

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  
psychologi  
que 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  
envisagée

able

lorsque la

protection

résulte de

la

prodigalité

é,

l'intempér

ance ou  
l'oisiveté  
du  
majeur.





Même  
renforcée  
, une *cur*  
*atelle*

doit être  
préférée  
à une  
*tutelle*

organisé  
sous  
la

forme  
simplifi  
ée de la

gérance,  
voire  
aménage

gée,  
car tout  
oppose

un  
système  
fondé



sur la  
représe  
ntation

où il  
apparti  
ent à

autrui  
de  
penser

et d'agir  
aux lieu  
et place

du  
majeur,  
et un

system  
e fondé  
sur

l'assista  
nce où  
les

*actes*

les plus

graves



sont  
simple  
ment

contrô  
lés par  
le

*curate*

*ur*





De  
plus,  
la *cur*

*atelle*

ne

prive

pas le

majeu

r

proté

gé de

ses



droits  
civiques  
et

favori

se

son

évolut

ion

positi

ve en

envis

agea

nt sa

partici

patio

n aux



*actes*

■  
impor  
tants.



Tout  
efois,

si les

*acte*

s op

é r é s

par

le

maje

ur en



*tut*

*elle*

agis

sant

seul

sero

nt

auto

mati

que

ment

ann

ulés,  
ceux

acco

mpli



s

par

le

maje

ur

en

*cura*

*telle*

sans

l'ass

ist an

ce

du

*cura*

*teur*

ou



l'aut  
oris

atuo

n du

judge

ne

pour

ront

faire

l'obj

et

que

d'un

e

de

ma



ndde

en

*ann*

*ulat*

*ion*

**pen**

**dan**

**t**

**cin**

**q**

**ans**

**au**

**j u g**

**e**

**qui**

**app**



**réci**

**era.**



**Né**

**an**

**mo**

**ins,**

**les**

***act***



**es**

**qu**

e l e

**ma**

**j e u**

**r**

**en**

***cur***



***ate***

***||e***

**pe**

**ut**

**CO**

**nci**

**ure**

**se**



**ui**

pe

**u v**

**ent**

**faire**

e



**bje**



**t**

**d'u**

ne

**act**

**ion**

en

**res**

**cis**



**ion**

**OU**

**en**

**rééd**

**u c t**

**ion**



**S** **vi** **ii**



**S**

**so**

**nt**

**dé**

**sé**

qui

**libr**

**és**



**ou**

dér

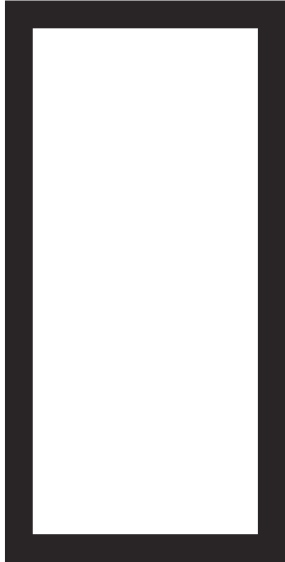
**ais**

**on**

**na**

**bie**

**S.**







**Le**

ch

oix

de

la

for

me



de

la t

*ute*

***//e***

dé

CO

uile

de



la

sit

uat

ion

fa

**mili**

ale

du



ma

j e u

ret

de

**Wim**

poor

tan

ce



de

so

n

*pat*

***rim***

*oïñ*

**e.**







**En**

e ff

et,

**lex**

ist

en

ce



**du**

n

en

**vir**

on

ne

me

nt



fa

**miil**

ial,

la

nat

ure

de

S



se

nti

me

nts

de

S

me

**mb**



ress

de

ceet

ent

our

ad

e à

1<sup>o</sup> é



gar

d

du

ma

j e u

**r**  
**g**

leu

rs



ap<sup>o</sup>t

itu

de

S

ma

téri

eii

es



et

mo

ral

es

à

pre

**ndr**

e



soi

n

de

sa

per

so

nn

e



et

de

se

**S** **b**

*ien*

S

**infi**

uer



ont

sur

le

**typo**

e

de

pr

ote



cti

on

à

**me**

tttr

e

en

oe



u v r

e .





**m p**

ort

an

ce



et

la

nat

ur

e

du

*pat*

***rim***



*oïñ*

e

CO

**nst**

itu

en

t

un



au

tre

crit

ère

e

de

de

ter



**mi**

na

**tio**

n

du

**typ**

e

de



ré

gi

m m

e

de

pr

ot

ect



ion







**Ai**

nsi

J

**Hor**



ga

**nis**

ati

on

**d' u**

ne

*tuut*

**e //**



e

**CO**

**m**

**pi**

ét

e

ess





re

**nd**

ue

**né**

**ce**

ss

air

e



pa

**r**

la

**b s**

en

**ce**

d'

un



pa

re

nt

su

SCC

ep

**tibi**

e



de

re

m m

**plii**

**r**

av

e c

de



**VO**

we

m m

en

t

et

CO

*m*



*pe*

*te*

*nc*

e

la

ch

ar

ge





*ad*

*mi*

*ni*

**s** *tr*

*at*

*eu*

***r***



**lé**

*ga*

***/***  
***,***

**Ne**

**xis**

te

nc

e



de

CO

**nfli**

its

fa

**mi**

ii a

**UX**



J



**m**

**PO**

nta

nc

e

ou



la

CO

ns

ist

an

**c e**

du





*pa*

*tri*

***m***

*Oi*

*ne*



à

g é



re

**r.**





**TO**

ut

**e f**

Oi



**S,**

la

lo

ur

de

ur

de

SO



n

Or

ga

**ni**

sa

**tio**

n

et



de

SO

n

fo

nc

**tiO**

**nn**

e



**m m**

en



ré

se

**rw**

e

SO



n

e

**m m**

pl

Oi

au



ca



S

de

**m m**

ai

eu

rs

qu

■  
i  
n



to

ut

en

**n'**

ay

an



pa



S

de

CO

**nj**

Oi

**nt**

**OU**

de



pa

re

**nt**

**su**

SCC

ep

**tib**

le





**étr**

e

de

**Si**

gn

é

CO



**m m**

m m

e

*ad*

*mi*

***mi***

***str***

*at*



*eu*

***r***

*hé*

*ga*

**/,**

di

**sp**

OS



en





un

en

to

ur

ad



e

à

**m m**

^  
e

**m m**

e

de

CO



ns

tit

ue

**r**

un



**CO**

***ns***



**e** ***ii***

*de*

*fa*

***mi***

***Me***









a

CO

**mm**

pl

**eX**

ité

d

u



***p***

*at*

***ri***

***m***

***Oi***

***n***

e

**p**



e

ut

e

**nt**

ra

**in**

er

la



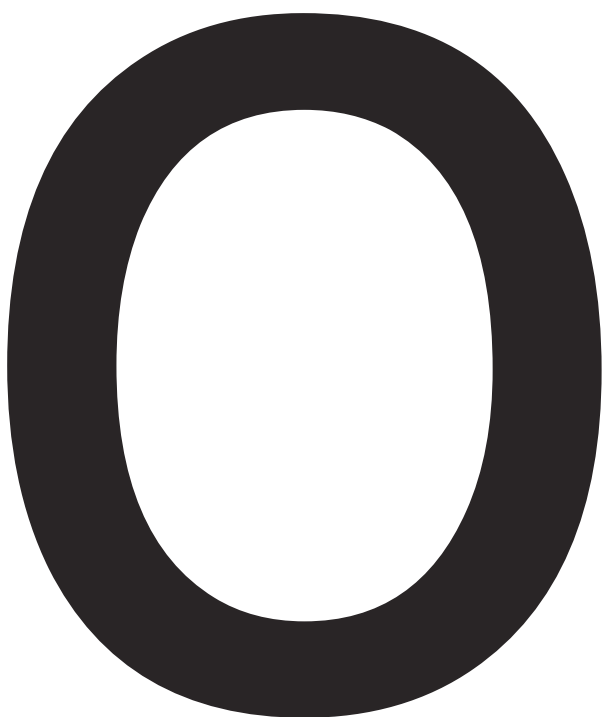
d

éss

ig

n

ati



n

d



e

pi

us

ie

ur

S

***tu***

*te*



***ur***

**S,**

e

n

di

sti

n

g



u

a

**nt**

se

lo

n

q

u



e

le

ur

**mi**

**S S**

**io**

n

S !



at

ta

ch

e

à

la

**p**

er

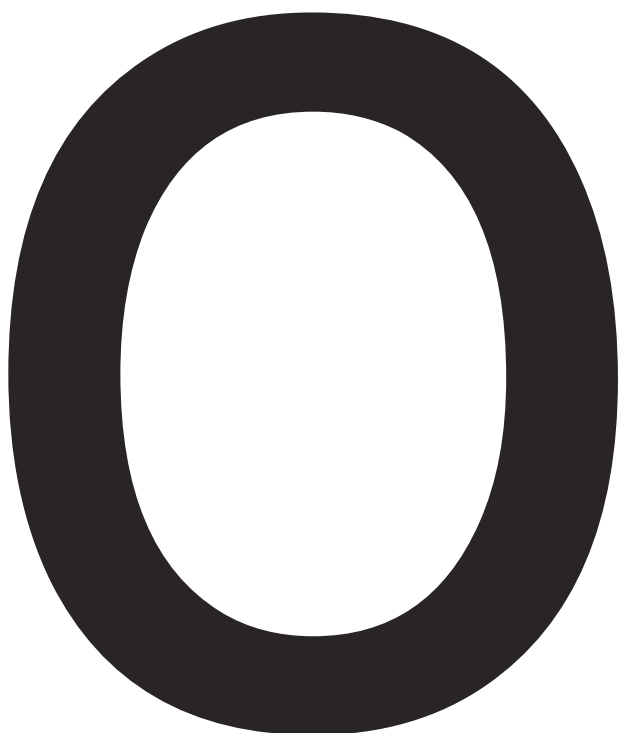


**SO**

n

n

e



u

a

**UX**





***b*** ***i***

e

***n***

S

d

U

**nm**



ai

e

**ur**

**pr**

**ot**

é

g









a

**Si**

**nm**

**Propriété**

**cit**

é





e



er

**ci**

**C**

e

d



e

**1** **!** **a**





in

**is**

**tr**

**at**



io

n

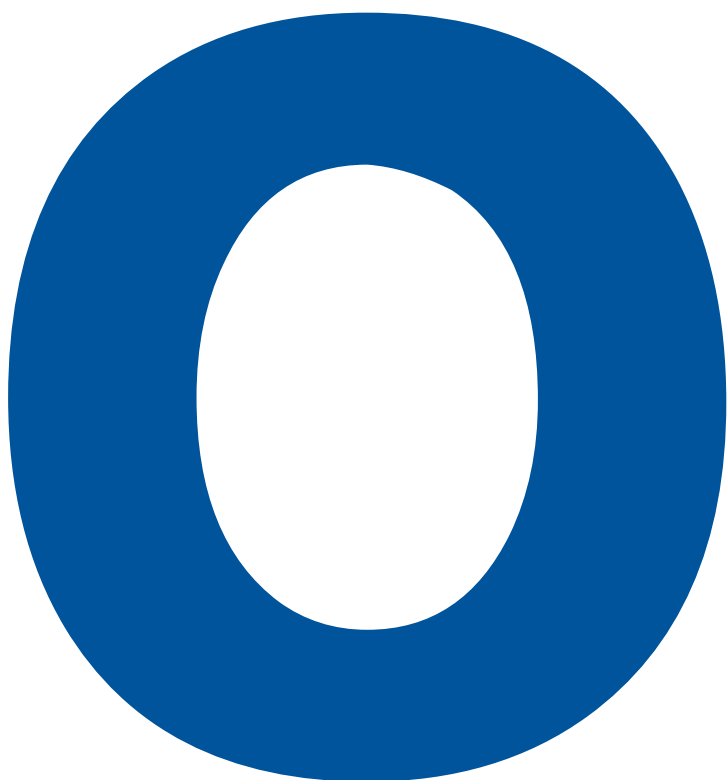
le

g

ai

e

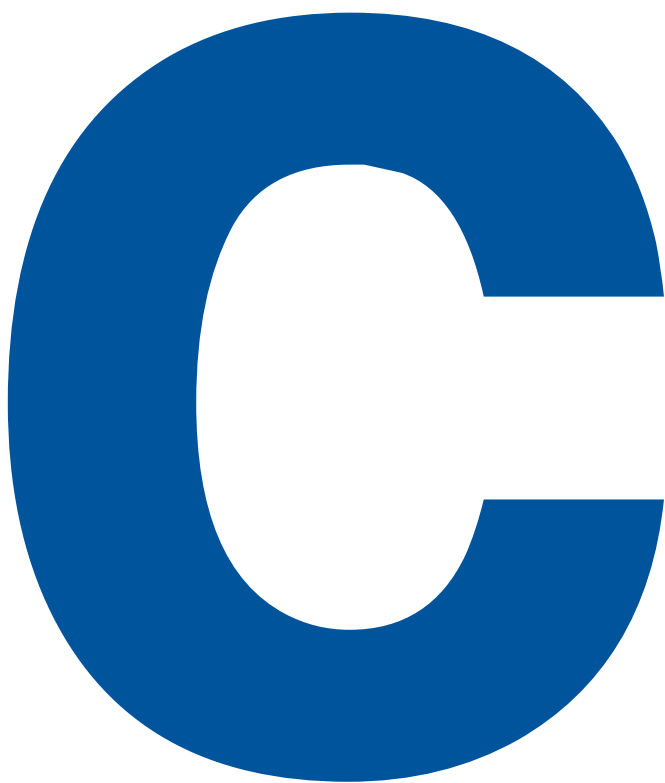
S

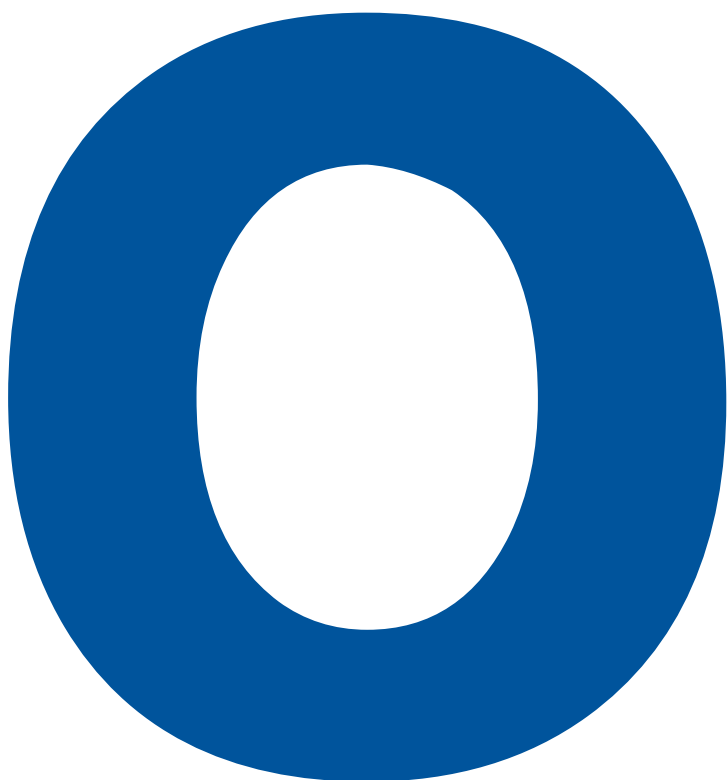




u

S





**nt**

**no**

le

**ju**



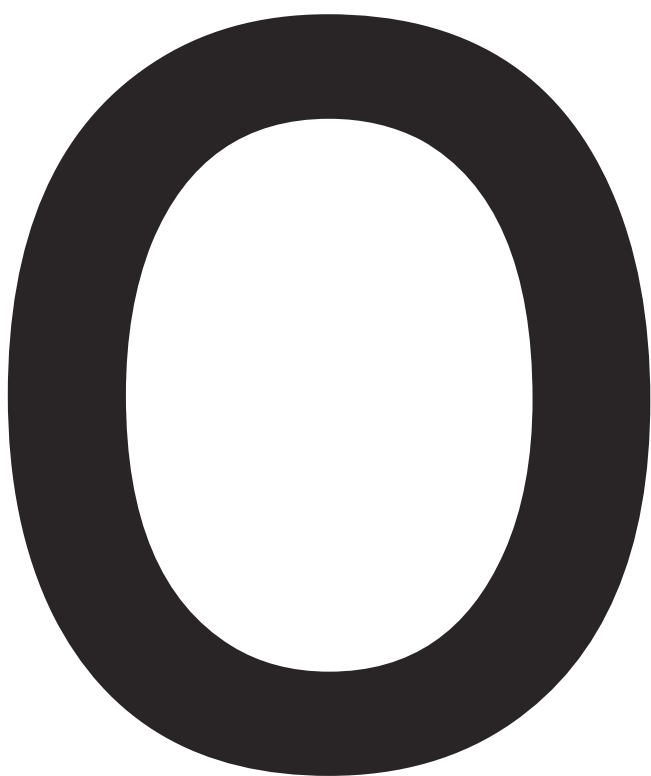
di

**ci**

ai

re





n





ui





A large, stylized black letter 'a' with a diagonal slash above it, representing a trademark symbol.

e

n

fa



**Or**



**is**

er

la

**m m**

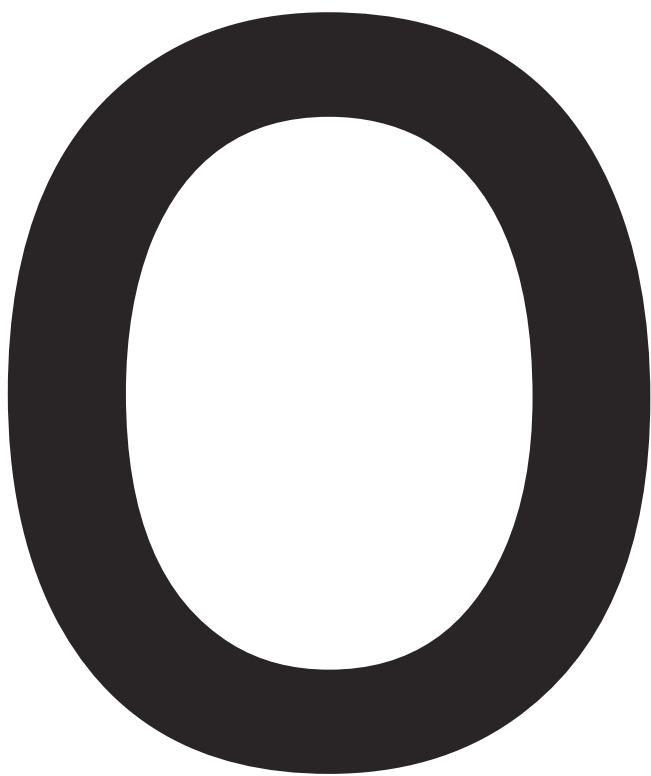
**is**

e

e

n





e

u

**vr**

e

**P**

ar

**pr**



**e f**

ér

e

n

**C**

e

à

la



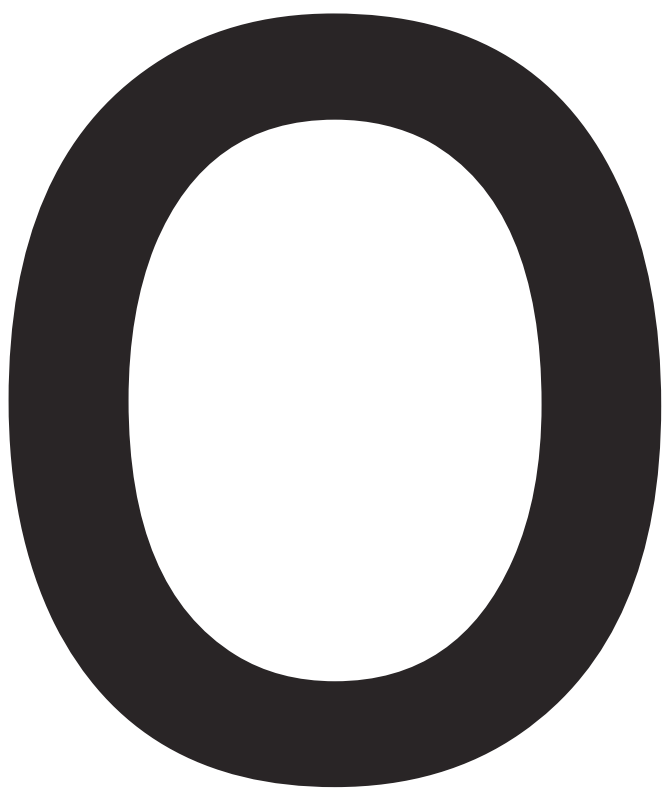


*u* *it*

***e/***

***le***

**C**



**nm**

**PI**



**et**

e,

d

e

**nm**



**nm**

e



Q

u

e

la

**pr**



**nm**

a

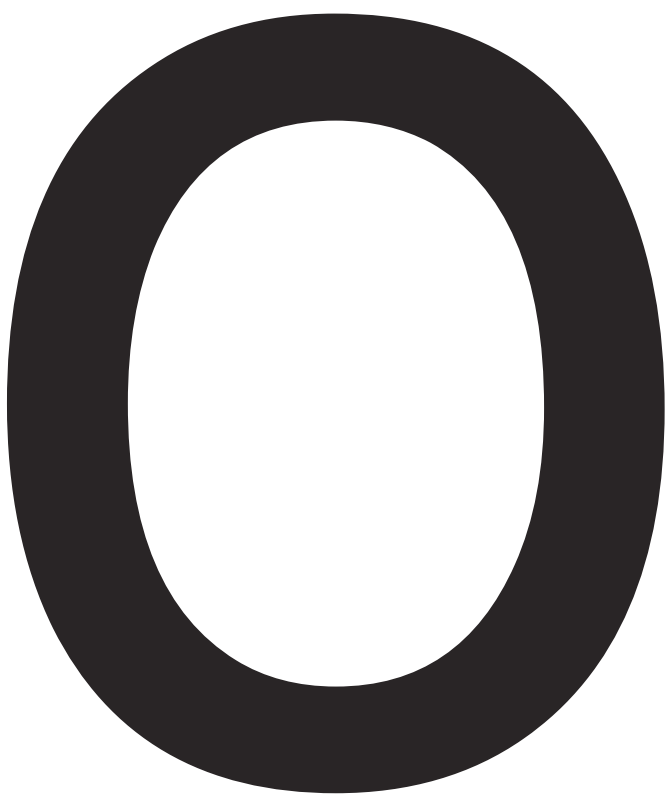


ut

é

re

**C**



**n**

**n**

u



e



A large, stylized black letter 'a' with a diagonal slash above it, representing a trademark symbol.

la

**fa**

**nm**



e

la



**fa**



**pr**

é



ai

**O** **i**

**r**



S

**ur**

la

g

ér

a

n

**C**



e







**Or**

S

q

u

e



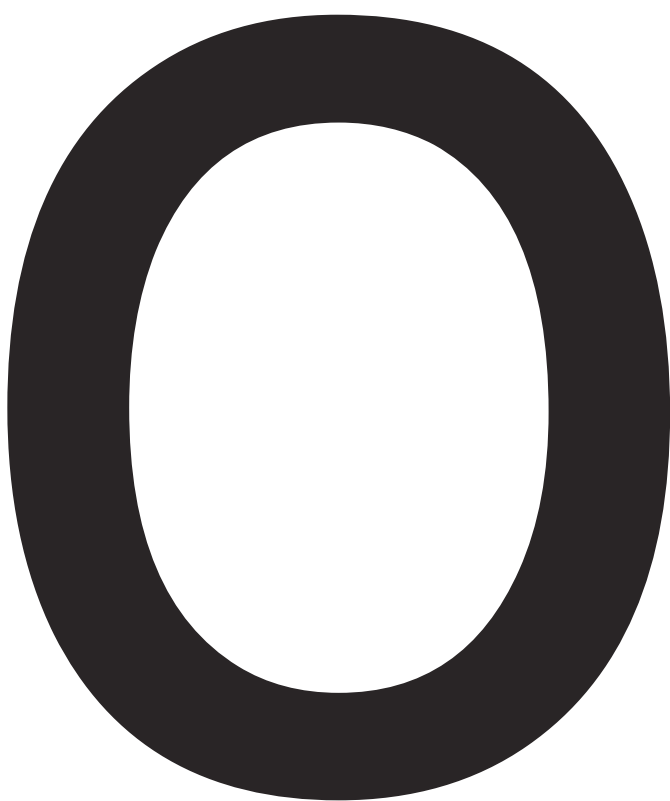
la





**nm**

**P**



**Si**

**ti**





n



u

n





***n***



S

***e*** ***i***



***a***

e

*fa*

***m m m***





e



u

la

d

é

**Si**

g



n

at



n



u

n

***tu***



*t*e

***ur***



S!

a



**er**

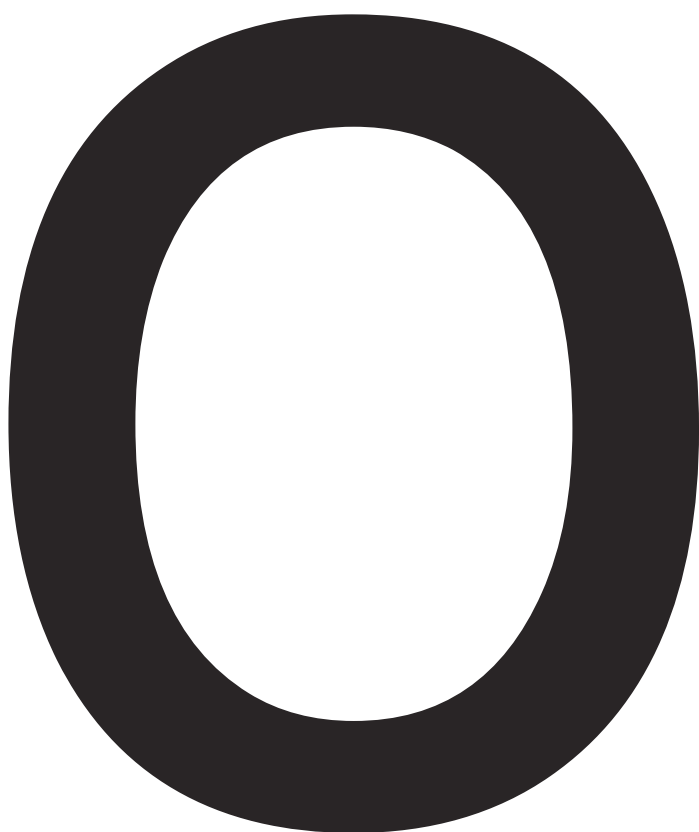
e





**nm**

**P**



S

**S** **i**

**bi**

e,



ai

**Or**

S

Q

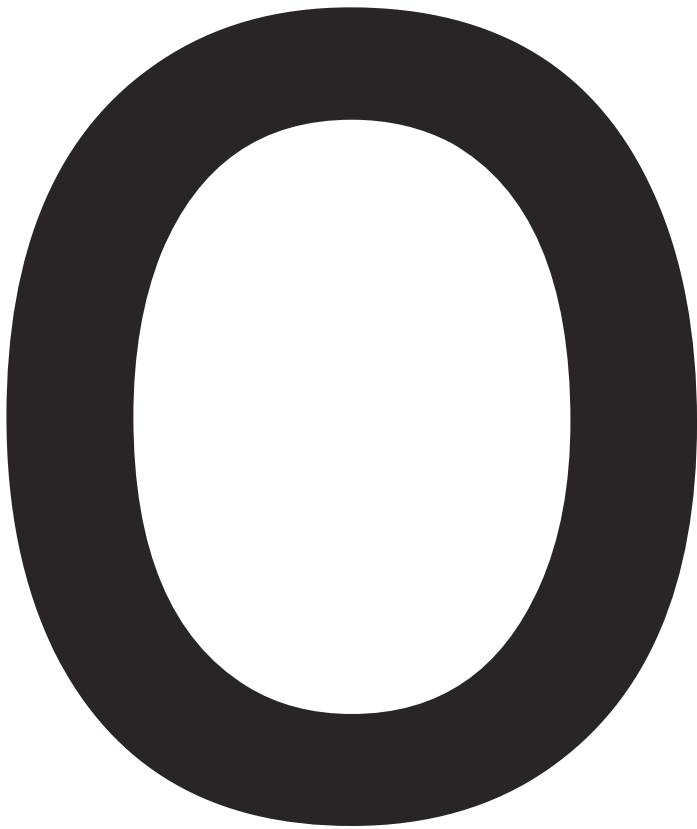
u

e

la

**C**





n

**S i**

**st**

a

n

**C**

e



d

U

***P***

*a t*

***ri***

***m m m***

**O!**

***n***



e

a

**ur**

ai



re

n





u

n

e

**C**

e

S

S

ai

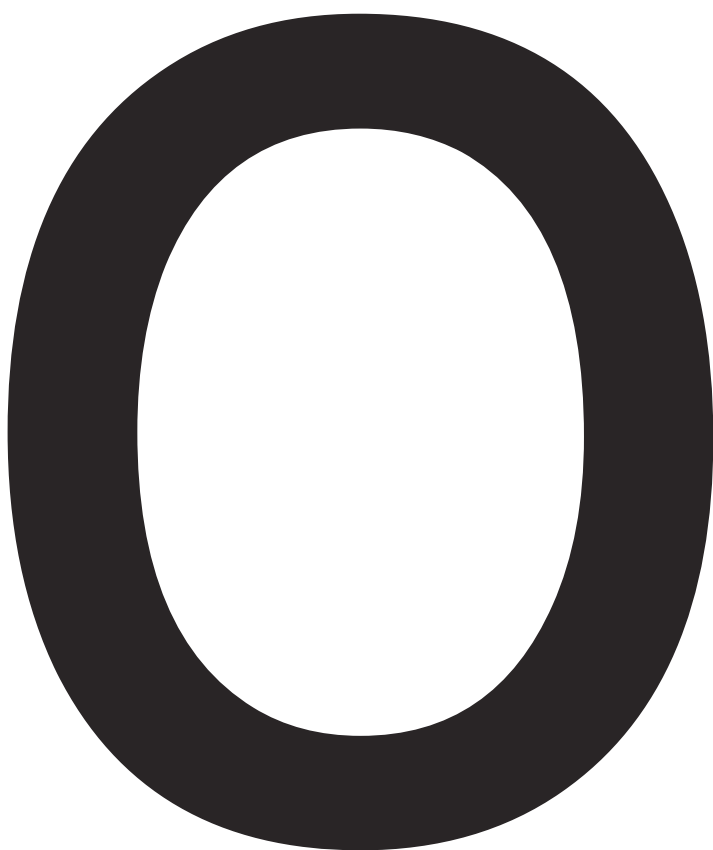


re

1a



**C**



**n**

**st**





**ut**



**n**



u

**n**

e





***tu***

*t* **e**



e



**C**



**nm**





**e** **t**

**e,**

le

ju

g

e

**P**



e

ut

d

**e f**

er

**er**

la









*u*

*t*e







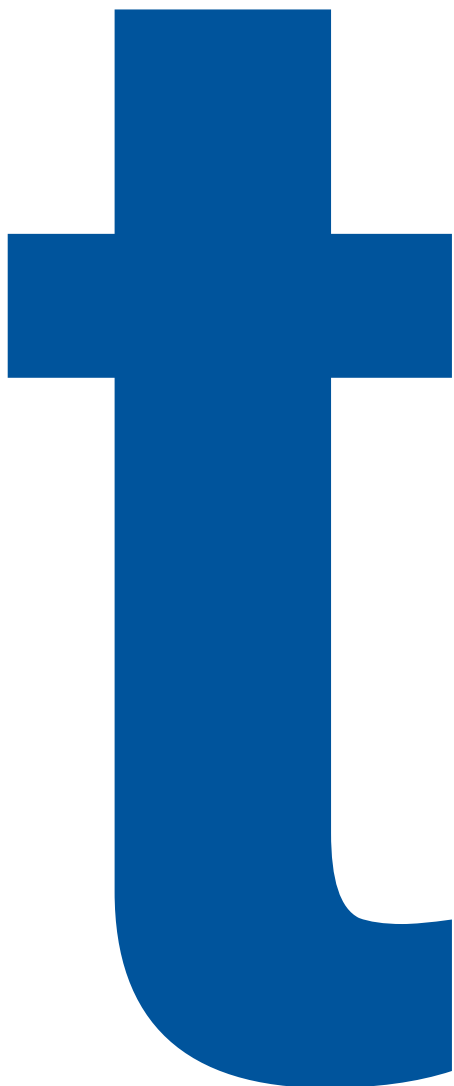
**à**











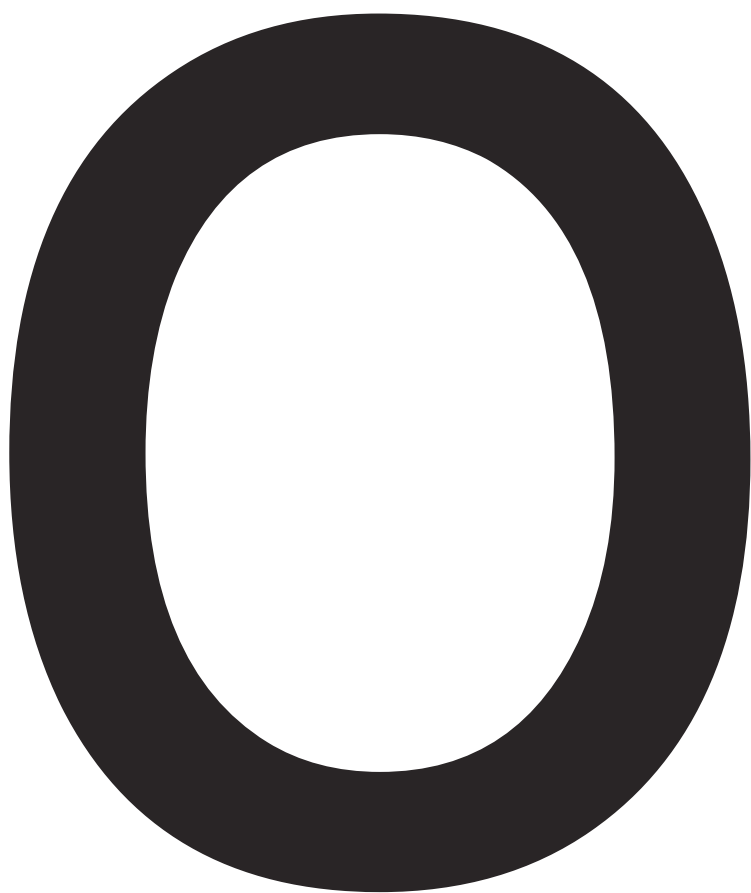
a











rs







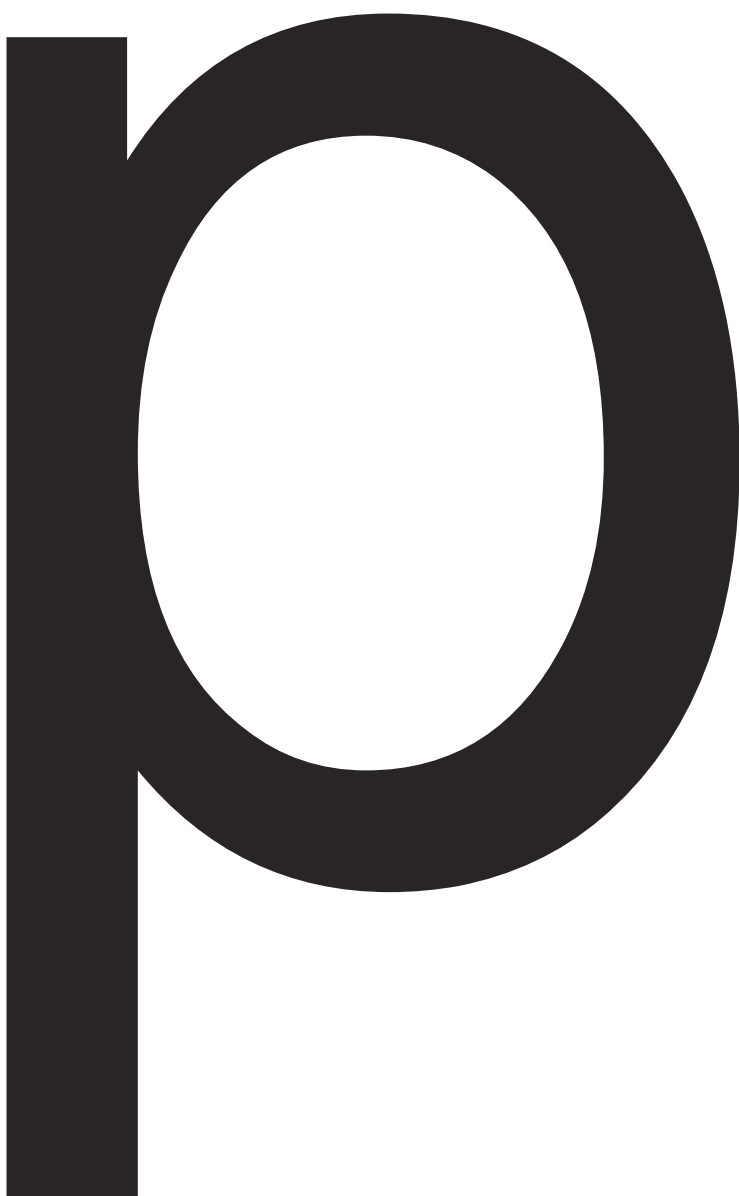


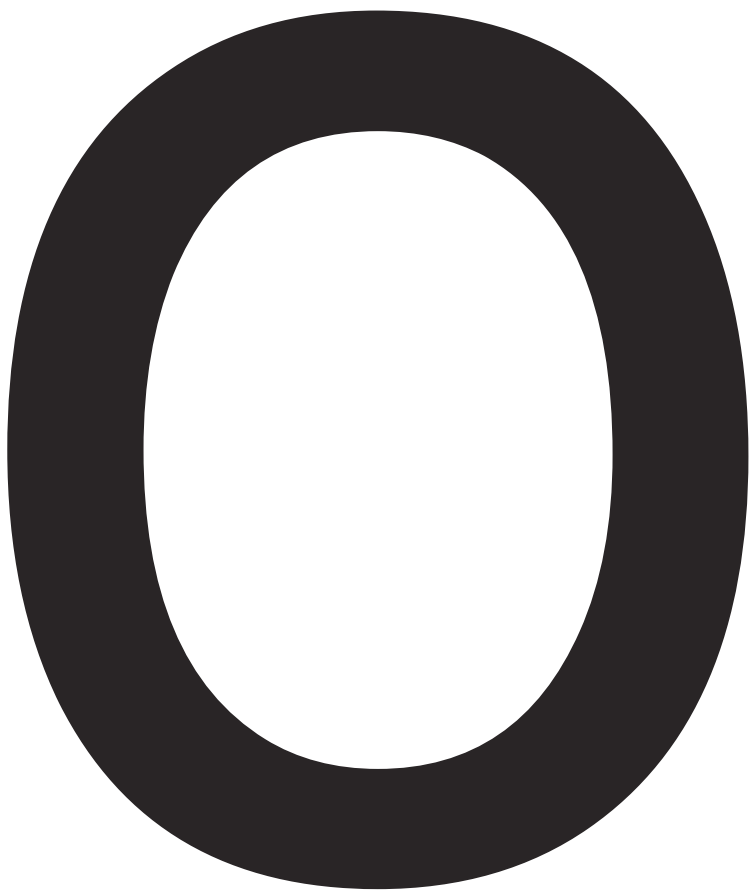
**s t**





**nm**



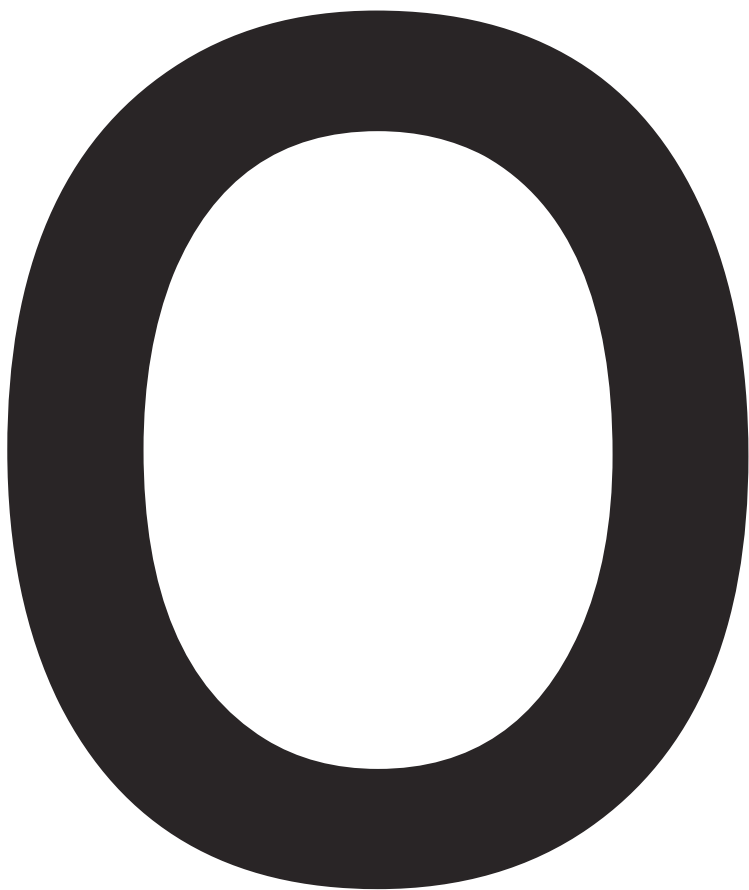


S

**Si**



e

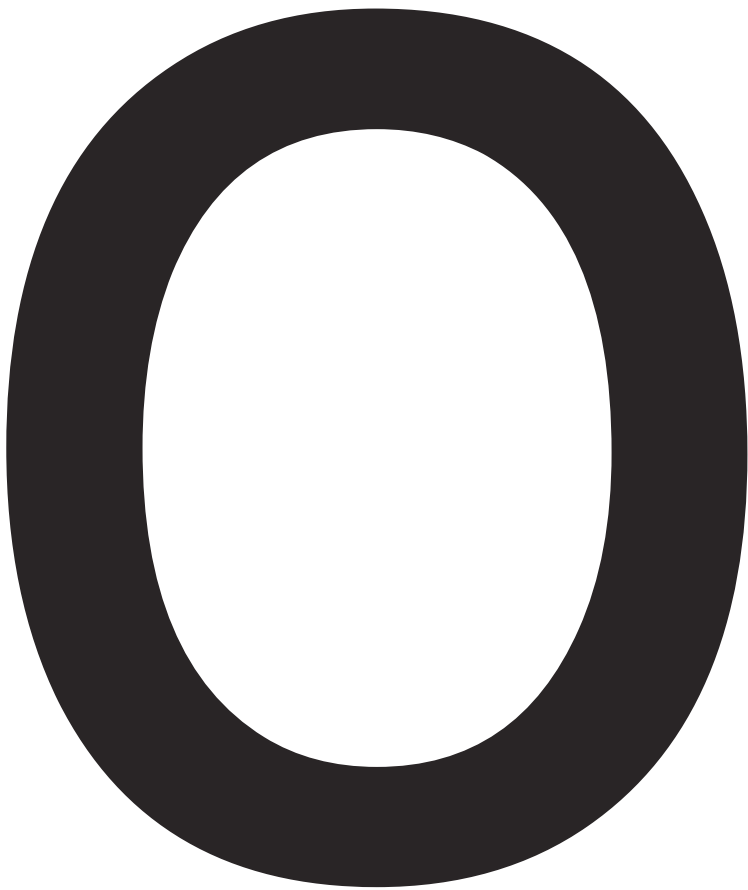




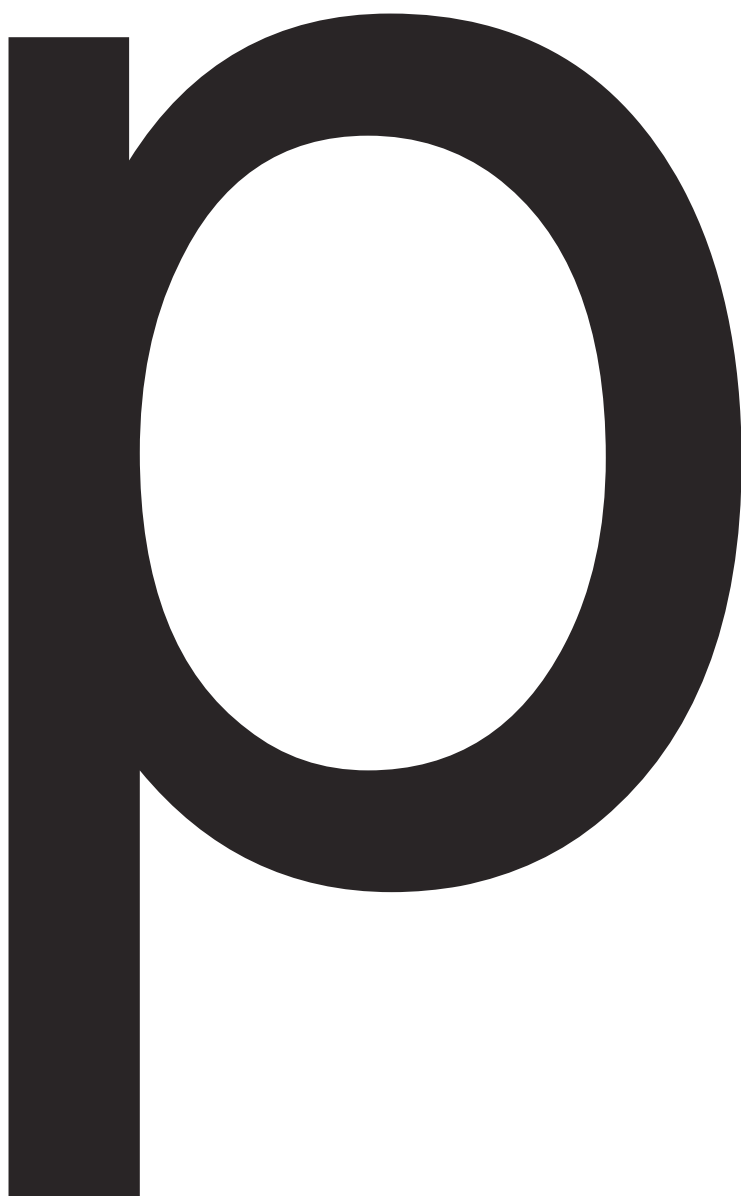
u

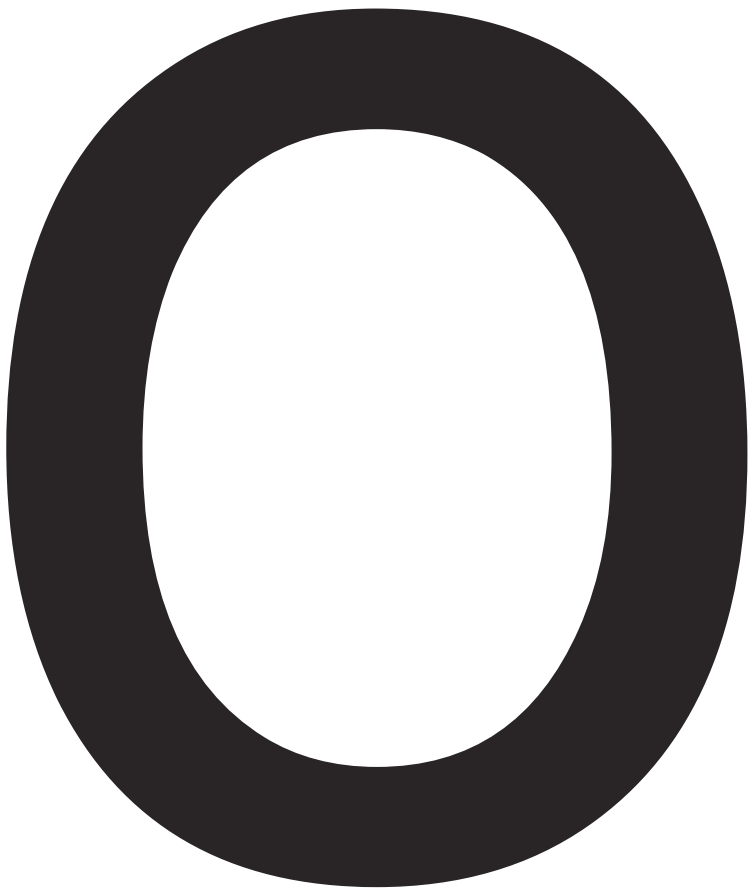


**in**









rt

u



n



e

**f a**

**ir**

e



*a*



***P***

***P***

**e/**







A large, stylized black letter 'a' with a diagonal slash above it, representing a trademark symbol.

1a

**fa**



**nm**



e

e t

Q

u

e

le







***P***

*a* *t*

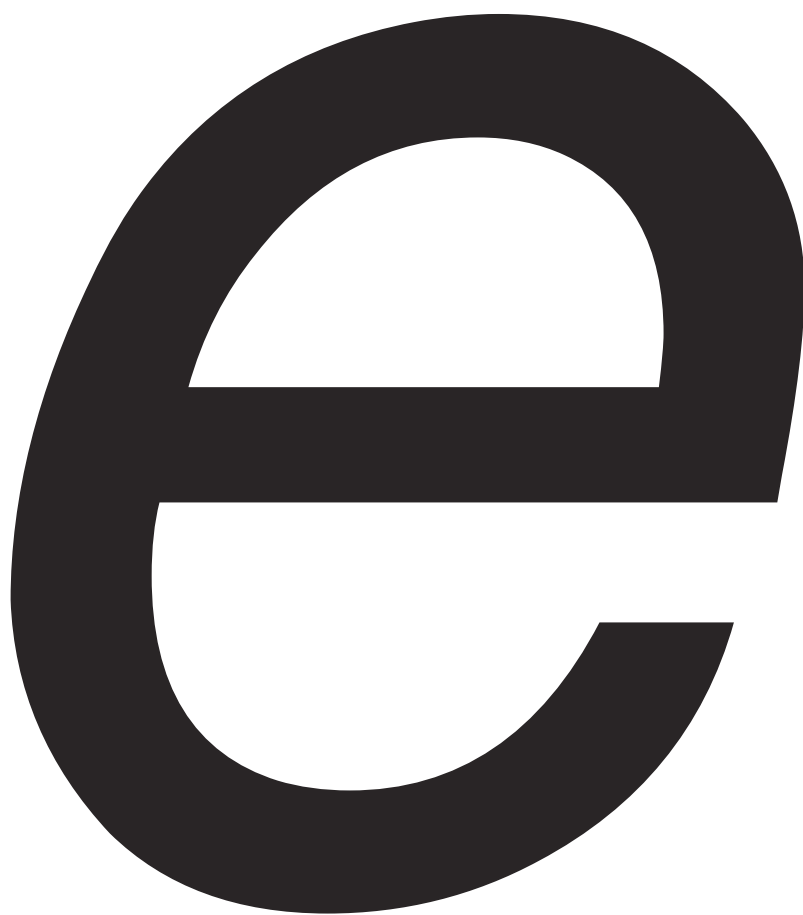
***ri***

***m m m***

**O!**

***n***







n

e

**g**



A large, bold, black lowercase letter 'e' is centered on the page. Above the letter, there is a solid black diagonal slash (/) that is slightly offset to the right, creating a visual element that resembles a trademark symbol or a specific typographic mark.

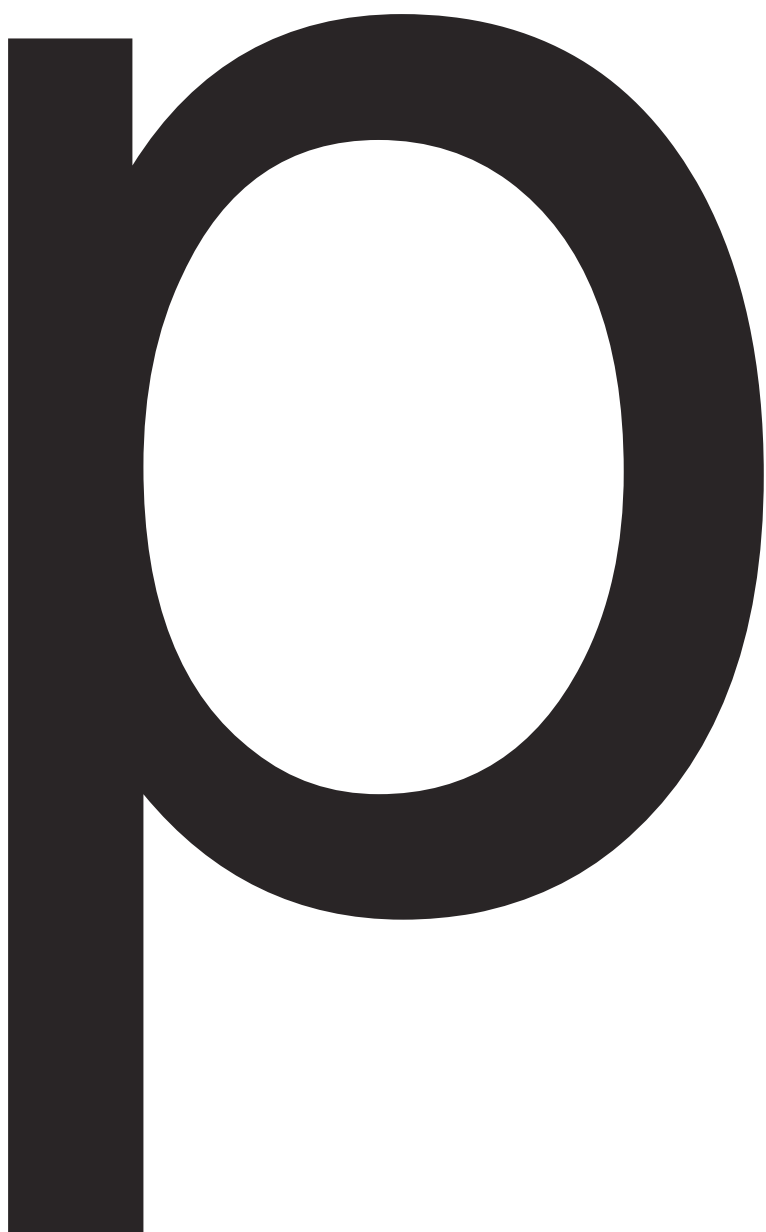
n





**r**

e



a

S

u

n

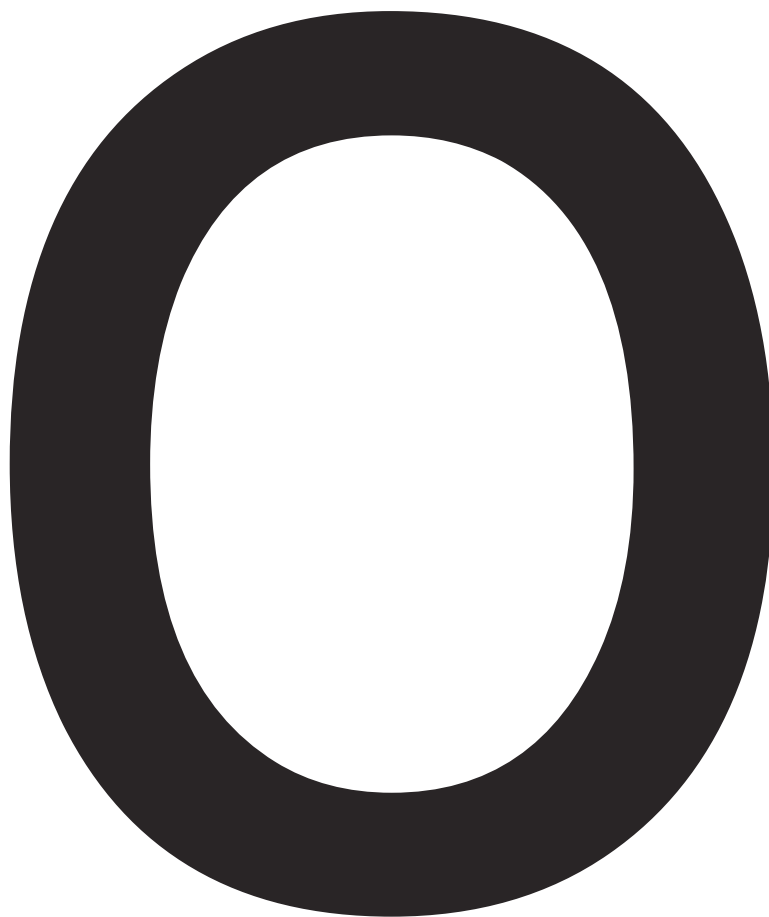
e



**g**

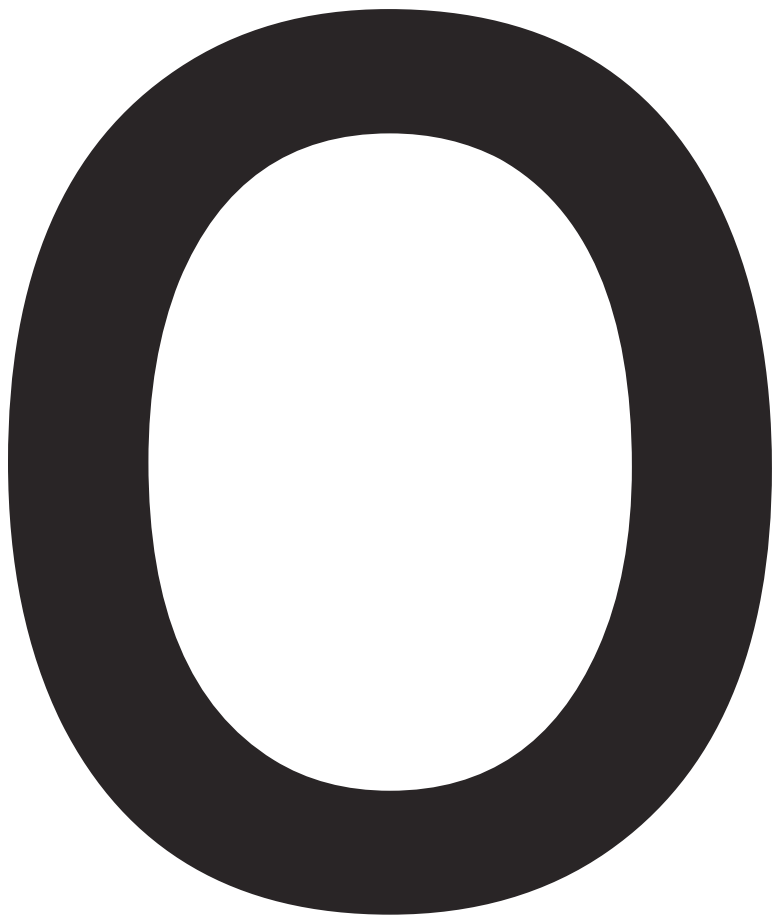
e

**s t**



n

**C**









e



**e** **;**

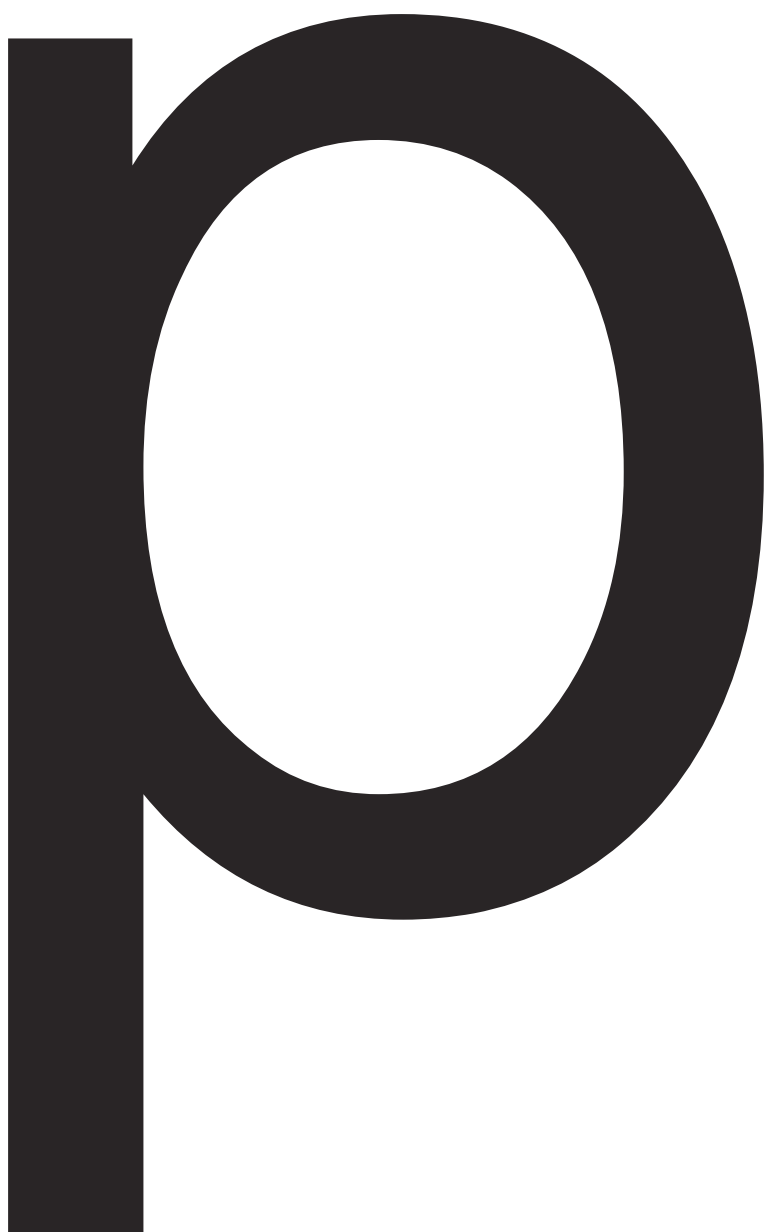
**le**

**ju**

**g**

e





ri

**vi**

**le**

gi

e

1 a

d





A large, bold, black lowercase letter 'e' is centered on the page. Above the letter, there is a solid black diagonal slash (/) that is slightly offset to the right, creating a visual element that resembles a trademark symbol or a specific typographic mark.

**Si**

**g**

n

**at**

**io**

n





**U**

n











***n***





***a***





*u*



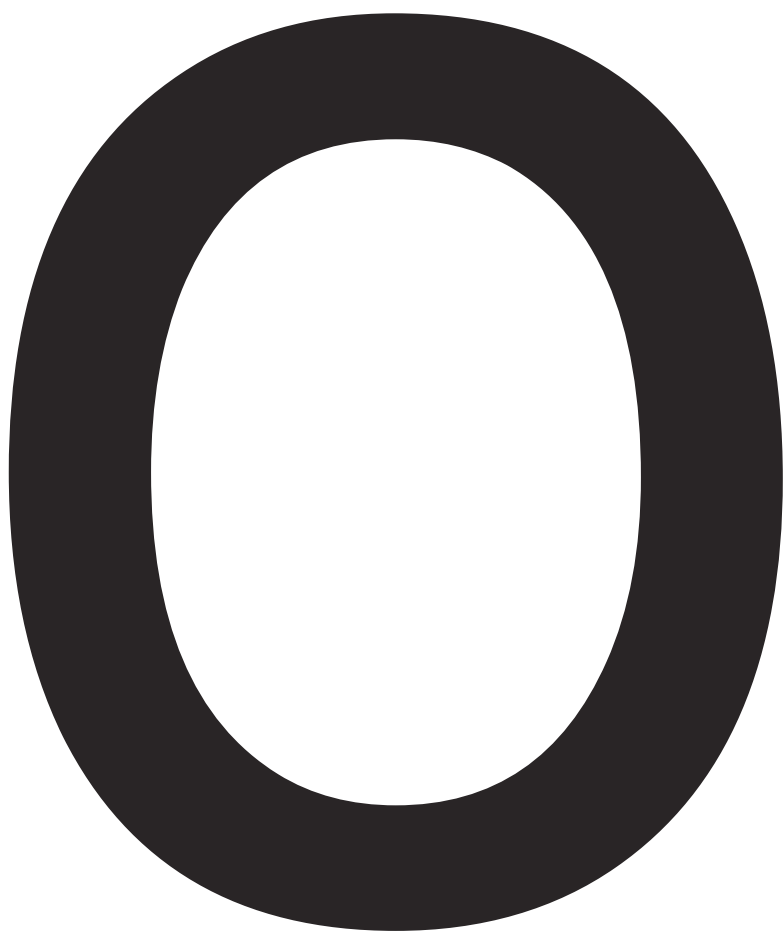
**e/**

***le***









u



U

**n**









*u*



*a*





*u*









**in**

S

**C**

ri



S



u

**r**

1a



**st**

**e**

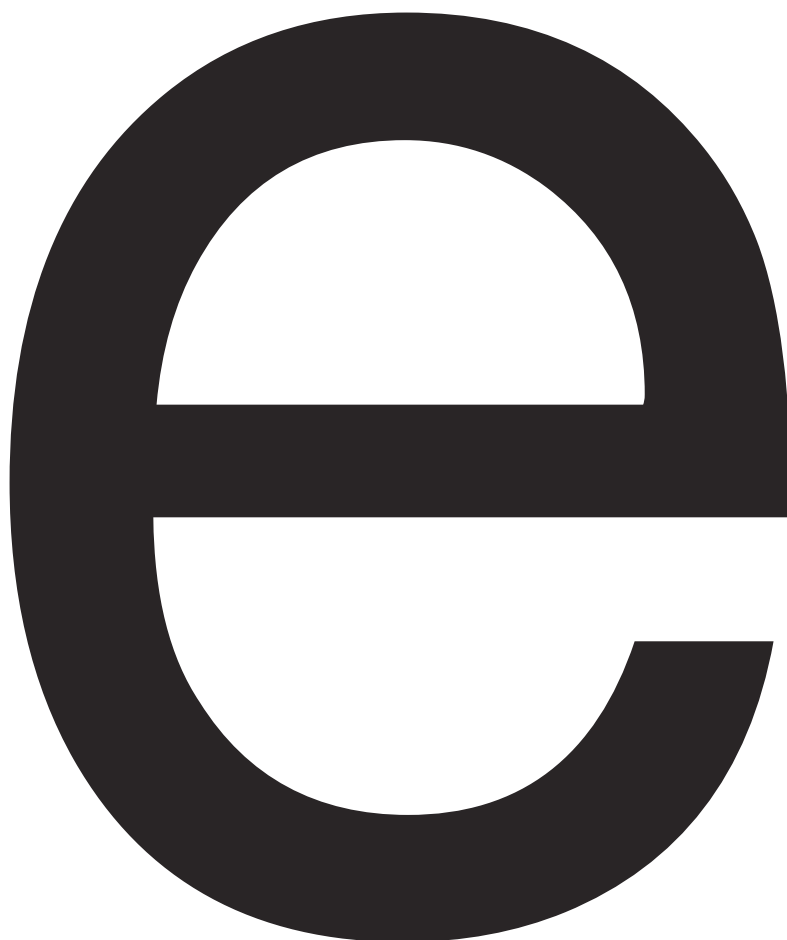
é





a





**P**

a

**r**

le

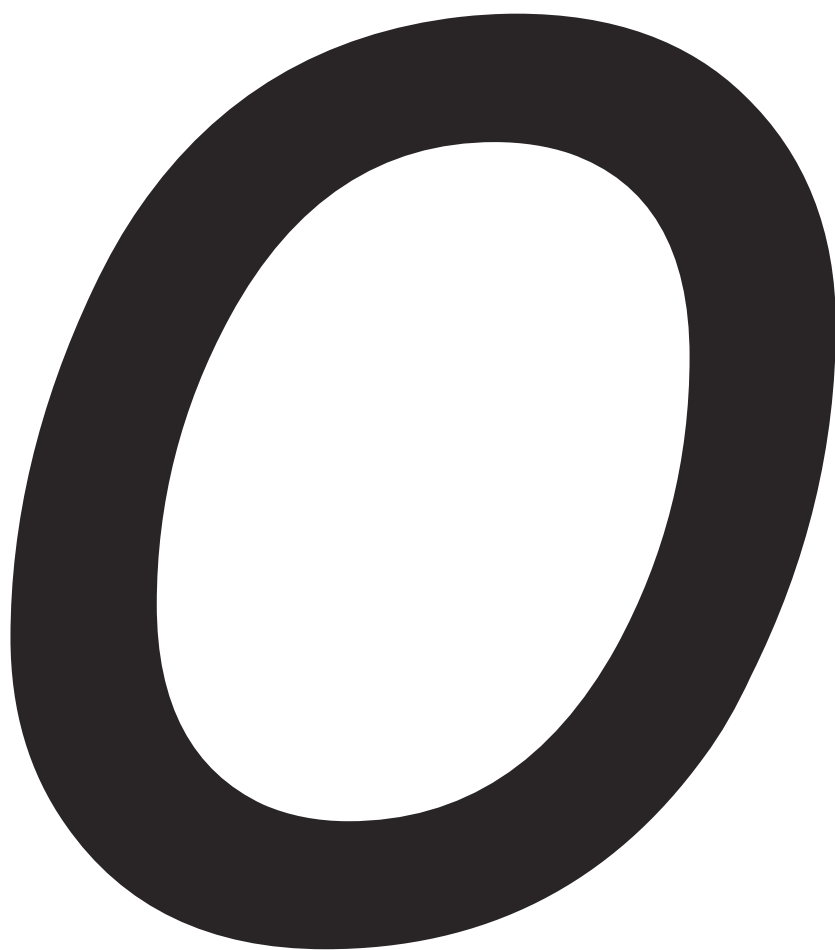


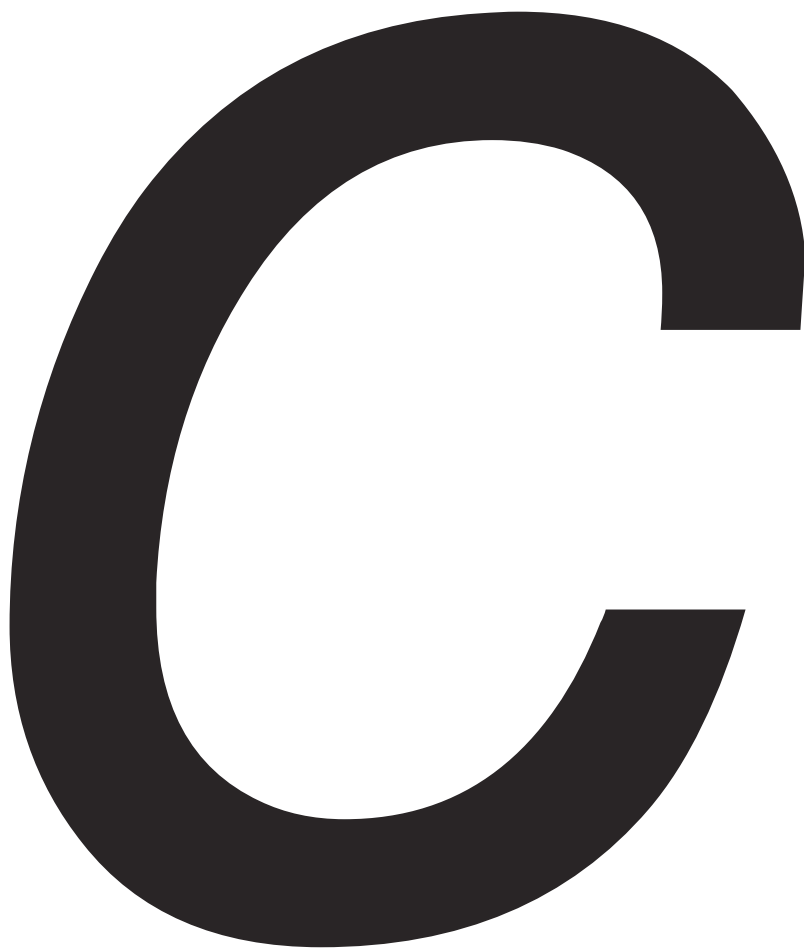




***P***







***U***



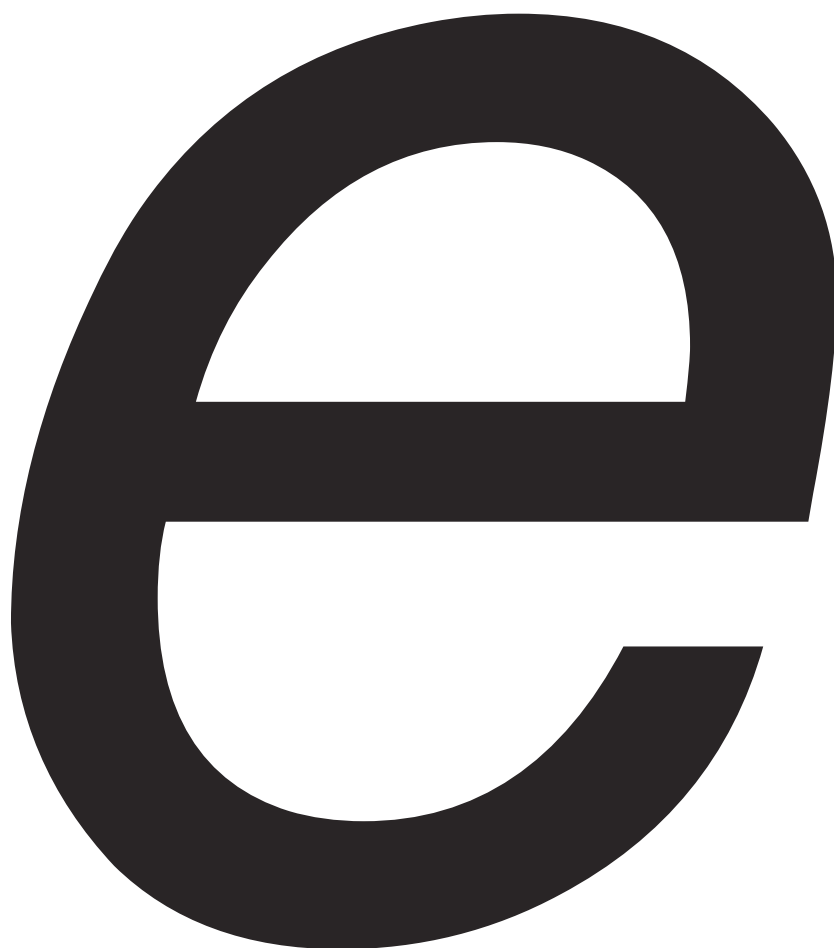
e



***U***



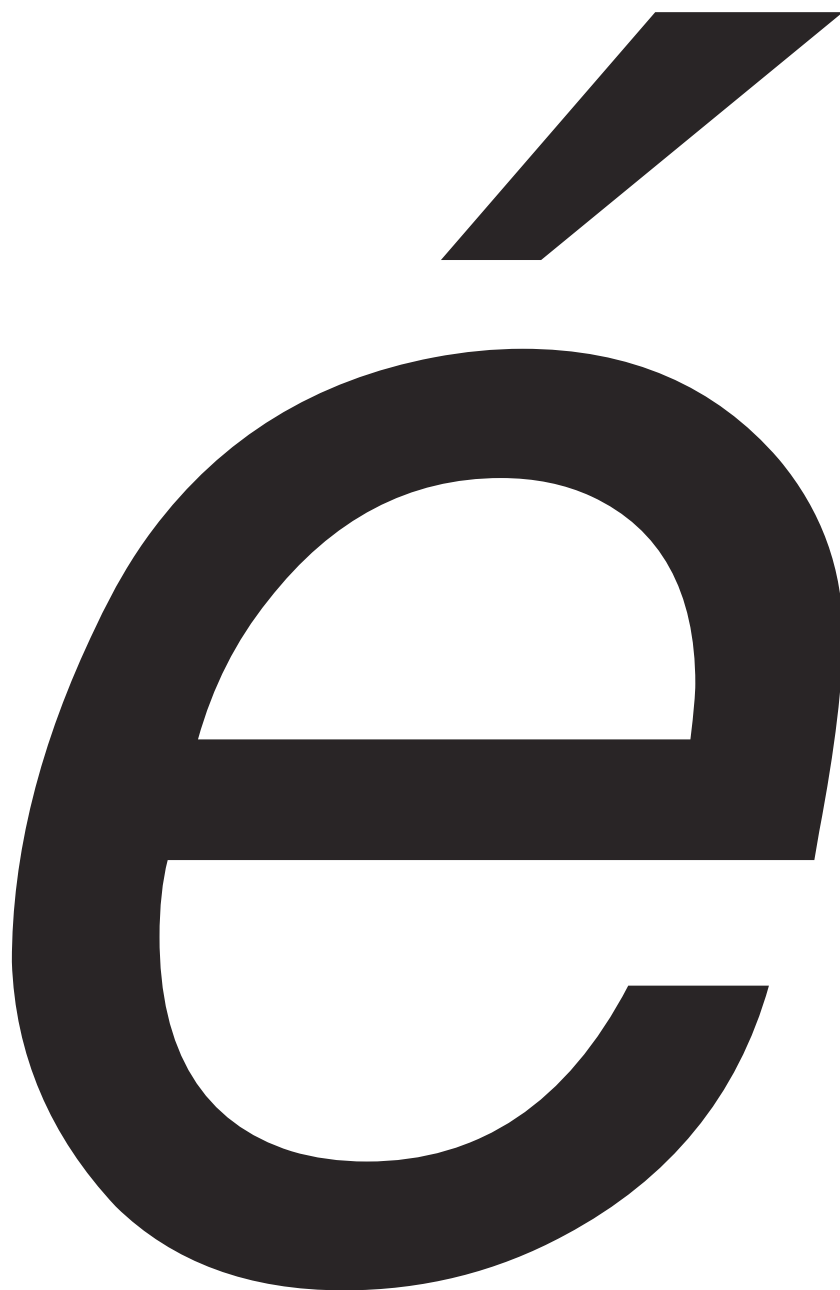
**o**





*la*

***AR***







***U***

***BI***

**no**

***U***

e









***U***

**b**

**S t**



***U***

*a*

***n***



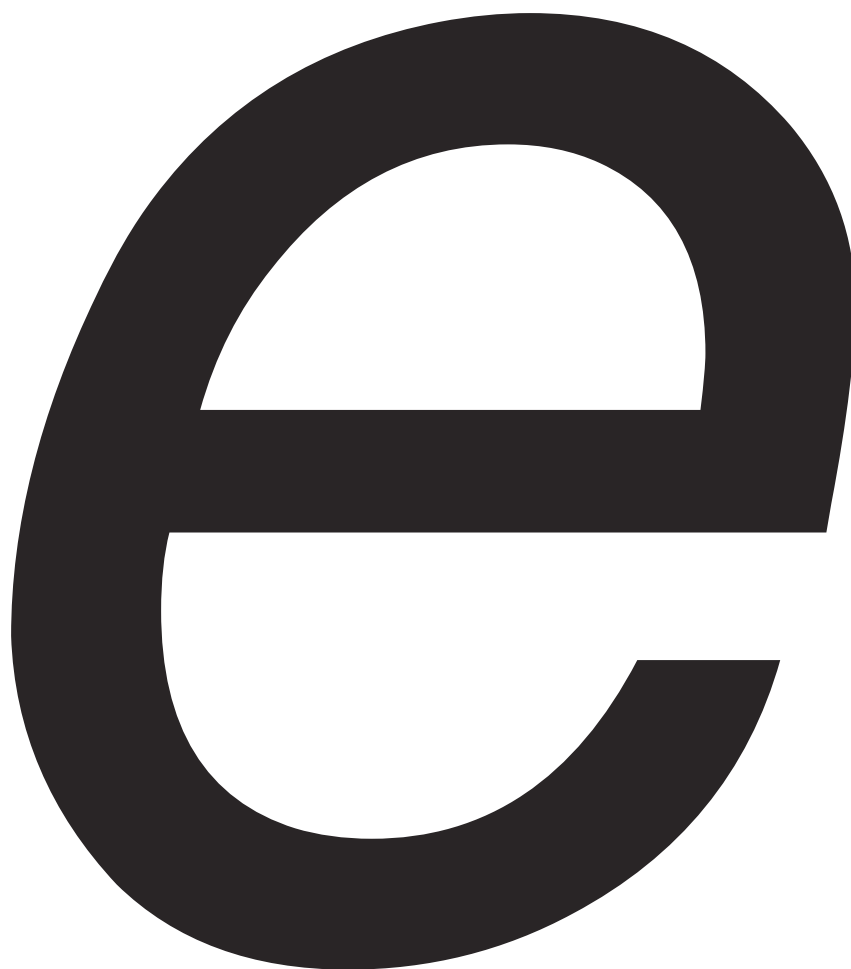


*a*

***U***





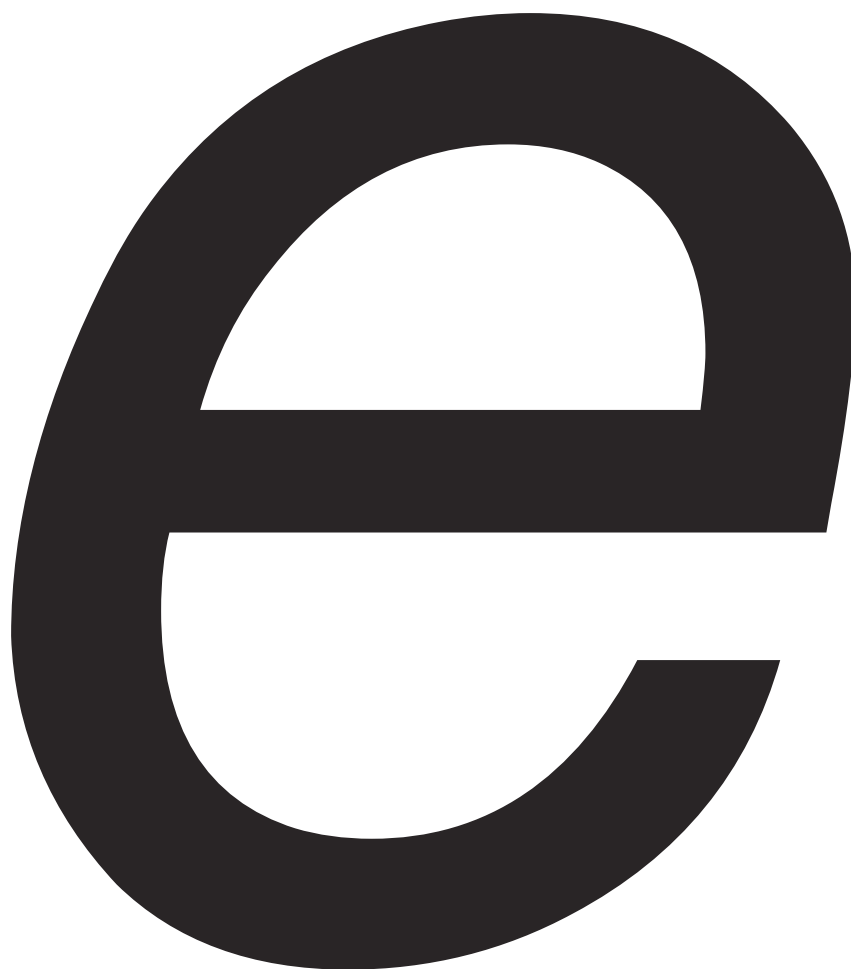


**o**









***P***



e

S



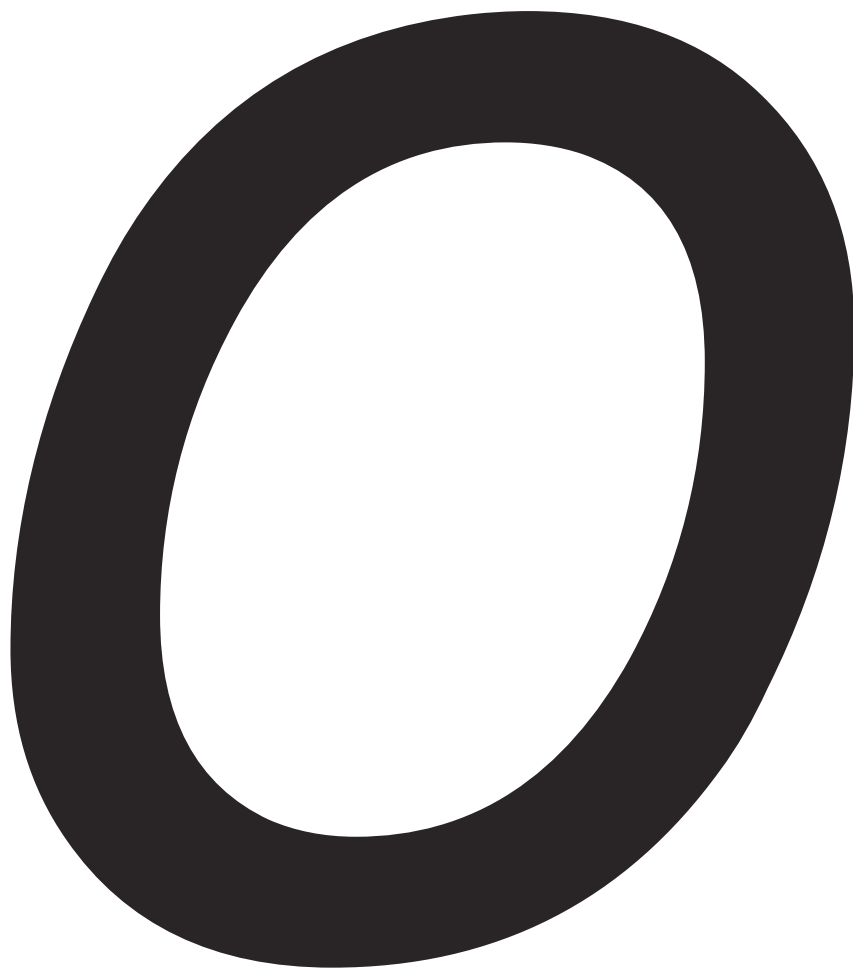
***n***





*a*





***n***

**o**

***U***

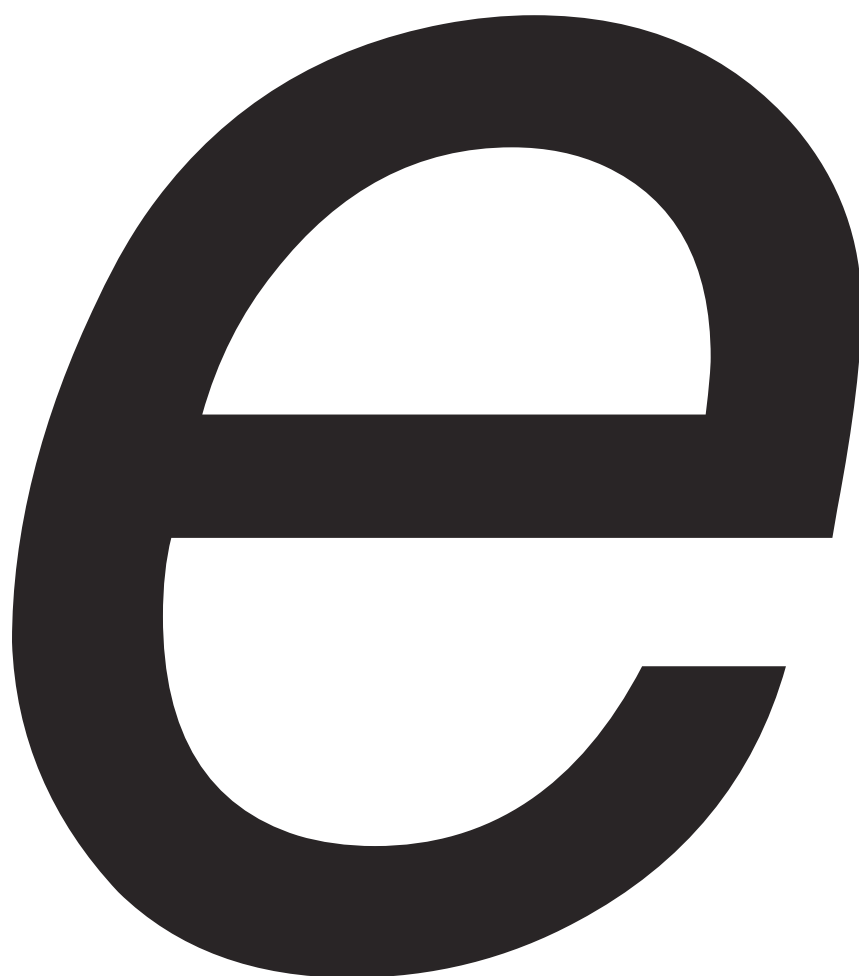






***U***





***U***

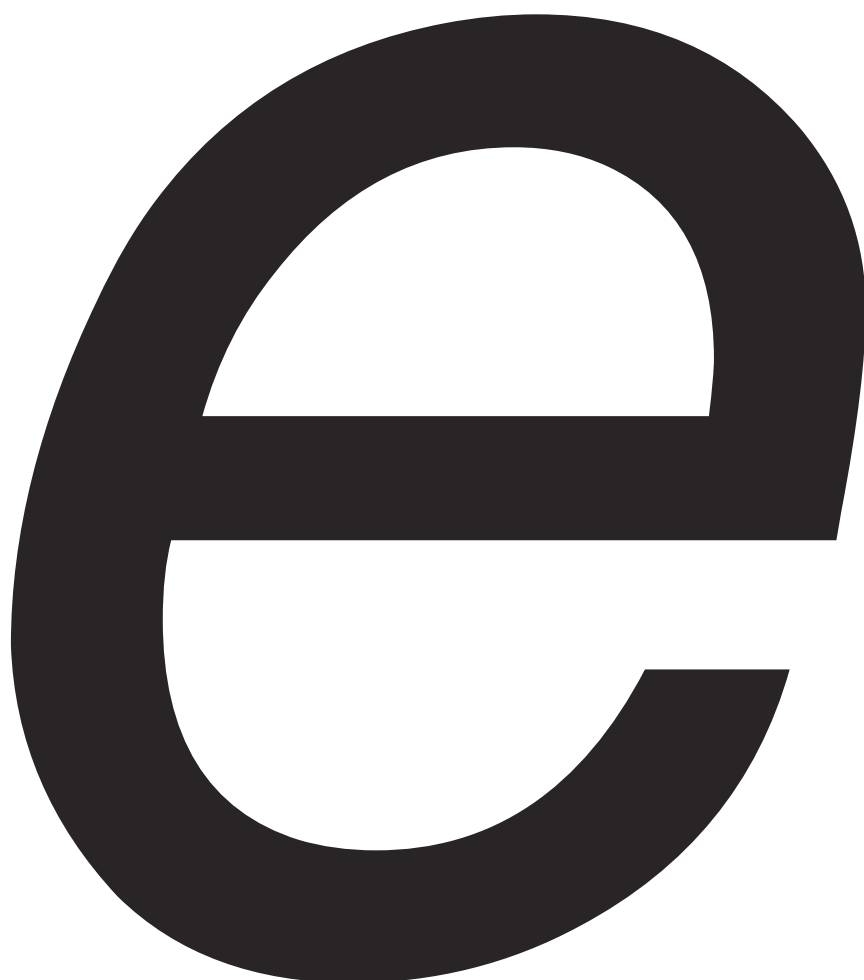




***U***



***n***



**S/**

***nm***

**RI**

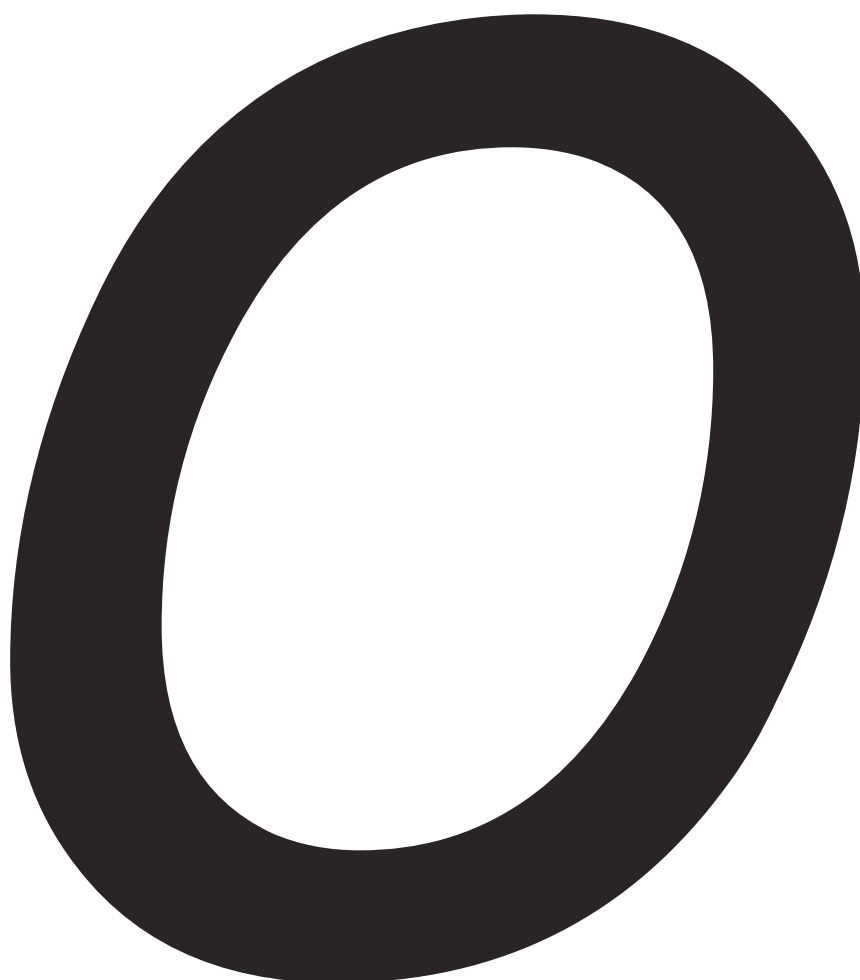


***nm***

***/S***



**S/**



***n***

**o/**

*a*

S

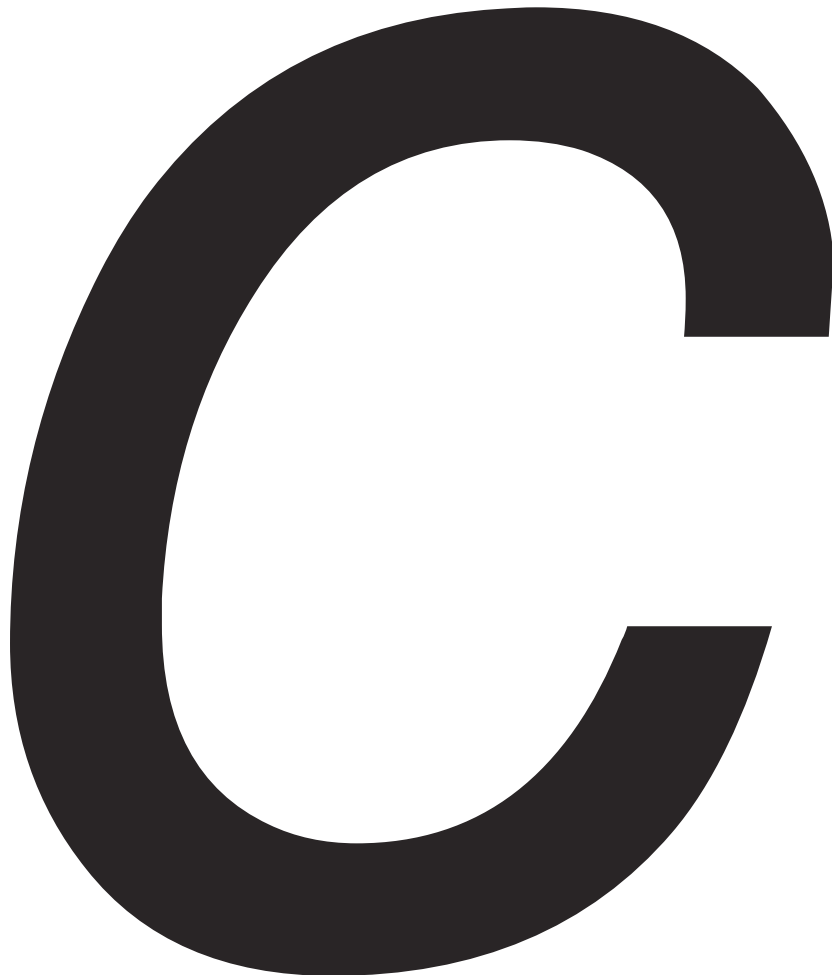
**S/**

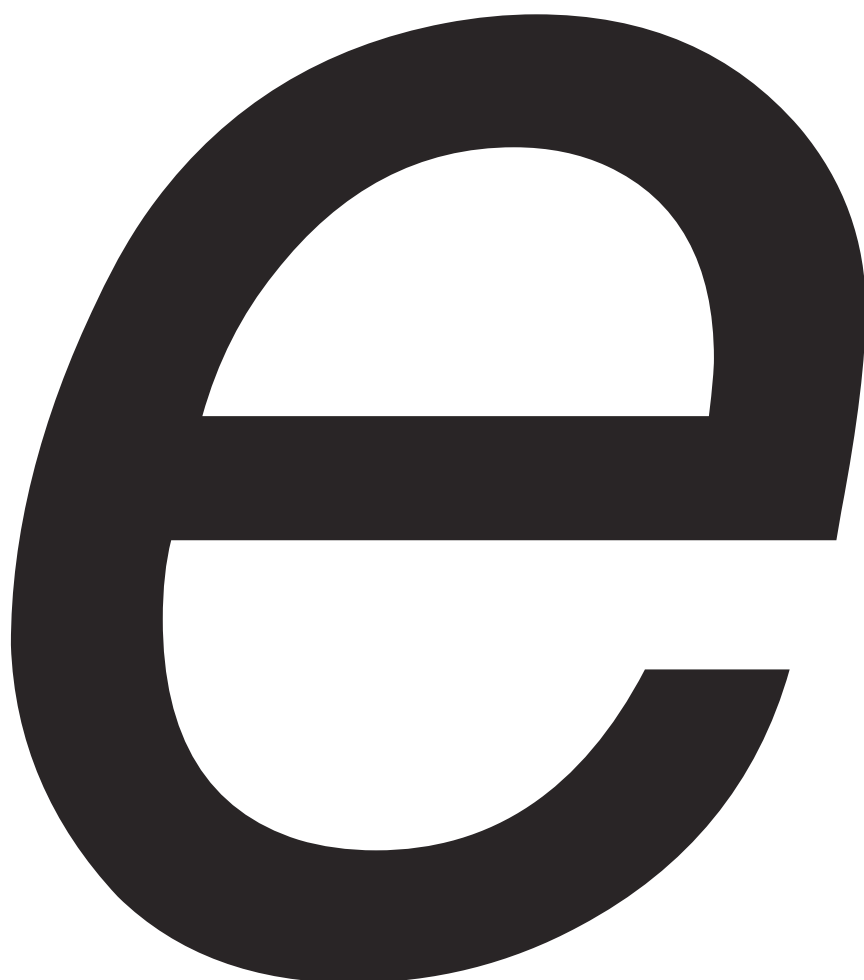
**S t**



*a*

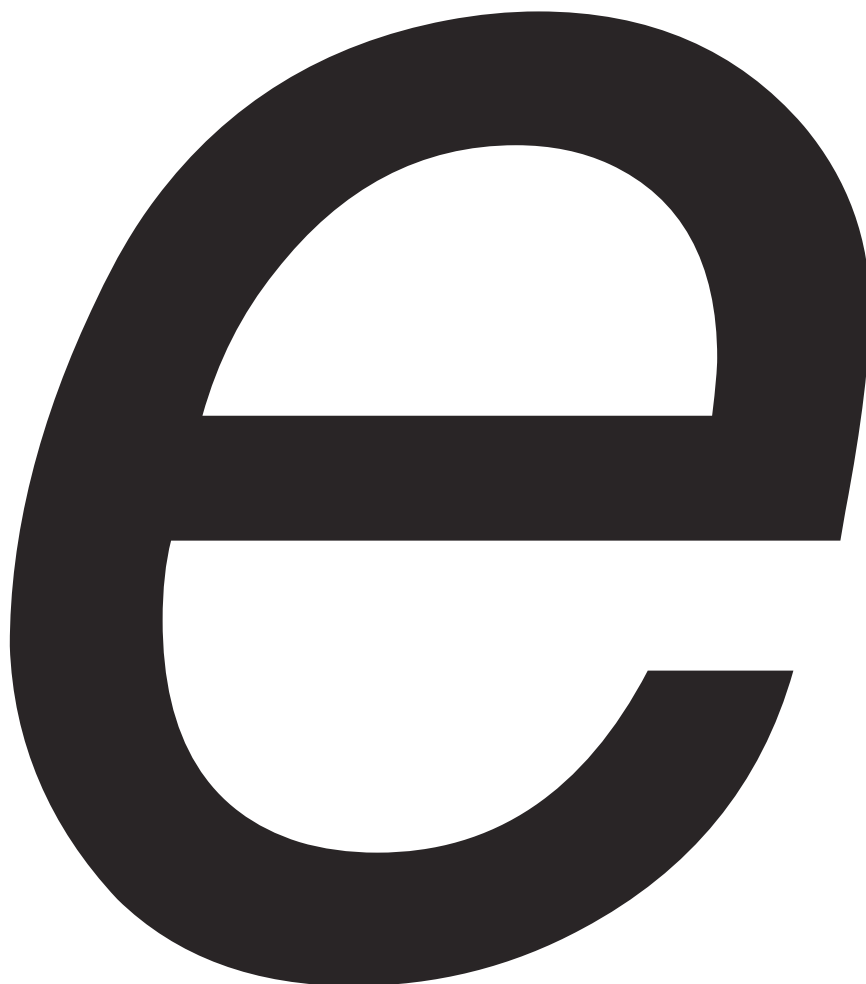
***n***







S



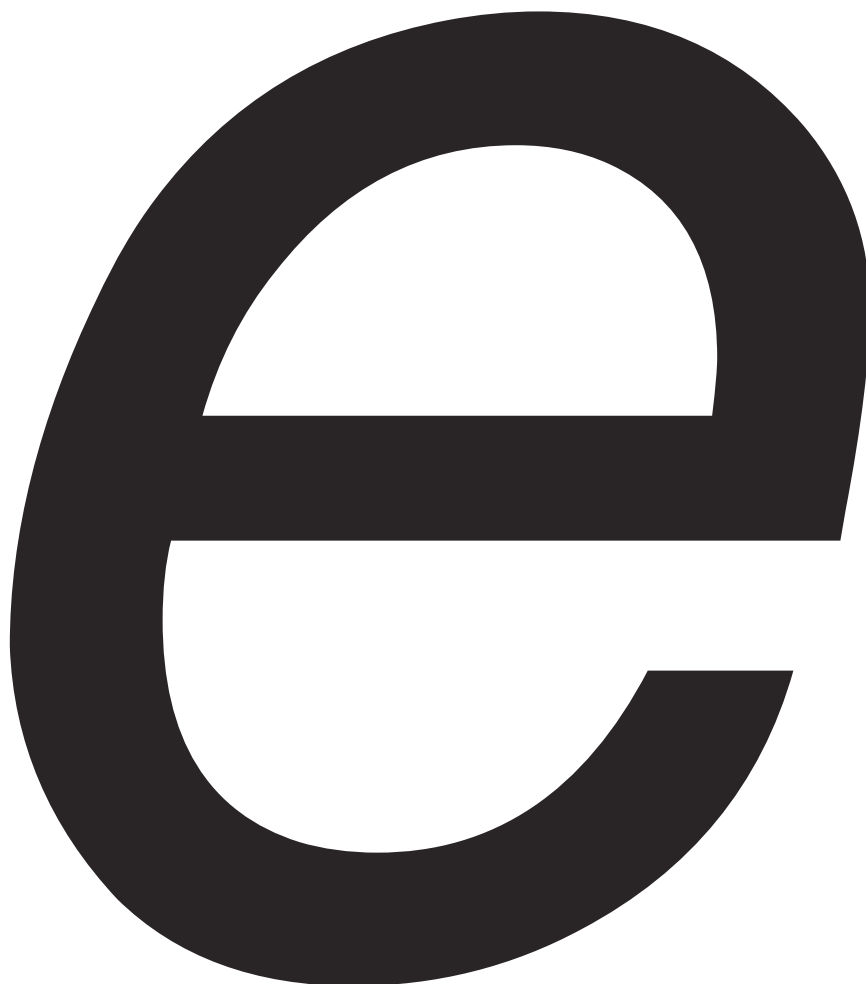
***m m m***



**BI**

*a*

**BI**







**e/**

***le***



**o/**

***U***

***n***







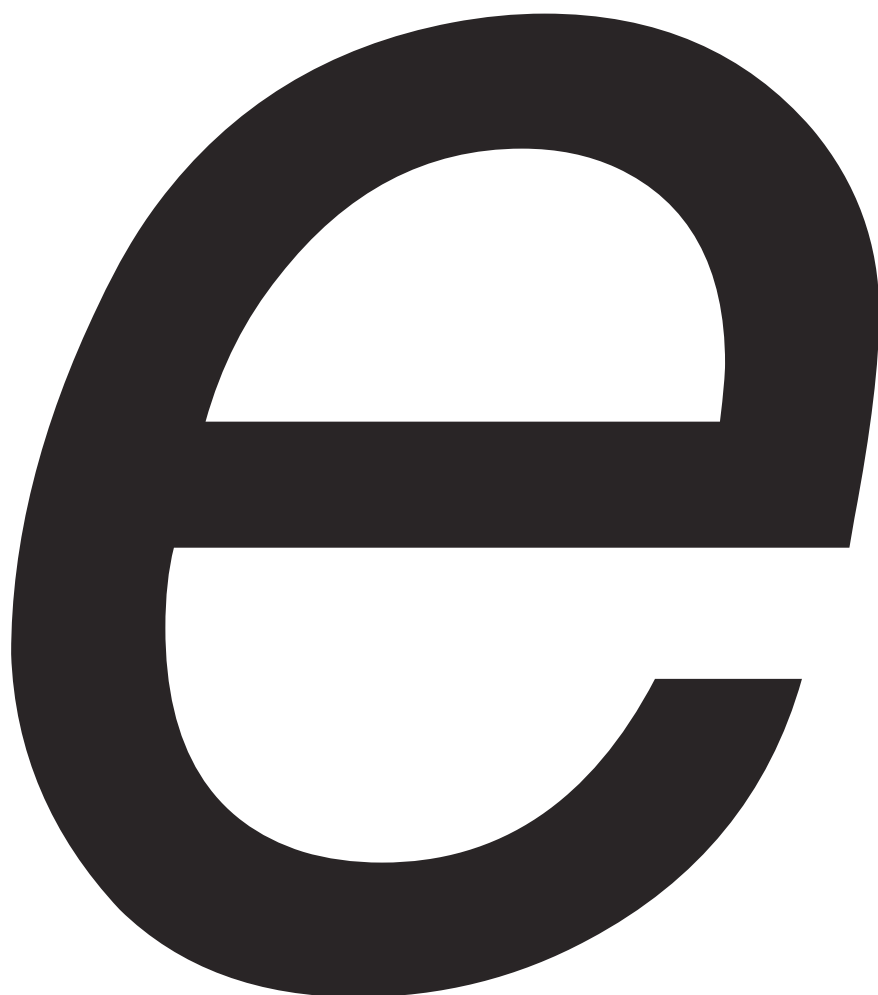
***U***





*a*





***U***

***r,***









*a*







*u*



















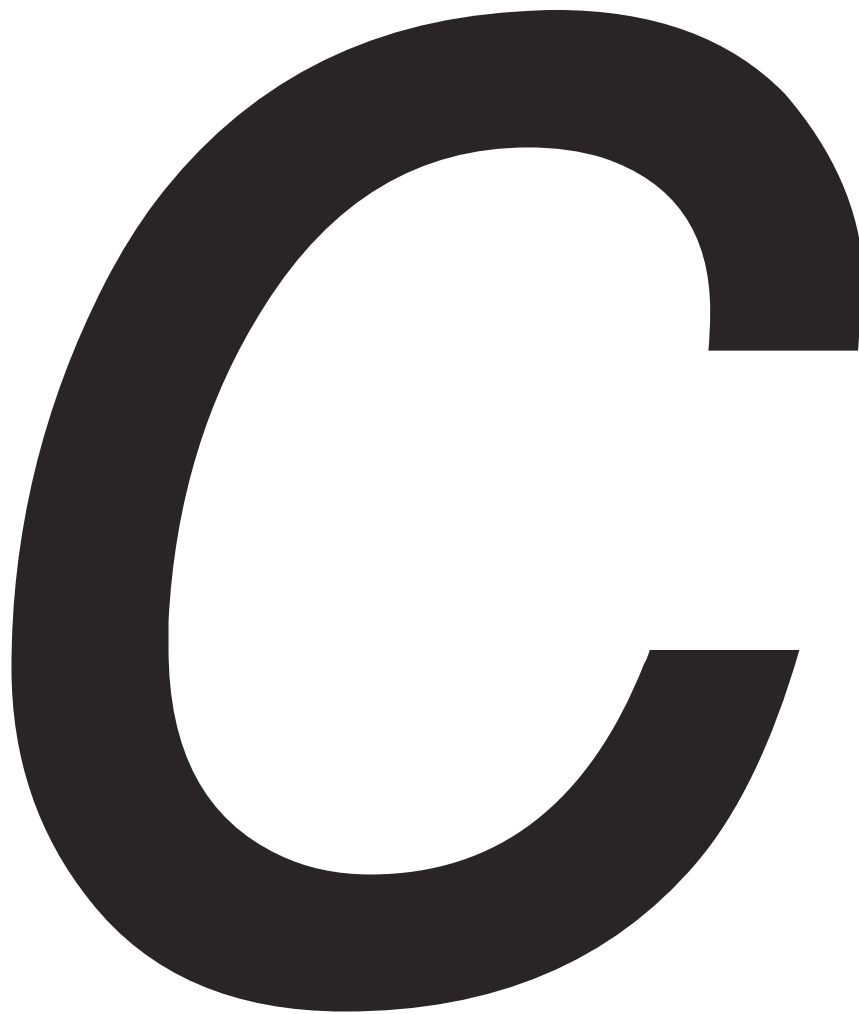


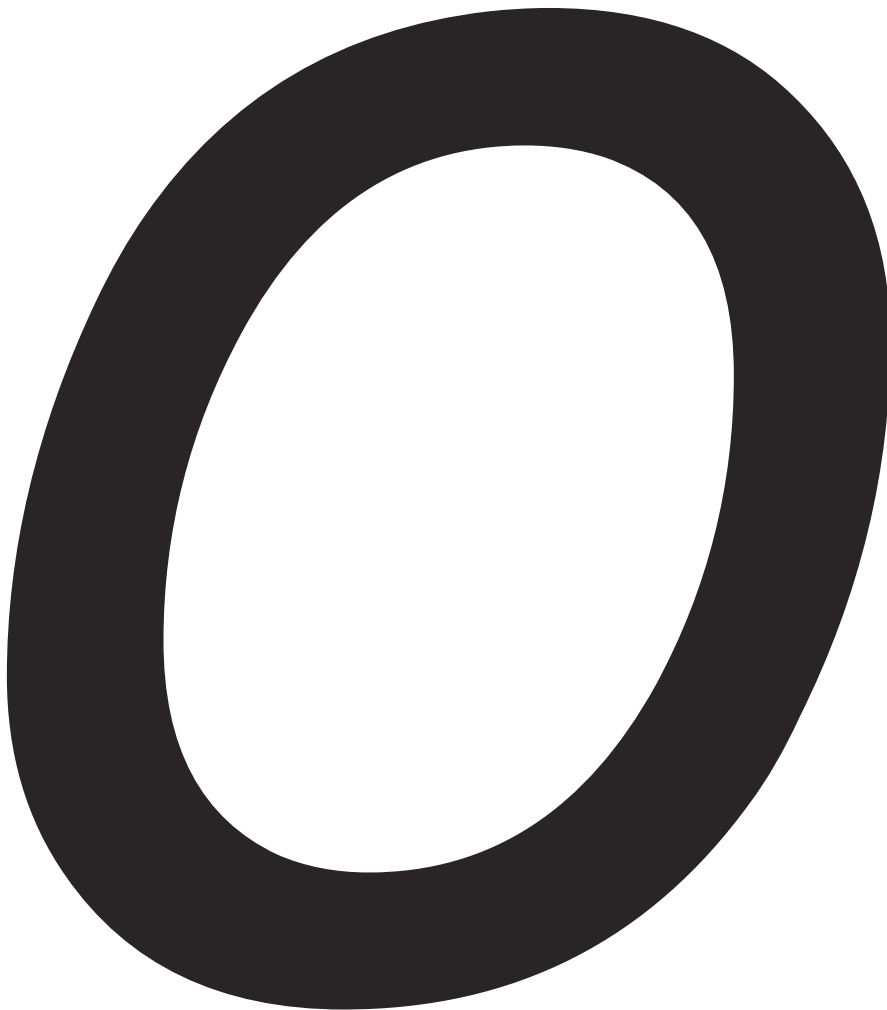






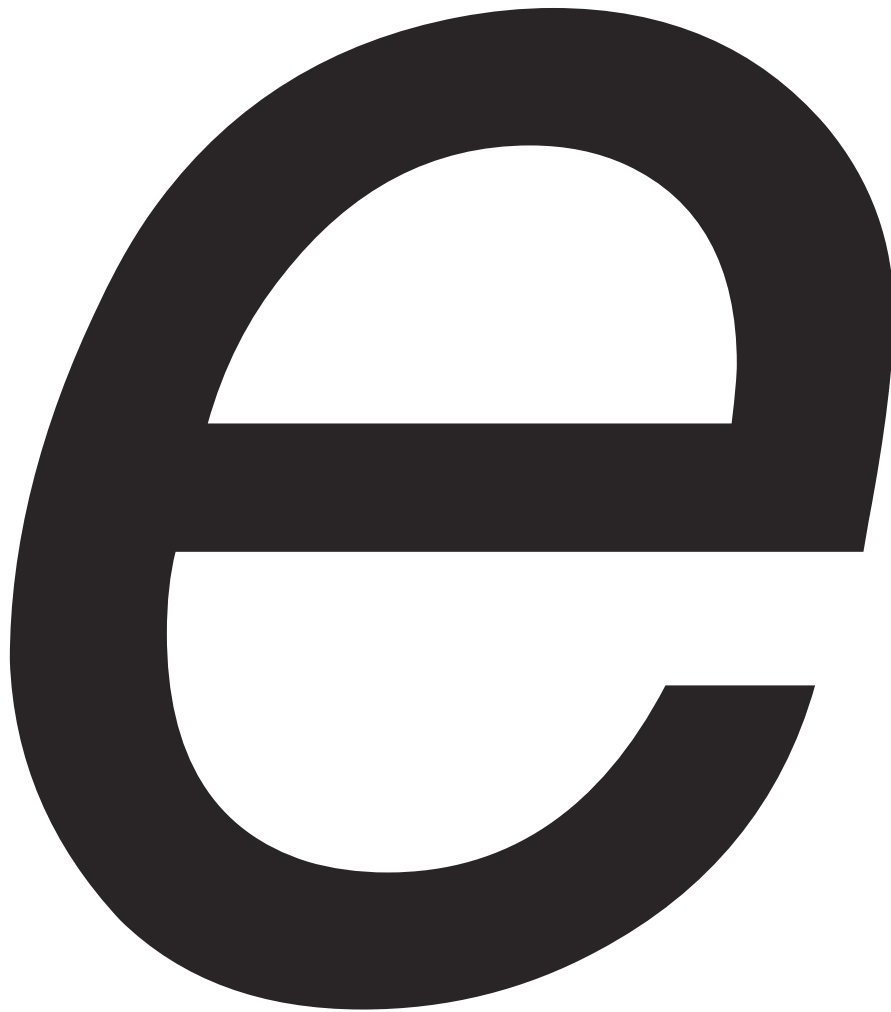






***n***

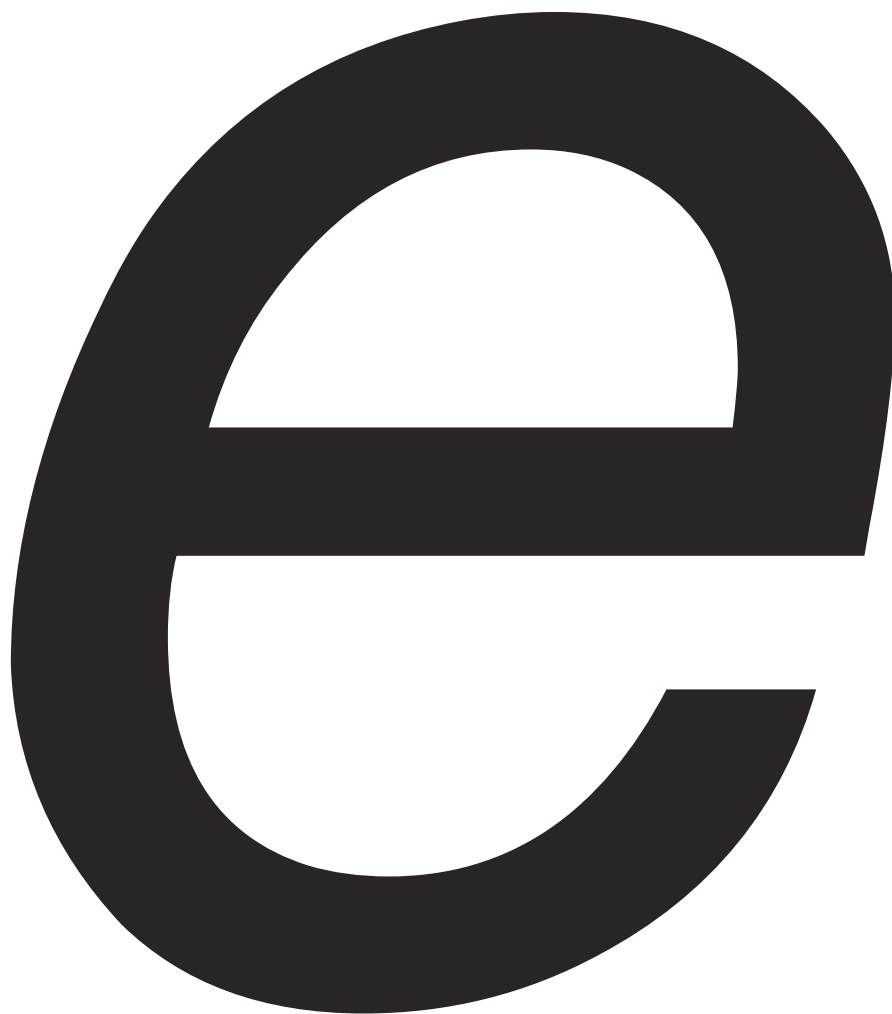
S

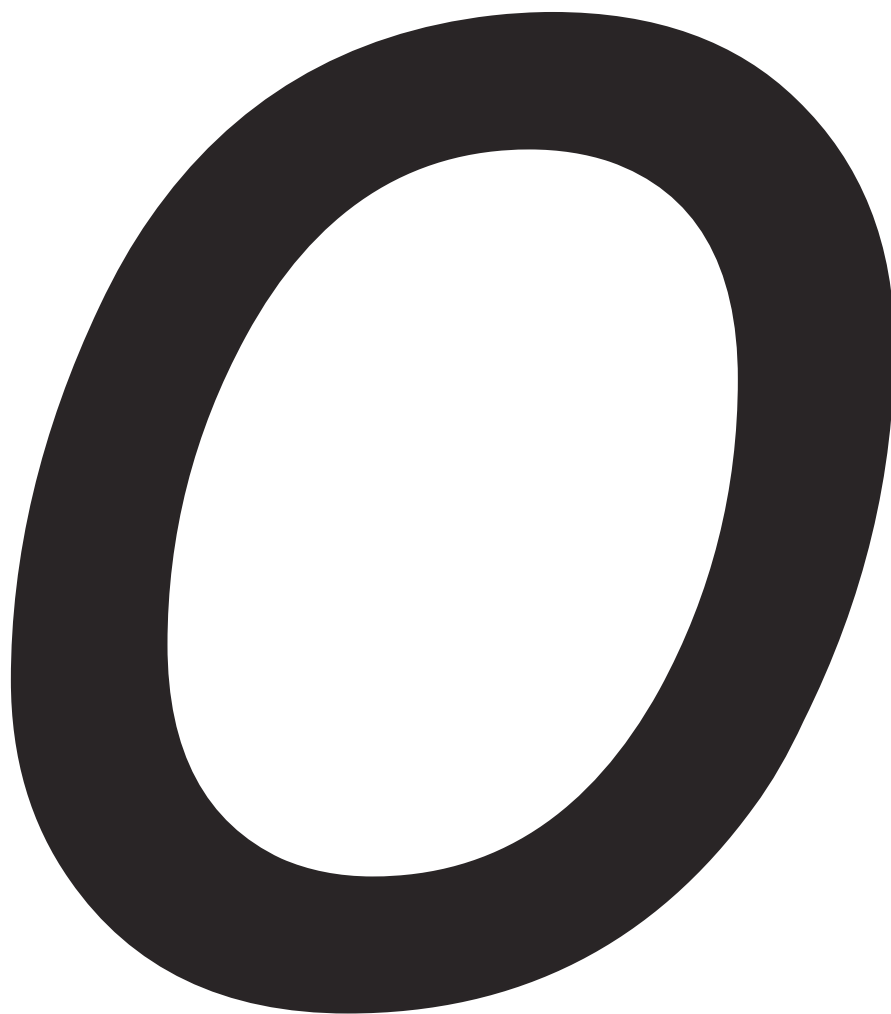






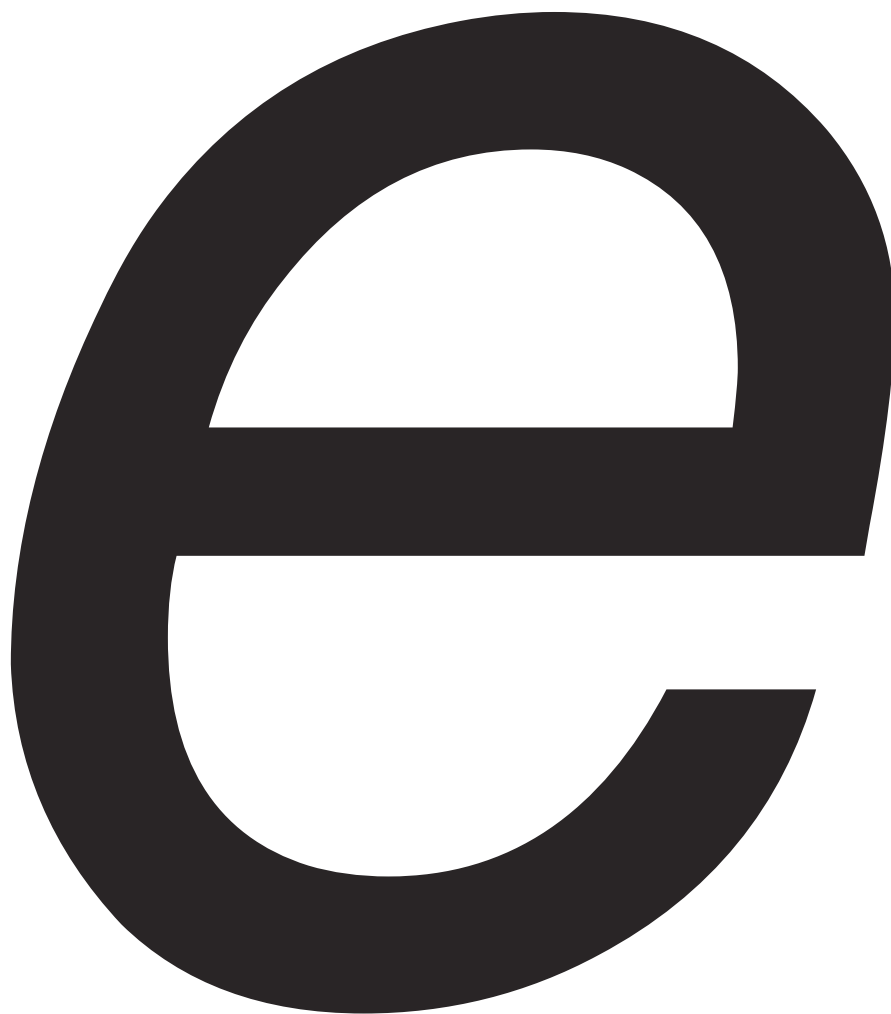




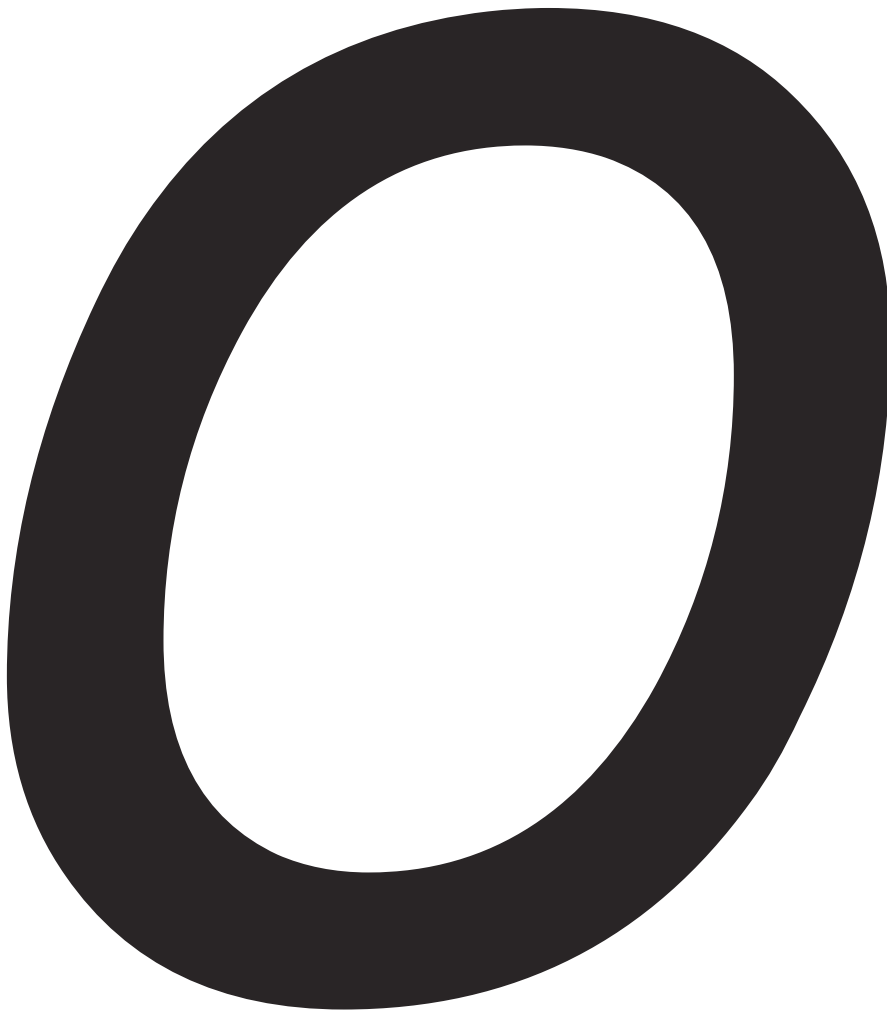


***U***





**o**



***n***



***n***



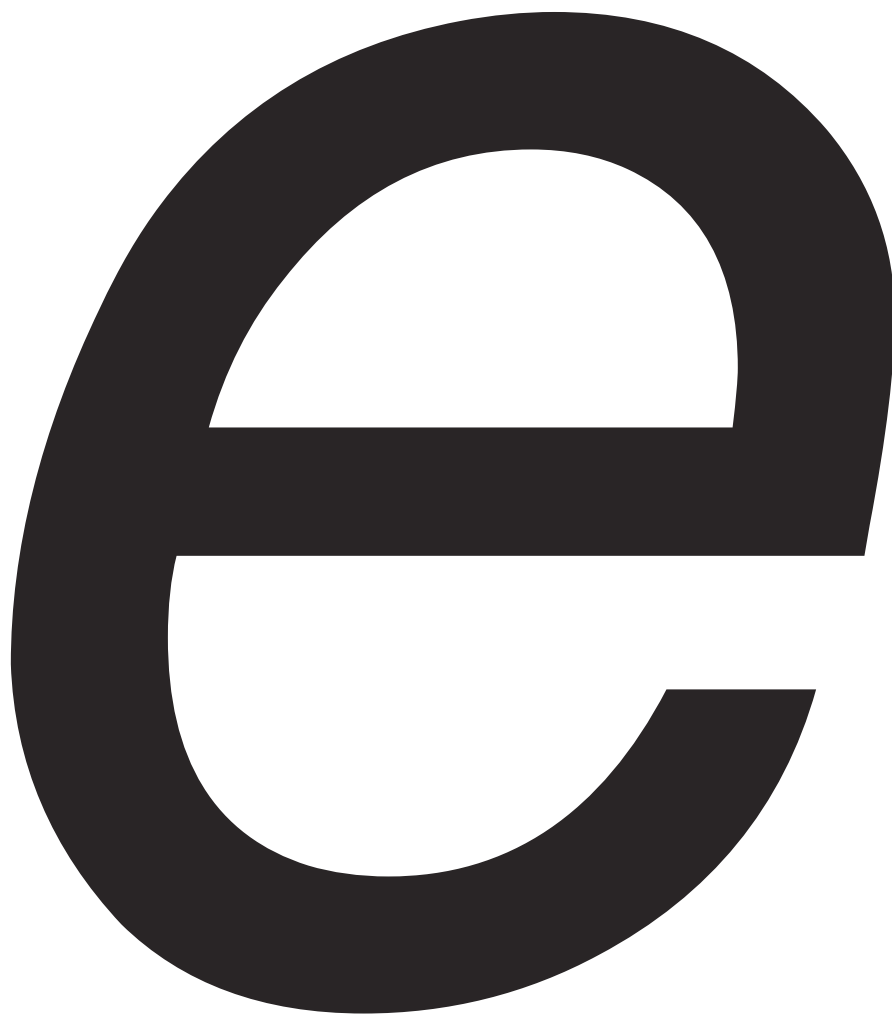
*a*

***U***

***n m n***

*a*





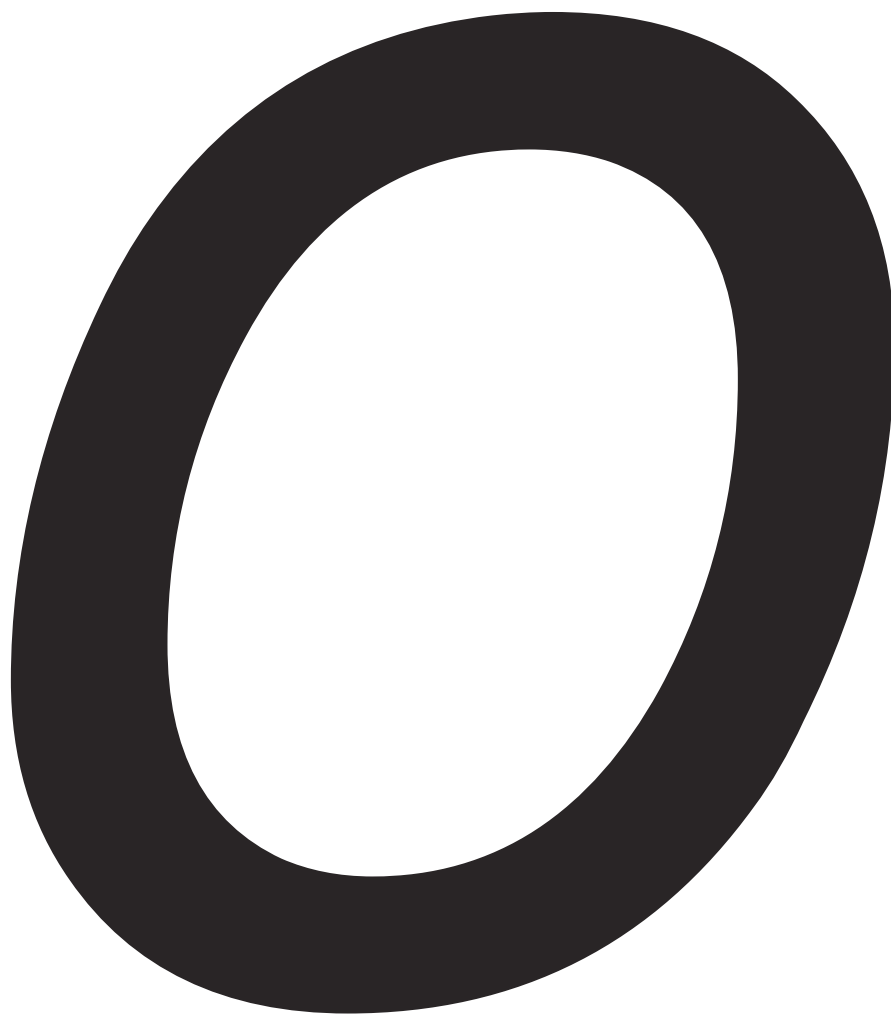


***U***







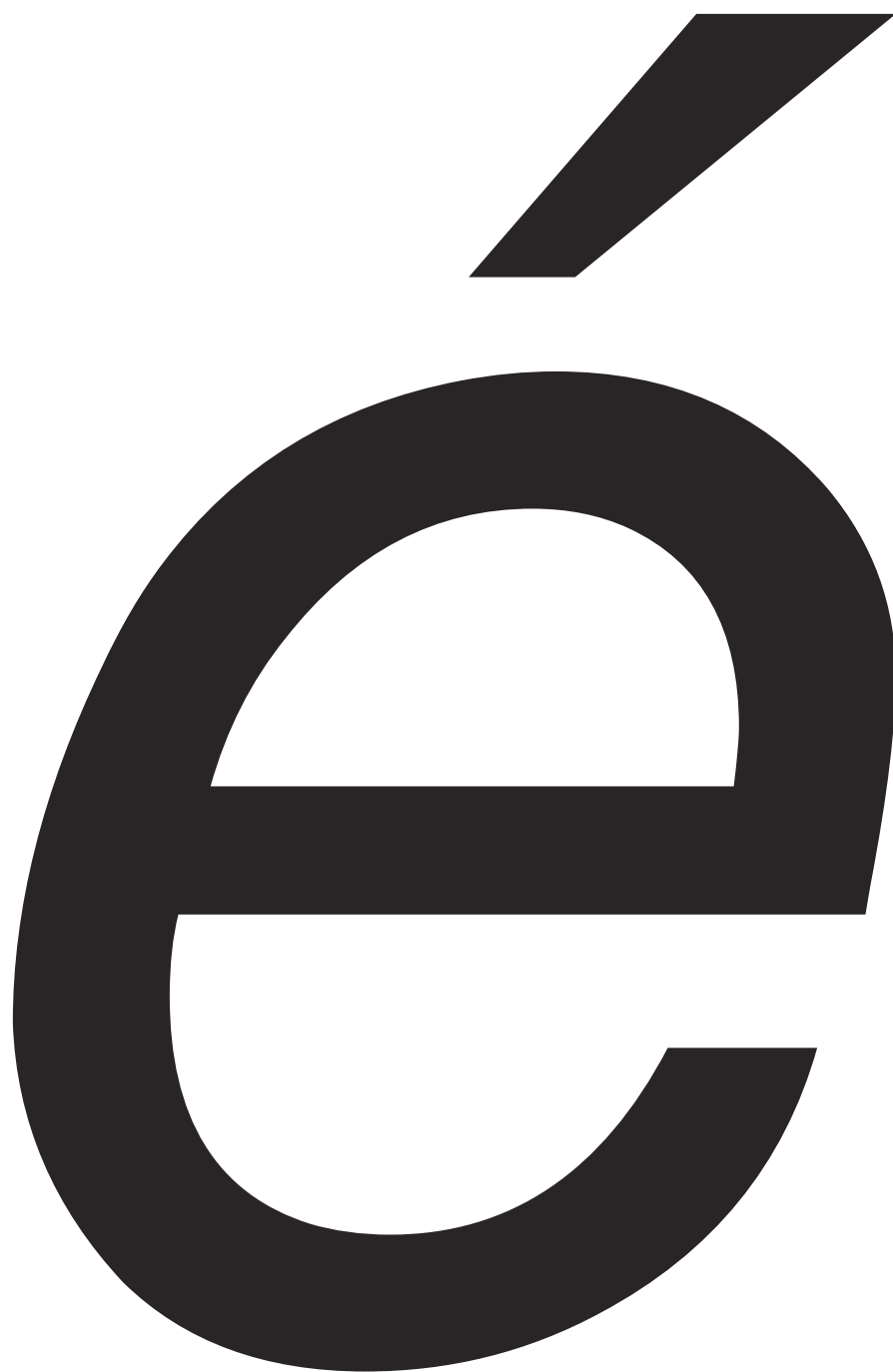






***g***







*a*







*a*

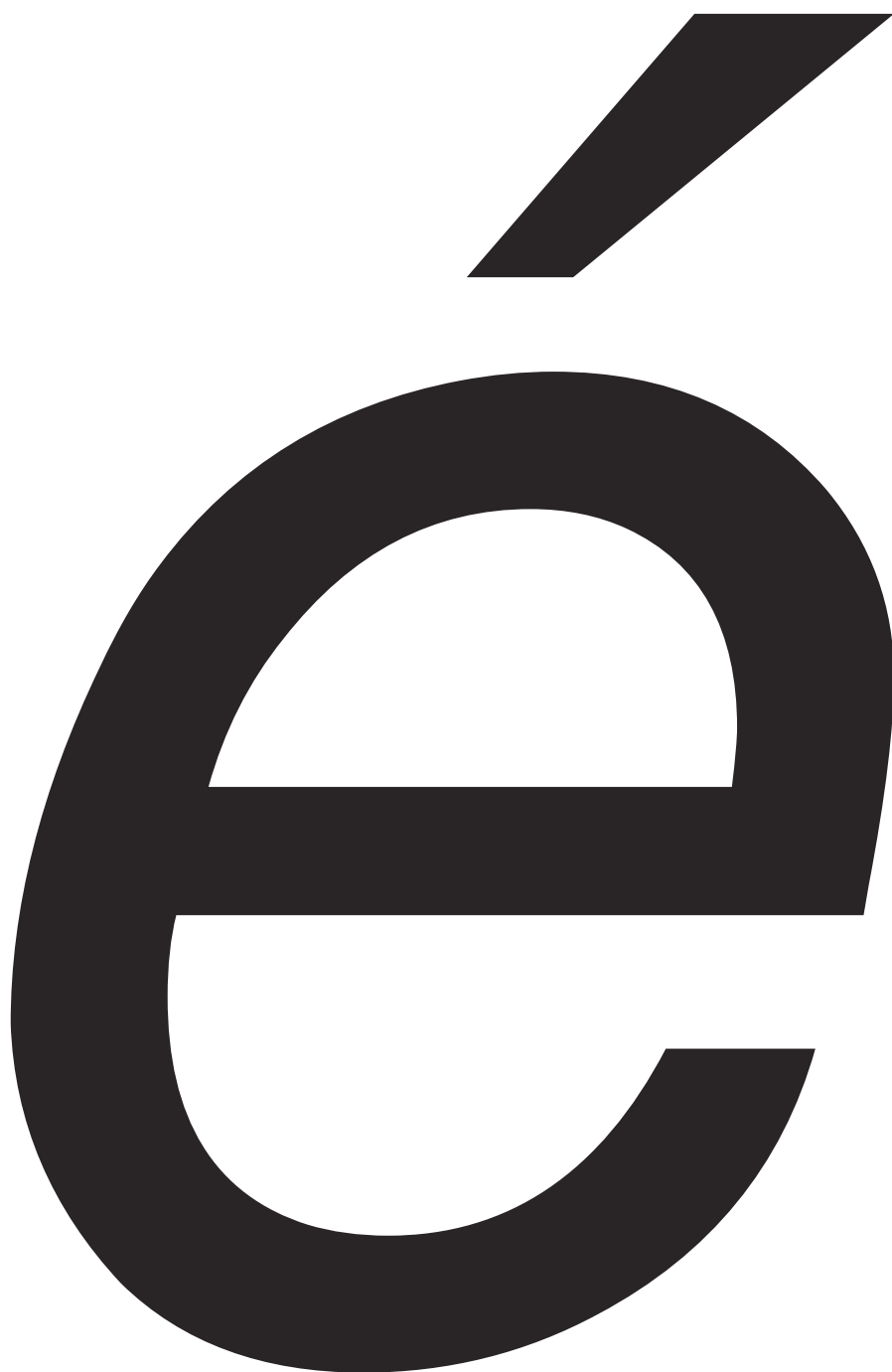




*a*

**Ci**

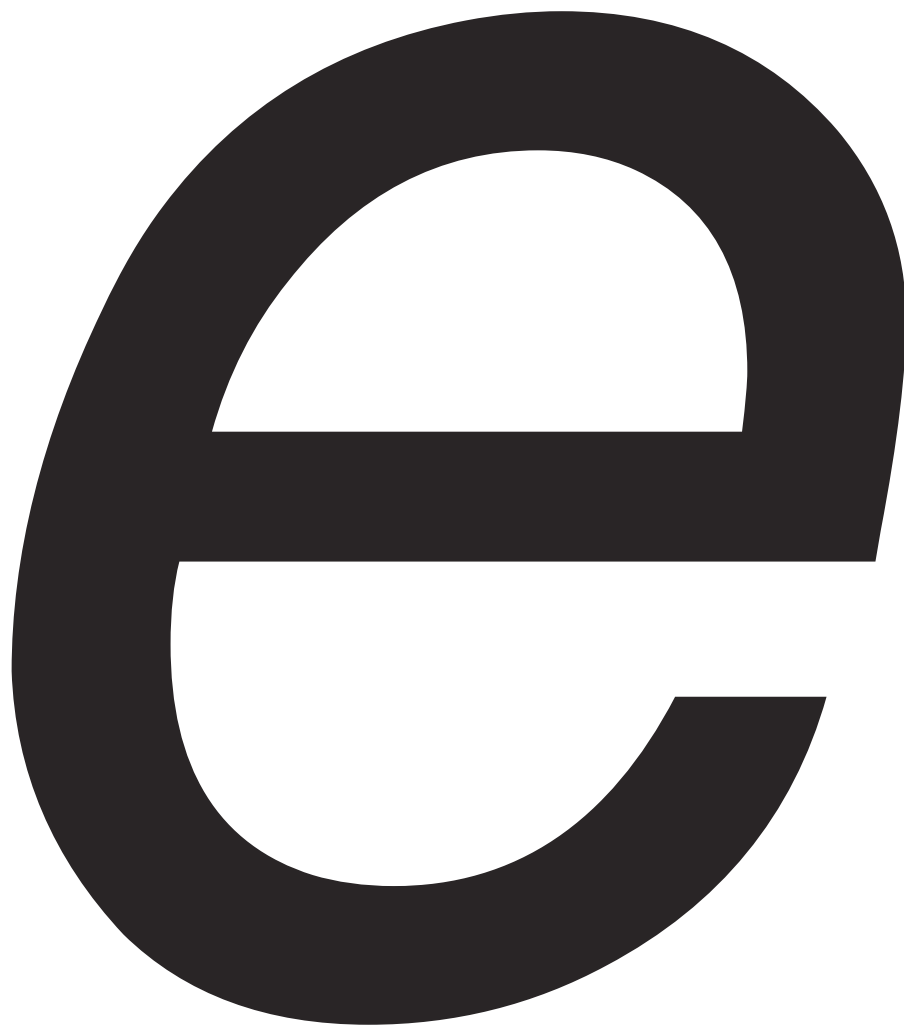








**o**

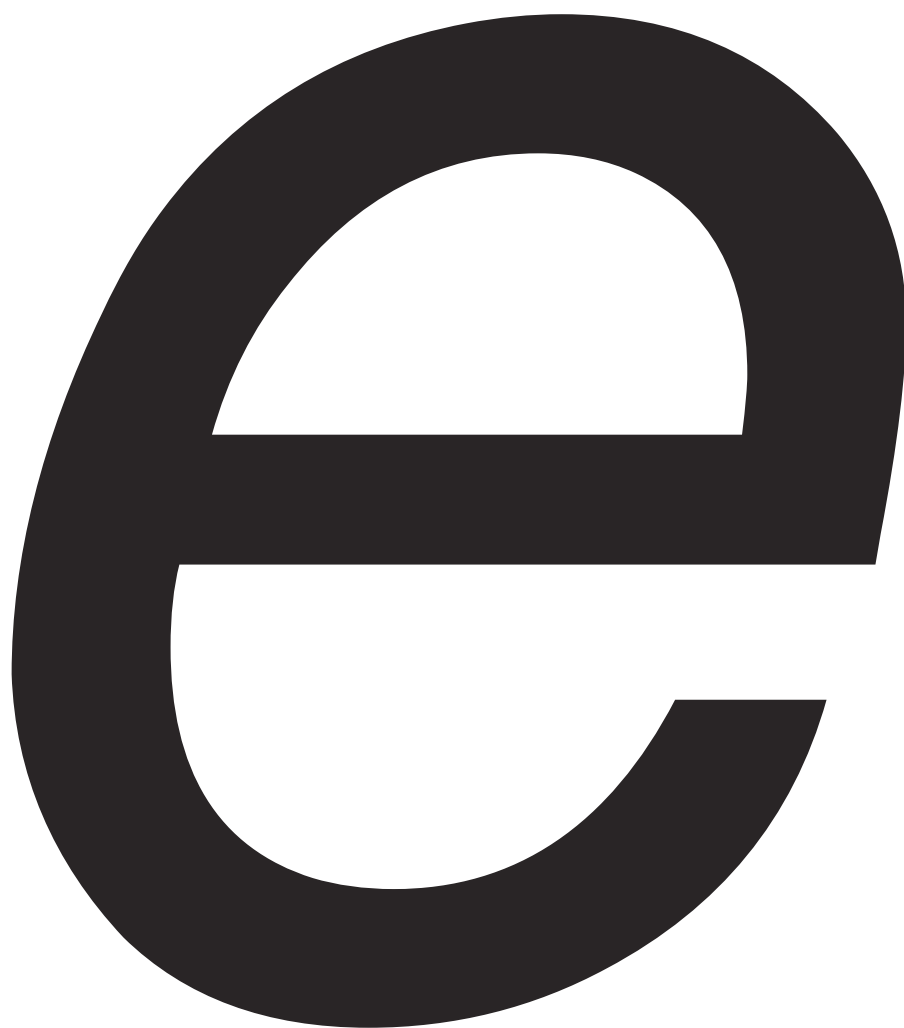




***g***









S



S



*a*



*a*

***ir***



S

**o**

*a*



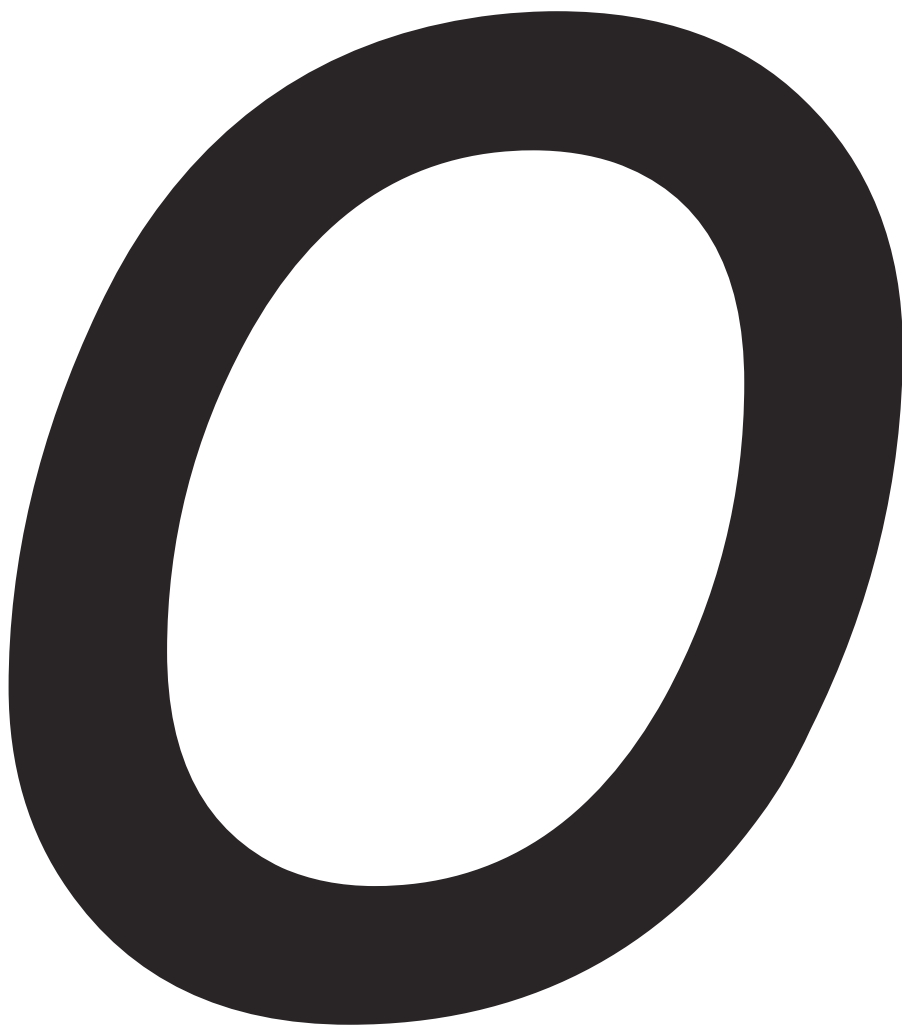
***n***

S

***U***

***n***

**o**



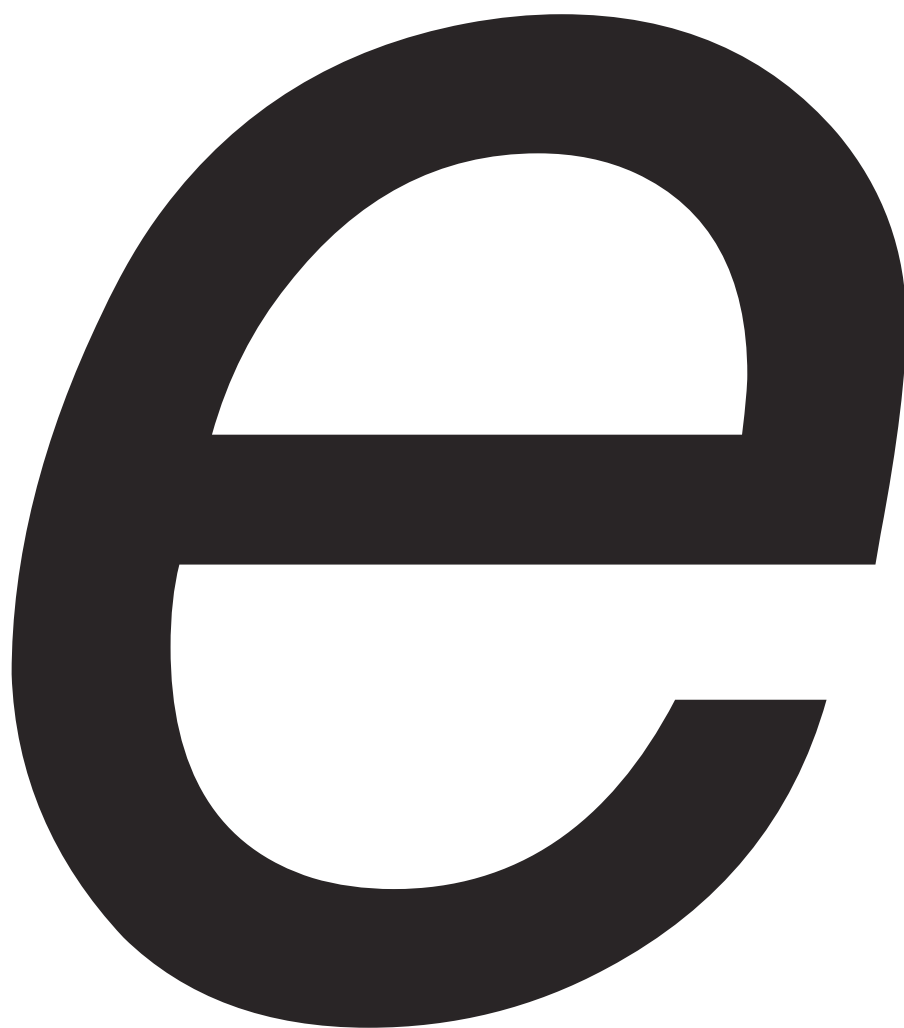
***nm***

*a*





***n***



**o**





***n***







*a*





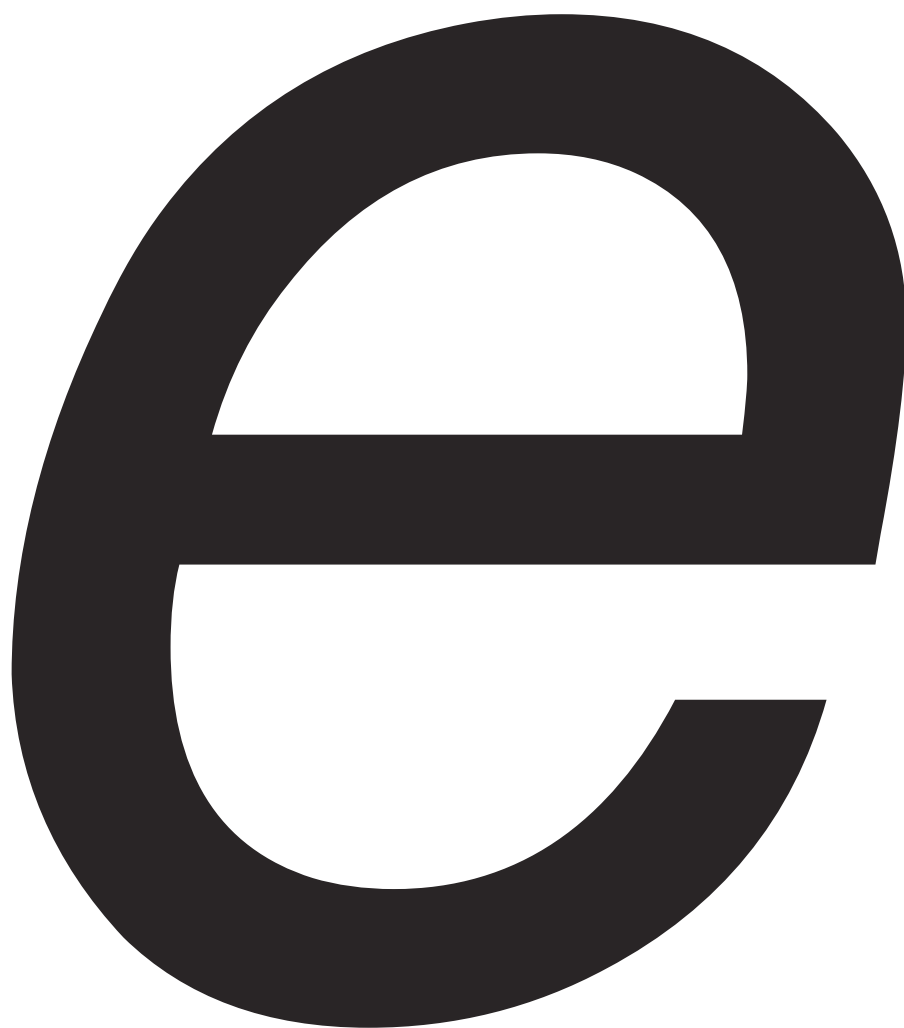




***U***

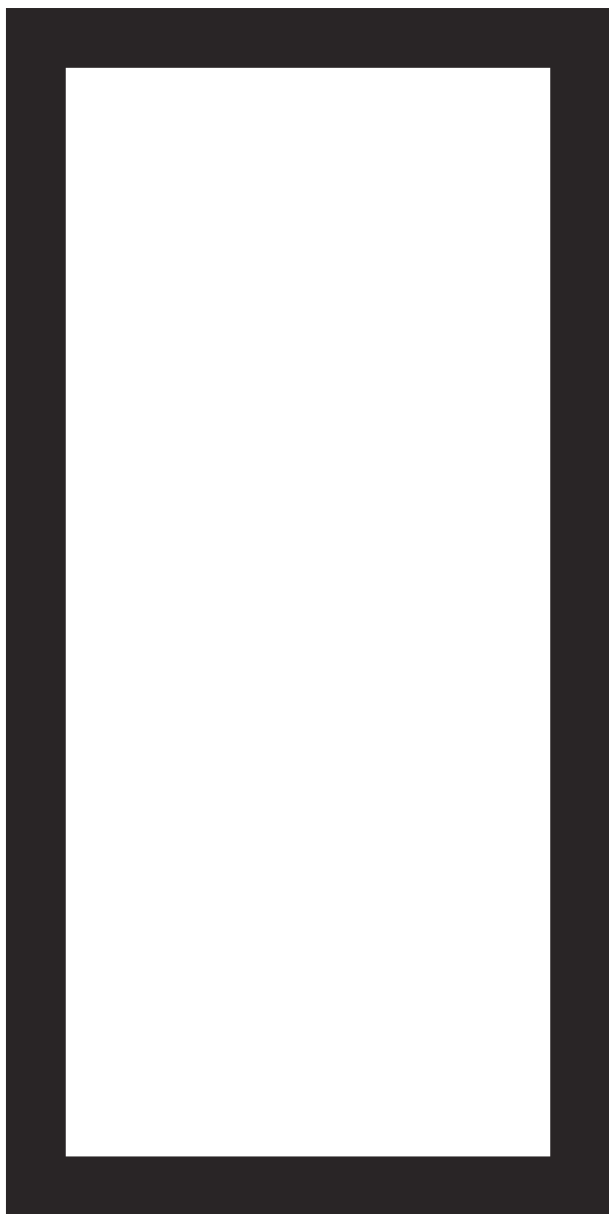
***g***

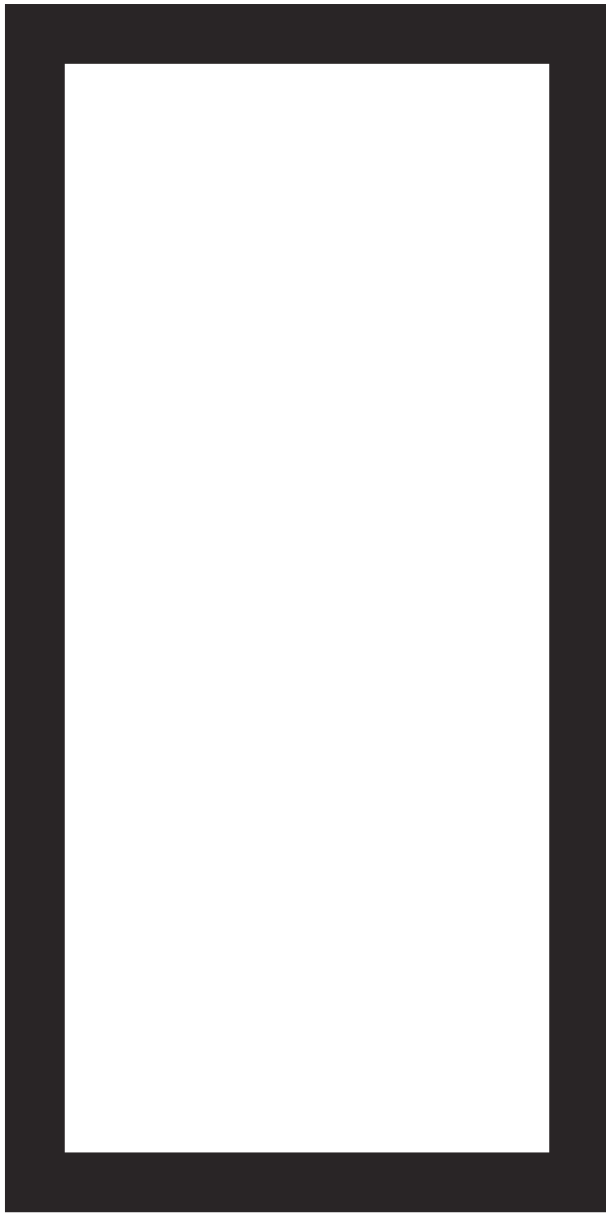














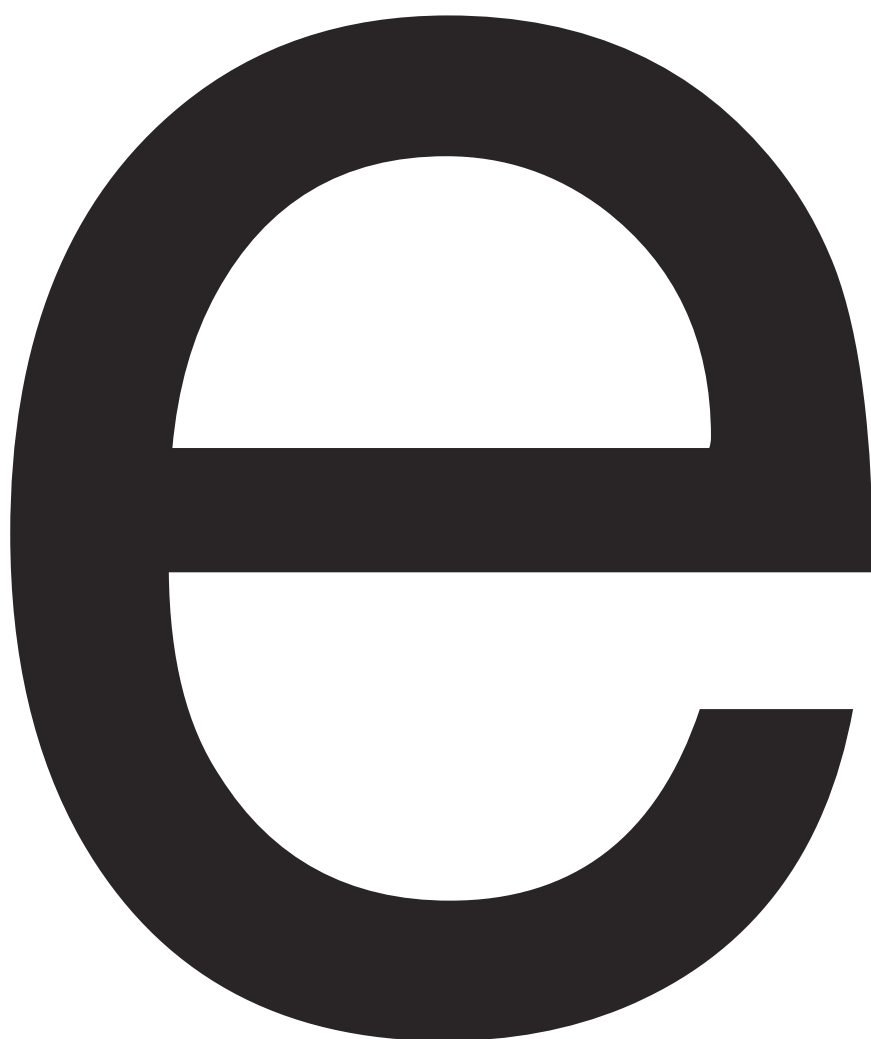


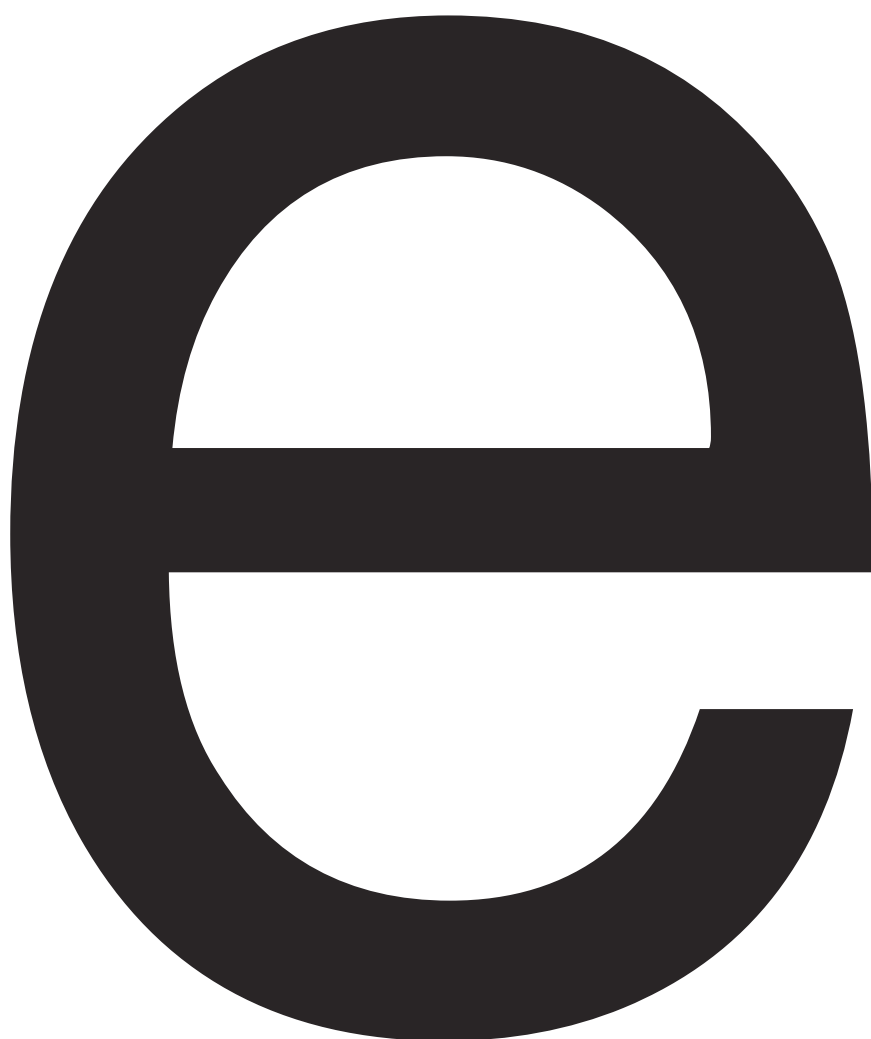
a



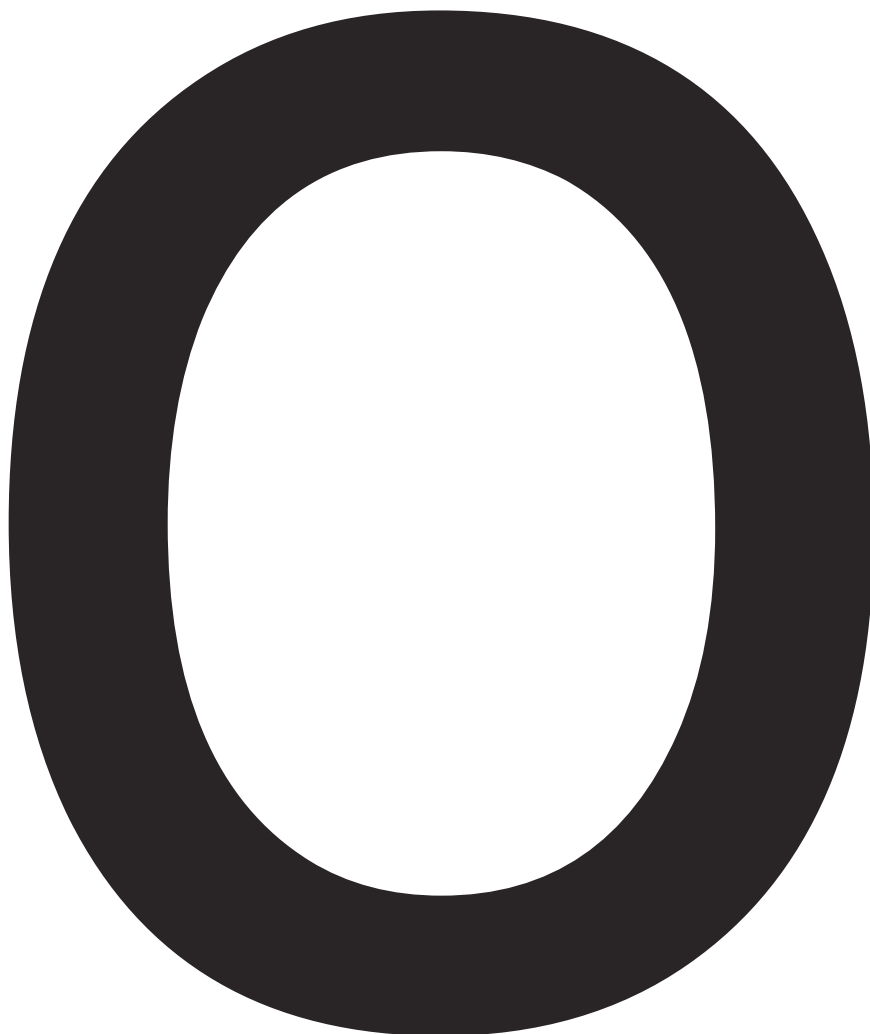


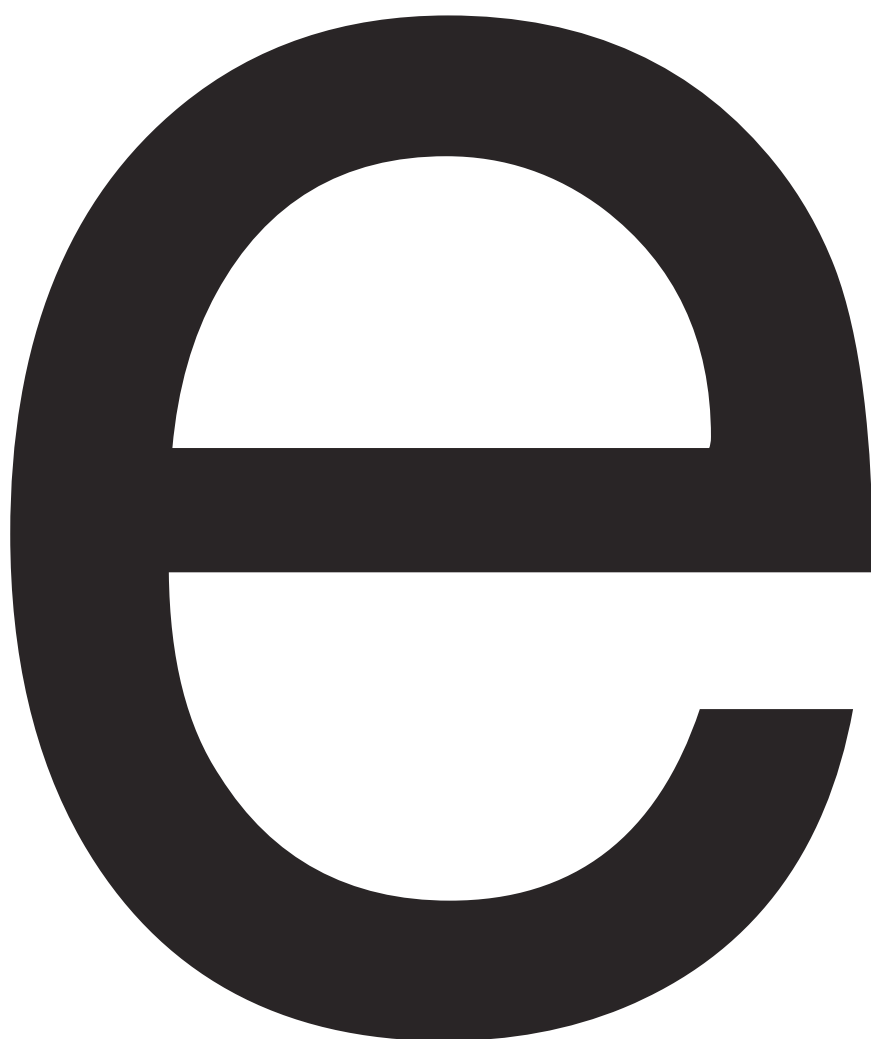
**is**









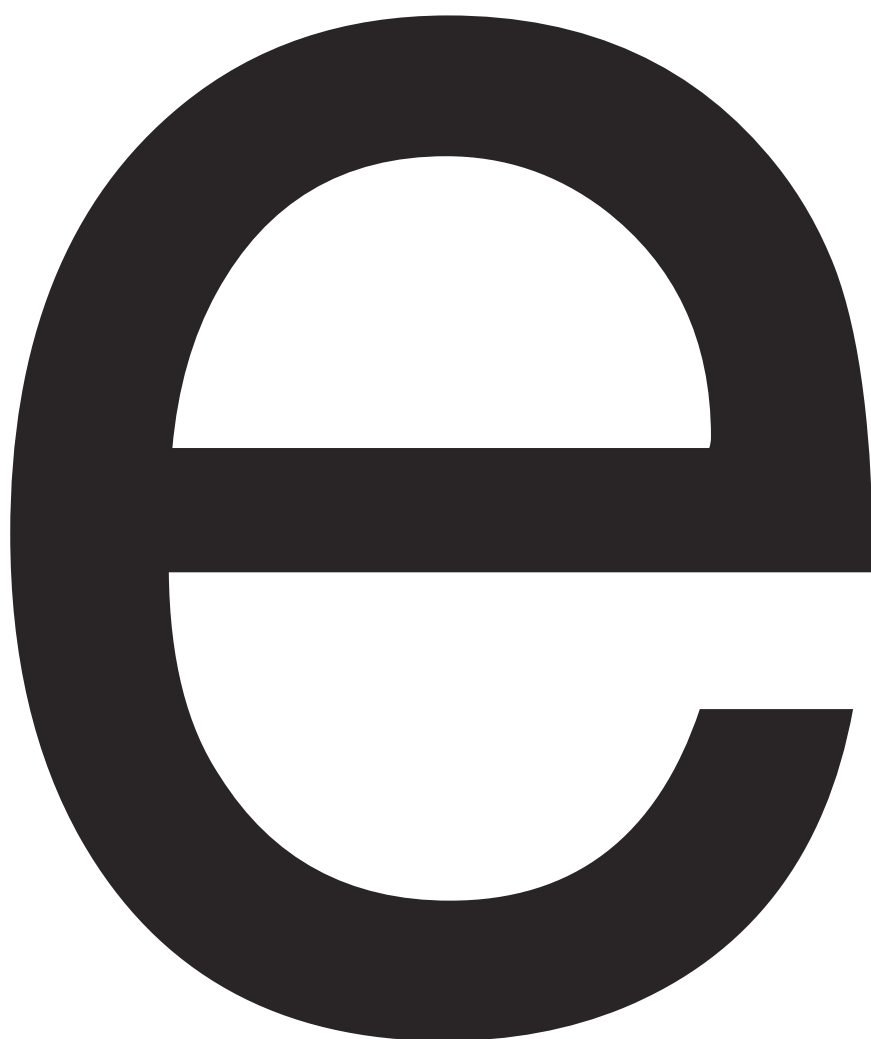


U







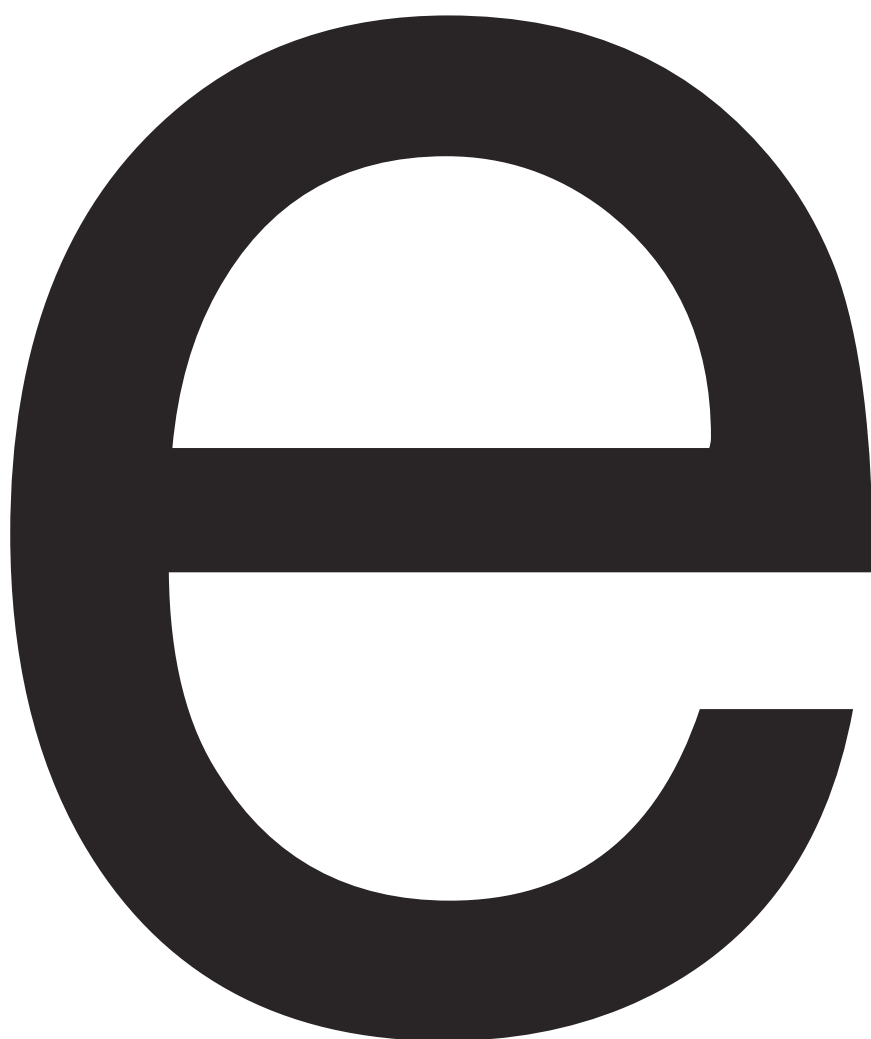






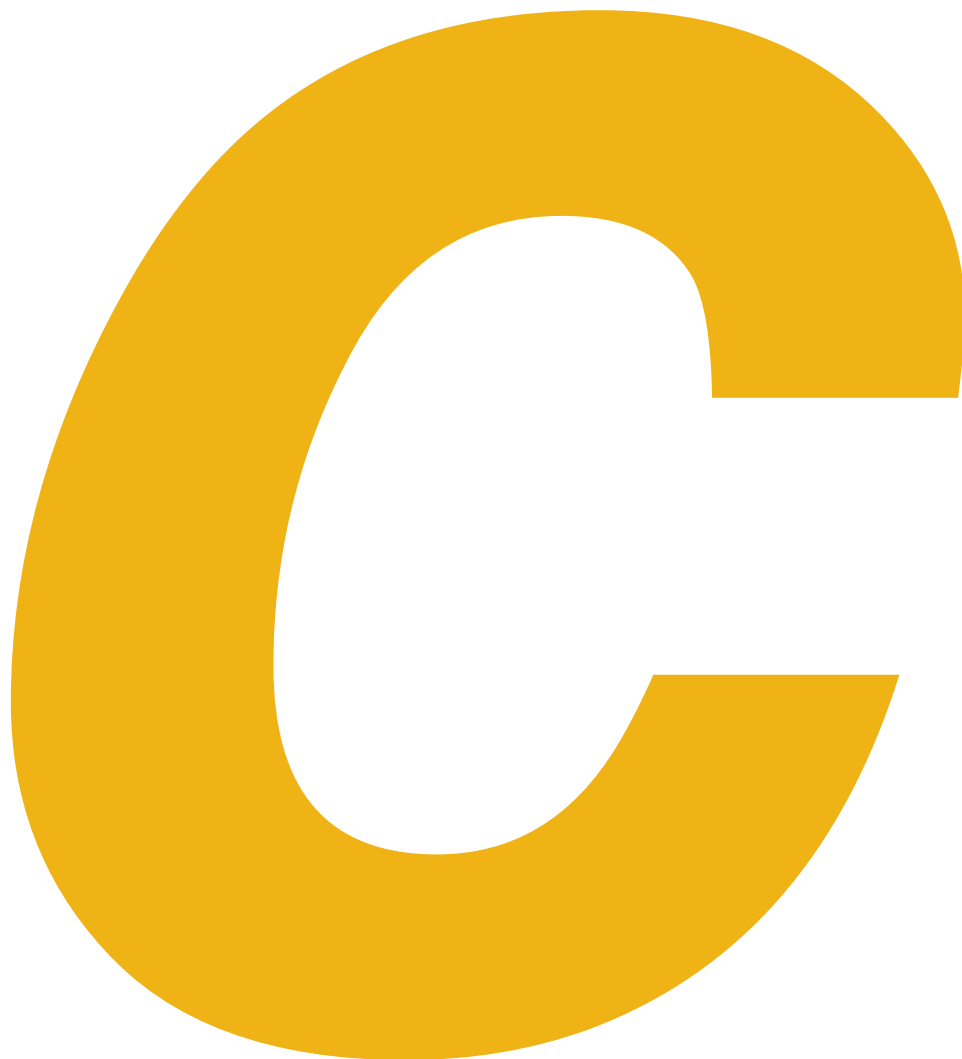
U











*U*















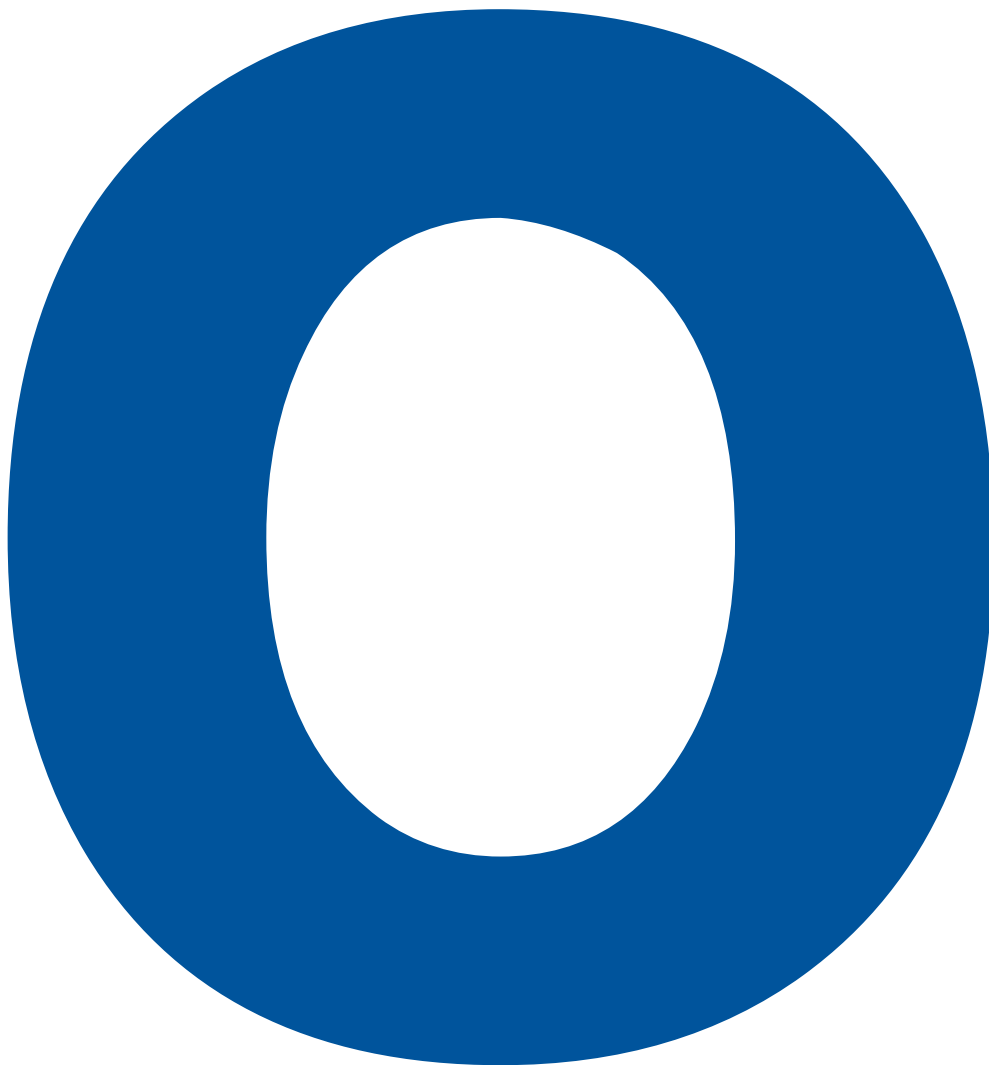
















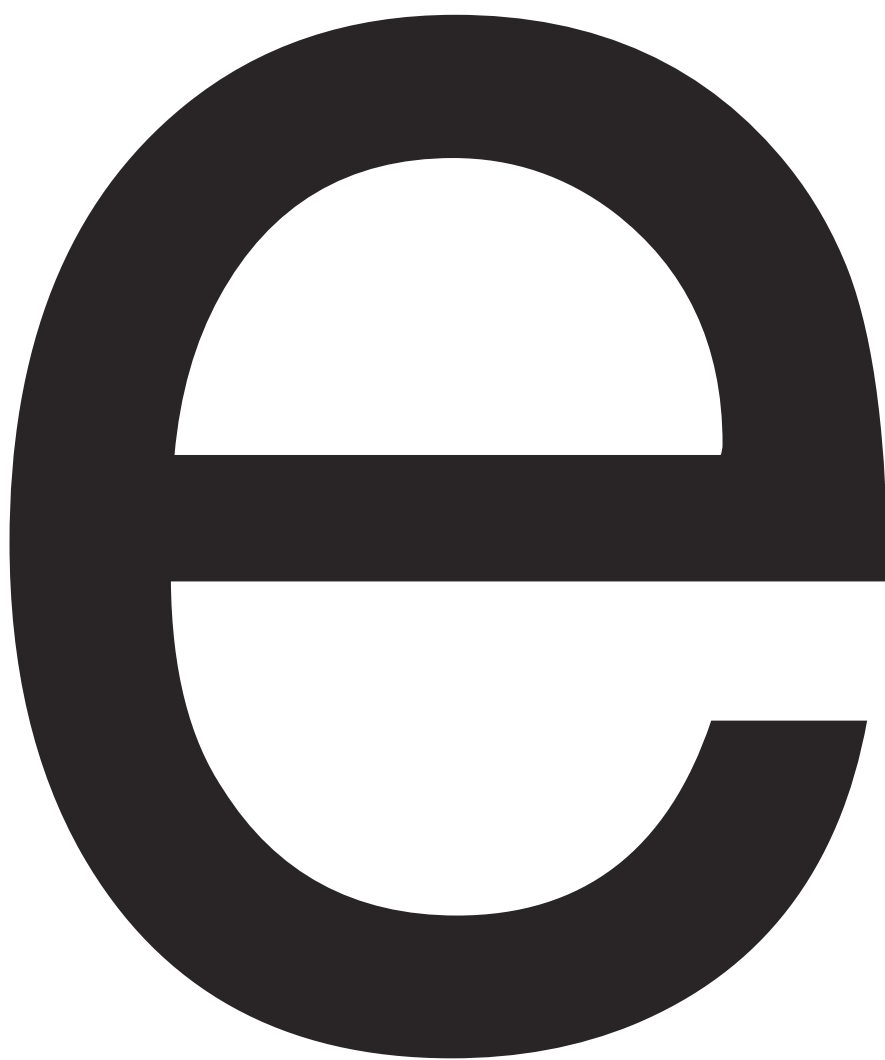








S





U



S



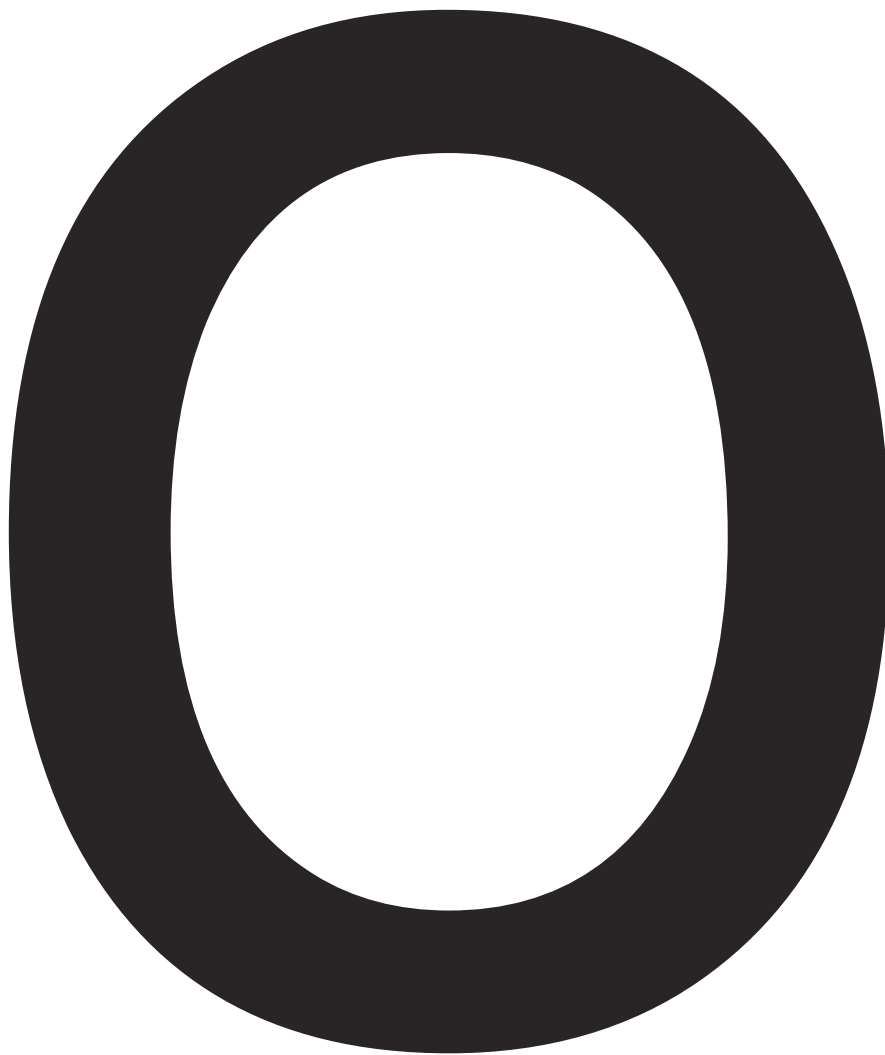






n



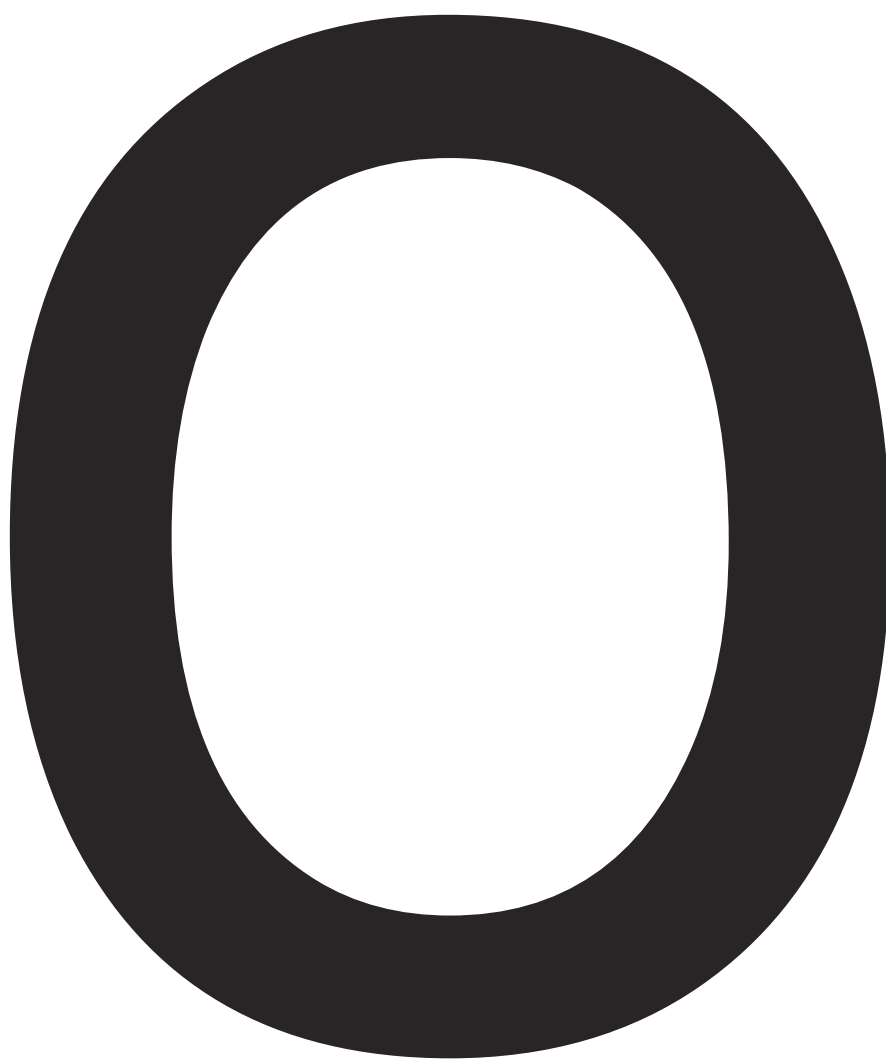




n







n









a







U









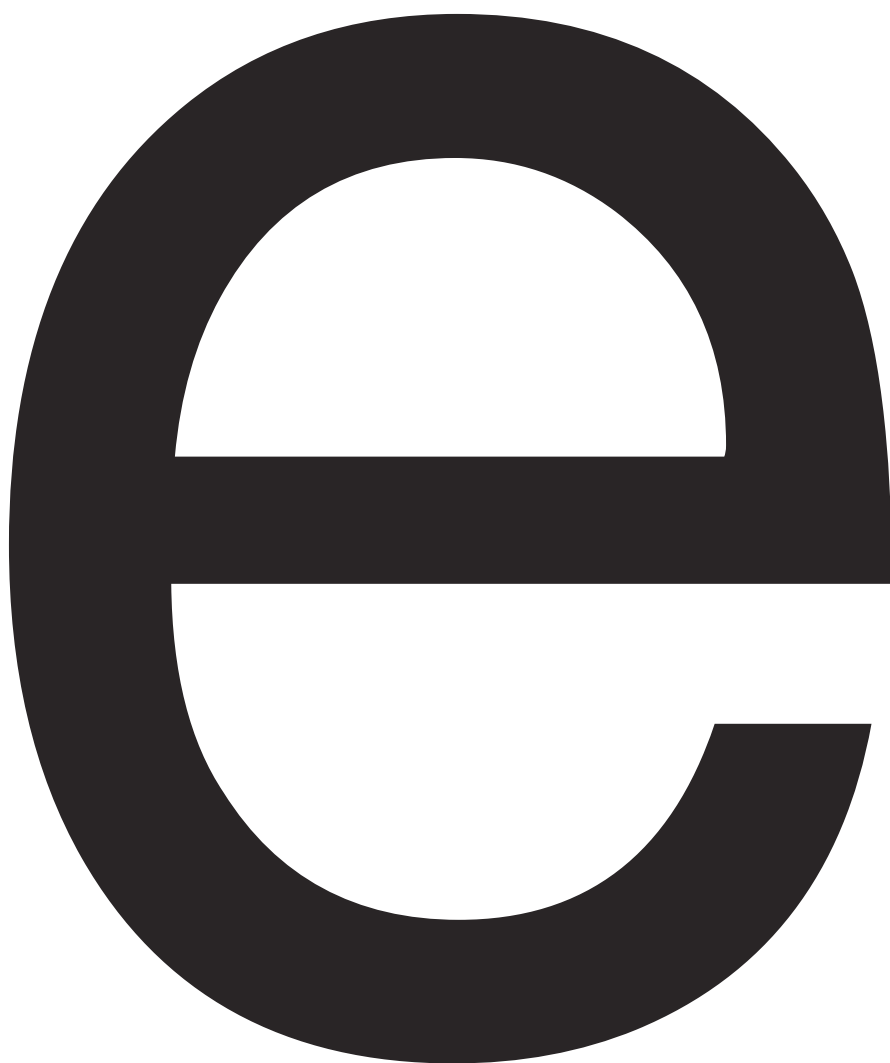


U



a



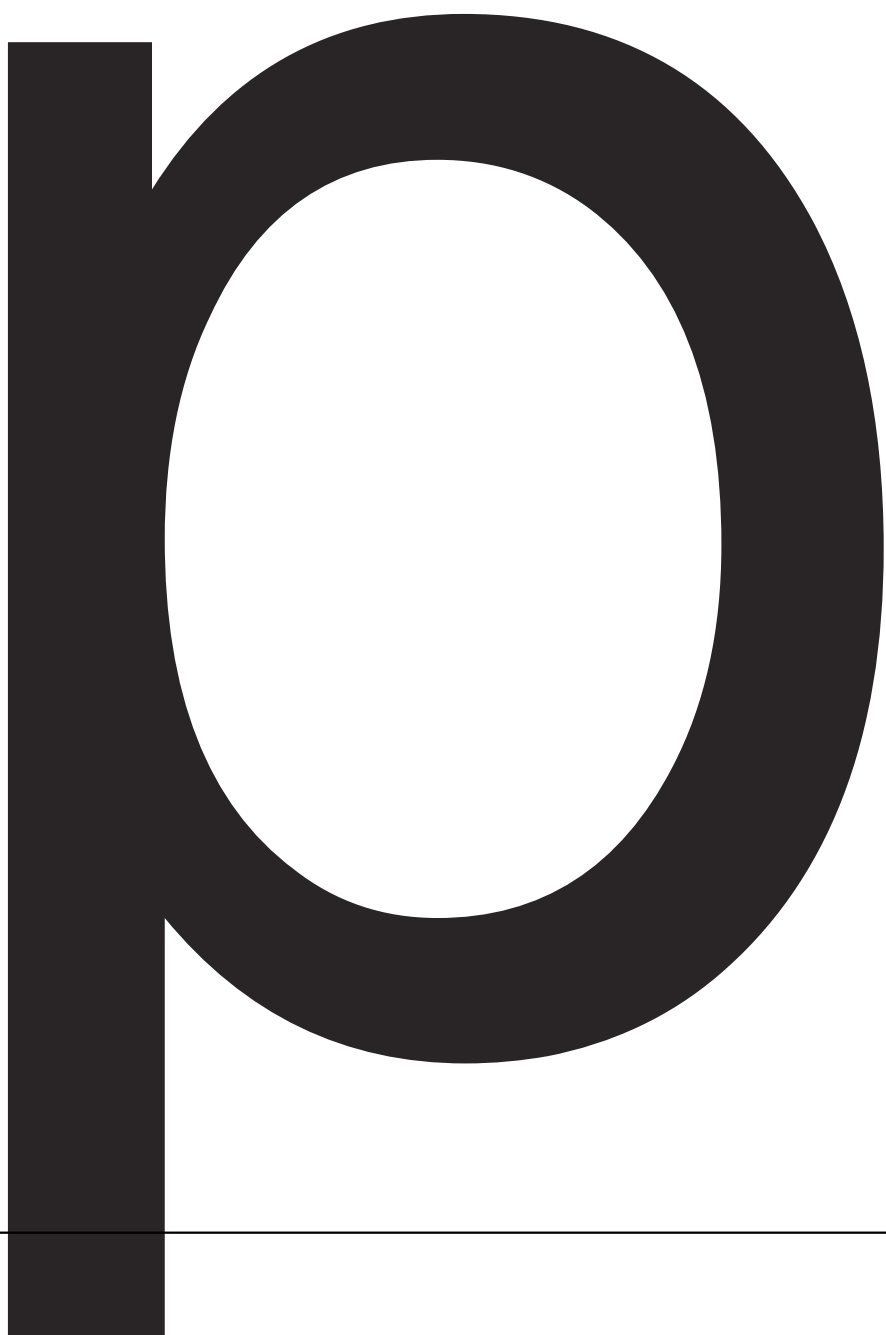


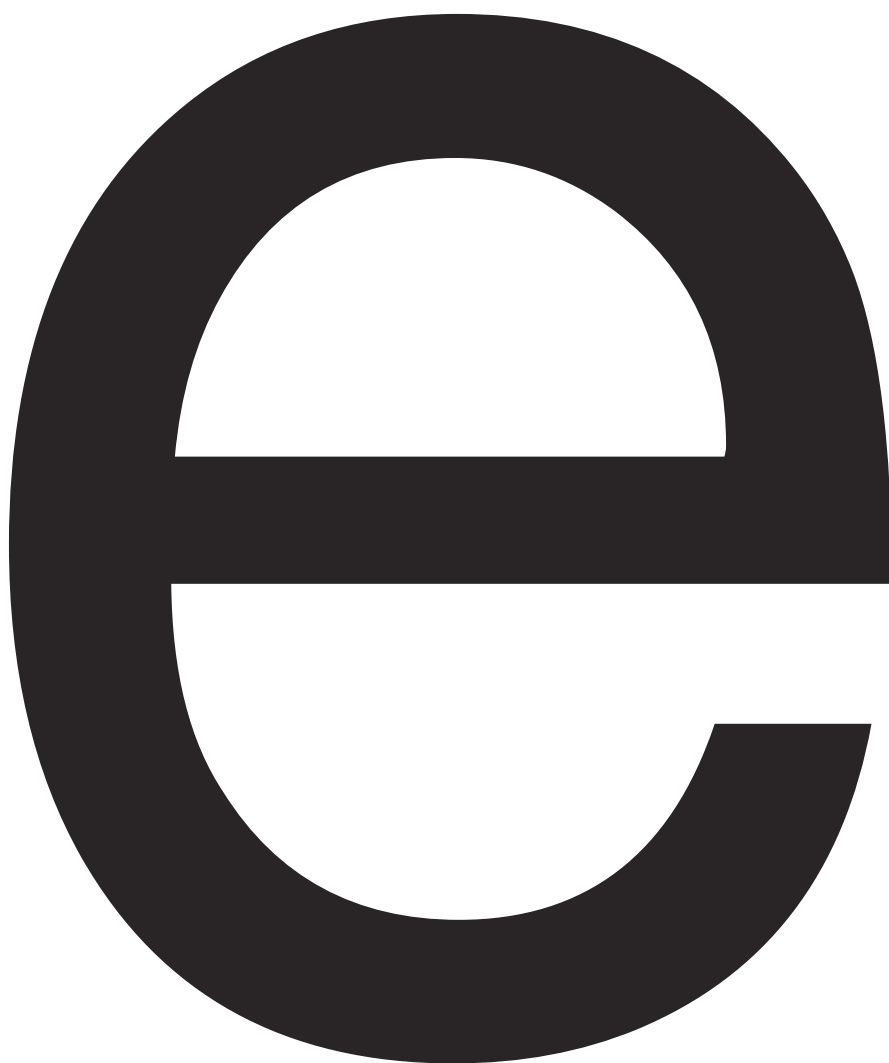
U





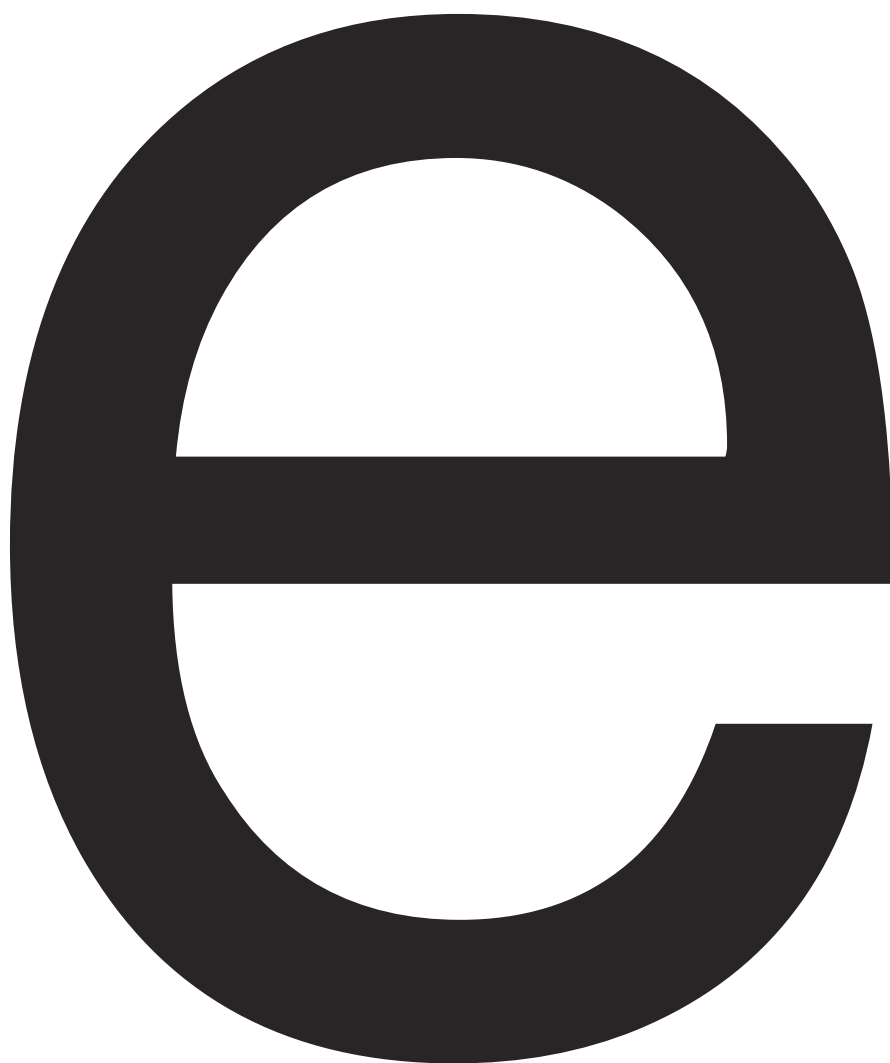




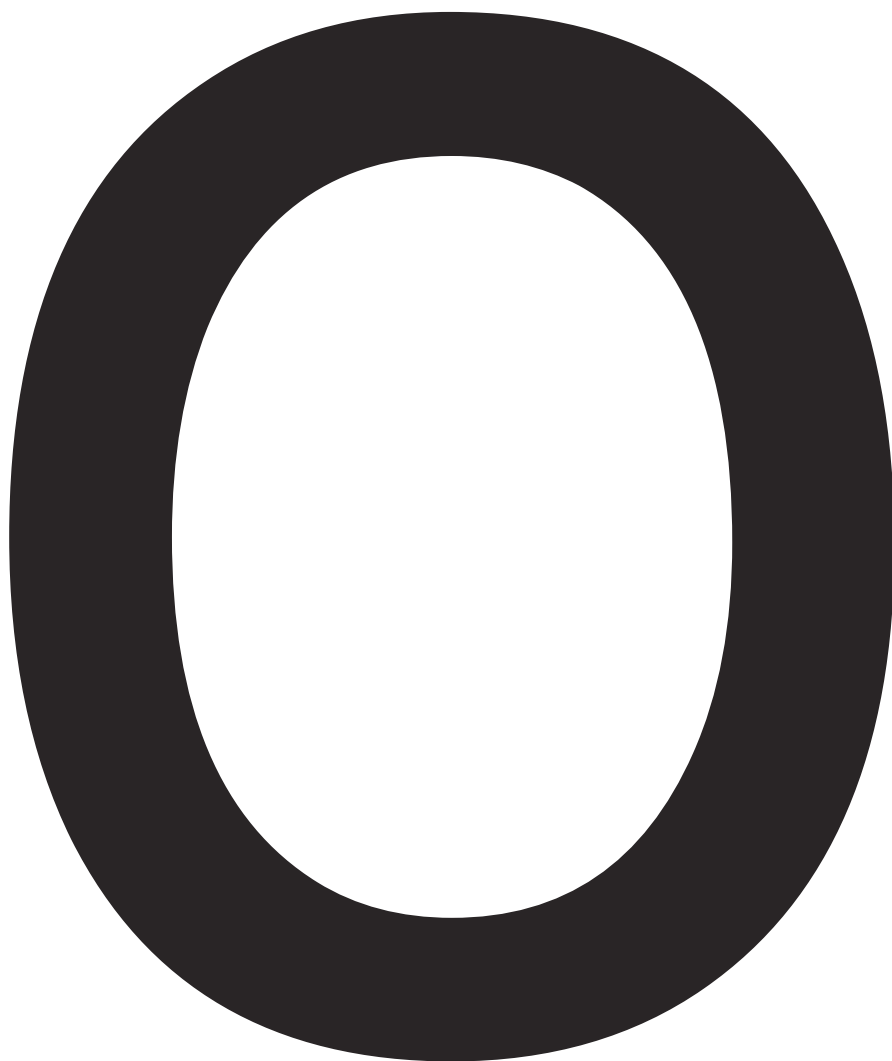








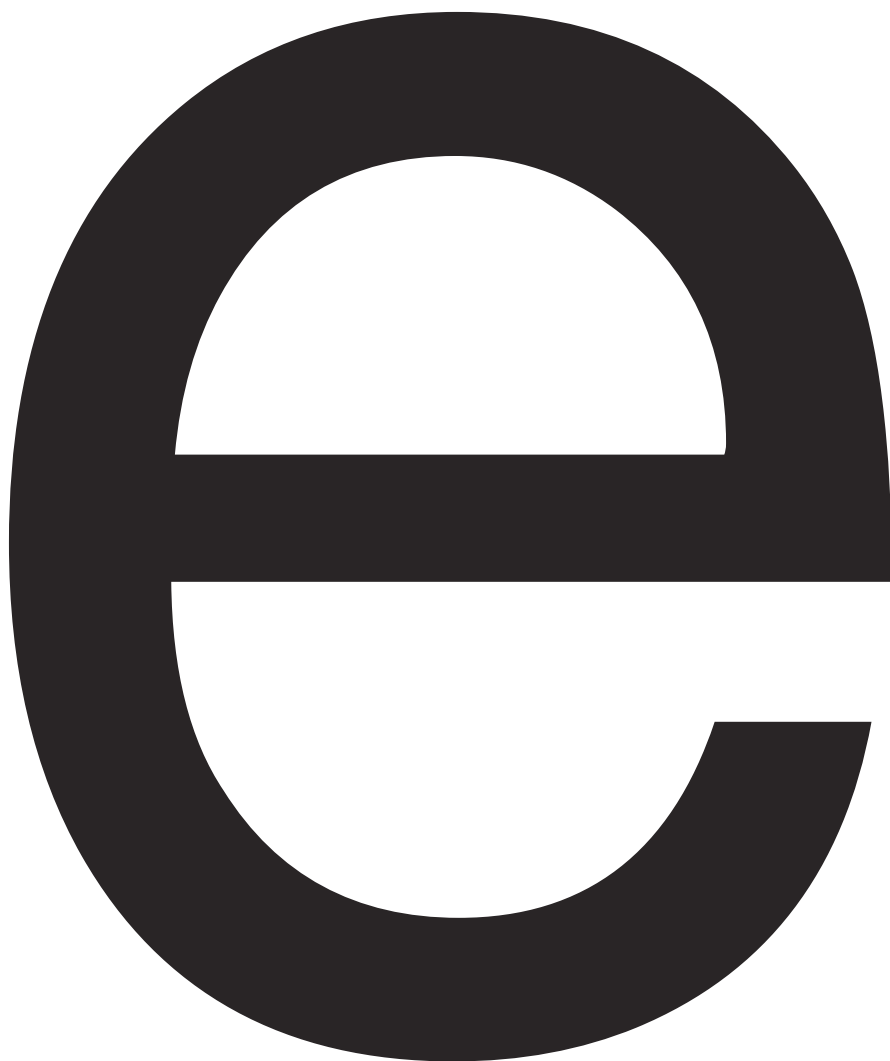










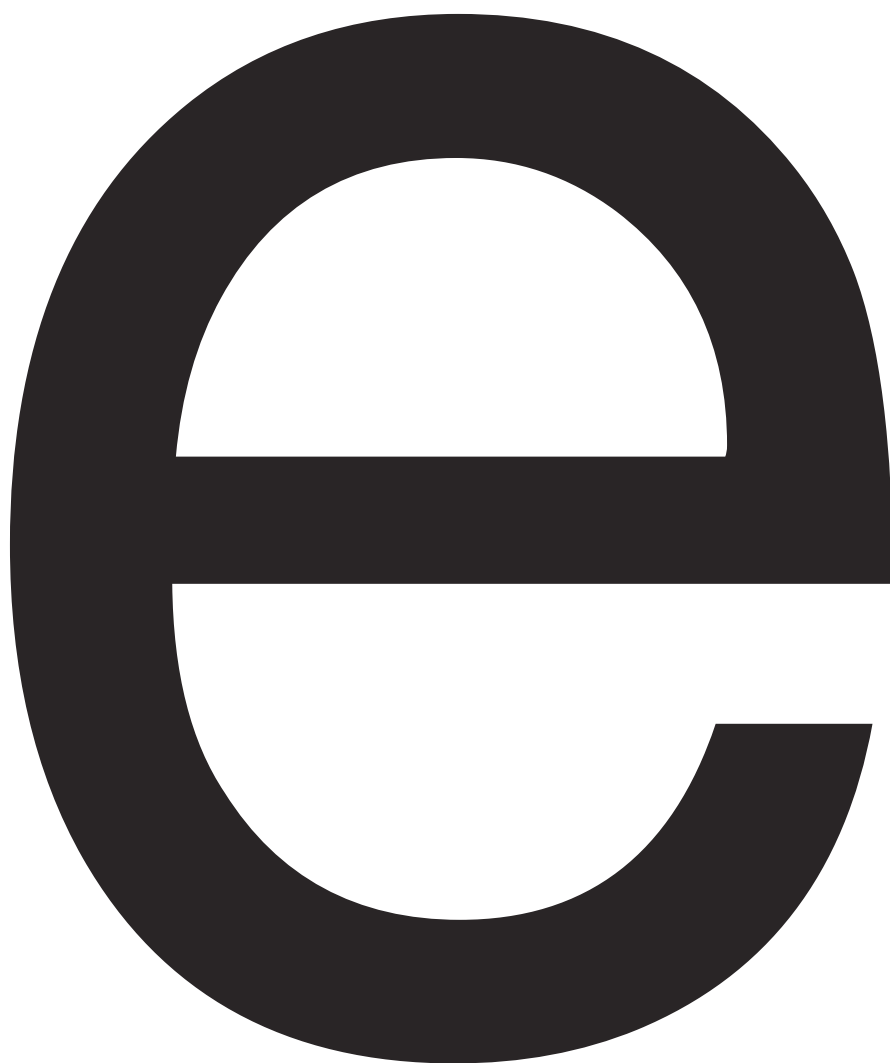










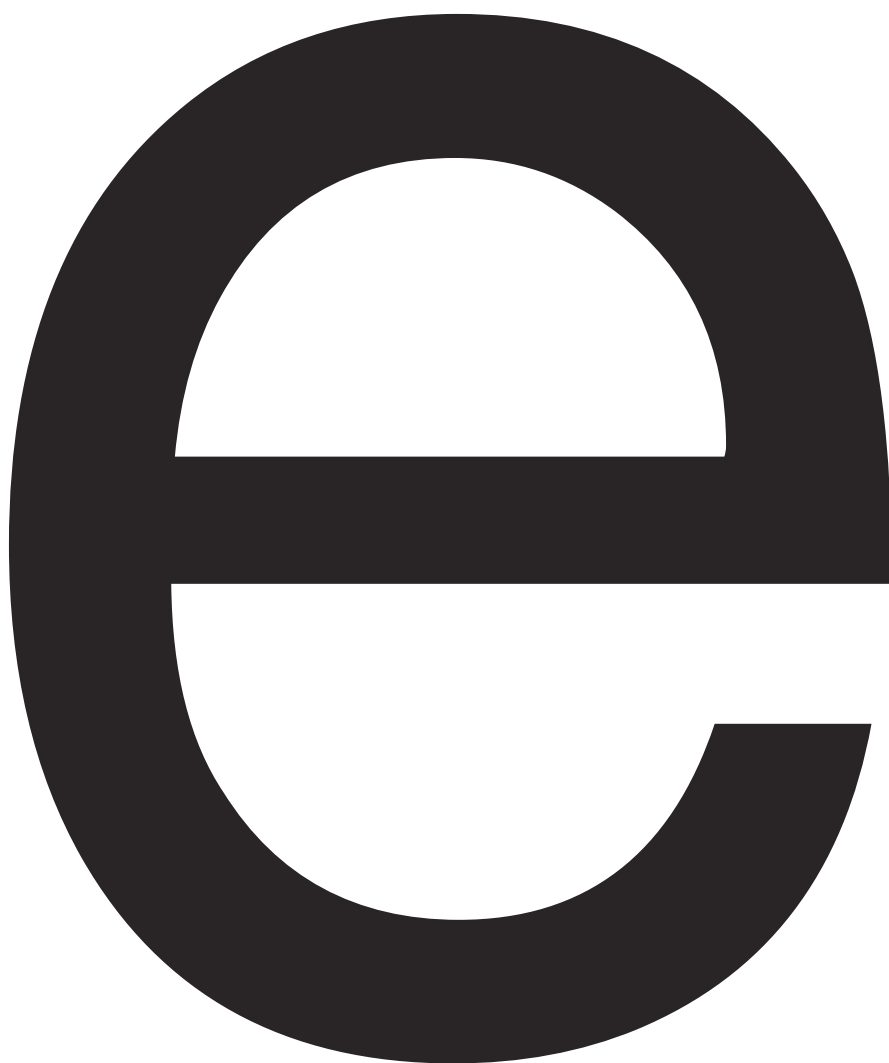




n

**U**

S







**e**

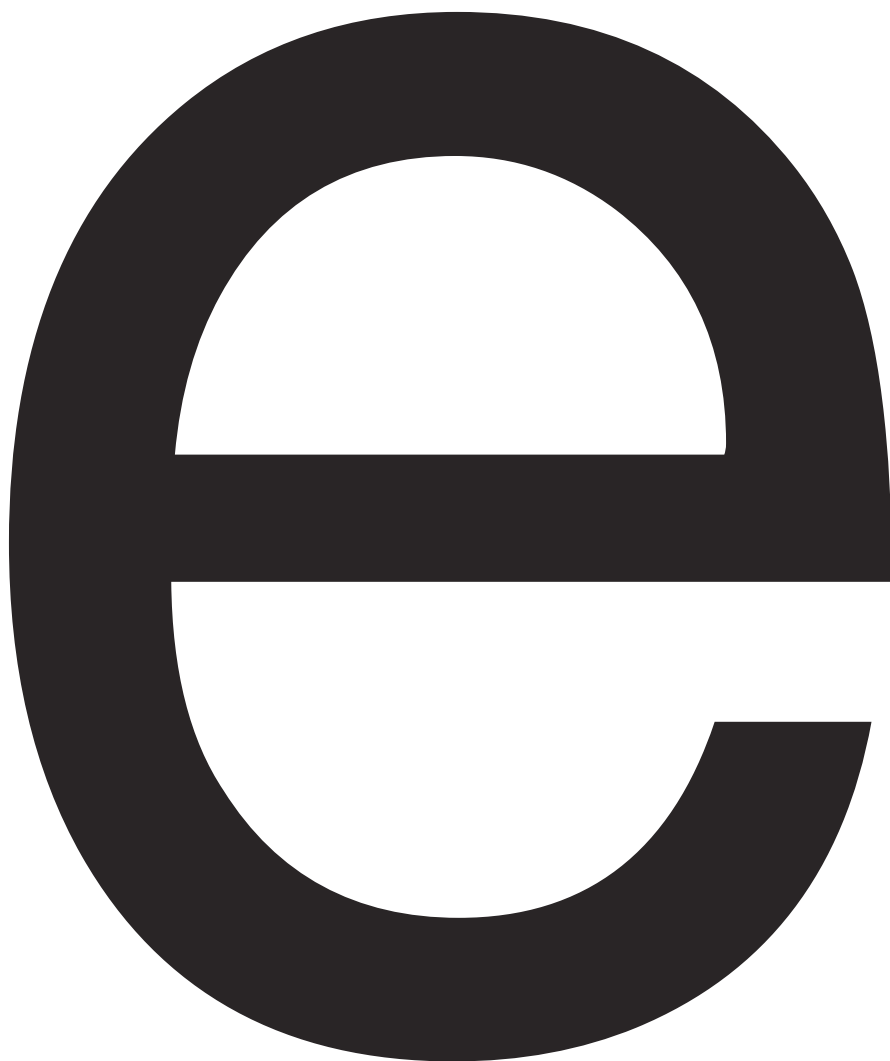






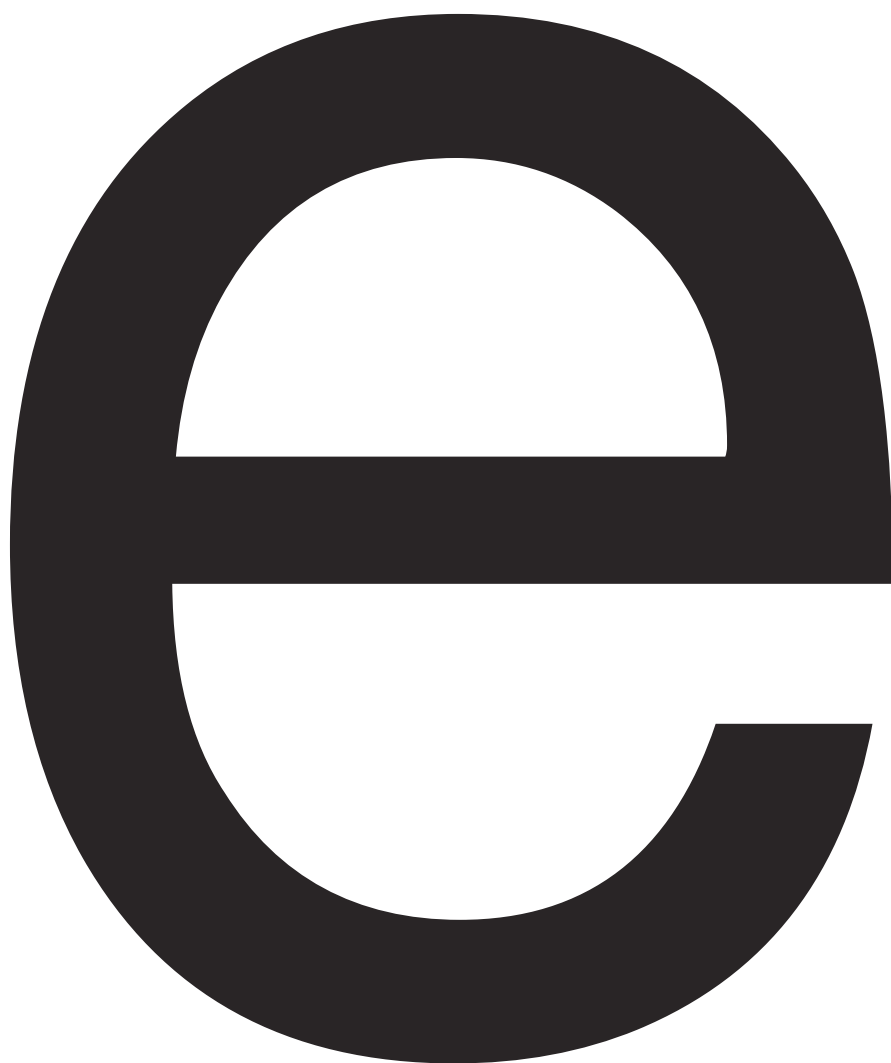
**a**





**U**

n



**U**

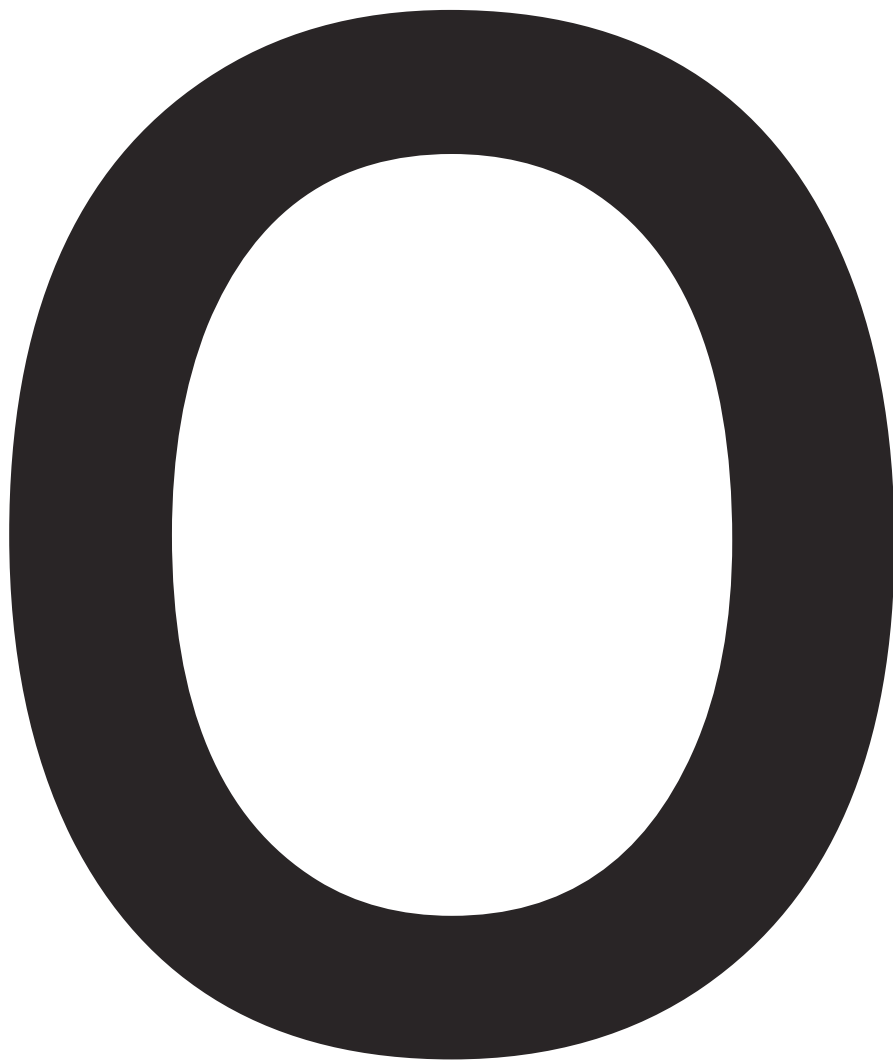






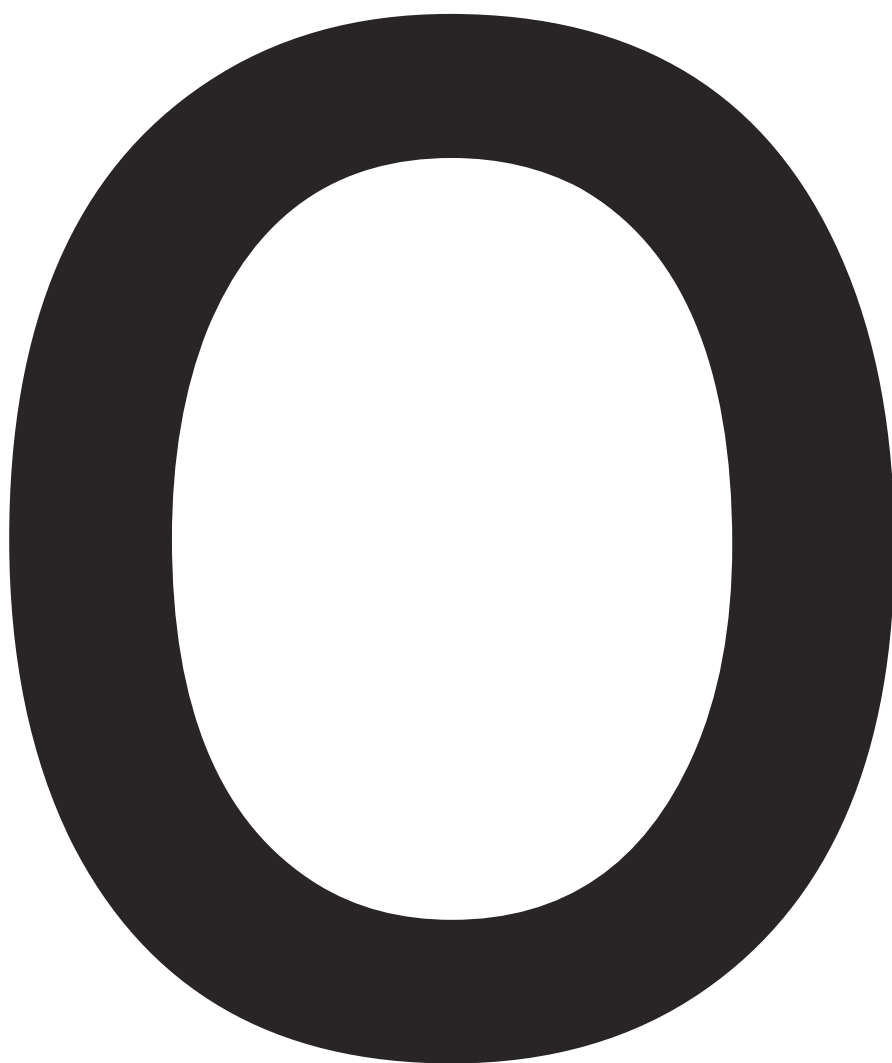
a







n









a



