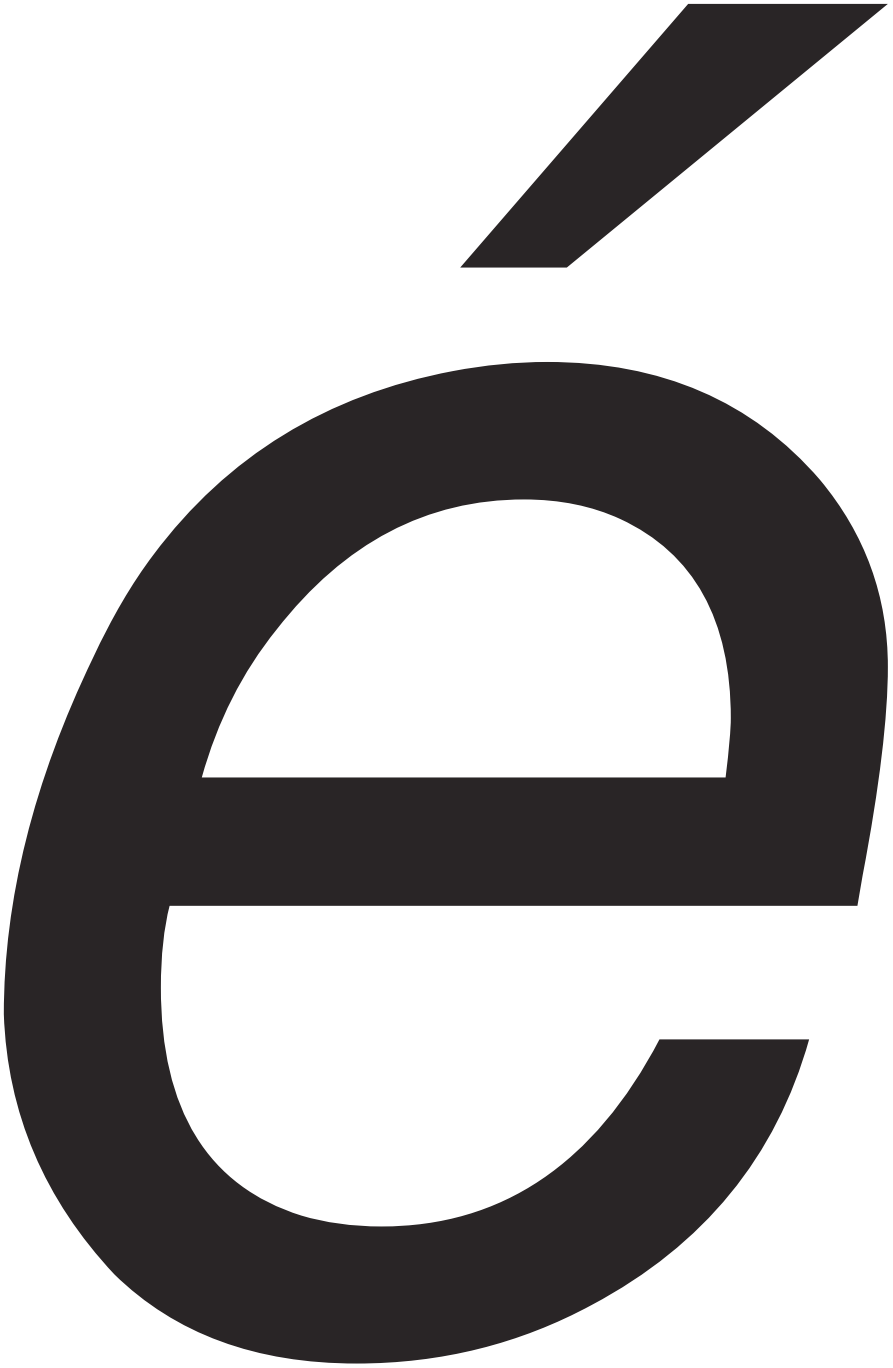

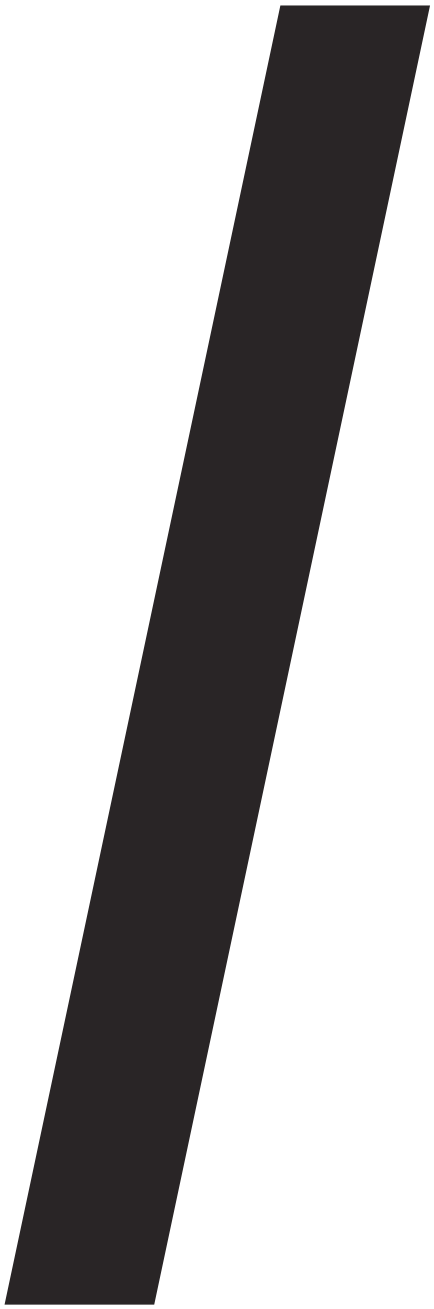

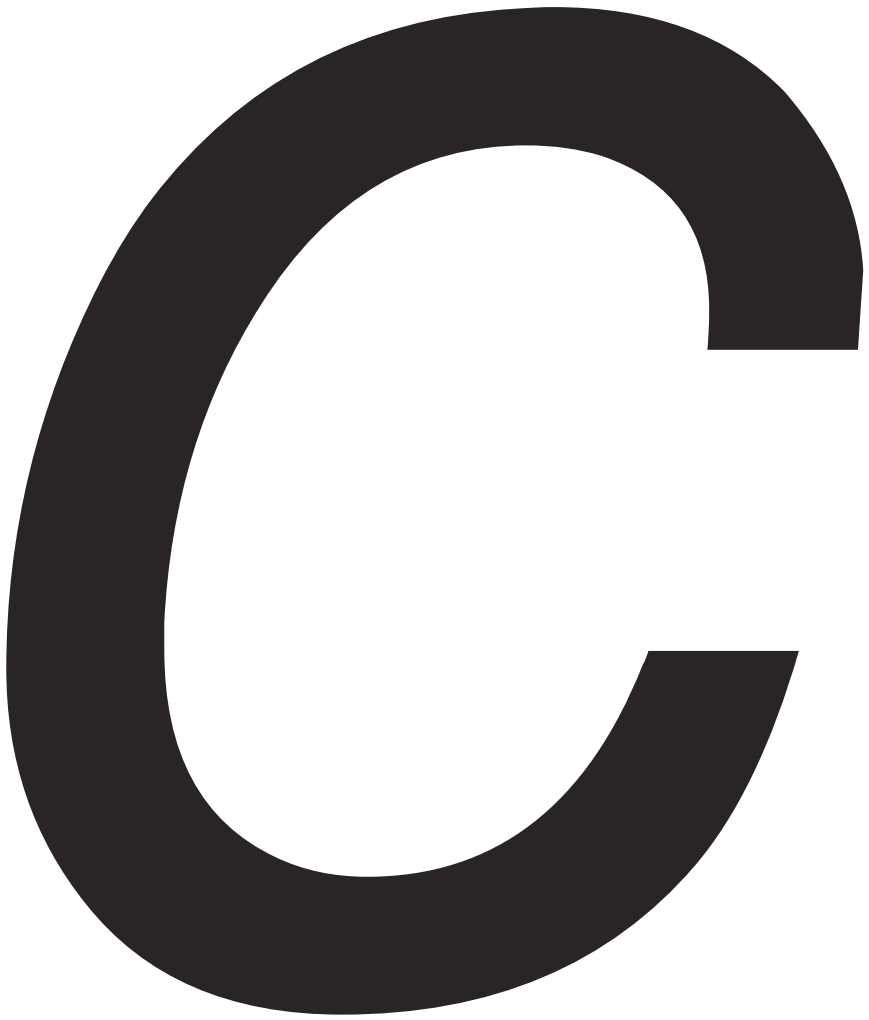

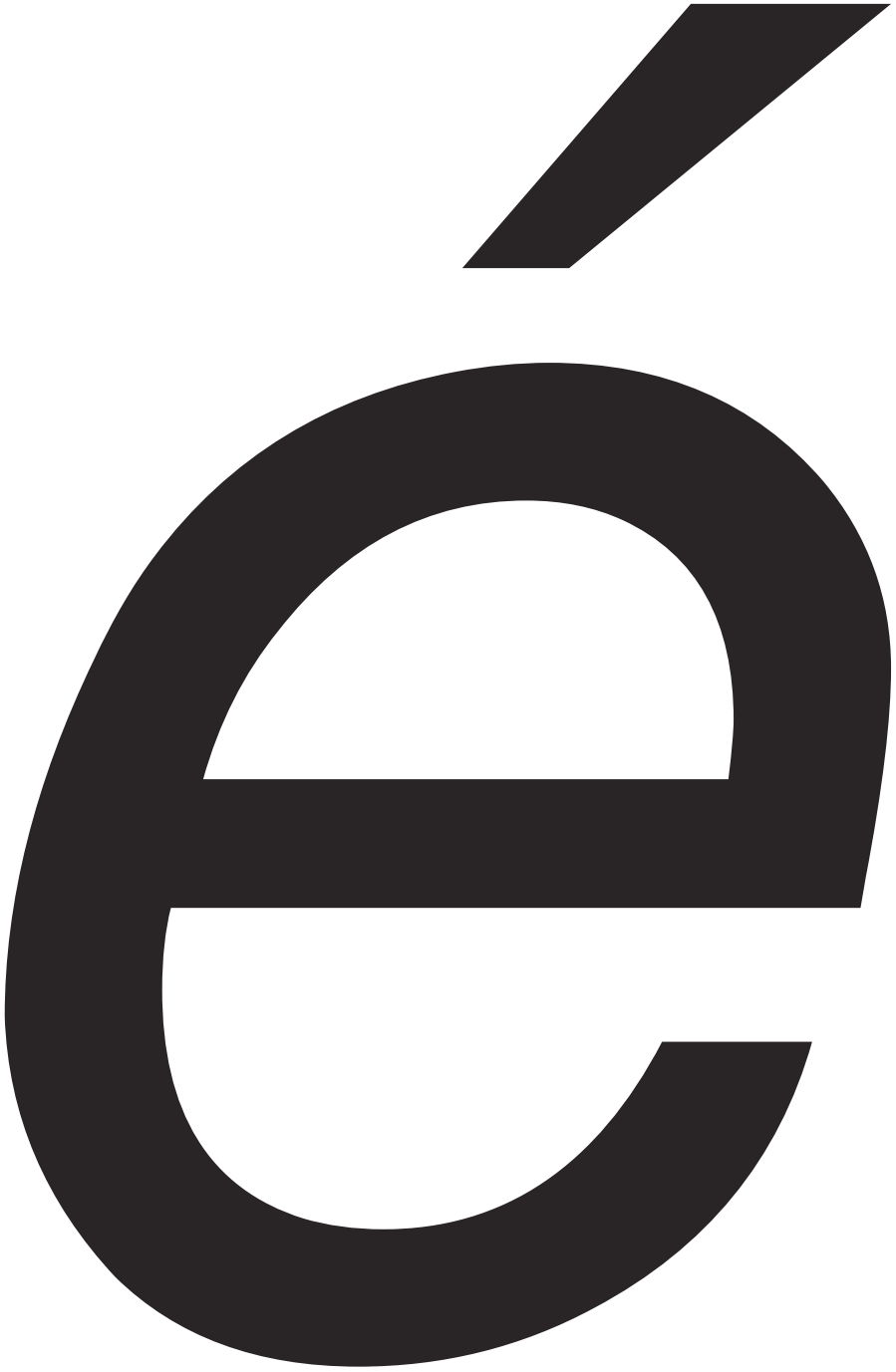

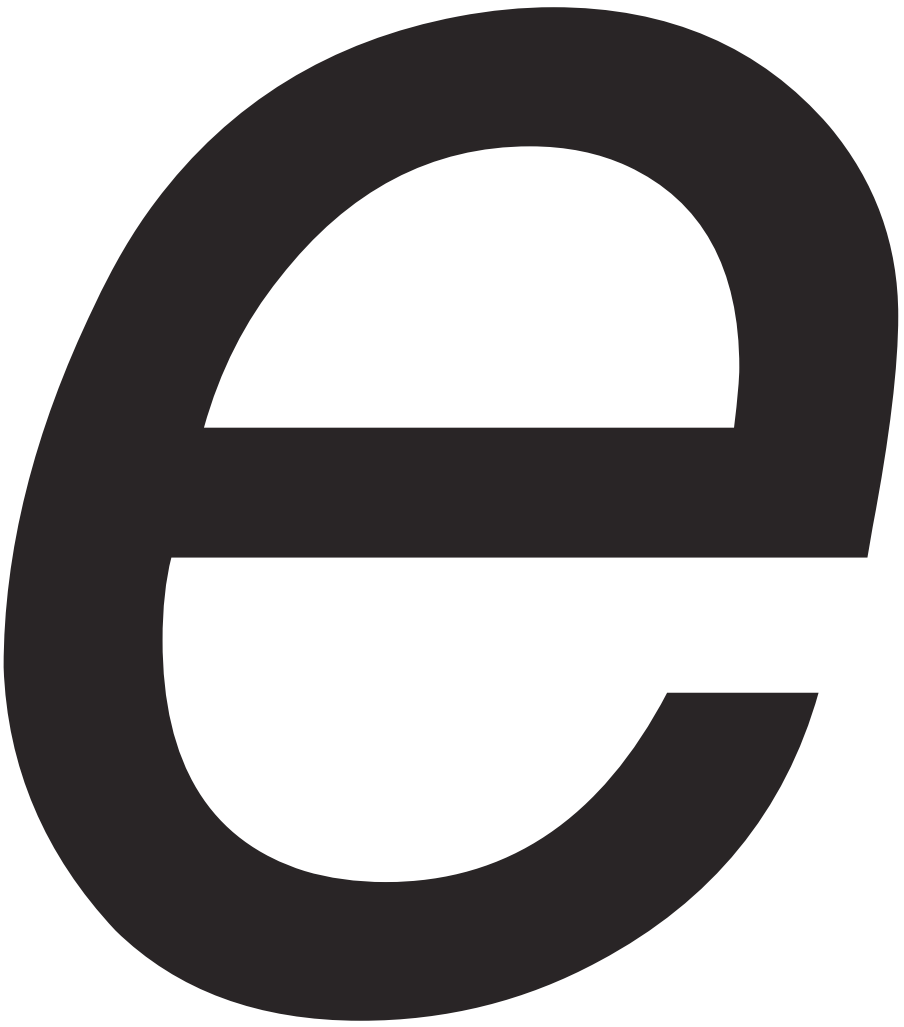

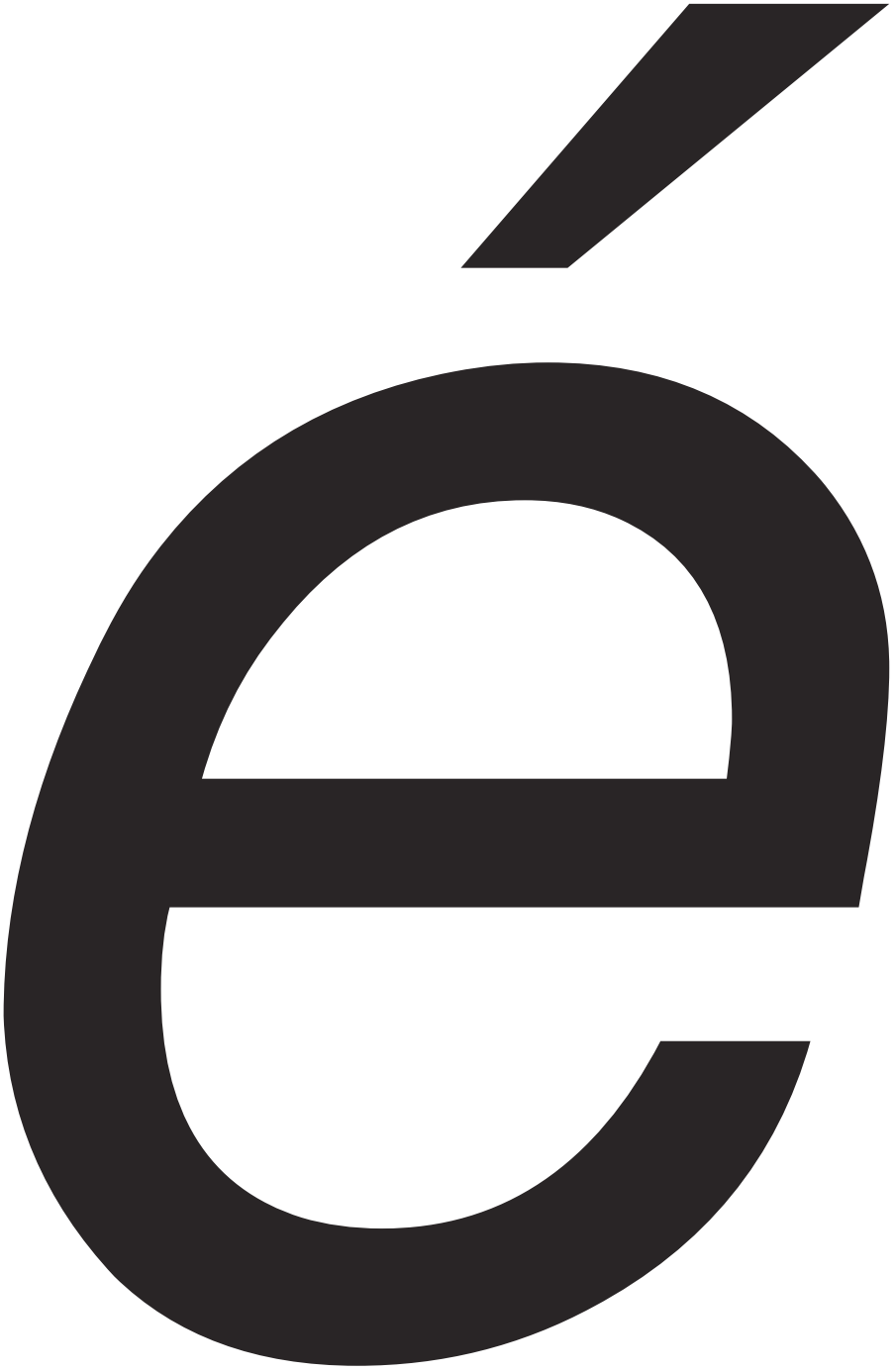

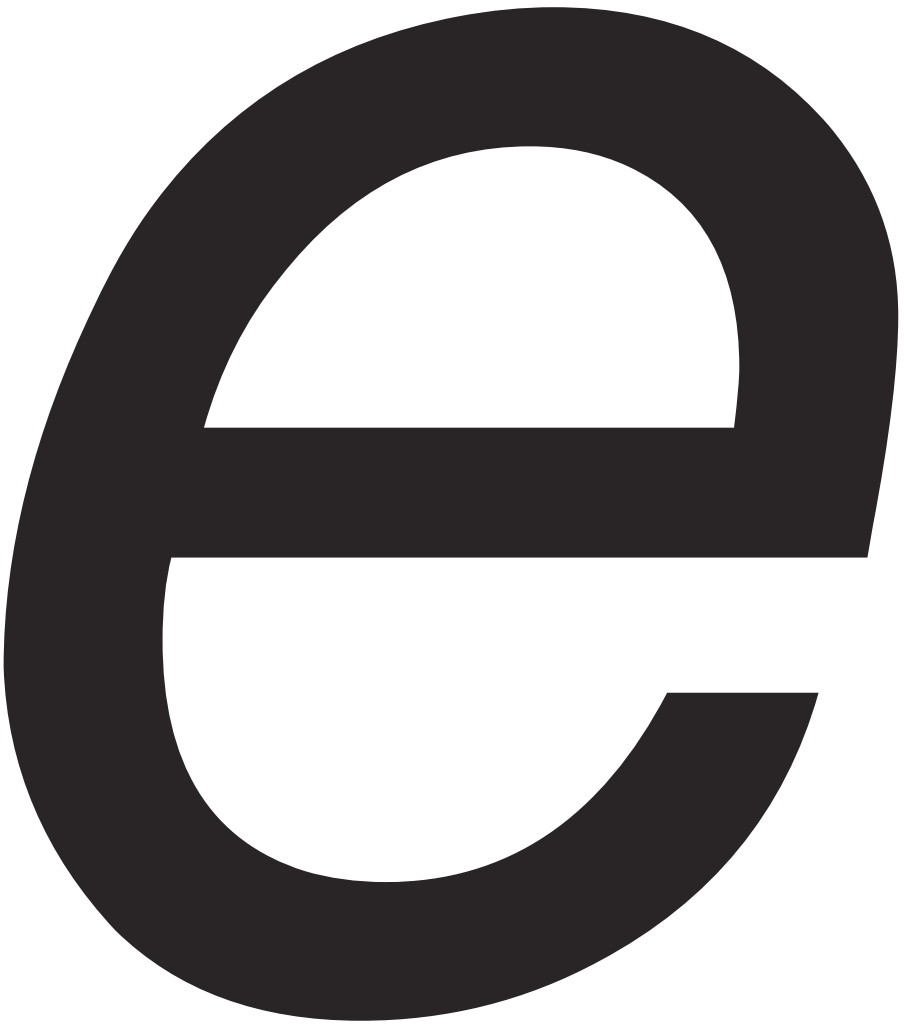

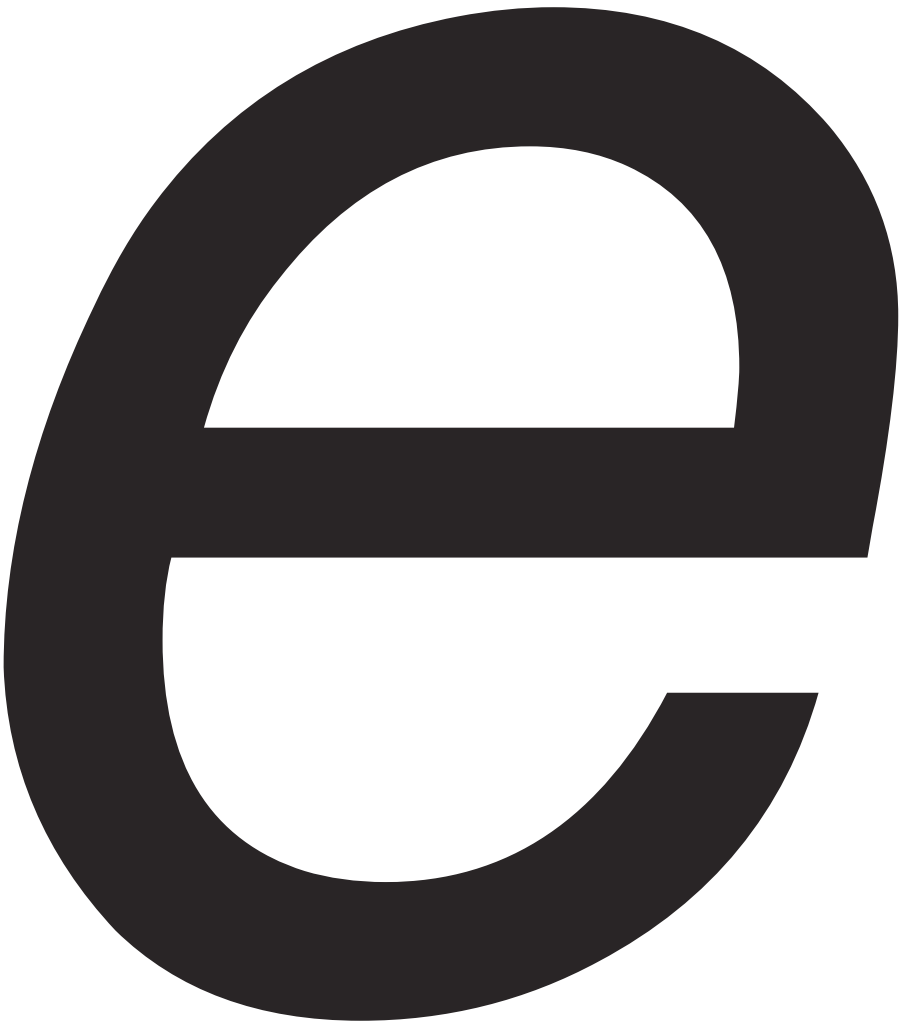

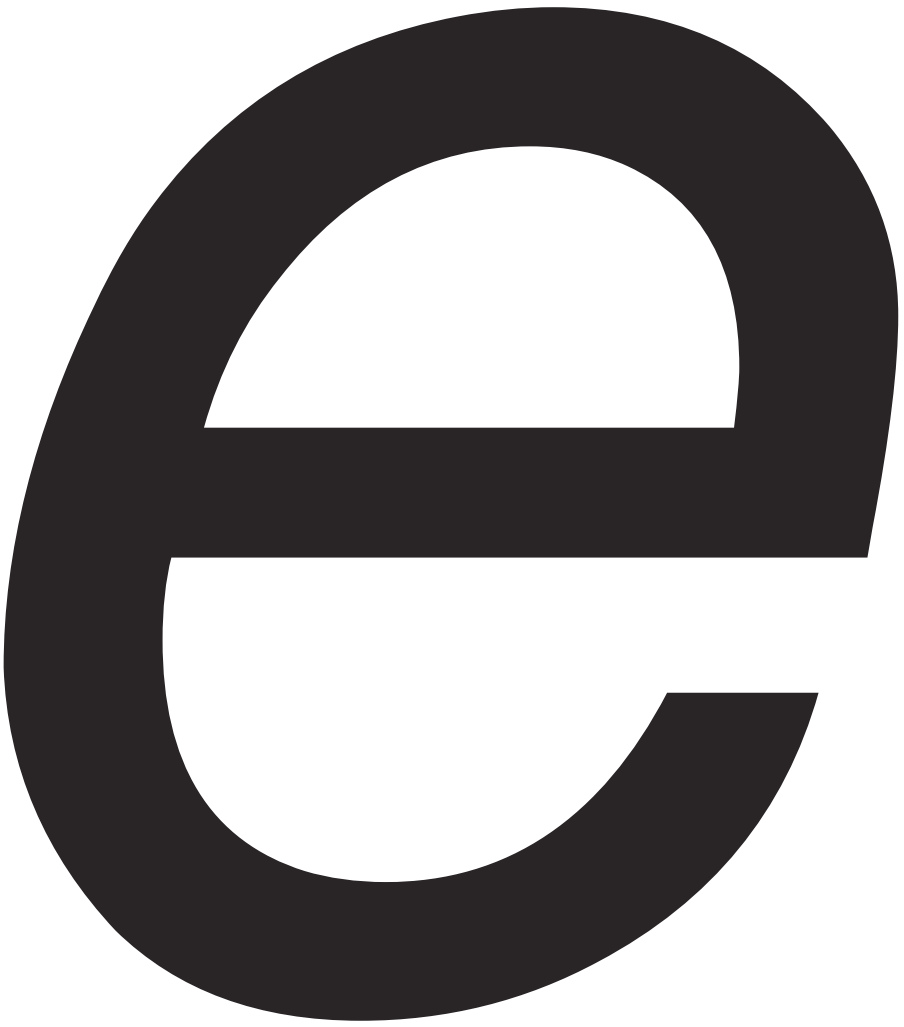

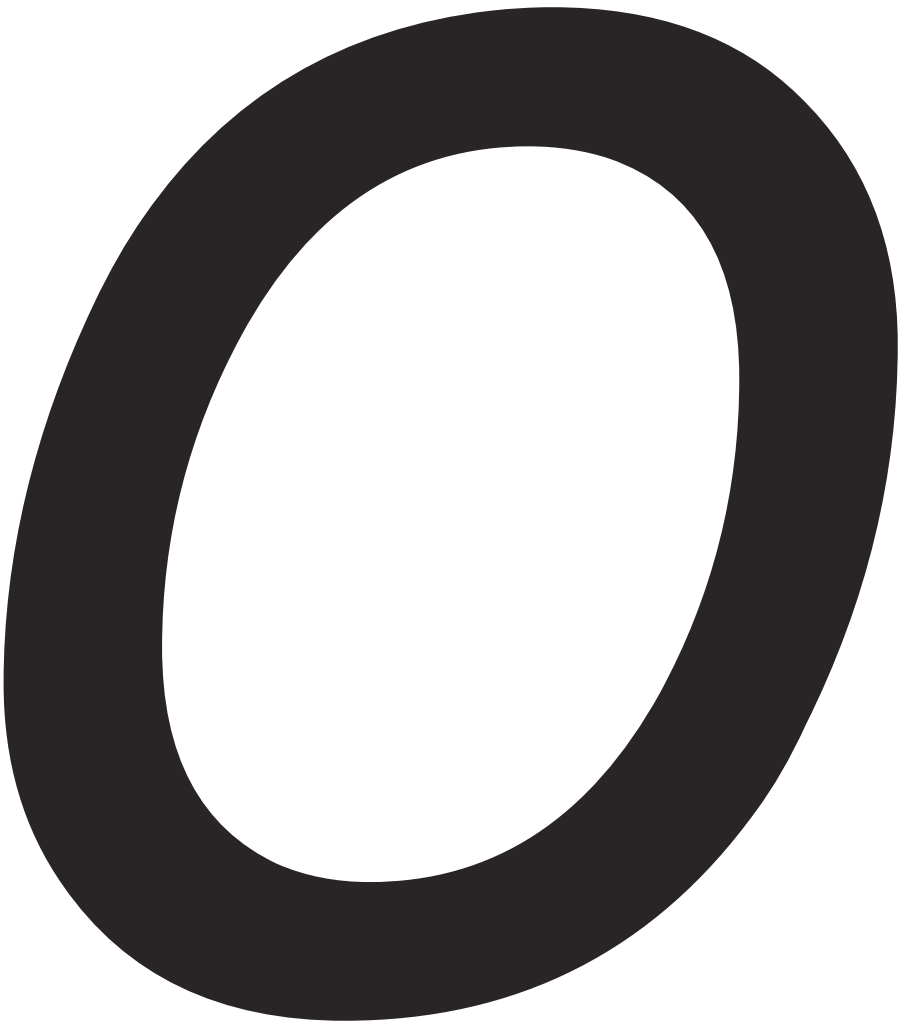

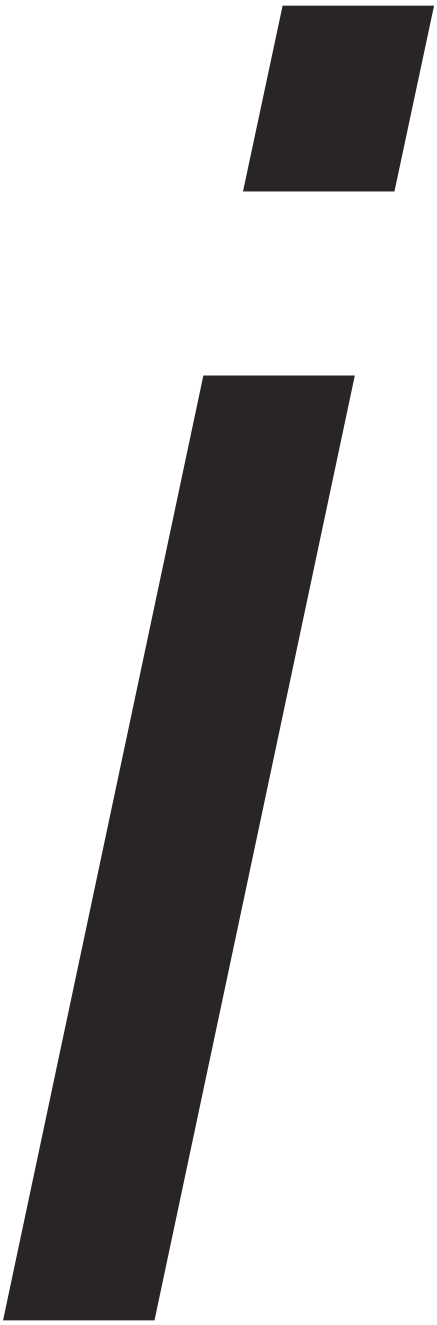

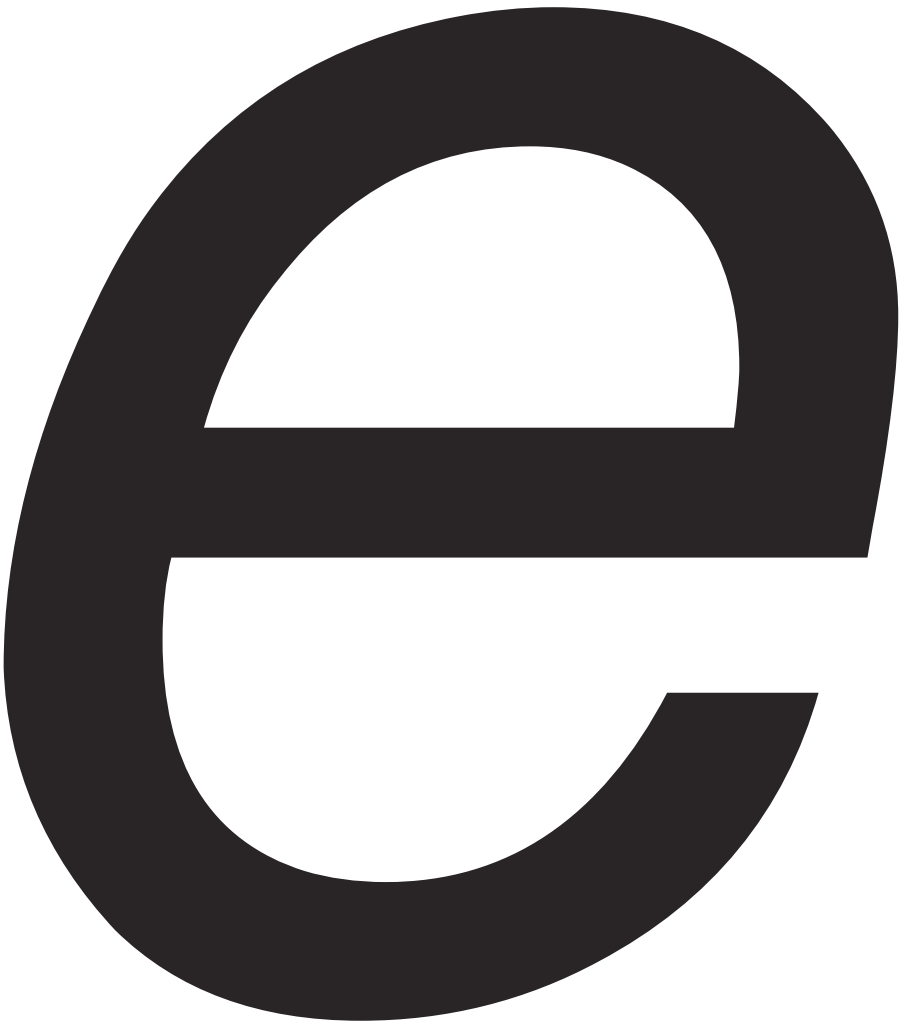

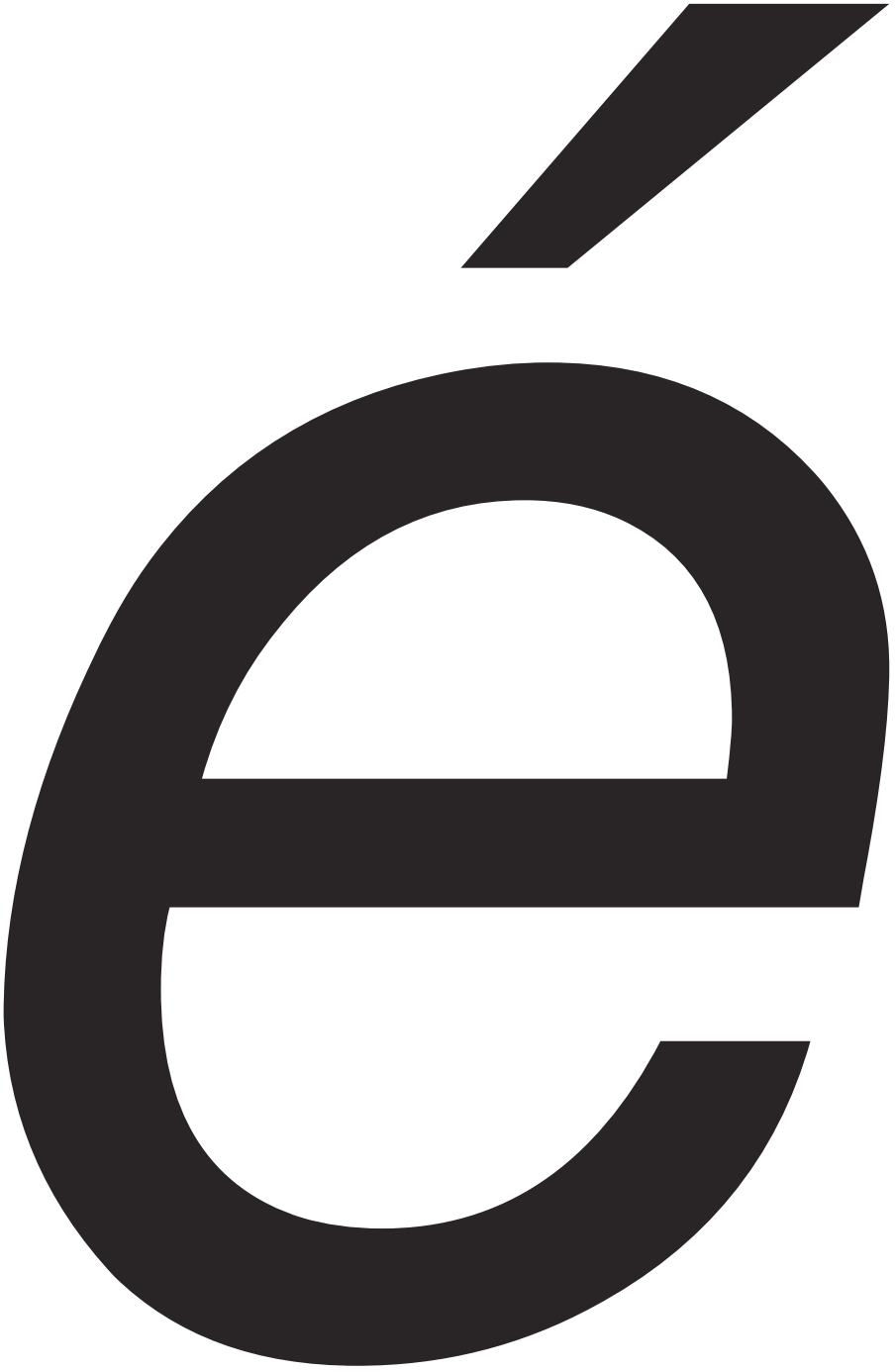

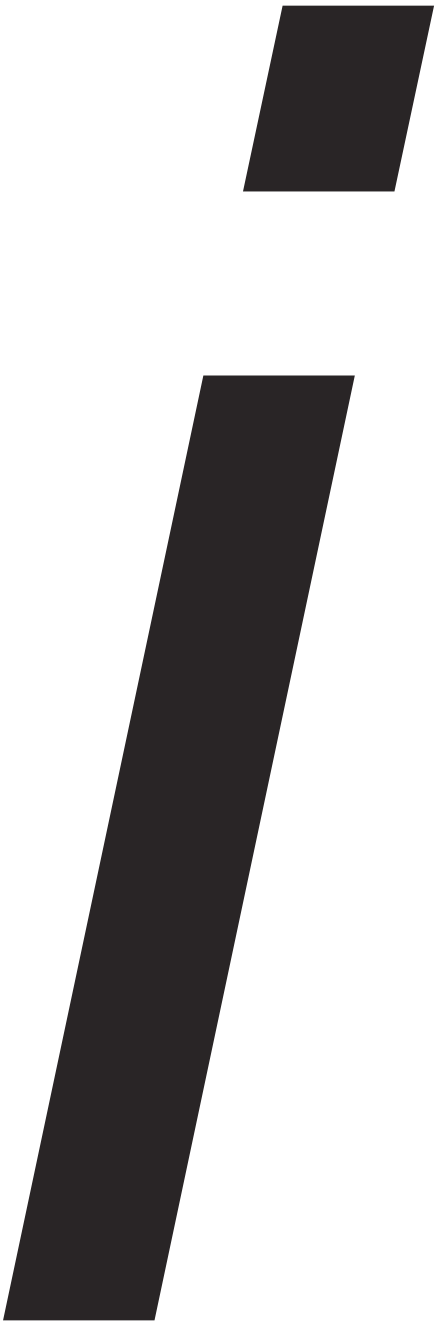

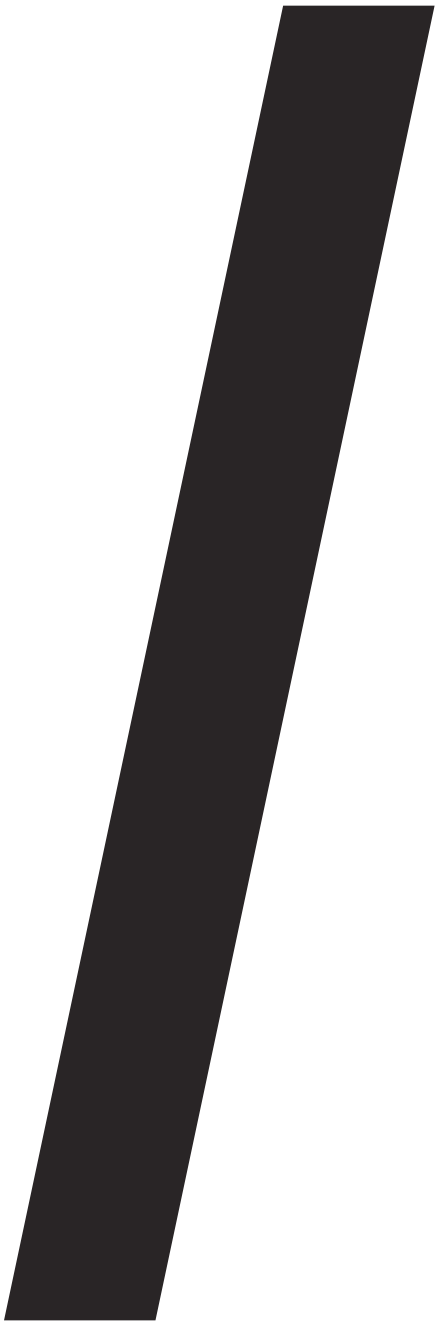

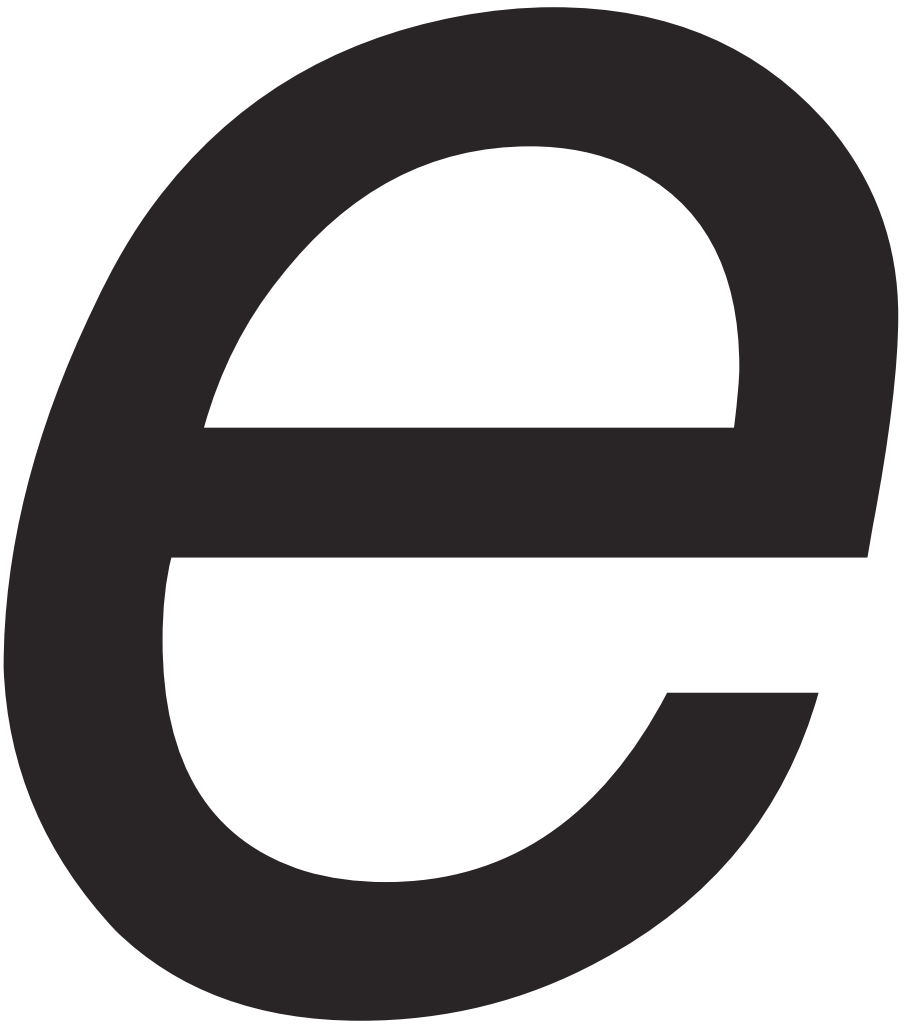

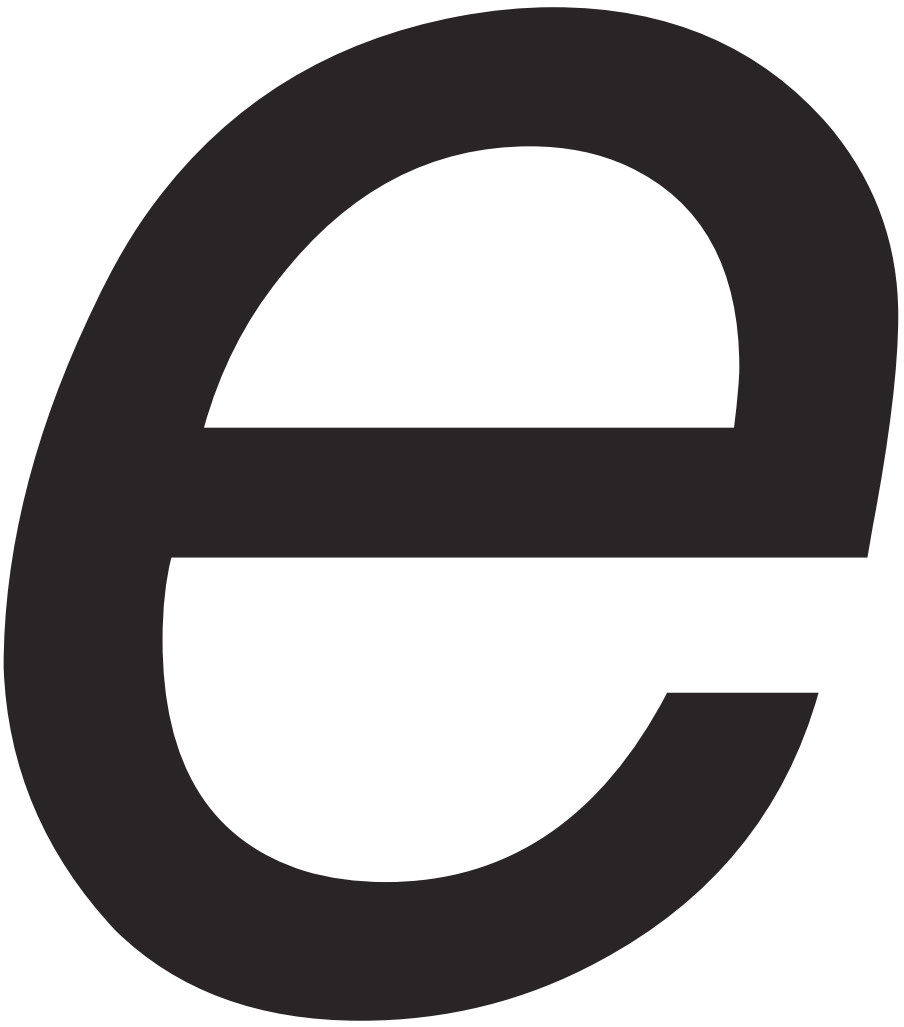

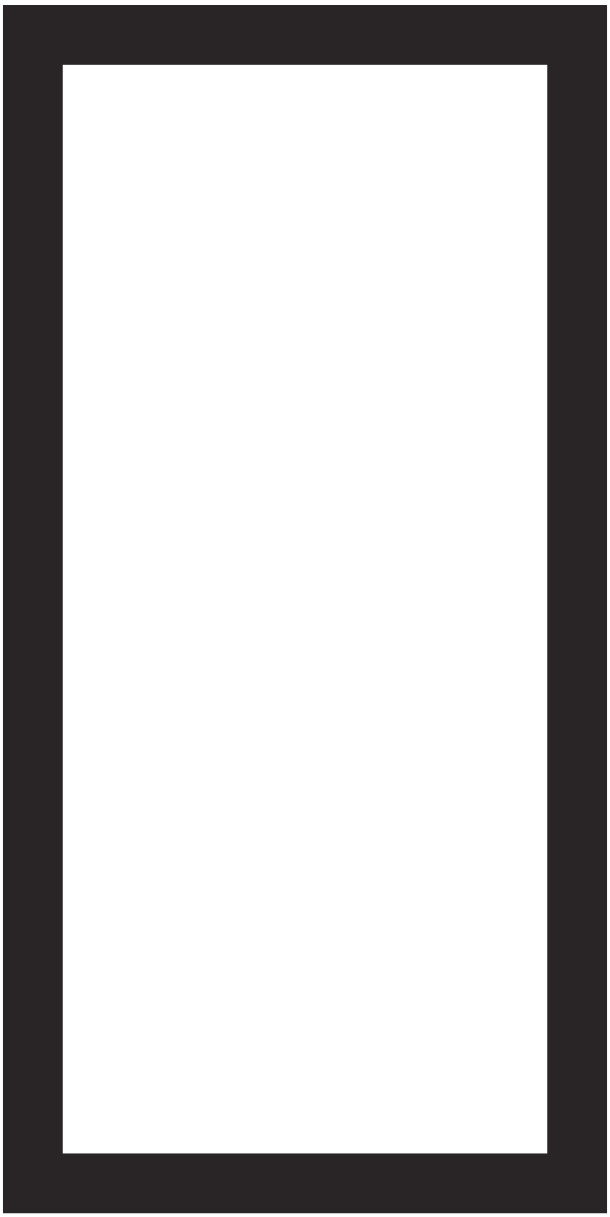

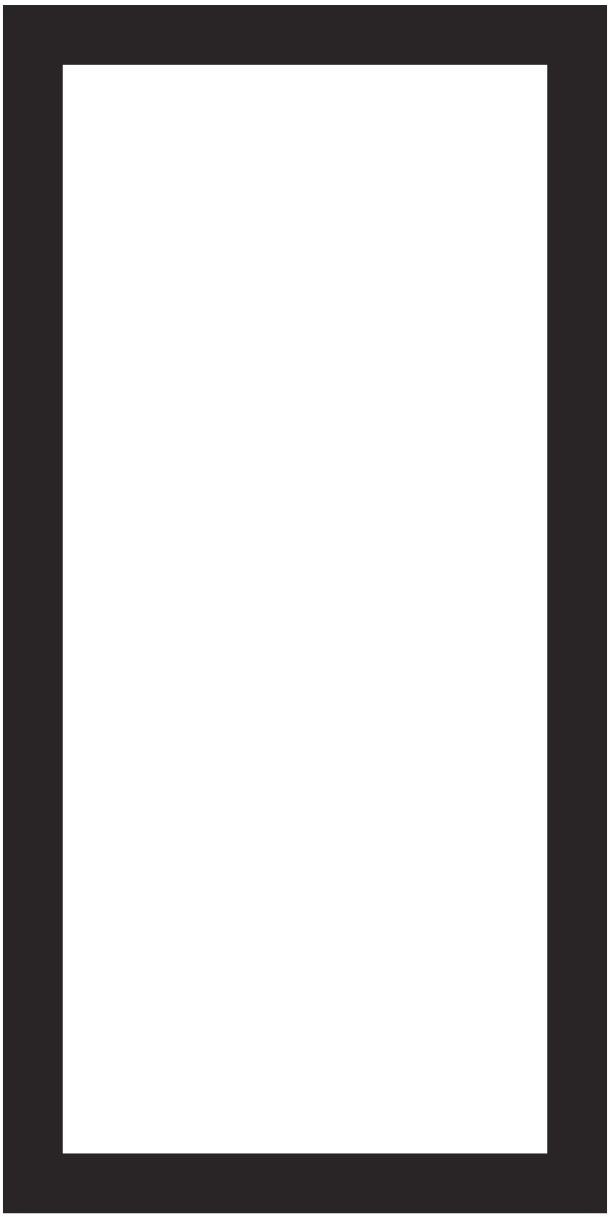

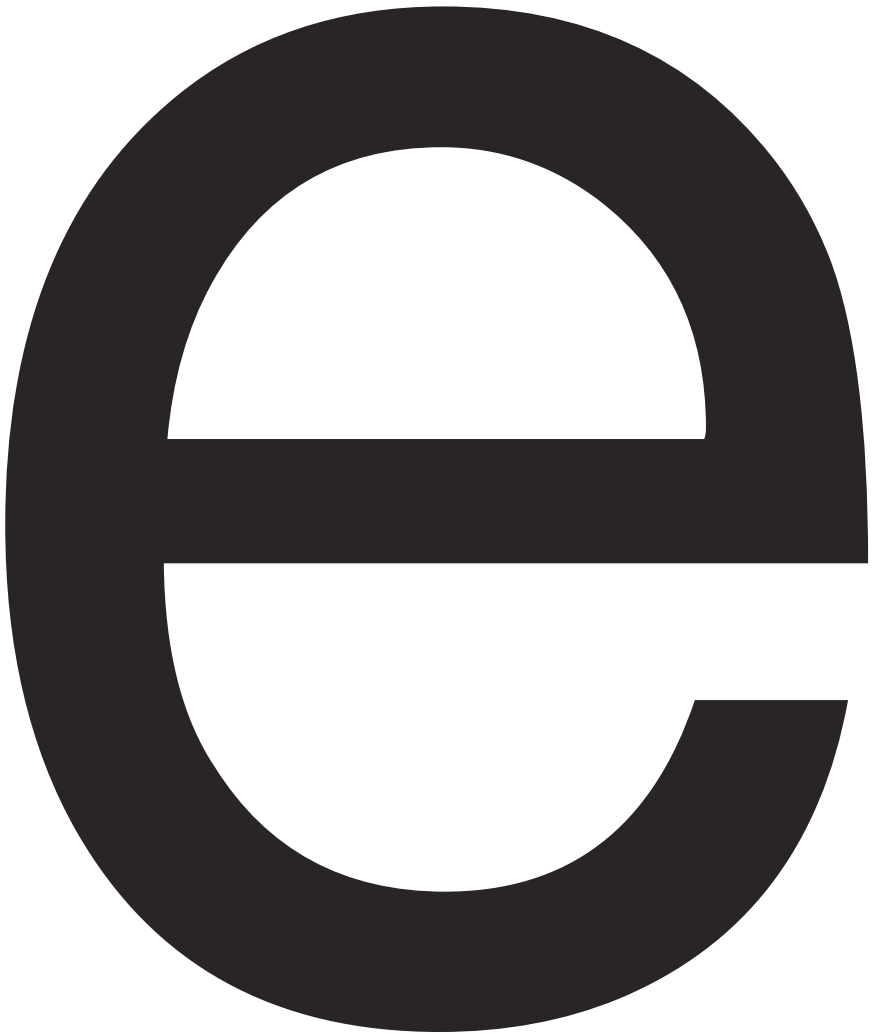

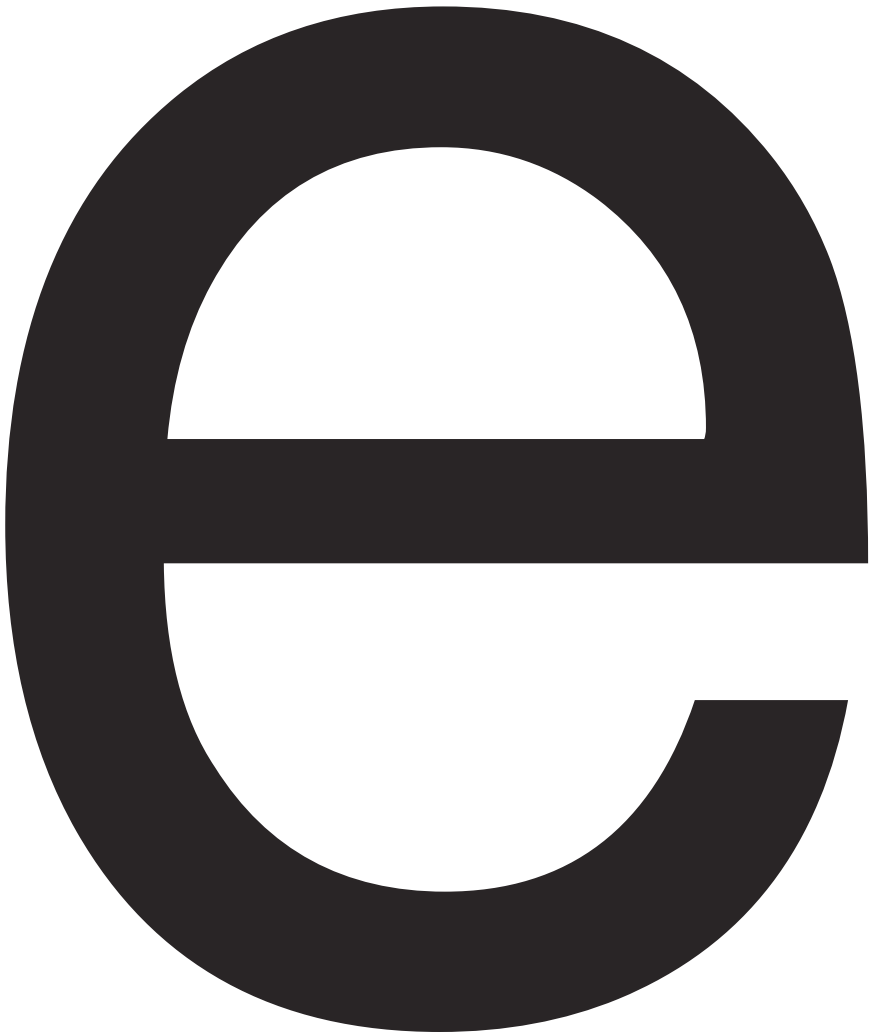

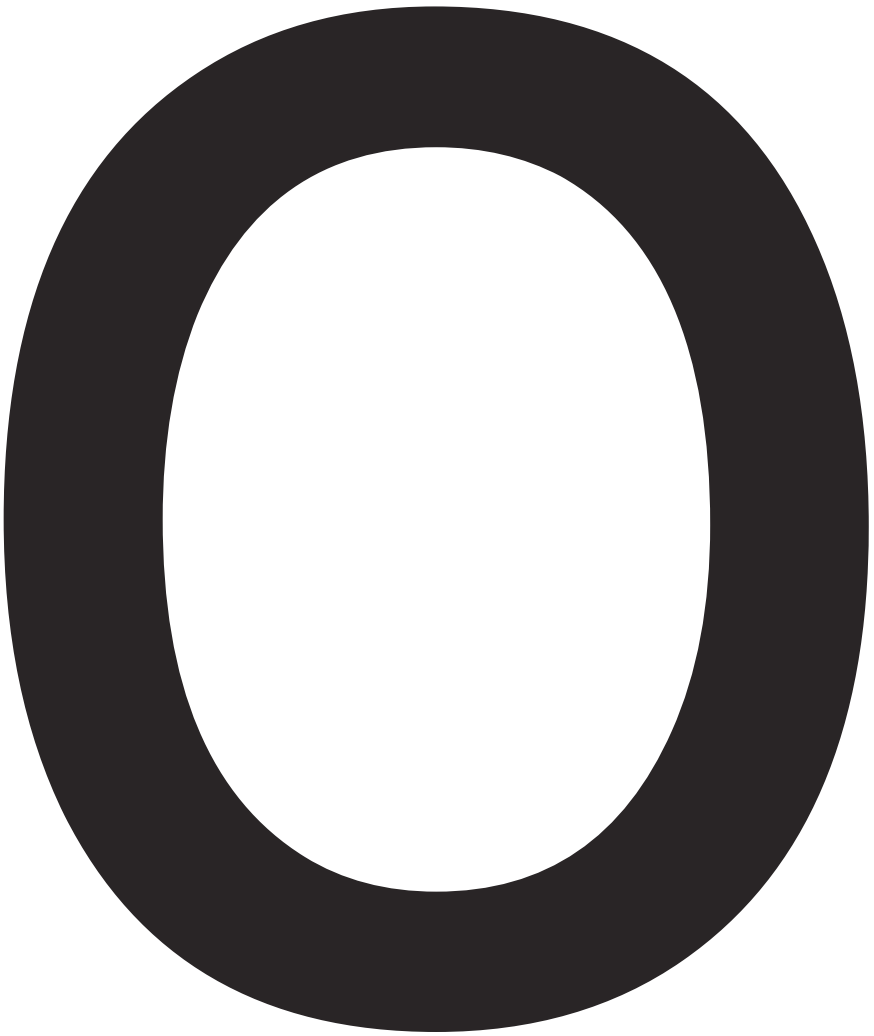

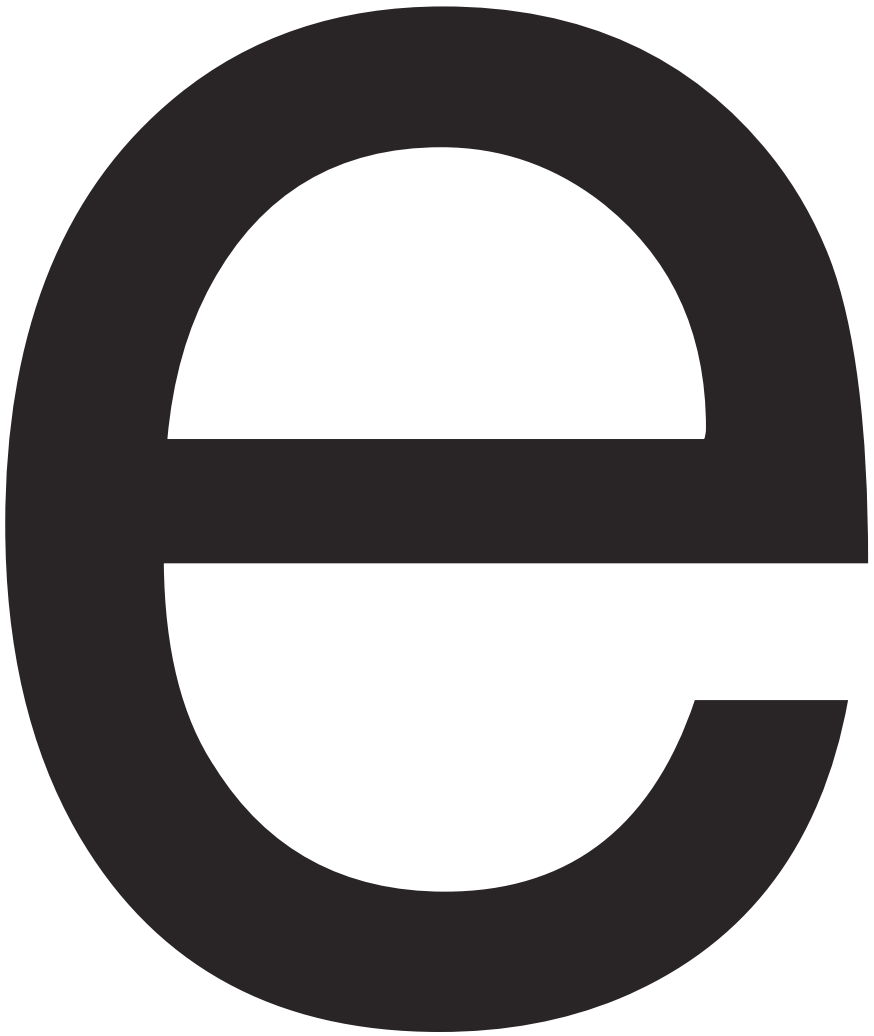

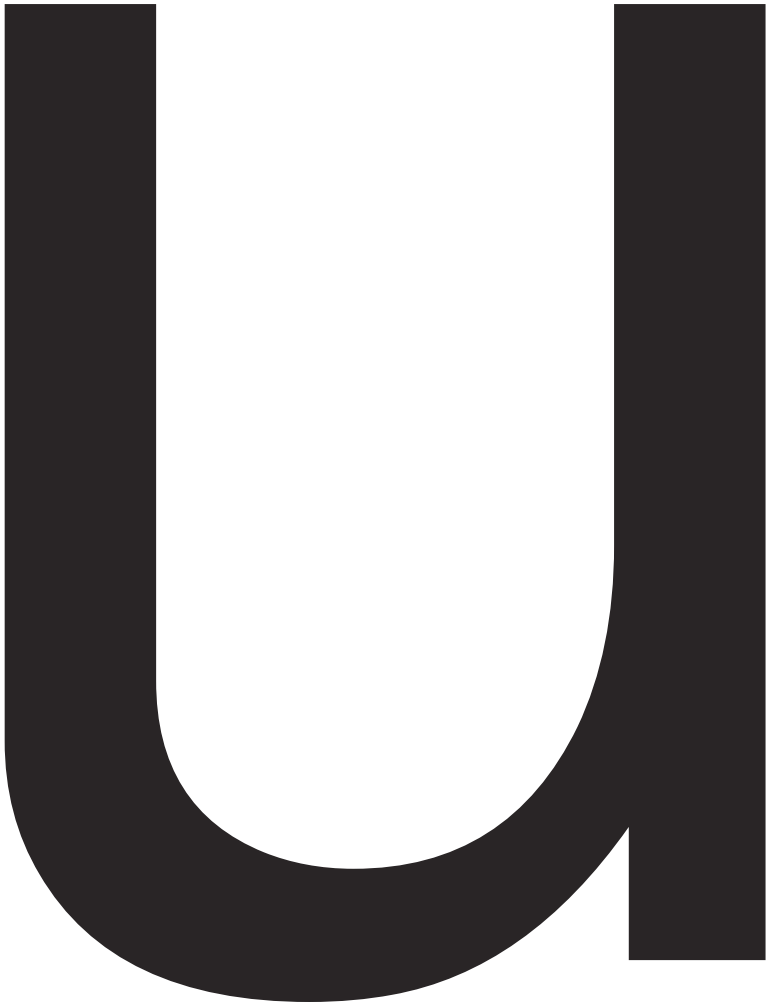

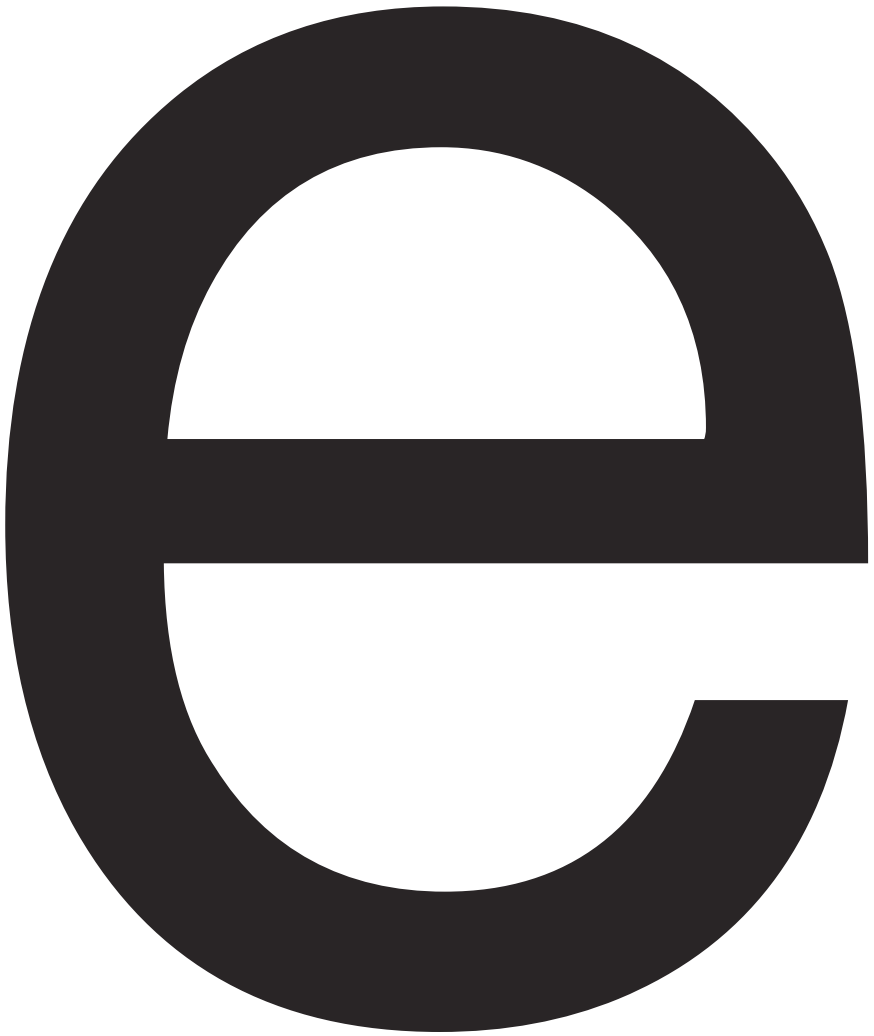

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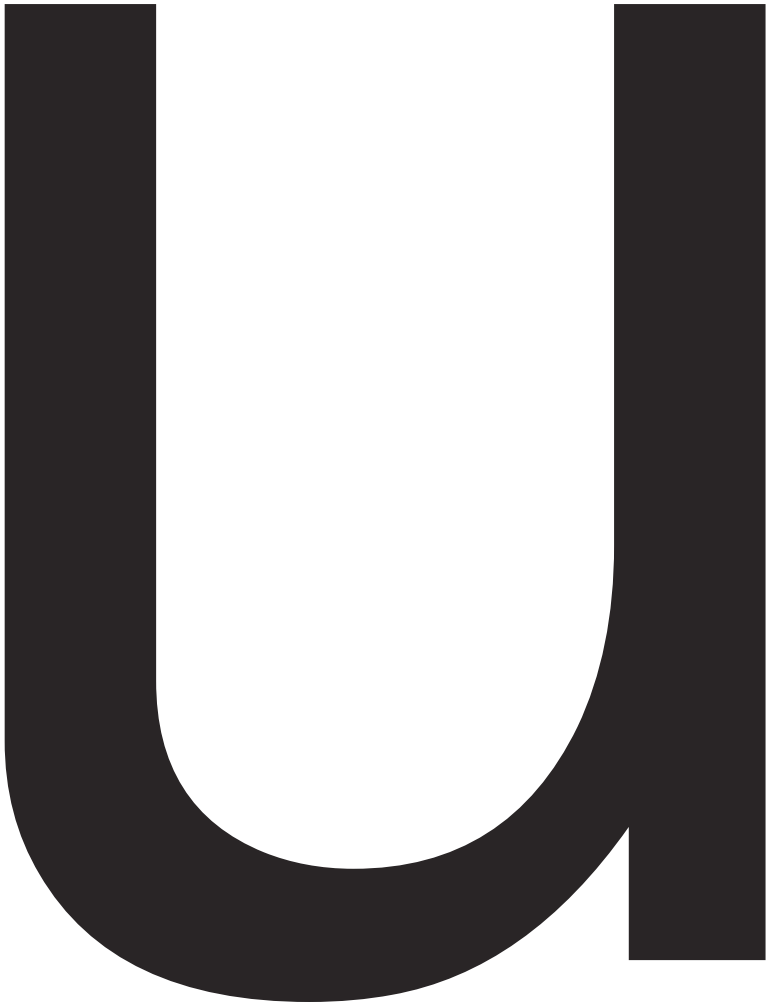

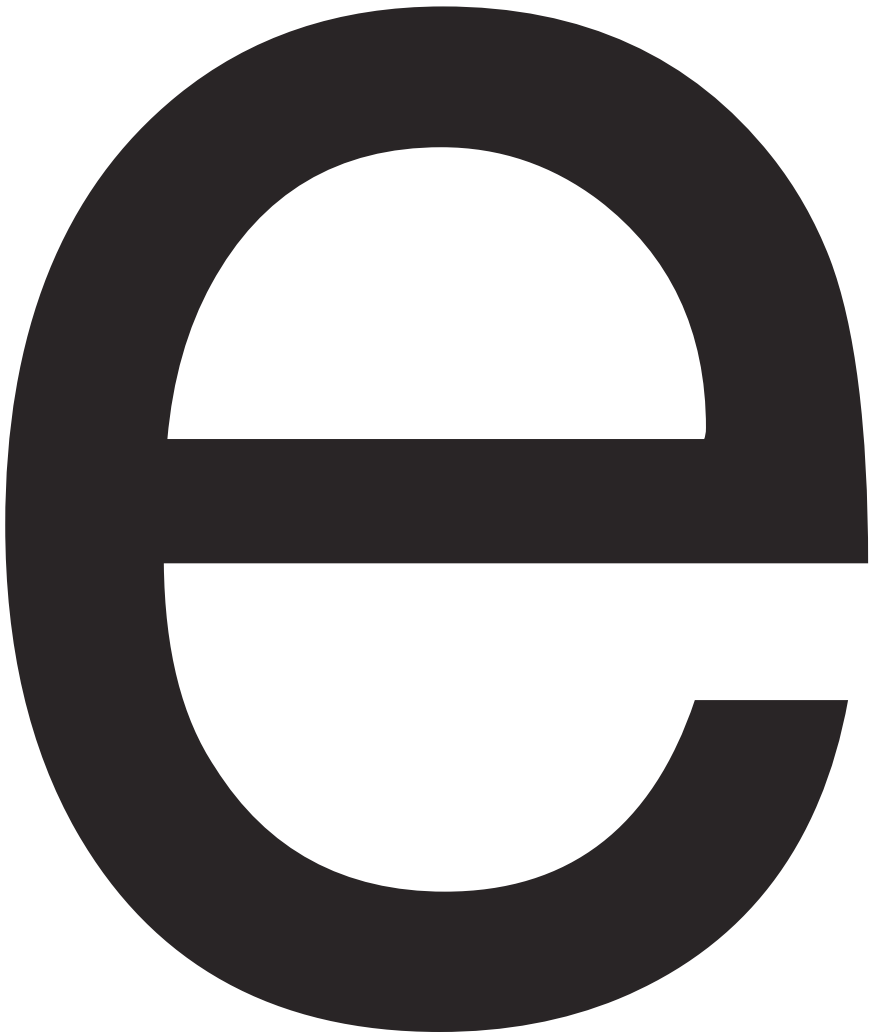

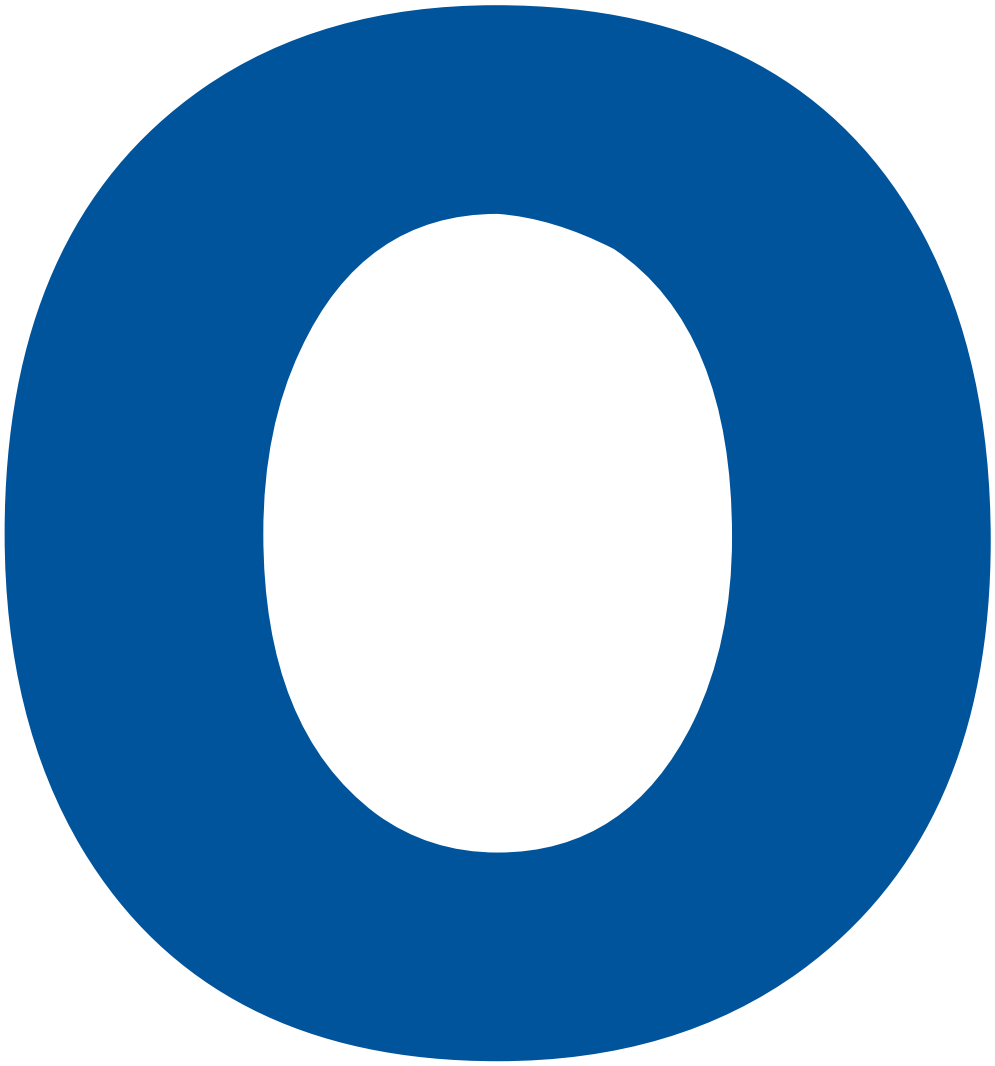

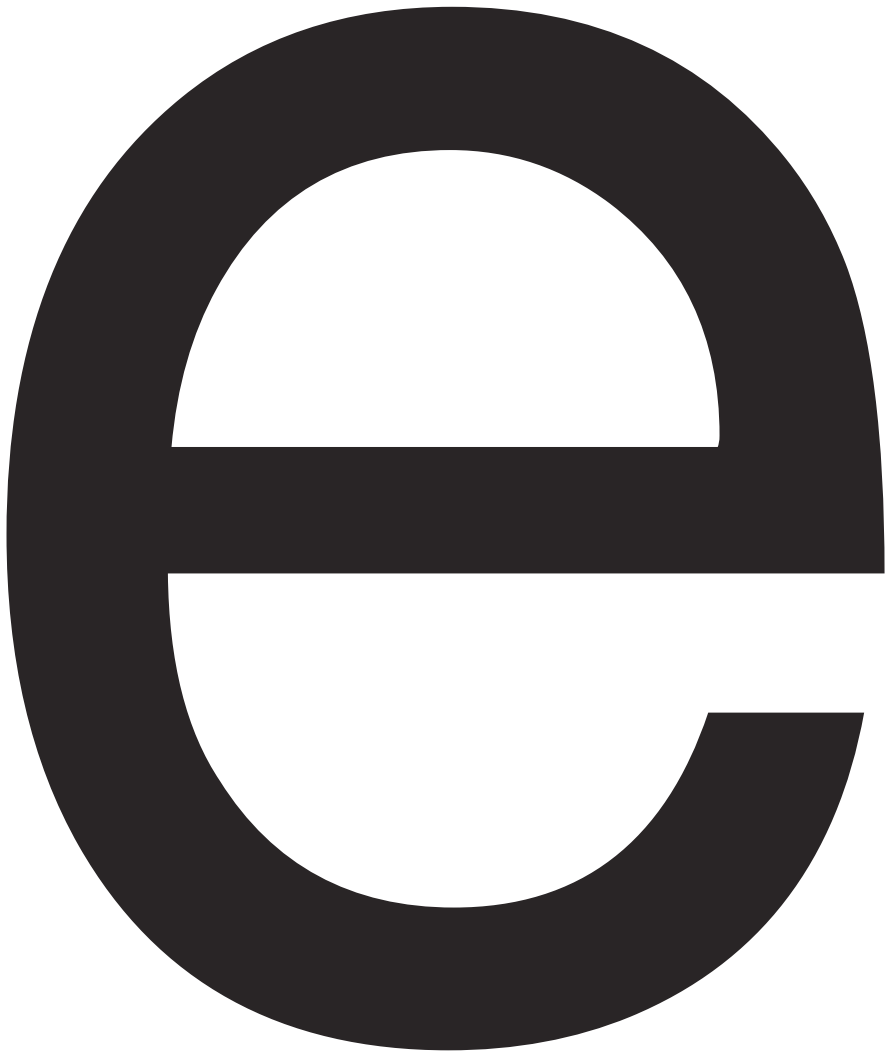

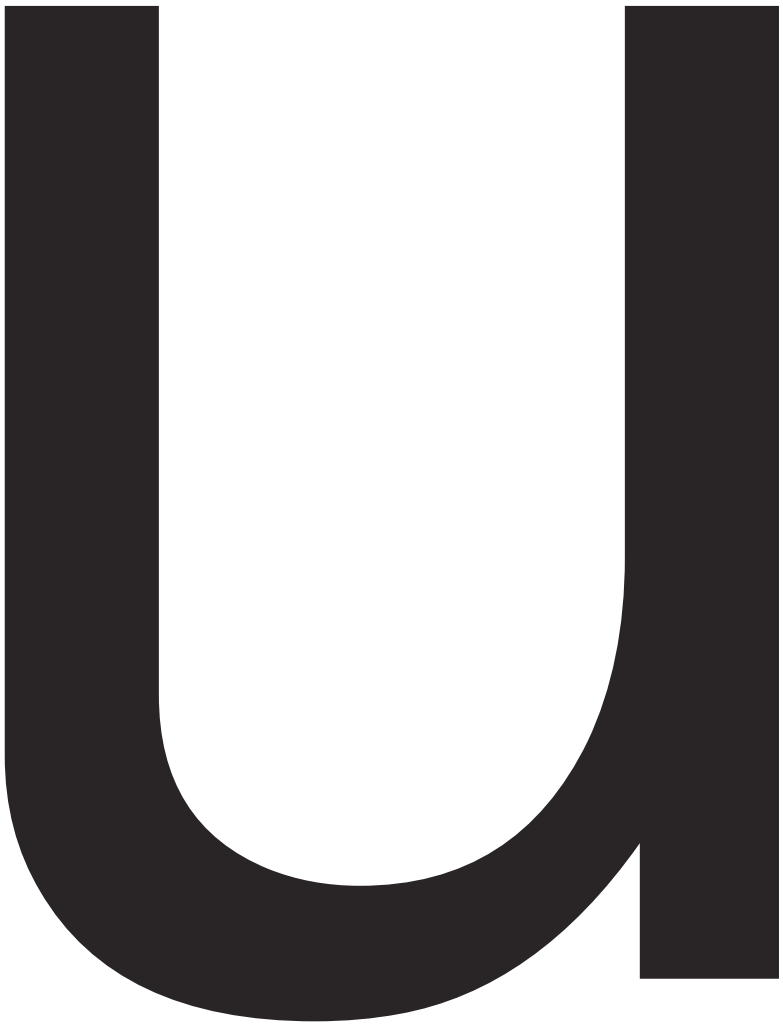

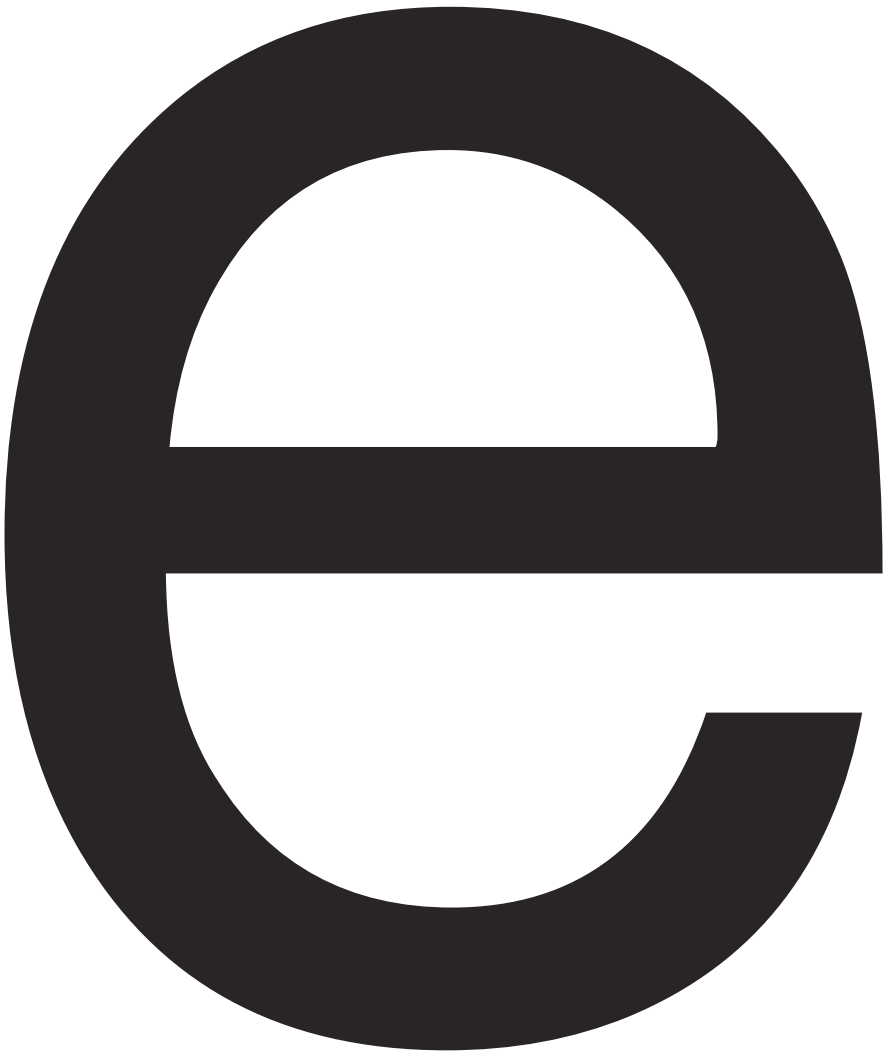

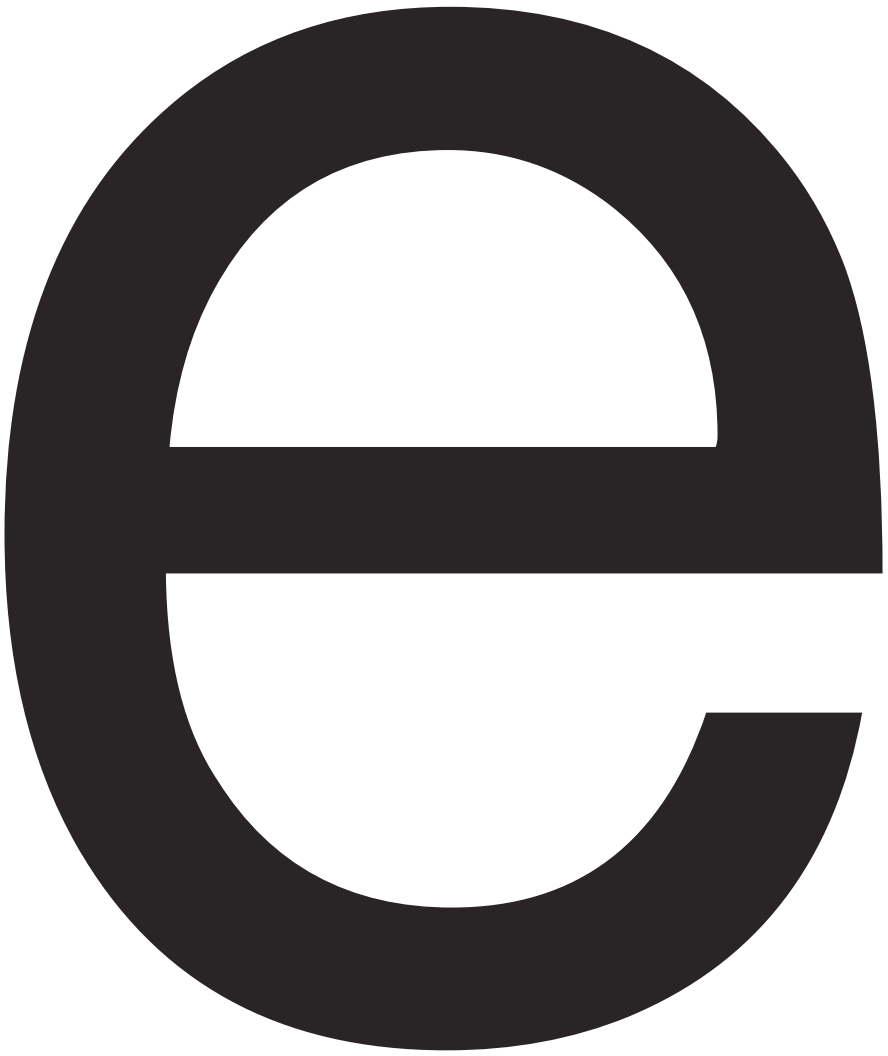

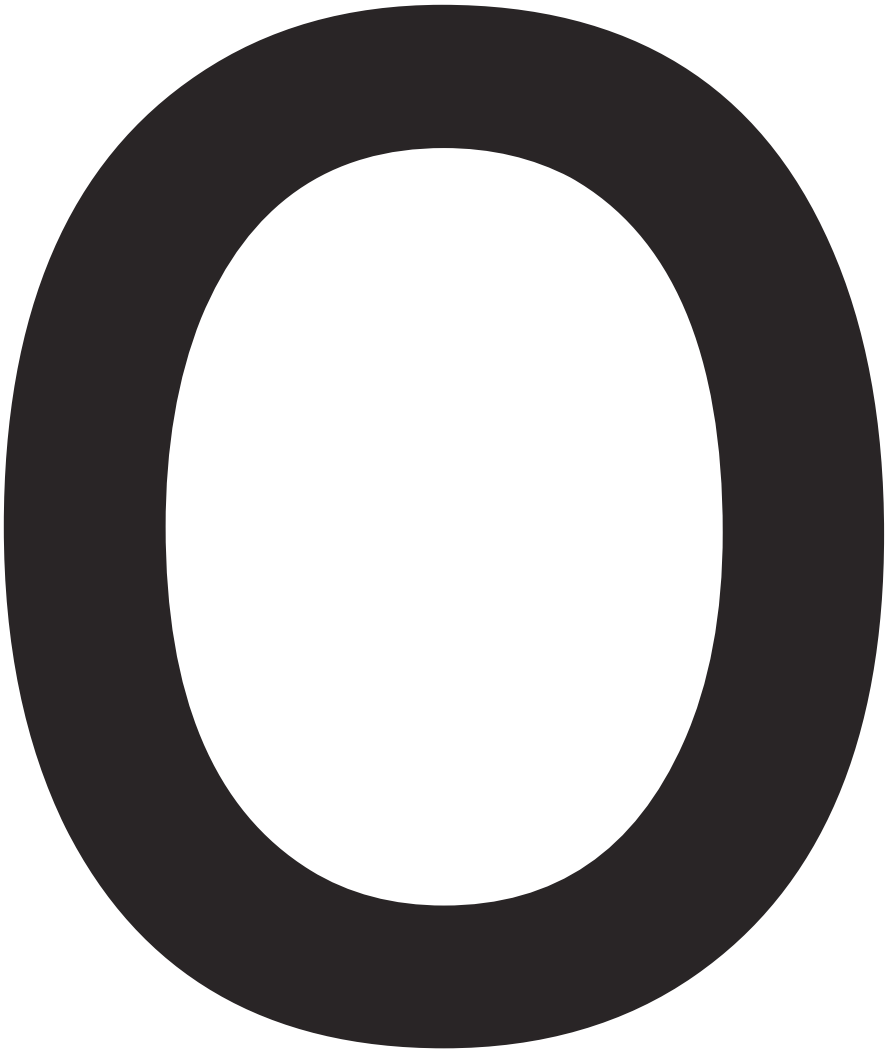

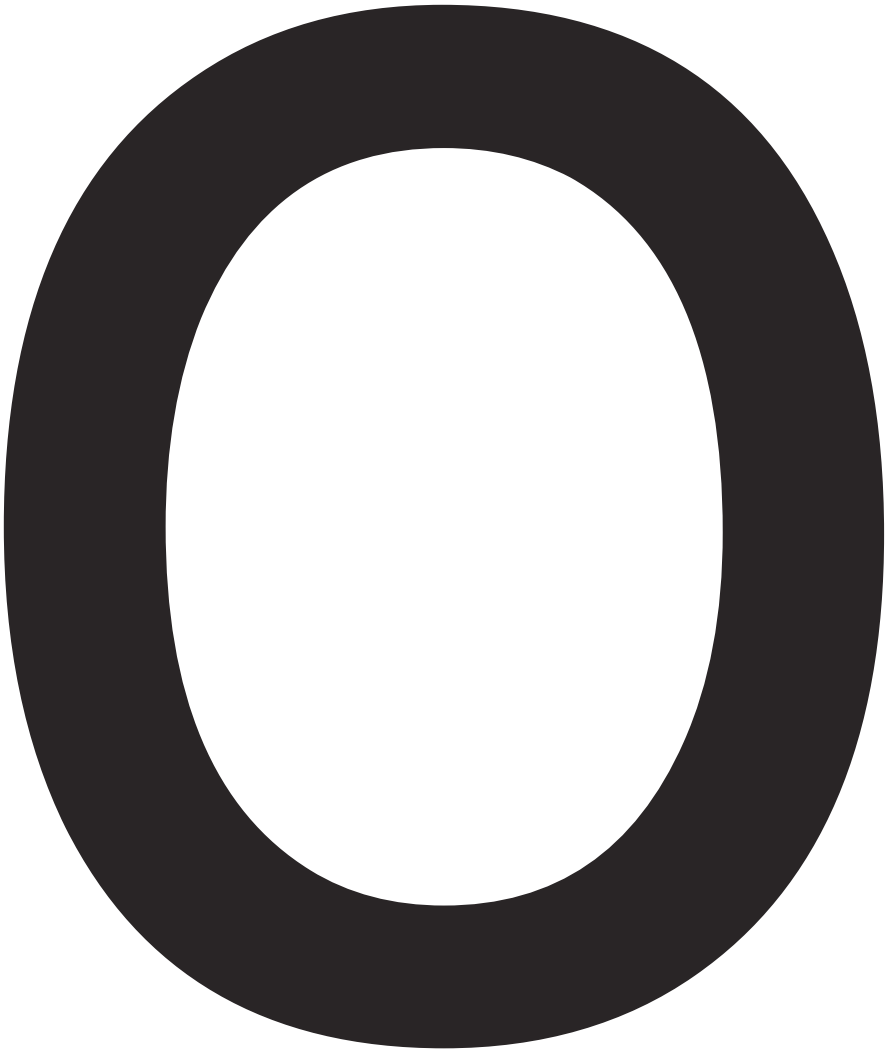

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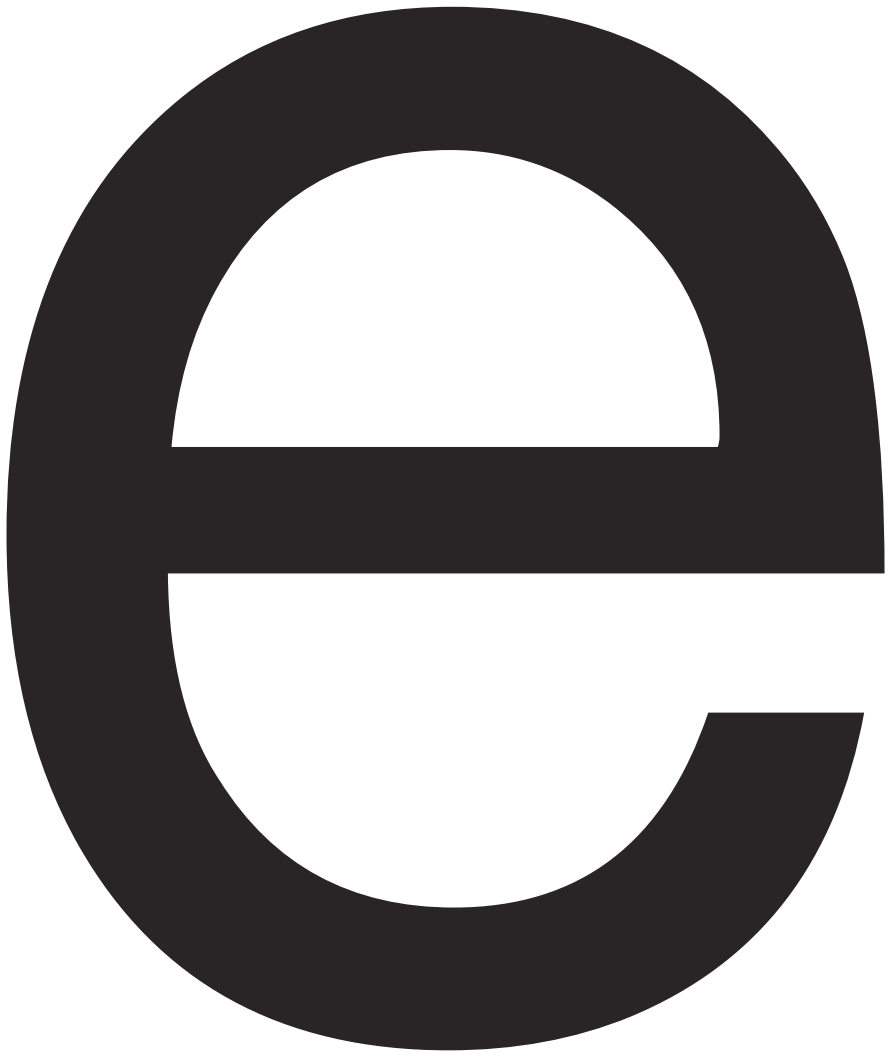

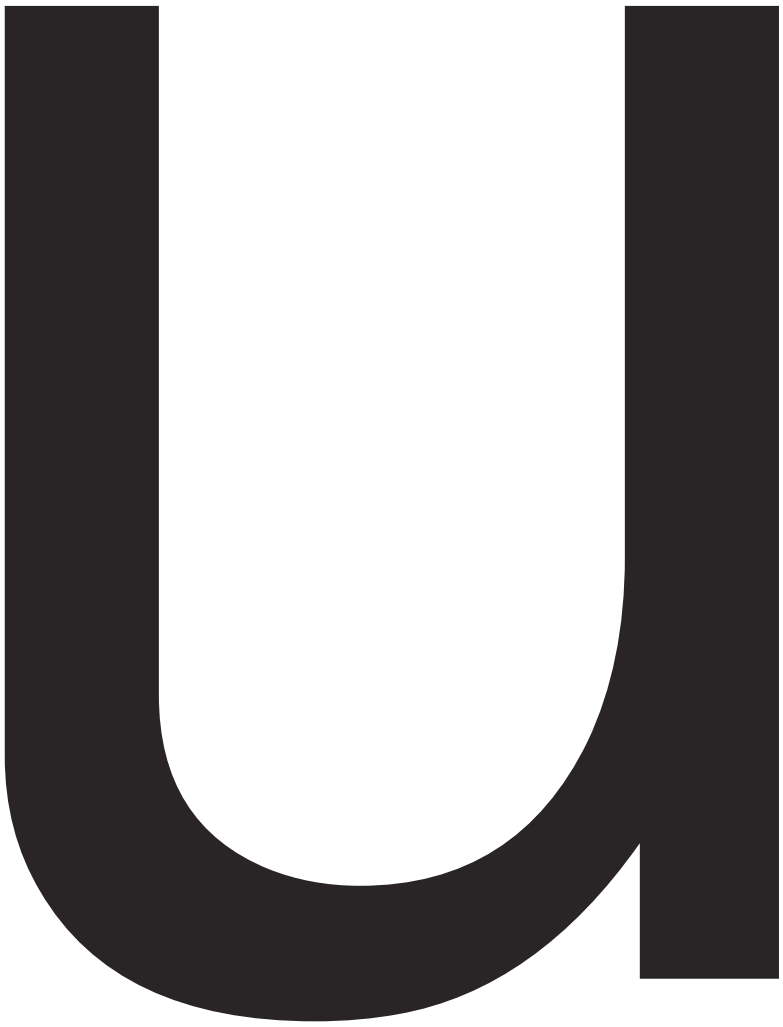

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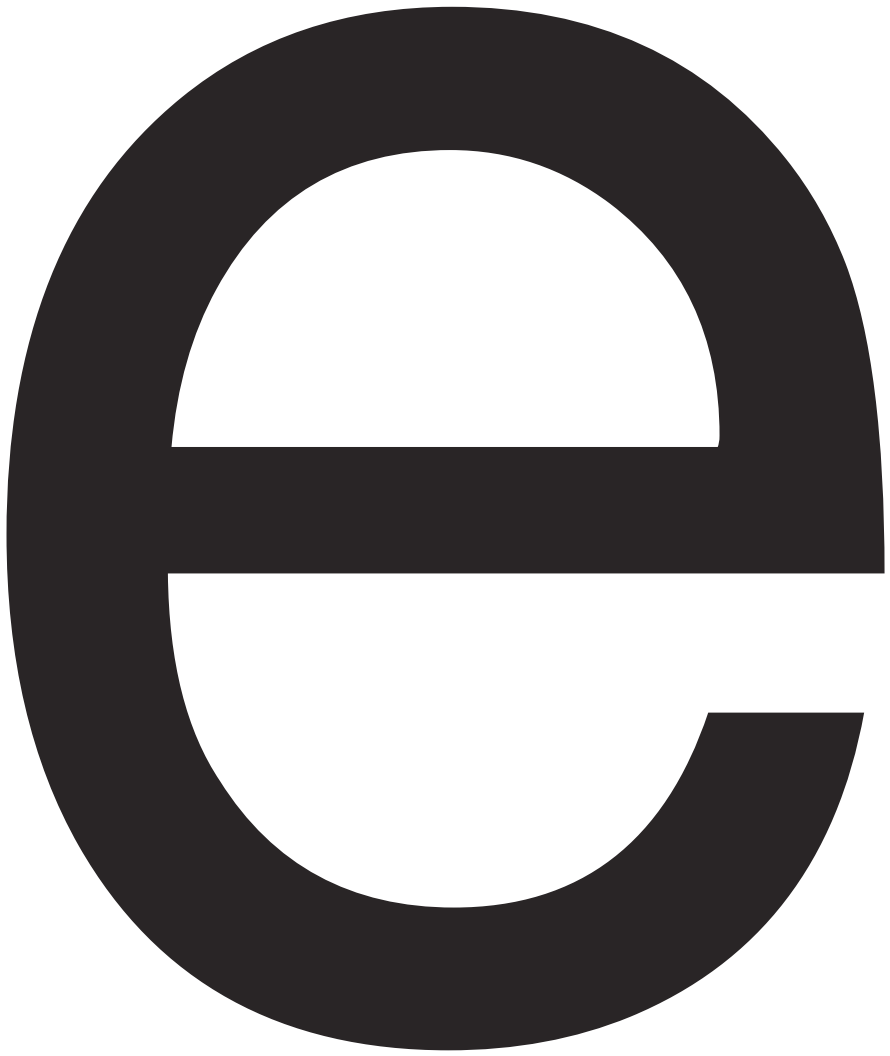

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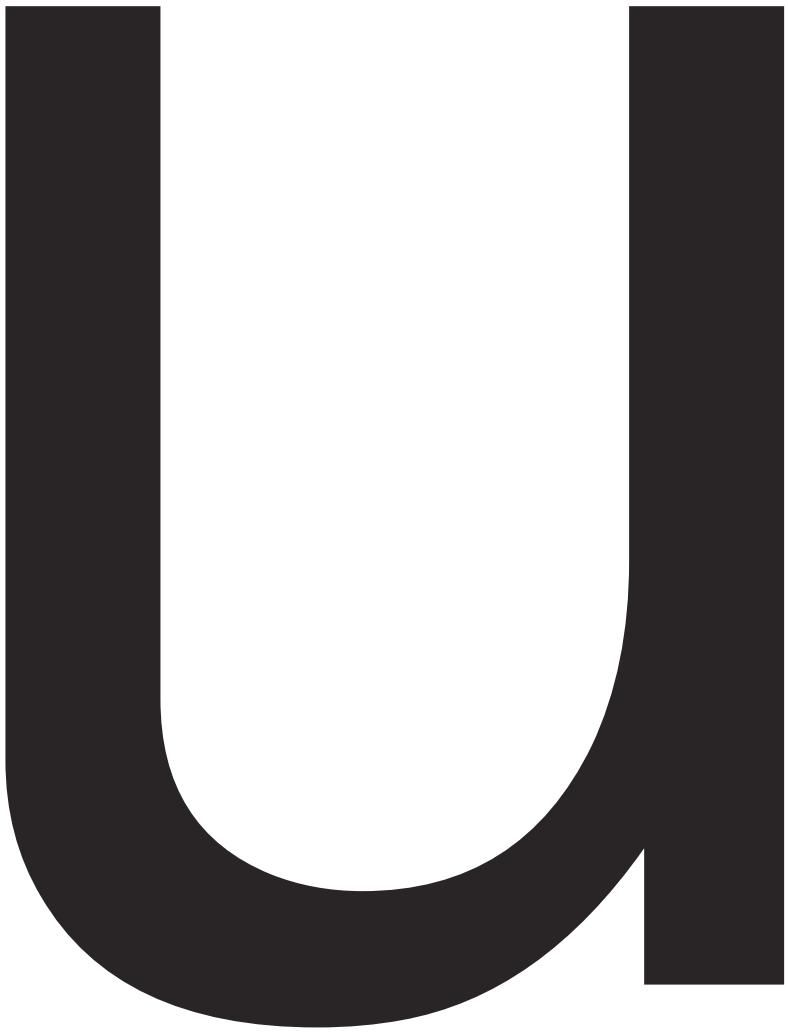

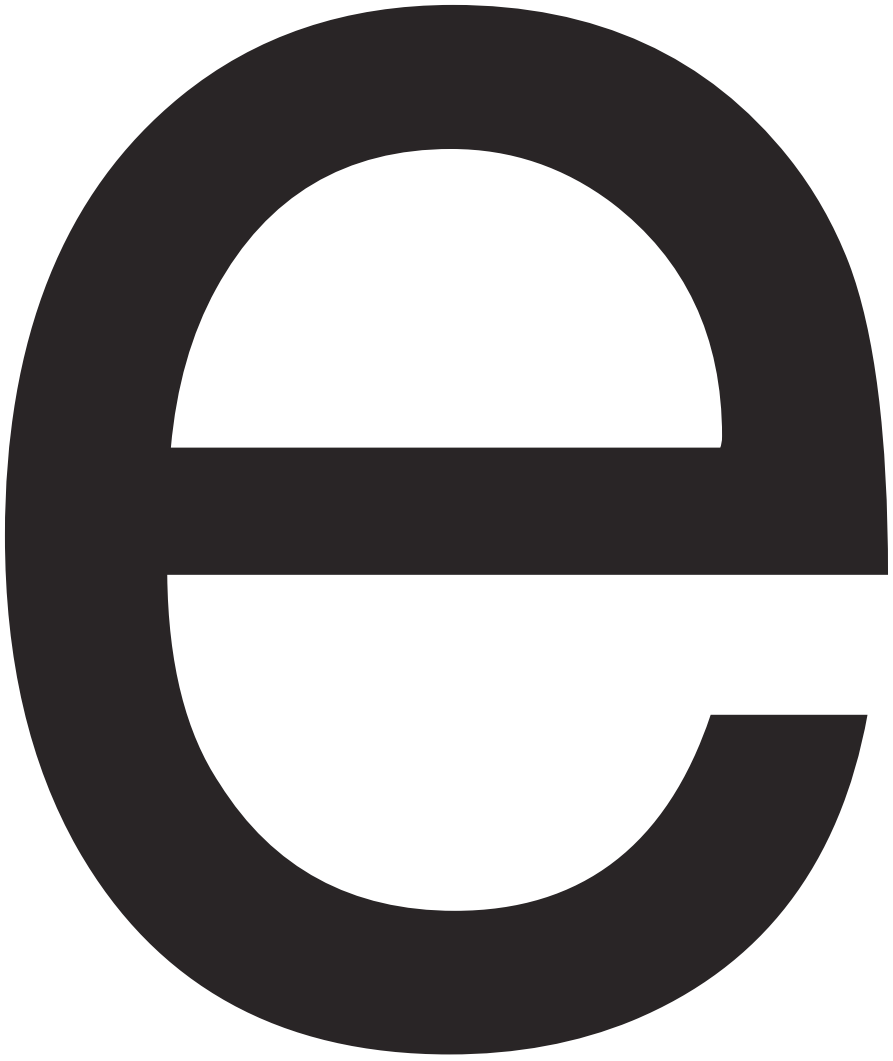

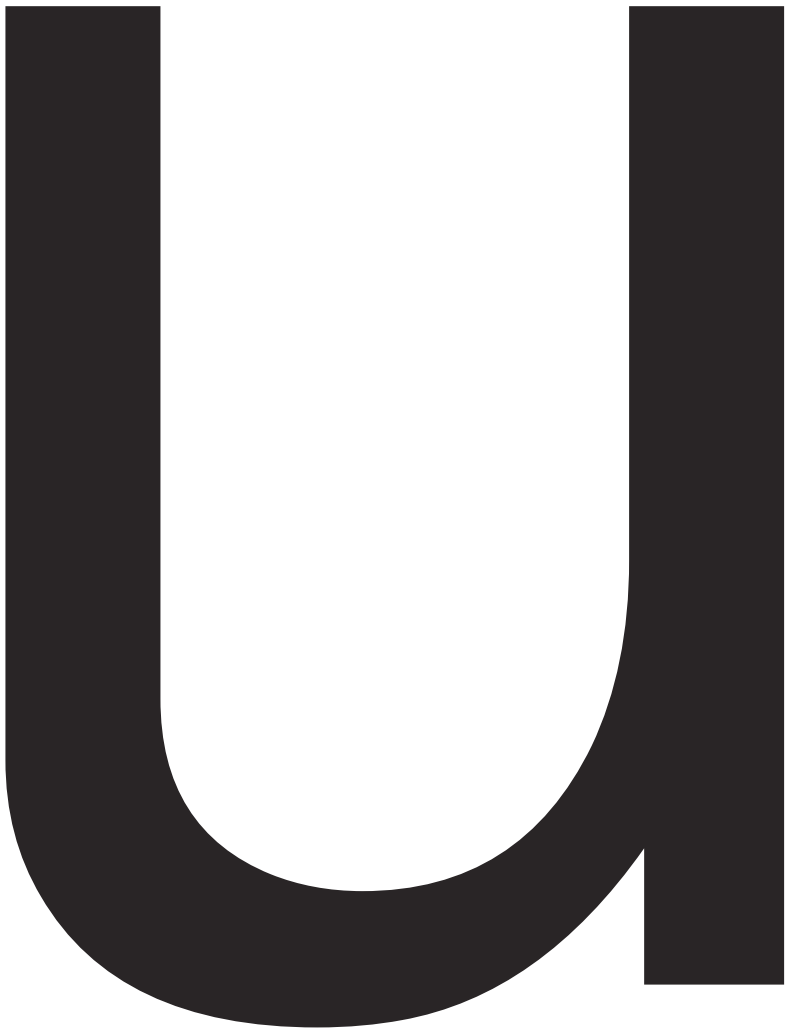

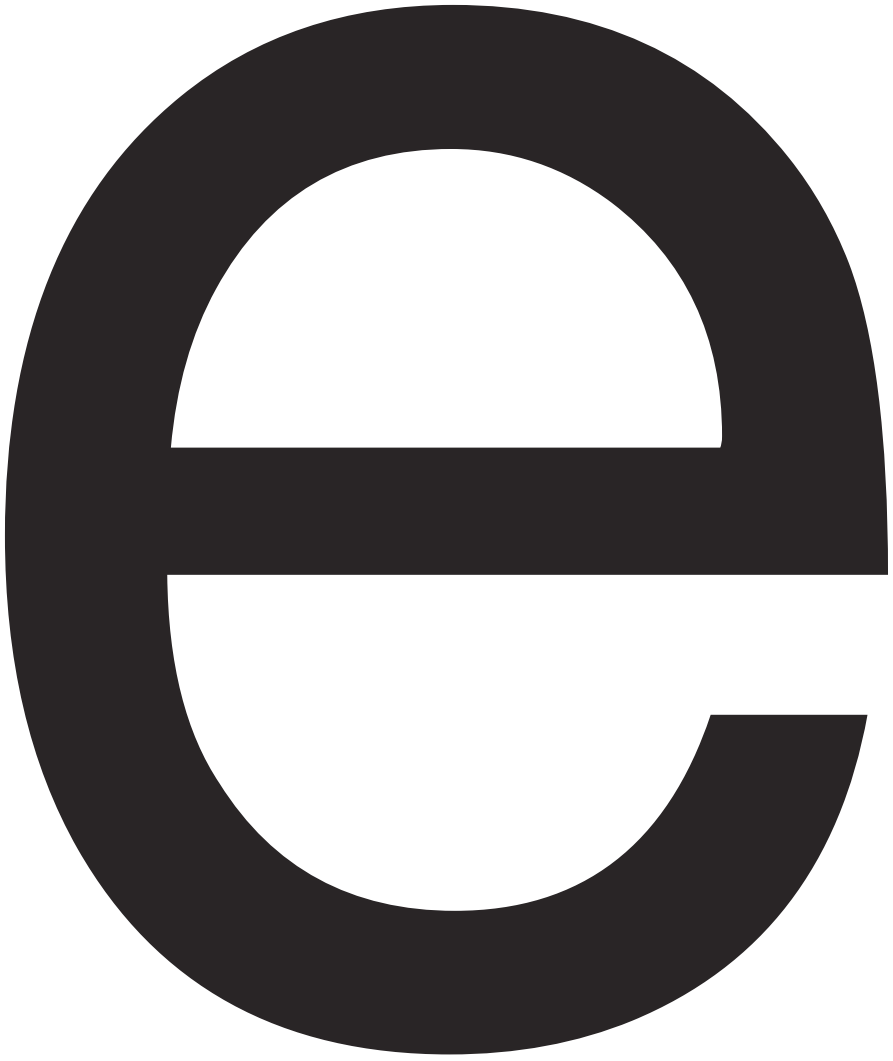
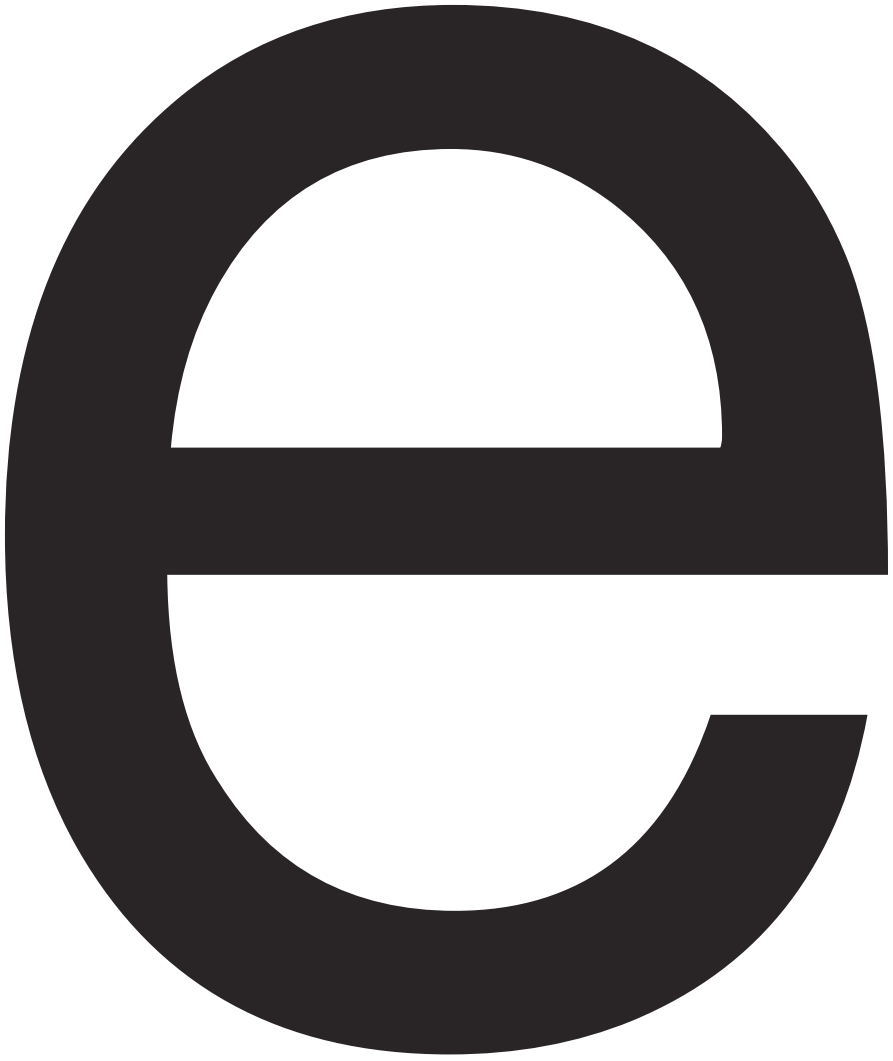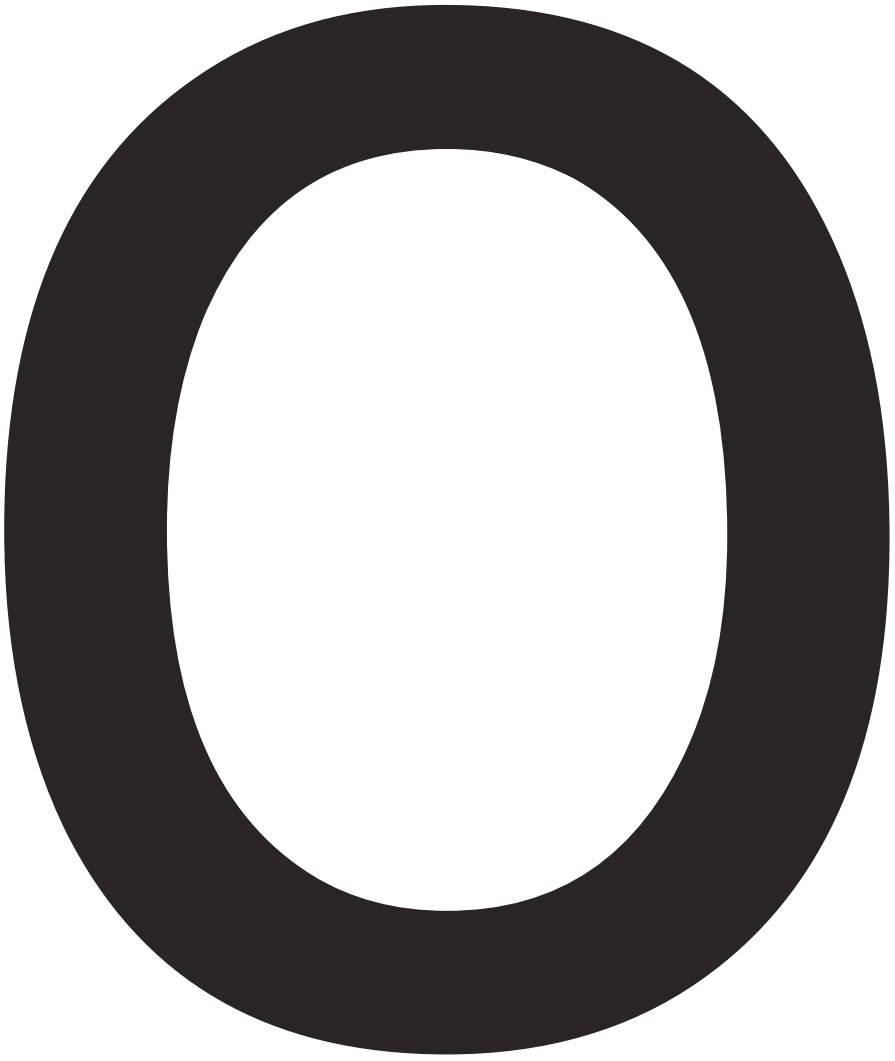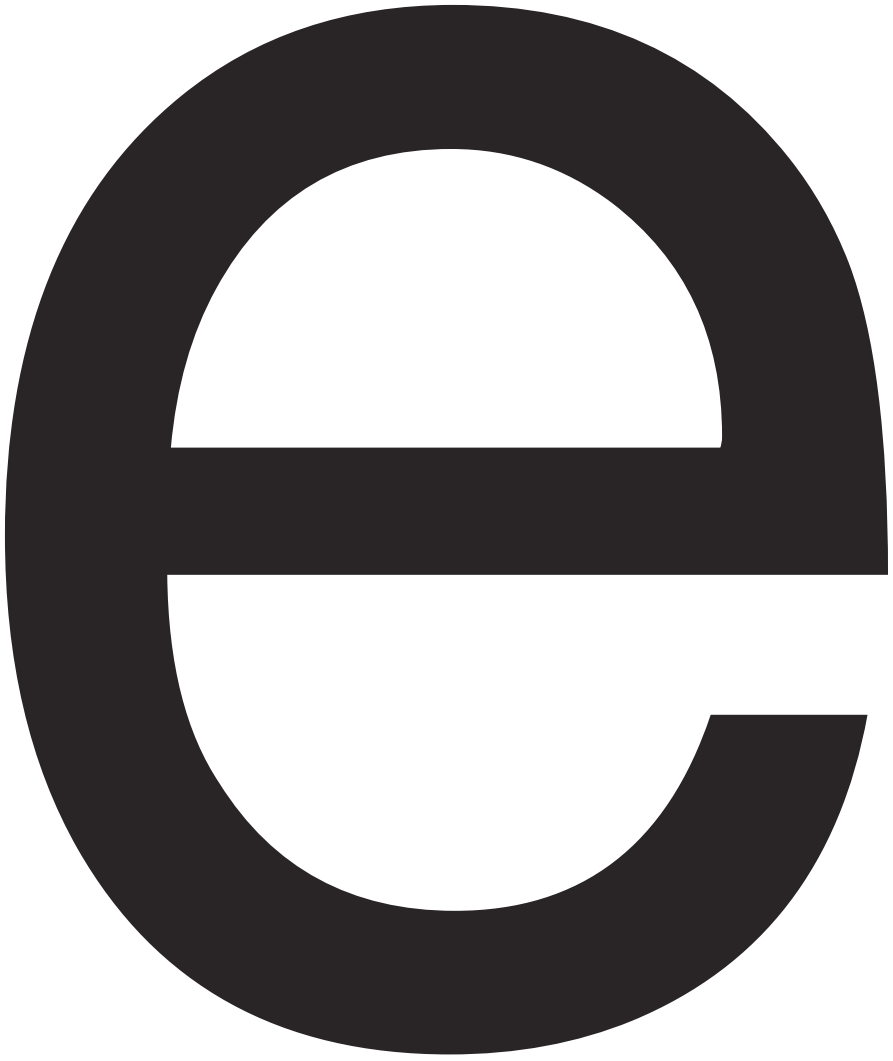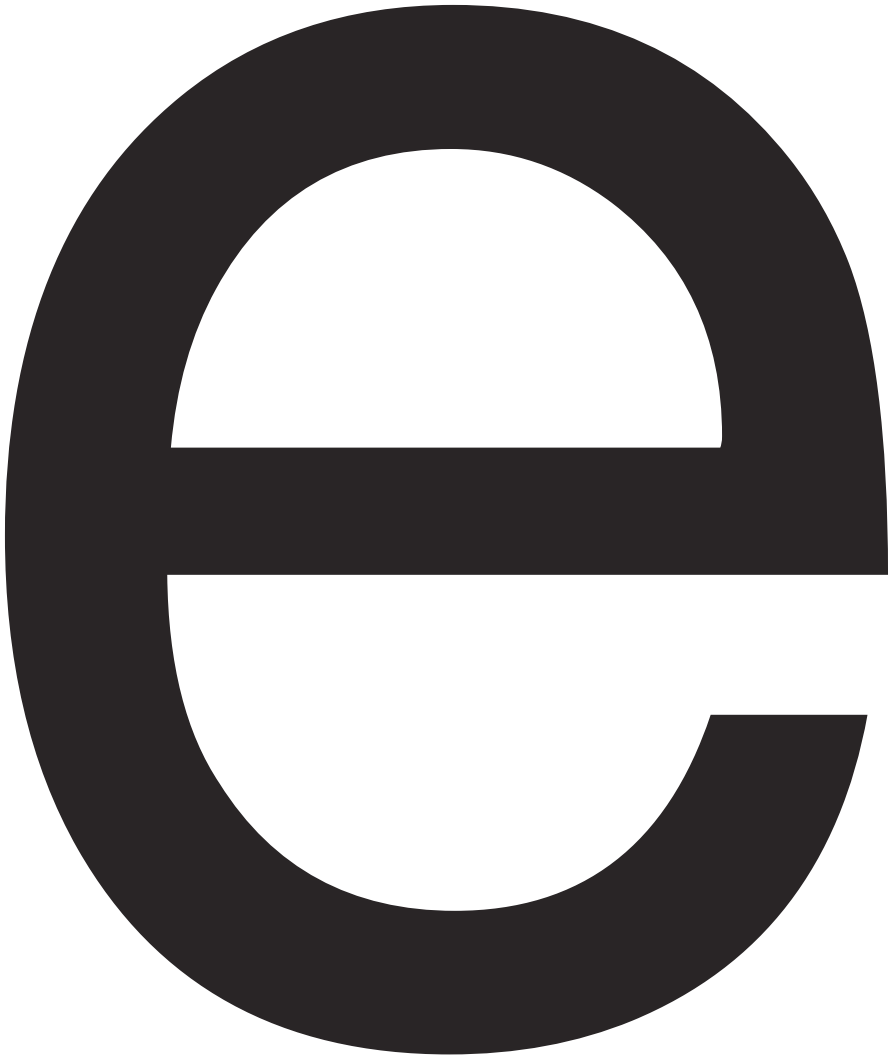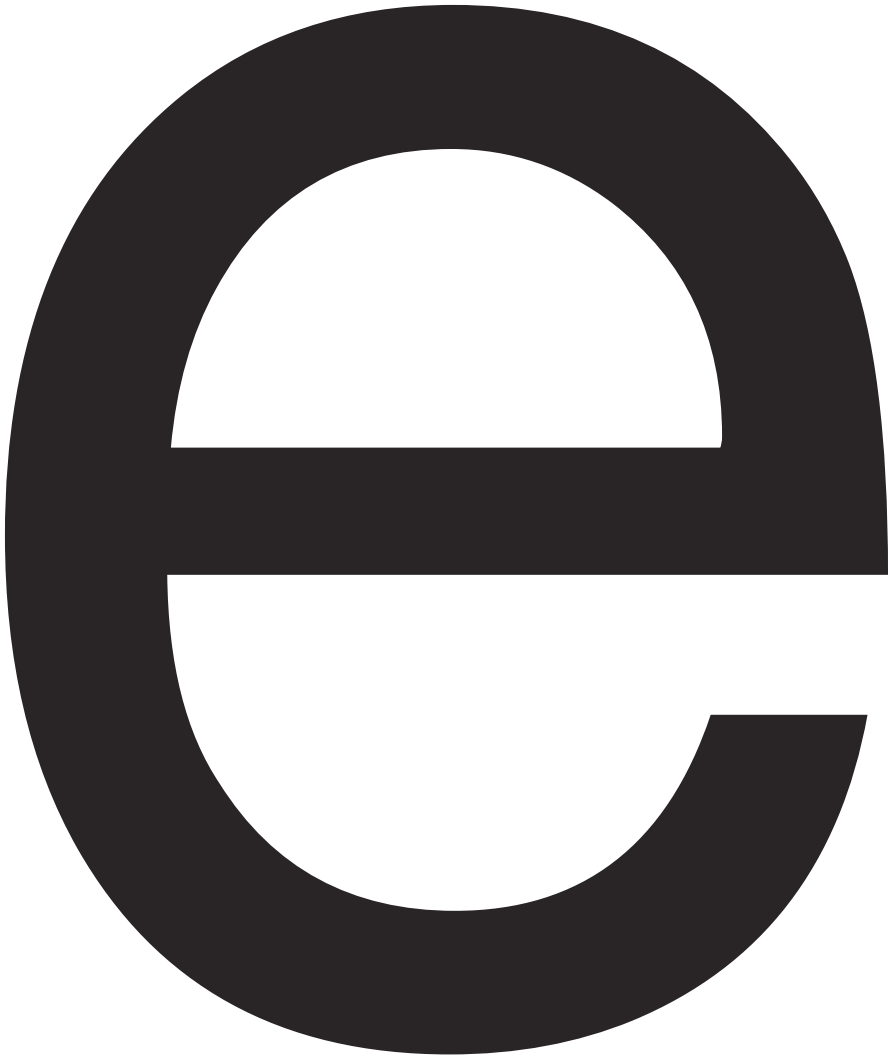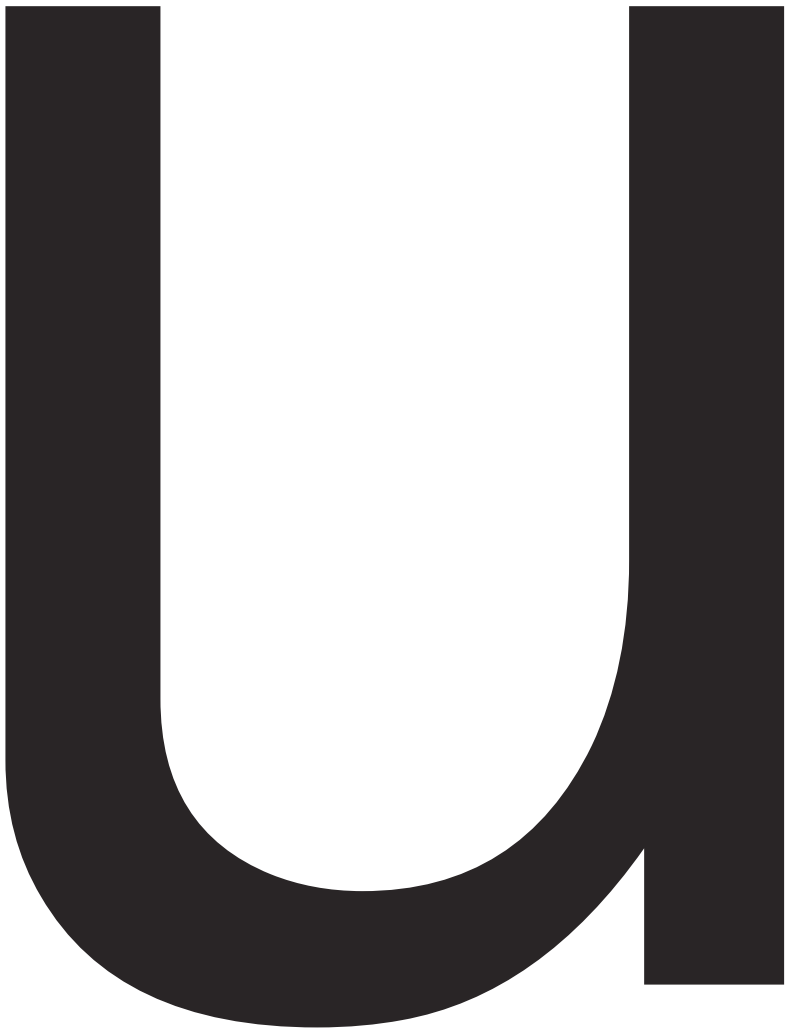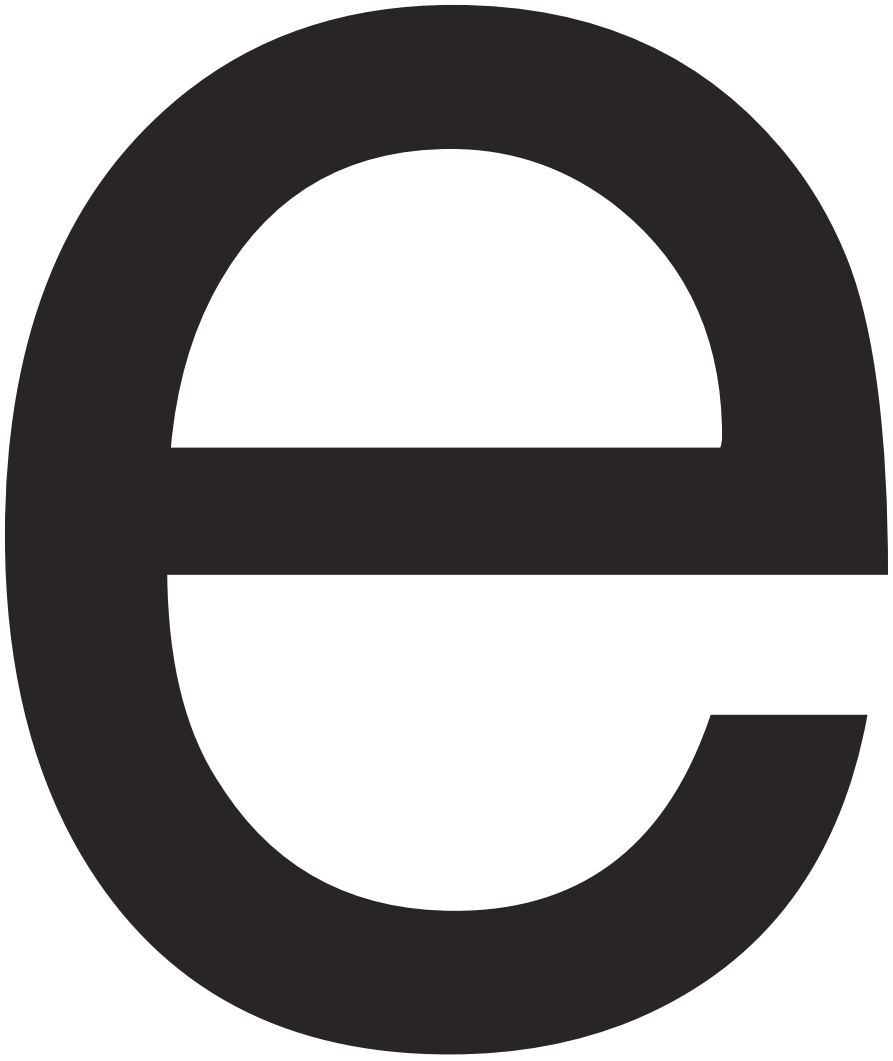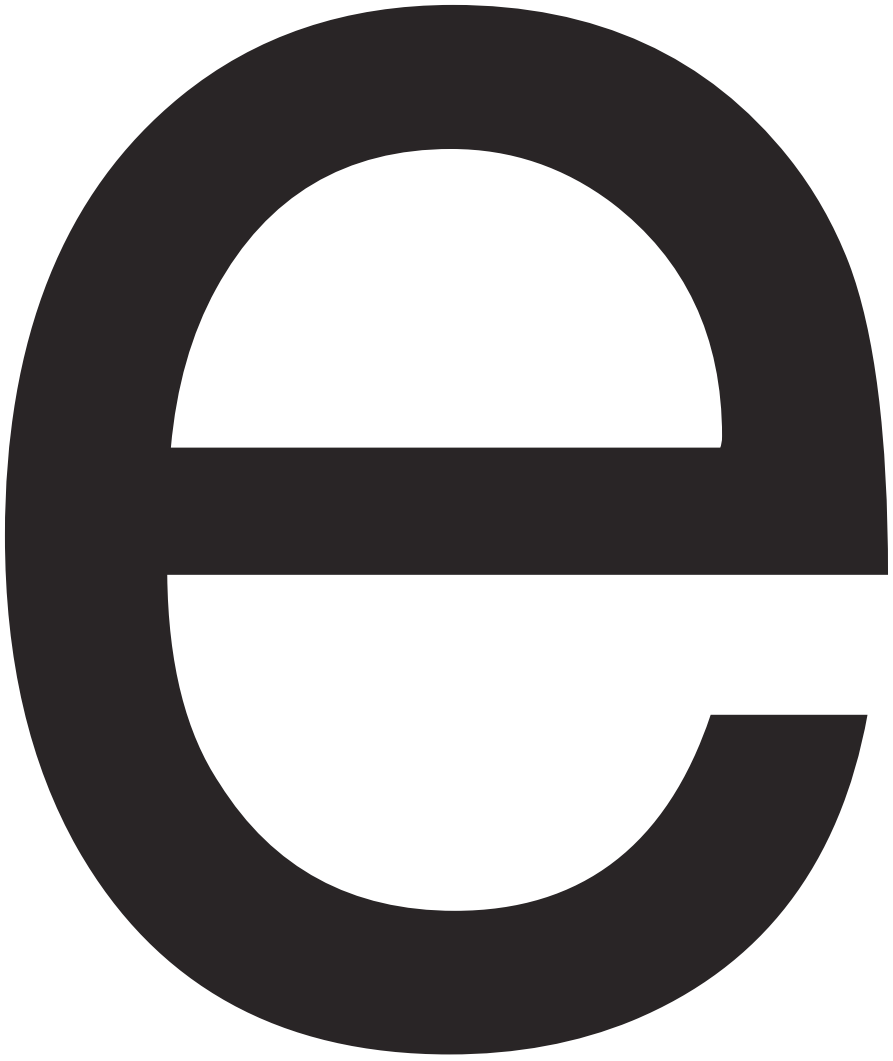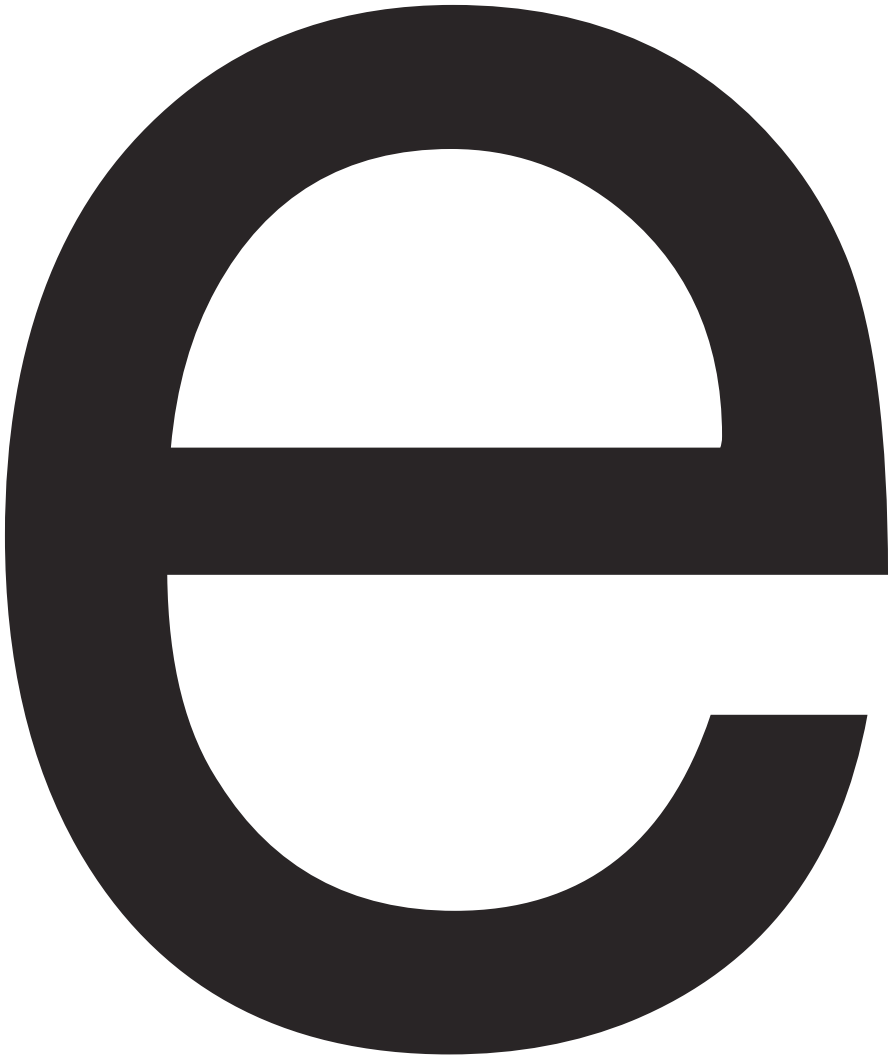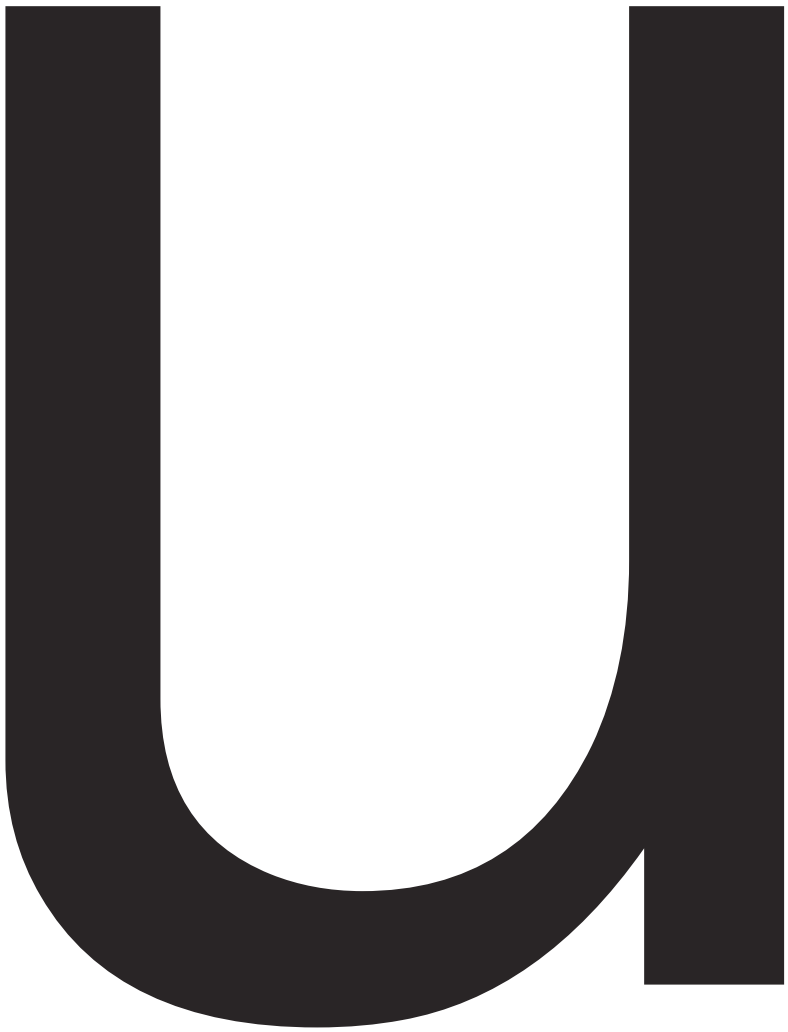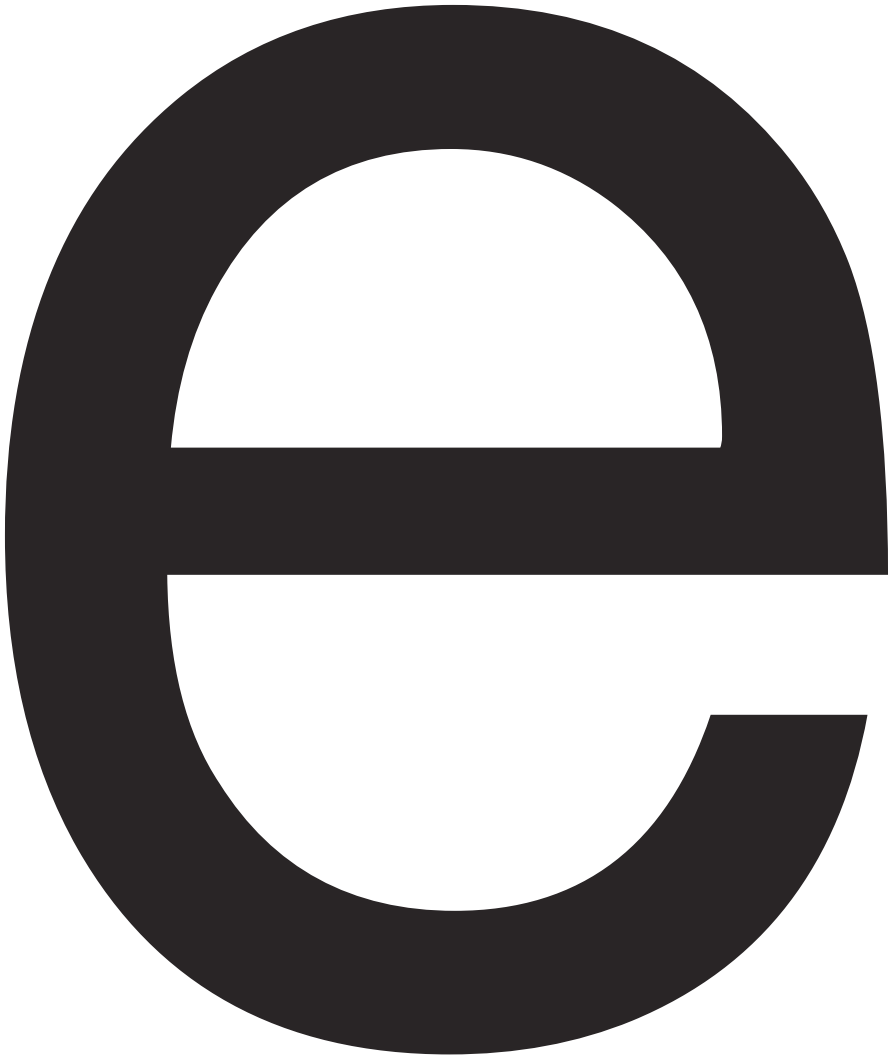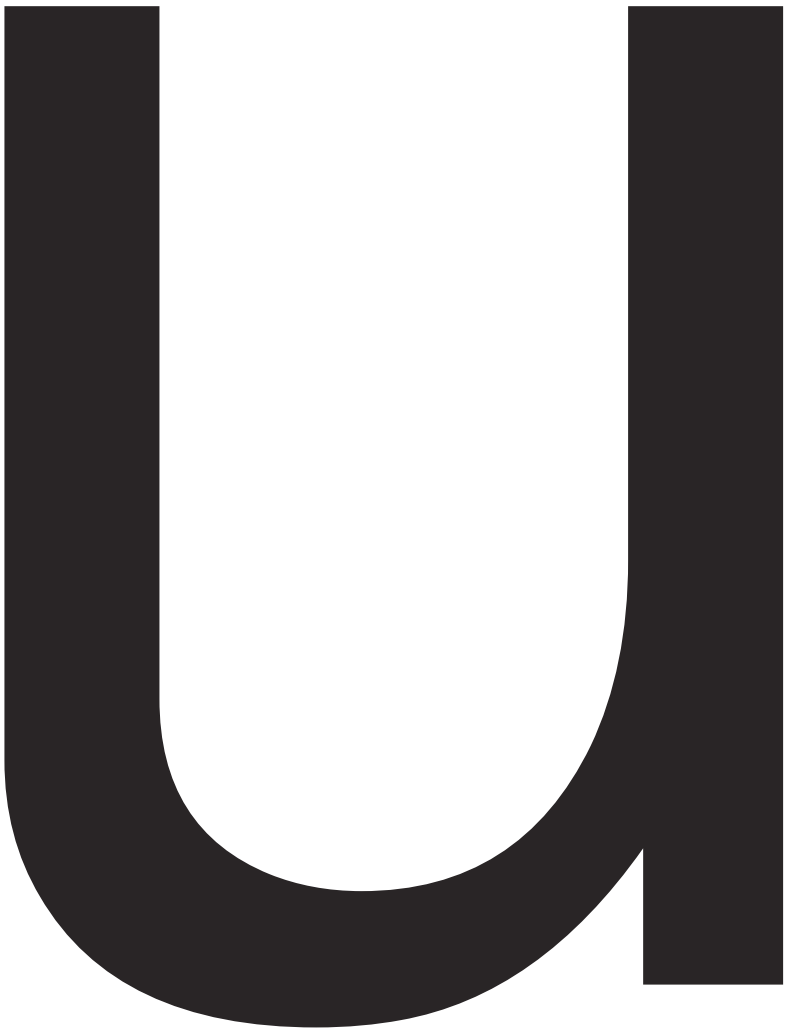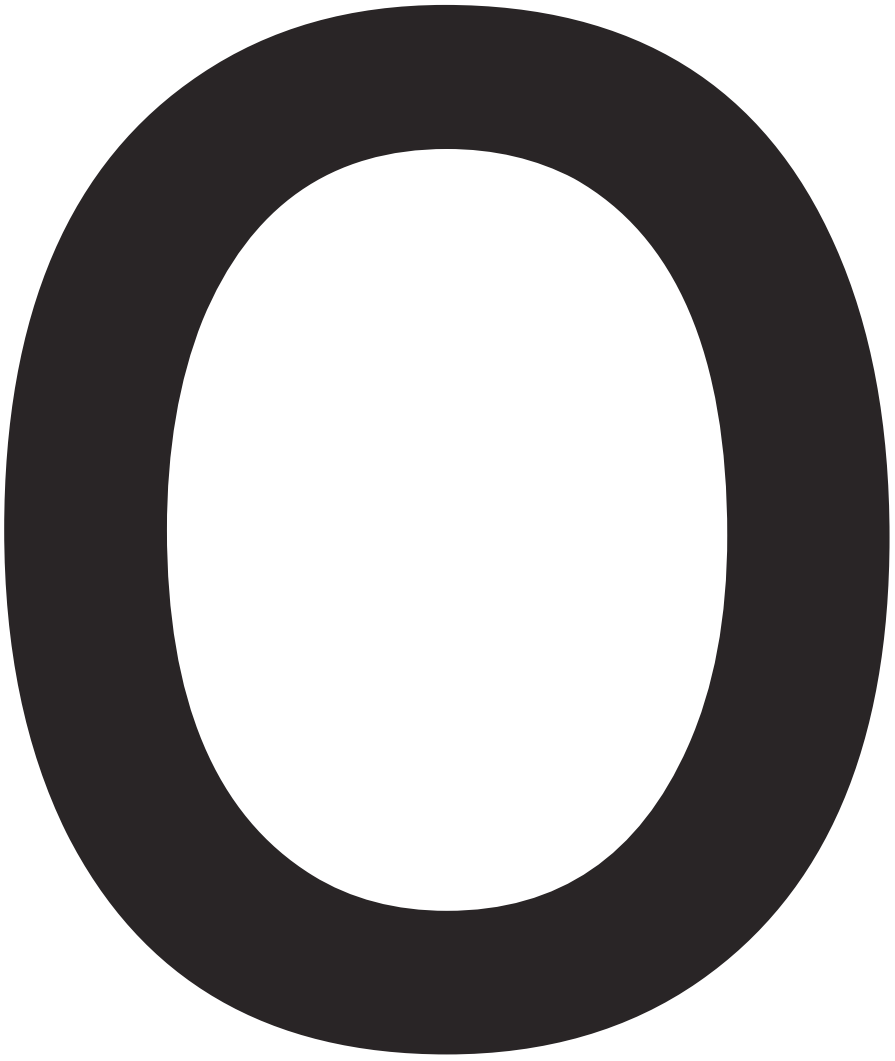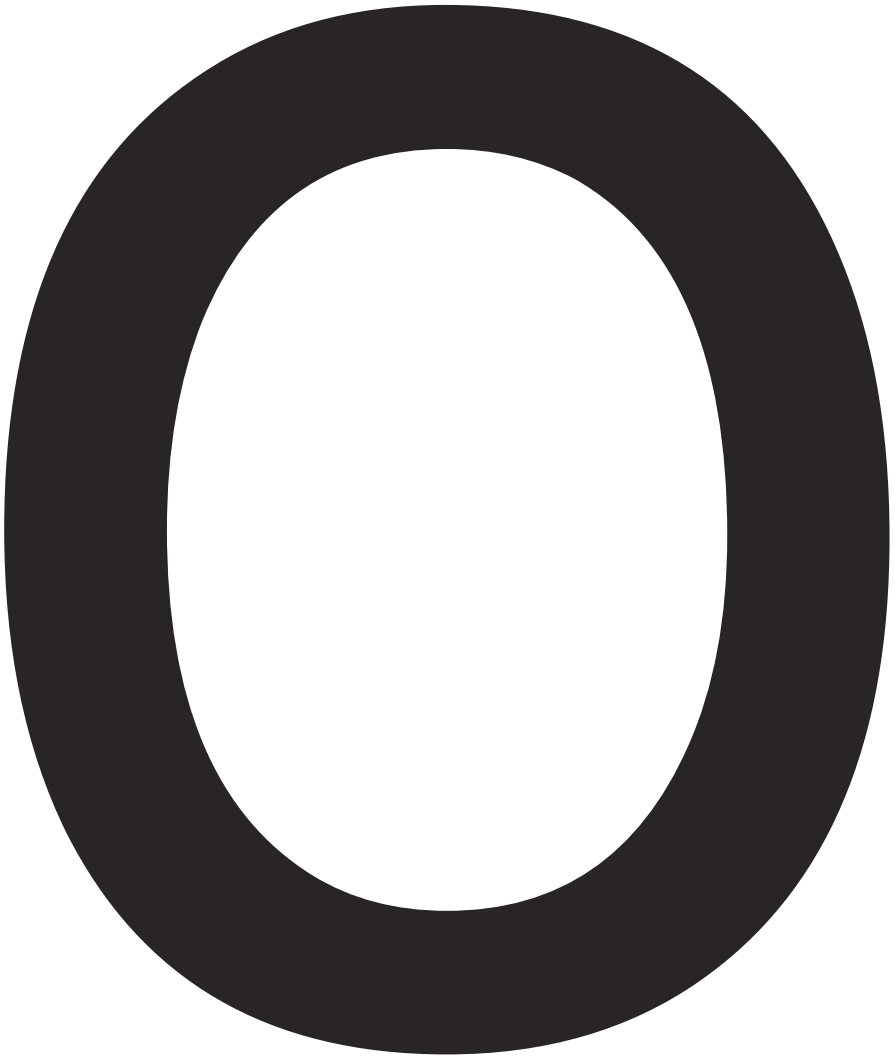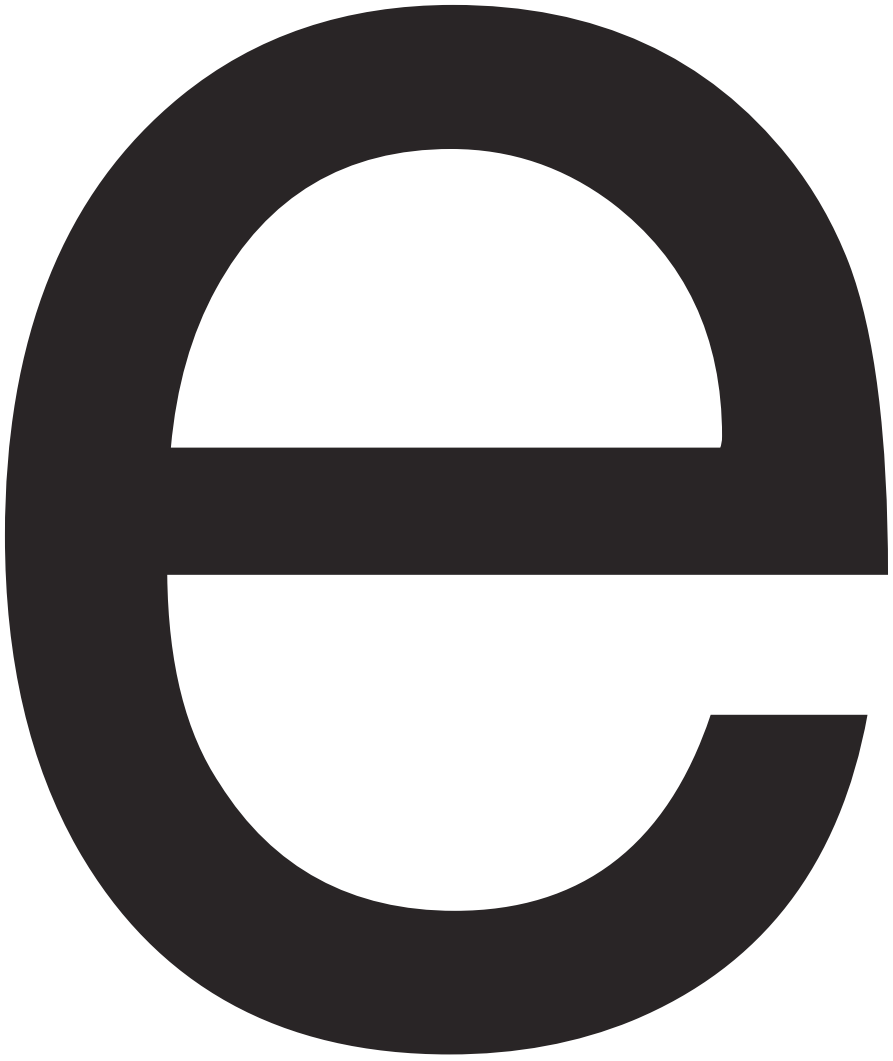
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