

SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO AFTER THE COURT HEARING REGARDING CONSERVATORSHIP-OF AN ADULT OR MINOR

STEP 1 What to do after the hearing is over:

A. GO TO THE CLERK, PROBATE REGISTER. If the Judge/Commissioner grants the PETITION FOR APPOINTMENT OF A CONSERVATOR, you will need to take the **originals** of the following:

- THE ORDER OF APPOINTMENT OF A CONSERVATOR,
- THE LETTERS OF APPOINTMENT, **AND**
- THE ACCEPTANCE OF LETTERS OF APPOINTMENT.

When you take the documents listed above, the clerk will:

- Review the ORDER OF APPOINTMENT,
- Complete the LETTERS,
- Have you sign the ACCEPTANCE, **AND**
- File the originals.

Note: You should ask the Clerk to *certify* a copy of the LETTERS to prove that you have the appointment and authority from the court.

There is a **certification fee plus a copy fee per page** to do this. Cash, VISA/MasterCard debit or credit cards, money order, or personal in-state check made payable to the "Clerk of Superior Court, Probate Registrar" are acceptable forms of payment.

Go online to <http://clerkofcourt.maricopa.gov/fees.asp> or the Self-Service Center for a list of current fees.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a **deferral** (payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available at **no charge** from the Self-Service Center.

B. BOND: *If* the Judge/Commissioner did not waive the bond and ordered that you post a bond for a certain amount, call bonding company, purchase the bond, and file the original bond with the court. **DO THIS IMMEDIATELY** after the order is signed, because no LETTERS will be issued without the bond.

C. LETTERS OF APPOINTMENT. Keep a **certified copy** of the LETTERS to show anyone who needs to know that you have authority from the court to act as conservator, and what that authority is.

D. ORDER OF APPOINTMENT. Keep a copy of this to remember what the Judge/Commissioner ordered you to do in this case.

E. ORDER TO CONSERVATORS. Keep a copy of this Order and read it often. This ORDER contains the general instructions about what you are required to do as conservator. Be sure you know your obligations, and what you are required to do under the law.

STEP 2 What *else* to do after the court hearing:

If for some reason the Court did not waive the bond and ordered you to post a bond and to file an ANNUAL ACCOUNTING, you are required to do the following:

A. INVENTORY AND APPRAISEMENT* and PROOF OF MAILING

INVENTORY AND APPRAISEMENT: File this document no later than **90 days** after the date of the temporary or permanent LETTERS OF APPOINTMENT, to list all the assets and debts of the protected person.

Note: Mail a copy to the protected person, if 14 or older, and to other "interested persons".

B. ANNUAL ACCOUNTING* and PETITION FOR APPROVAL OF ANNUAL ACCOUNTING:

***WARNING**

- Documents defined as "*confidential*" require *special handling*.
- Follow "**Special Handling Instructions for Confidential Documents**" (next page).

1. The ***first*** Accounting* must cover the time period *from the date the first LETTERS OF APPOINTMENT (temporary or permanent) were signed by the Clerk through the last day of the NINTH (9th) month after, and must be filed on or before the anniversary of the date on the LETTERS.*
2. The Annual Accounting for each year after the first should cover the next 12 months after the previous report period, and must be filed on or before the anniversary of the date of the LETTERS.

Note: The Accounting must be approved by the Judge/Commissioner.

When you want to be discharged (released from duty) as conservator, you must file a FINAL ACCOUNTING and PETITION FOR APPROVAL. These forms are available at the Self-Service Center in the packets "***Petition for Approval of Annual Accounting***, and "***Petition for Discharge and/or Termination and Release of Funds***".

C. PROOF OF RESTRICTED ACCOUNT: If the Judge ordered you to put some or all of the person's money into a restricted account, obey this Order right away. Then file the PROOF OF RESTRICTED ACCOUNT signed by the manager at the bank or financial institution that will show the account was properly established.

D. FEE STATEMENT: If you are charging a fee or claiming reimbursement for expenses, you must fill out the FEE STATEMENT and file it with the court.

IMPORTANT! SPECIAL HANDLING INSTRUCTIONS* for

CONFIDENTIAL DOCUMENTS*

DOCUMENTS DEFINED OR DESIGNATED AS “CONFIDENTIAL DOCUMENTS” BE SUBMITTED TO THE CLERK IN SEPARATE, UN-SEALED (9”x12”) ENVELOPES.*

The following are documents are defined as “Confidential”:

- Probate Information form
- Medical Reports and Records
- Inventories and Appraisements
- Accountings
- Credit Reports
- Any other document ordered by the court to be “confidential”.

A separate envelope is required for *each* confidential document and the following information must appear on the outside of each envelope:

1. **Case Name and Number** (“In the Matter of xxxxx” and “PB 2009xxxxxx”),
2. **Name of the document** (“Annual Accounting”, “Annual Report”, “Medical Records”. etc.)
3. **Name of the party filing the document**, and
4. **the words “Confidential Document”**

“CONFIDENTIAL INFORMATION” in Non-CONFIDENTIAL DOCUMENTS*

DOCUMENTS NOT LABELED AND SUBMITTED AS “CONFIDENTIAL” SHOULD NOT CONTAIN CONFIDENTIAL INFORMATION,* *such as:*

- the Social Security Number of a living person, and/or
- any financial account numbers, including those for credit card, bank and brokerage accounts, insurance policy and annuity contract numbers, etc. as well, *unless only the last 4 digits are displayed.*

The Court may order (or you may file a motion to *request* that the Court order) that:

1. a document containing confidential information be filed as “a confidential document”, or
2. confidential information contained in a non-confidential document be *redacted* (covered up or hidden).

* Required by **Arizona Rules of Probate Procedure** (Rule 7)