

INSTRUCTIONS TO GUARDIANS

LR29-PR00-702.70

FORM PR00-3

Read carefully, date and sign one copy and return it to the court within ten (10) days. Keep a copy for your reference.

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

Upon being appointed guardian, you are 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. These apply whether or not the protected person is your relative. Ask the attorney for the guardianship to fully explain to you each of the items below and to inform you about other duties you have in your particular circumstances. Although the attorney will file all the papers with the court, the ultimate responsibility to see that all reports and papers are accurately prepared and filed rests with you.

As guardian, you are required:

1. To file with the court, within Ninety (90) days after your appointment, a verified inventory of all property belonging to the protected person.
2. To file with the court, within thirty (30) days of the first anniversary of your appointment and, thereafter, every two (2) years, a verified account. This details all property and income received by and all expenses paid from the guardianship.
 - a. Vouchers or receipts should be attached in order to verify each expenditure.
 - b. The present residence and general welfare of the protected person must be stated.
 - c. A report from the treating physician is required if the incapacitated person is an adult.
 - d. To pay bond premiums and court costs as they become due.
 - e. To file federal and state tax returns and to pay taxes for the protected person.
 - f. To open an account, in your name as guardian, in which all of the cash assets of the protected person are deposited. This account shall be used for all

payments and disbursements on behalf of the guardianship and the protected person. Canceled checks and other written proof should be maintained.

9. To obtain approval from the court to use guardianship assets.
- h. To file a final accounting upon termination of the guardianship. This should detail all property and income received and all expenses paid, with receipts to verify each expenditure.

A guardian is obliged to encourage self-reliability and independence of the protected person and to consider recommendations relating to the appropriate standard of support.

You must protect and preserve the protected person's property and conserve any property of the protected person in excess of the protected person's needs. Accurate accounts must be kept and guardianship funds should **never** be combined with personal funds.

You may not make expenditure of investments from guardianship funds without court approval. Unauthorized use of guardianship assets may result in personal liability and/or criminal prosecution.

If any questions arise during the guardianship, you should consult with your attorney.

JUDGE _____
HAMILTON SUPERIOR COURT NO. ____

I acknowledge receipt of a copy of the above instructions and have read and will follow said instructions carefully.

Cause Number: _____ Guardianship of: _____

Date: _____

Signature of Guardian

Printed Name of Guardian