

## **INSTRUCTIONS TO GUARDIAN**

Read carefully; date and sign one copy and return it to this Court within ten days. Keep a copy for your reference.

You have been appointed the Guardian of an individual, "Protected Person", who, because of some incapacity, is unable to care for his/her own financial and/or personal affairs. It is important that you understand the significance of this appointment and your responsibility as Guardian.

In order to qualify and have your Letters issued to you, you may be required to post a bond in the amount set by the Court and to take an oath to faithfully discharge your duties as Guardian. The Bond assures the Court that you will properly protect the assets of the Protected Person.

Listed below are some of your duties, but not necessarily all of them. You are directed to ask the Attorney for the Guardianship to fully explain to you each of the items below and to tell you about the other duties you have in your particular circumstances. Though the Attorney will file all papers with the Court, the ultimate responsibility to see that all reports, etc., are accurately and timely prepared and filed, rests with you.

As GUARDIAN of the FINANCIAL affairs of the Protected Person, you are required to:

1. File with the Court, within ninety (90) days after your appointment, a verified Inventory and appraisal of all of the property belonging to the Protected Person, unless waived by the Court;
2. File with the Court a verified account of all the income and expenditures of the Guardianship every two (2) years after your appointment, unless waived by the Court;
3. Pay bond premiums as they become due;
4. File a final accounting with the Court upon the termination of the Guardianship, whether due to the death of the Protected Person, or for any other reason, unless waived by the Court;
5. Keep all of the assets of the Protected Person separate from your own;
6. Open an account, in your name as Guardian, in which all of the cash assets of the Protected Person are deposited. This account must be used for all payments or disbursements on behalf of the Guardianship and the Protected Person;
7. Obtain approval from the Court to use Guardianship assets.

It is your duty to protect and preserve the Protected Person's property, to account for the use of the property faithfully and to perform all the duties required by law of a Guardian. You may NOT make expenditures or investments from the Guardianship funds without Court authorization.

Guardianship funds must never be co-mingled with personal funds. A separate account for all Guardianship assets must be kept in your name as Guardian. Accurate accounts must be kept and accurate reports made. Unauthorized use of Guardianship funds can result in your being personally liable for the misuse of those sums.

As GUARDIAN of the PERSONAL affairs of the Protected Person, you are required to:

1. Make certain that the physical and mental needs of the Protected Person (food, clothing, shelter, medical attention, education, etc.) are properly and adequately provided for;
2. File with the Court a status report as to the physical condition and general welfare of the Protected Person every two (2) years after your appointment.

It is important to understand that you have the same duties and responsibilities concerning the Protected Person whether or not the Protected Person is your relative.

If any questions arise during the Guardianship, you should consult with your Attorney immediately.

**I affirm under penalties of perjury I have read and understand the above instructions and agree to follow them carefully, and further that I have kept a copy for my continued use and review.**

Dated: \_\_\_\_\_

Cause Number: \_\_\_\_\_

The Guardianship of: \_\_\_\_\_

By: \_\_\_\_\_, Guardian

By: \_\_\_\_\_, Guardian