

Person Filing: _____
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City, State, Zip Code: _____
Telephone: _____
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Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

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Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of the Conservatorship of _____

Case Number: PB _____

ORDER TO GUARDIAN and CONSERVATOR OF A MINOR AND ACKNOWLEDGMENT and INFORMATION TO INTERESTED PERSONS

Name of Protected Minor(s)

Warning: Appointment is not effective until the *Letters of Appointment* have been issued by the Clerk of the Superior Court.

The welfare and best interest of the minor named above are matters of great concern to this Court. By accepting appointment as guardian and conservator you have subjected yourself to the power and supervision of the Court. This order is entered to assist you in the performance of your duties. You must be guided by it and comply with its provisions as relates to your duties as guardian and conservator.

GUARDIANS:

1. You have powers and responsibilities similar to those of a parent of a minor child, except that you are not legally obligated to contribute to the support of your ward from your own funds.
2. Unless the order appointing you provides otherwise, your duties and responsibilities include (but are not limited to) making appropriate arrangements to see that your ward's personal needs (such as food, clothing, and shelter) are met.
3. You are responsible for making decisions concerning your ward's educational, social, and religious activities. If your ward is 14 years of age or older, you must take into account the ward's preferences to the extent they are known to you or can be discovered with a reasonable amount of effort.
4. You are responsible for making decisions concerning your ward's medical needs. Such decisions include (but are not limited to) the decision to place your ward in a nursing home or other health care facility and the employment of doctors, nurses, or other professionals to provide for your ward's health care needs. You may arrange for medical care, including mental health care, to be provided even if your ward does not wish to have it, however, you are to use the least restrictive means and environment available that meets your ward's needs.

5. If you handle any money or property belonging to your ward, you have a duty to do each of the following:
 - a. Care for and protect your ward's personal effects;
 - b. Apply any moneys you receive for your ward's current support, care, and education needs, and conserve any excess funds for your ward's future needs;
 - c. Maintain your ward's funds in a separate account, distinct from your own and identified as belonging to the ward;
 - d. Maintain records of all of the ward's property received and expended during the period of the guardianship;
 - e. Account to your ward or your ward's successors at the termination of the guardianship; and
 - f. Not purchase, lease, borrow, or use your ward's property or money for your benefit or for the benefit of anyone else's, without prior Court approval.
6. You shall not accept any compensation of any kind for placing your ward in a particular nursing home or other care facility, using a certain doctor, or using a certain lawyer. "Compensation" includes, but is not necessarily limited to, direct or indirect payments of money, "kickbacks", gifts, favors, and other kinds of personal benefits.
7. You will need to obtain a certified copy of the **Letters** which are issued to you by the Clerk of the Superior Court. Your certified copy is proof of your authority to act as guardian of your ward, and you should have it available when acting on behalf of your ward. You may need to obtain additional (or updated) copies from time to time for delivery to, or inspection by, the people with whom you are dealing.
8. You are required to report annually, in writing, with respect to your ward's residence, physical and mental health, whether there still is a need for a guardian, and your ward's financial situation. Your report is due each year on the anniversary date of your Letters of Appointment.
9. If your ward's physical address changes, you shall notify the Court by updating the Probate Information Form within three (3) days of learning of the change in your ward's physical address.
10. If your ward dies, is adopted, marries, turns 18 or is otherwise legally emancipated, you shall notify the Court in writing within ten (10) days of learning of the death or other listed event. If the minor does not have a conservator at the time of death or other of these events, the guardian shall provide the court (and if living, the former minor ward) with a list of any known assets owned by the former ward.
11. You must be conscious at all times of the needs and best interest of your ward. If the circumstances that made a guardianship necessary should end, you are responsible for petitioning to terminate the guardianship and obtaining your discharge as guardian.

Even if the guardianship should terminate by operation of law (for example: the minor turned 18 or died), you will **not** be discharged from your responsibilities until you have obtained an order from this Court discharging you.

CONSERVATORS:

1. The conservatorship property is not your property. It does not belong to you. It is the minor's property and you must hold it for the benefit of the minor until the minor turns eighteen (18).
2. Unless the court orders otherwise, you must place the minor's property in a restricted, interest-bearing account at a federally insured institution authorized to do business in the state of Arizona or in a restricted interest-bearing account with the _____ County Clerk of the Superior Court, titled "THE ESTATE OF (the minor's name), MINOR" with no withdrawals of principal or interest permitted therefrom without order of this court.
3. You may not withdraw funds from the restricted account without a court order. If the financial institution allows you to withdraw the fund without a court order YOU will be personally liable for whatever amount was withdrawn from the account. In addition, you may be removed as conservator, found in contempt of court and/or sanctioned for your failure to follow the court's order.
4. Once the minor attains the age of eighteen (18), you MUST file a Petition with the court to terminate the conservatorship. Once a petition is filed, the court will hold a hearing in order to terminate the conservatorship and disburse the conservatorship property to the former minor.
5. The conservatorship terminates only upon the entry of a court order terminating the conservatorship. The court will enter such an order only after you, the minor, or another interested person files a petition requesting that the conservatorship be terminated. The petition should be filed after the minor becomes 18 years of age, after the conservatorship estate has been exhausted, or after the death of the minor, whichever occurs first. In the case of the minor's death, unless you comply with A.R.S. § 14-5419(F) or are otherwise ordered by the court, you will need to file a final account with the court before you can be discharged of liability in connection with the conservatorship and before your bond is exonerated.
6. If you move and/or change your address, you must notify the Court within **10** days of the change. You will be responsible for any costs incurred as a result of your failure to notify the Court of any change of address.
7. If you have any questions as to your duties as a conservator, contact an attorney who handles conservatorships before taking any action.
8. If you are not a licensed fiduciary and are not related by blood or marriage to the minor, you are not entitled to compensation for your services as the minor's conservator. See A.R.S. § 14-5651(K)(1).
9. Within thirty (30) days after your letters of *conservator* are issued, you must mail a copy of this "**Order And Acknowledgment And Information To Interested Persons**" to the following:
 - (a) The Minor, if the minor is at least 14 years of age;
 - (b) The Minor's attorney (if the minor has an attorney) and parents;
 - (c) The minor's guardian, if one has been appointed for the minor; and
 - (d) Any person who has filed a demand for notice in connection with this matter.

GUARDIANS AND CONSERVATORS:

- 1. You must notify the court within ten (10) days of learning of the death of the protected person or ward.
- 2. If you should be unable to continue with your duties for any reason, you or **your** guardian or conservator (if any) must petition the Court to accept your resignation and appoint a successor. If you should die, your personal representative or someone acting on your behalf must advise the Court and petition for the appointment of a successor.

This is an outline of only some of your duties as guardian and conservator. It is your responsibility to obtain proper legal advice about your duties. Failure to do so may result in personal financial liability for any losses.

WARNING: FAILURE TO OBEY THE ORDERS OF THIS COURT AND THE STATUTORY PROVISIONS RELATING TO GUARDIANS AND CONSERVATORS MAY RESULT IN YOUR REMOVAL FROM OFFICE AND OTHER PENALTIES. IN SOME CIRCUMSTANCES, YOU MAY BE HELD IN CONTEMPT OF COURT, AND YOUR CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL, A FINE, OR BOTH.

Dated: _____

Signature of Judicial Officer or Judge Pro Tem

Printed Name of Judicial Officer/Judge Pro Tem

ACKNOWLEDGEMENT

I, the undersigned, acknowledge receiving a copy of this order and agree to be bound by its provisions, whether or not I read it before signing, as long as I am guardian or conservator.

Guardian and Conservator's Signature

Date

Printed Name