

## SELF-SERVICE CENTER

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

### STEP 1 What to do after the hearing is over:

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

- ORDER OF APPOINTMENT,
- The LETTERS, **AND**
- The ACCEPTANCE OF APPOINTMENT.

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

- 1) Review the ORDER OF APPOINTMENT,
- 2) Complete the LETTERS,
- 3) Have you sign the ACCEPTANCE OF APPOINTMENT, **AND**
- 4) 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 per page copy fee** to do this.

**B. BOND:** If the Judge/Commissioner did not waive the bond and ordered that you post a bond for a certain dollar amount, call a 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 guardian and 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 specifically in this case.

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

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

**A. FILE ANNUAL REPORT:** You **must** file this form with the Clerk of the Court **every year on or before the anniversary date** of the ORDER OF APPOINTMENT as guardian and conservator of the minor. The ANNUAL REPORT describes to the court the following:

- How you are caring for the minor, **AND**
- Whether the guardianship and conservatorship should be continued.

**Note:** You must file a Petition with the court if you wish to terminate the guardianship and be legally discharged as the guardian. See the Self-Service Center packet called **Annual Report of the Guardian**.

**B. FILE PROOF OF RESTRICTED ACCOUNT:** If the Judge/Commissioner ordered you to put some or all of the ward's money into a restricted account, obey this Order **immediately**. Then file the PROOF OF RESTRICTED ACCOUNT FROM DEPOSITORY, signed by the manager a bank or financial institution that shows the account was properly established according to the Order.

#### **FILE FEE STATEMENT**

- If you are required to file the **INVENTORY AND APPRAISEMENT** form. Mail a copy to the ward's attorney.
- If you are charging a fee to act as conservator, you must also file a **FEE STATEMENT**.

If for some reason the Court did not waive the bond, and ordered you to post a bond and 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 appointment**. This documents lists all the assets and debts of the minor and shows how you will care for the minor's finances. Mail a copy to the minor, if **14 years or older**, and to other interested persons.

**B. ANNUAL ACCOUNTING and PETITION FOR APPROVAL OF ANNUAL ACCOUNTING:** You must file these documents **every year on or before the anniversary date** of the ORDER OF APPOINTMENT AS GUARDIAN AND CONSERVATOR. The accounting must be approved by the Judge/Commissioner. When you want to be discharged as Conservator, you must file a PETITION FOR APPROVAL OF A FINAL ACCOUNTING. These forms are available at the Self-Service Center in the packet called **Petition for Approval of Annual Account**.

**C. Other help:** If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys." Also, the Self-Service Center has a list of lawyers who will help you help yourself. The list show where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is.