

CONSERVATOR

For an Adult

3

**OR a person at least 17.5 years old,
to *become effective* at age 18**

Part 3: Preparing for and Attending the Court Hearing

(Forms Only)

IMPORTANT NOTICE

TRAINING REQUIREMENTS

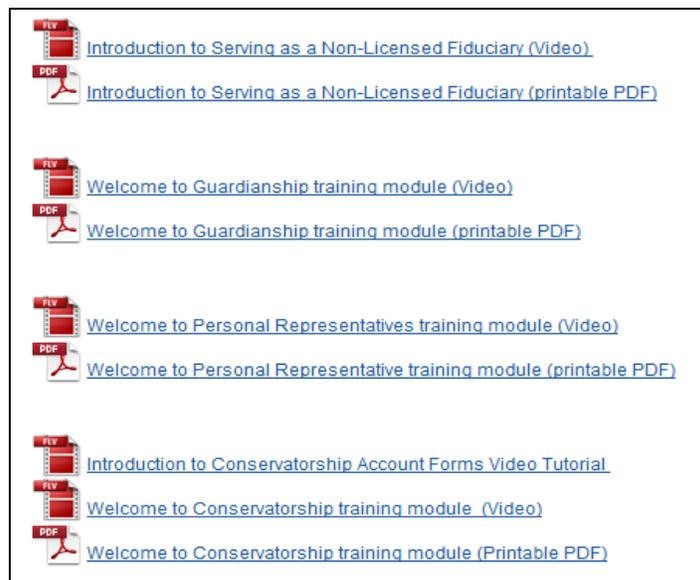
Effective September 1, 2012

The Arizona Supreme Court requires that any person who is not a state-licensed fiduciary (or a financial institution) must complete a training program approved by the Supreme Court **before** Letters of Appointment to serve as a guardian, conservator, or personal representative can be issued by the Clerk of the Court, or within 30 days of a temporary or emergency appointment.

TRAINING SHOULD BE COMPLETED BEFORE THE COURT HEARING
Additional time may be granted for good reason.

You may access and complete the training FREE online at:
www.azcourts.gov/probate/Training.aspx

Go to the section for “**Non-licensed Fiduciaries**” and click on the link to access a narrated slide-show presentation of the materials applicable to your situation.



You may also pick up a printout of the training materials in English or Spanish from the Self-Service Center. AFTER reviewing the materials, you will need to inform the Court that you have completed the training by filing either the Certificate available at the end of the online training, or the Declaration of Completion form available from the Self-Service Center. If you have questions about the training, contact the Probate Clerk at 928-428-3100.

PROCEDURES: PREPARING FOR AND ATTENDING THE COURT HEARING for CONSERVATOR for an ADULT

or a person at least 17.5 to become effective at 18

STEP 1 DOCUMENTS TO PREPARE BEFORE THE COURT HEARING:

A. HEALTH PROFESSIONAL'S REPORT: IF a physician, registered nurse, or psychologist was appointed to examine the proposed protected person, the examiner should have received the "**GUIDELINES FOR HEALTH PROFESSIONAL'S REPORT**" (PBGCA15f) and prepared a report on the findings either on the form supplied with the Guidelines, or in any other format that conveys the necessary information.

After the Petitioner receives the examination report*, he or she must:

- Make at least **4 copies** of this report (keep one copy for his/her records), and
- **Mail** a copy of the written report at least **10** business days before the hearing, or hand-deliver a copy at least **5** business days before the hearing, to:
 - 1) The Judge/Commissioner who will hold the hearing;
 - 2) The attorney for the person you say needs the conservator; **AND**
 - 3) The court investigator.

* **Due to concerns about federal patient privacy regulations** some medical professionals may not be willing to turn the report over to you since your appointment as conservator or guardian is not yet final. **If this is the case, the physician or other evaluator may file the report in person or mail it to the Court** (even though the guidelines on the Report form say "Please do not file your report with the Clerk of Court").

B. ORDER TO CONSERVATOR (PBCA80f): The person who is to serve as Conservator must **READ AND SIGN** the document called **ORDER TO CONSERVATOR**.

READ CAREFULLY! SIGNING THIS DOCUMENT INDICATES THAT YOU UNDERSTAND AND AGREE TO ACCEPT LEGAL RESPONSIBILITY FOR OBEYING THE TERMS OF THIS ORDER.

- The proposed conservator must sign this Order in the **acknowledgement** section to indicate his/her understanding and agreement with the terms of the Order, *and then make 2 copies*. The proposed conservator should *keep one copy*.

C. ORDER OF APPOINTMENT OF PERMANENT CONSERVATOR (PBCA81f):

- Complete the caption of the **Order**, which includes the name of the protected person (the Ward) and the case number.
- The Judge/Commissioner will fill in the rest of the Order at the hearing and sign it (the Order) if he or she agrees that a conservator should be appointed.

NOTE: Write the case number on all documents to be presented to the court!

D. OTHER DOCUMENTS FOR THE JUDGE BEFORE THE HEARING: In addition to the **3 documents** listed above, you **also** need to **mail or hand-deliver** the following:

- **NOTICE OF HEARING** (PBGC18f),
- **DECLARATION OF NOTICE PROVIDED** (PBGC29f);
(from packet 2, “**Service of Notice**”) and
- **WAIVER OF NOTICE** (PBGC19f) (*if applicable*)

Mail or hand-deliver the original *and one copy* of the documents listed in A, B, C, and D above to the Judicial Officer who will conduct the hearing. **If mailing**, it is recommended that you post them **10** full days before the hearing. If delivering in person, do so at least **5 business days** before the hearing.

STEP 2 (Optional) **REQUEST A COURT REPORTER AND/OR INTERPRETER:** If you or the person to be protected, the ward, need an interpreter or a court reporter (someone **you** may hire to make a written record of every word of the hearing), you must inform the staff of the judicial officer who will conduct the hearing, preferably at least **10** days before the hearing but *no later than 2* days before the hearing.

NOTICE: Effective September 1, 2012, The Arizona Supreme Court requires that every person who is to serve as a conservator, guardian, or personal representative [executor] of an estate who is not a state-licensed, professional fiduciary must complete a training program approved by the Supreme Court **before Letters of Appointment** can be issued by the Clerk of the Court.

Training should be completed *and a statement that the training has been completed* should be brought to (or filed before) the hearing, though additional time to complete the training may be requested for good reason.

If you completed the (English-only) *online* training, you may either print the “**Certificate**” that appears at the end of each online program **or** submit the “**Declaration of Completion**” form included in this packet and which is also included with the Self-Service Center’s printed or online training materials, which are available in both English and Spanish.

See the “**Notice Regarding Training Requirements**” (PBT10i) in this packet for additional information.

STEP 3 BRING THESE DOCUMENTS TO THE COURT HEARING:

These documents will be filed if the Judicial Officer (Judge or Commissioner) grants the conservatorship. Make at least **2 copies** to bring with you to the hearing.

- **ORDER OF APPOINTMENT** (PBCA81f)
- **ORDER TO CONSERVATOR and ACKNOWLEDGMENT** (PBC80f)
- **LETTERS OF APPOINTMENT and ACCEPTANCE OF LETTERS** (PBC82f).
- **DECLARATION** (or “**Certificate**”) **OF COMPLETION OF TRAINING** (PBT80f)

AT THE HEARING:

- Be prepared to testify about why you think conservatorship is needed.
- Bring any witnesses you think will help to testify as well.
- Bring a copy of **everything you already filed** with the Court in this matter.

STEP 4 AFTER THE HEARING:

- A. **IMMEDIATELY** after the Judge/Commissioner signs the conservatorship papers, take the following original documents to the Probate Filing Counter.
- **Order of Appointment,**
 - **Order to Conservator and Acknowledgment,**
 - **Letters of Appointment,** and the
 - **Declaration** (or "Certificate") **of Completion of Training** (*if not previously filed*)

Ask the Clerk to issue the **LETTERS OF APPOINTMENT**. The Clerk will stamp and file the appropriate originals and return copies back to you for your records.

- B. **WITHIN 90 DAYS:** The conservator must file a:
- **Proof of Restricted Account** (if ordered by the Court), **and, unless you were specifically ordered to NOT do so by the court,** an
 - **Inventory,**
 - **Budget,** and
 - **Sustainability Statement.**

See the Arizona Supreme Court's web page for forms and instructions at <http://www.azcourts.gov/probate/ProbateForms.aspx> or

Forms and instructions are **or will be** available from the Superior Court Self-Service Center in both English and Spanish. Check with the Self-Service Center in person or online to determine if the forms and instructions are yet available.

- C. **WITHIN 1 YEAR:** The conservator must file the first "**Conservator's Account.**" The first account will report on the protected person's finances from the date of issuance of the **Letters** through the last day of the ninth (9th) month after. **Annual Accountings** covering each 12 month period after the period covered by the first must be filed each year on or before the anniversary date of the issuance of the **Letters**, until the conservatorship is terminated by court order.

Forms for the first Conservator's Account, and the annual accountings to follow, including self-calculating spreadsheets, are available in English on the state Supreme Court's web page at: <http://www.azcourts.gov/probate/ProbateForms.aspx>, OR

You may (or *will be able to*) obtain printed forms and instructions from all Superior Court Self-Service Center locations or from online.

Check at the Self-Service Center in-person or online at the web address above to determine if the forms and instructions are yet available.

SELF-SERVICE CENTER

**APPOINTMENT OF CONSERVATOR FOR AN ADULT
(or person at least 17.5 years of age)**

**PART 3: PREPARING FOR AND
ATTENDING THE COURT HEARING**

CHECKLIST

You may use the forms and instructions in this packet if . . .

- ✓ You filed papers to request the court appoint a conservator for an incapacitated adult, **or** for a person who is at least 17 and a half years of age who will need a conservator as an adult;
- ✓ You gave or will give notice of the court filing to all interested parties;
- ✓ A court hearing is scheduled;
- ✓ The person to serve as conservator completed or will complete any court-ordered training before the hearing;* AND
- ✓ You need the paperwork to prepare for and take to the court hearing.

* See **Notice Regarding Training Requirement** in this packet.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____



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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of the Estate of: _____

Case Number: _____

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

A Deceased or Protected Person

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued, or within 30 days of a temporary or emergency appointment.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below: (Check all that apply and provide applicable information.)

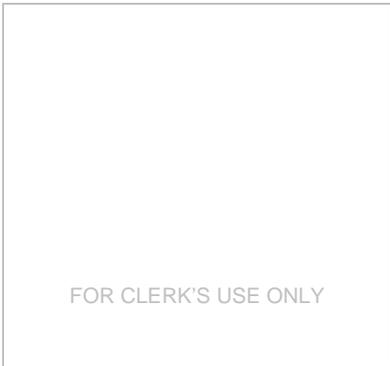
- | | |
|--|-----------------------|
| <input type="checkbox"/> Unlicensed Fiduciary | Date completed: _____ |
| <input type="checkbox"/> Conservatorship | Date completed: _____ |
| <input type="checkbox"/> Personal Representative | Date completed: _____ |
| <input type="checkbox"/> Guardianship | Date completed: _____ |

Date: _____

Signature _____

Printed Name _____

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.



Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Licensed Fiduciary Number: _____

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of the Conservatorship of:

Case No. _____

ACKNOWLEDGEMENT OF CONSERVATOR and LAWYER'S UNDERTAKING AND OBLIGATION

Name of the Protected Adult or Minor

I, _____, having been appointed by
(Conservator's Name)

the Superior Court of Arizona in Graham County as Conservator for the protected person
named above, hereby authorize _____ to
(Attorney's Name)

deposit all of the net conservatorship assets, in the amount of \$ _____

The assets will be deposited in a restricted account in my name _____ as the Conservator for:

(Name of the Protected Adult or Minor)

- This shall be a restricted account.
- No withdrawals of principal or interest will be permitted except by certified order of the Superior Court of Arizona in Graham County.
- Reinvestments may be made without an order of the Court as long as each account remains restricted and at the same financial institution.

Date

Conservator's Signature

Signed or Affirmed before me: _____ by _____
(Date)

Printed Name

My Commission Expires/: _____
Seal below:

Deputy Clerk or Notary Public

Case No. _____

LAWYER'S UNDERTAKING AND OBLIGATION

I, as an officer of this Court and as the attorney for _____
(Conservator's Name)

in this person's capacity as the conservator for _____
(Protected Person's Name)

hereby assume and undertake personal responsibility to the protected person and to the Court to make the above designated restricted deposit and to deliver to the Court a completed *Proof of Restricted Account* form evidencing the restricted deposit and the amount thereof within thirty (30) days from this date or to refund all of the funds to the Court immediately upon demand.

Date: _____

(Attorney's Signature)

(Attorney's Printed Name)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of the Conservatorship of:

Case Number: _____

Name of Protected Adult

ORDER TO CONSERVATORS for an ADULT AND ACKNOWLEDGMENT and INFORMATION TO INTERESTED PERSONS

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 person named above ("your protected person") are matters of great concern to this Court. By accepting appointment as conservator you have subjected yourself to the power and supervision of the Court. Therefore, to assist you in the performance of your duties, this order is entered. You must be guided by it and comply with its provisions, as it relates to your duties as a conservator of your protected person. As conservator, you must:

1. Immediately locate, identify and inventory all of the assets of the protected person and make proper arrangements for their protection, such as changing the locks on the house, renting a safe deposit box for important documents, etc.
2. Immediately begin to take title to all of the protected person's property. The property should be titled in the name of the conservatorship: "(Your name) as Conservator(s) of the estate of (Protected Person's Name), or (Protected Person's name by your name), Conservator."

In titling the protected person's property, you should take into account the protected person's existing estate plan (if any) unless the court orders you to do otherwise. If you have any question as to how you should title an asset (including whether you should maintain an existing account, or establish a new account that has a POD (payable on death) beneficiary designation or a trust account), you should consult with a qualified attorney or request instructions from the court.

3. If the Court has ordered you to place funds in a restricted account, you must immediately file a receipt from the bank or financial institution showing that you have deposited the money in an account which the bank has restricted in accordance with the Court order. The receipt should

include the name and address of the financial institution, the type of account, the account number and the amount deposited.

4. Record certified copies of your **Letters of Appointment** with the County Recorder in each county where the protected person owns property in order to protect title to those properties. If the protected person owns property in another state, record the **Letters** in the county in that state where the property is located as well.
5. File your formal Inventory with the Court **no more than 90 days** after your **Letters of Appointment**, whether temporary or permanent, were first issued. If you are filing it without an attorney, be sure to put the case name and number on all papers you file with the Court.
6. Keep detailed records of all receipts and expenditures you make on behalf of the protected person, including bills, receipts, bank statements, tax returns, bills of sale, promissory notes, etc. Open a separate conservatorship checking account for deposit of your protected person's income and other receipts, and payment of all bills and expenses. Avoid dealing in cash and do not write checks to "cash".
7. Unless ordered otherwise by the court, you must establish and file a budget, pay the protected person's debts when they become due, and properly invest the protected person's assets. You may hire accountants, attorneys and other advisors to help you carry out your duties as the size and the extent of the conservatorship estate may dictate.
8. Keep detailed records of the time you are spending in identifying, managing and protecting the conservatorship estate in case you later decide to ask the Court to be paid for your time from the conservatorship estate. Rule 33 (A) of the Arizona Rules of Probate Procedure and Arizona Revised Statutes § 14-5109 require that you provide written notice of the basis for any claim for compensation.
9. **File annual accountings** with the Court.
 - A. Unless otherwise ordered by the Court, your first accounting must reflect all activity relating to the conservatorship from the date your letters of appointment as conservator, whether temporary or permanent, were first issued through and including the last day of the ninth month after the date your letters of appointment as permanent conservator were issued. The accounting must be filed with the court on or before the first anniversary date of the issuance of your letters of permanent appointment as conservator.
 - B. Unless otherwise ordered by the Court, all subsequent accountings shall reflect all activity relating to the conservatorship estate from the ending date of the most recent previously filed accounting through and including the last date of the twelfth month thereafter, and must be filed with the court on or before the anniversary date of the issuance of your letters of appointment as conservator.
 - C. **Each accounting must list** all conservatorship property at the beginning of the accounting period and the conservatorship property at the end of the accounting period. It must describe all money and property received or paid out by you during the accounting period. As to money and property received, the accounting must state the date received, the source (who or where it came from), for what purpose, and the amount or value received. As to money and property disbursed (paid out), you must provide the date of each disbursement, who the money or property went to,

for what purpose, and the amount or value of the disbursement. With each accounting, you also must submit a bank statement or financial account statement that supports the ending balances of each account shown on the accounting.

10. **NEVER** use any of the protected person's money or property for any reason other than the protected person's direct benefit. You may not profit in any way from access to the protected person's assets. You have a legal duty of fairness and impartiality to the protected person. Neither you or your friends, nor other family members may profit by dealing in the assets of the conservatorship estate. You must be cautious and prudent in investing the protected person's assets.
11. You must make reasonable efforts to determine the preferences of the protected person regarding all decisions the fiduciary is empowered to make. If the protected person is unable to communicate his/or her current preferences, you must not make speculative investments. Do not purchase merchandise or services which the protected person would have considered extravagant or inappropriate for his/her lifestyle prior to your appointment. Use the assets to maintain the safety, health and comfort of the protected person, bearing in mind that the protected person may have no additional sources of income for the remainder of his/her life.
12. 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 protected person, or another interested person files a petition requesting the conservatorship be terminated. The petition should be filed if the protected person no longer needs a conservator because his or her disability has ceased, the estate has been exhausted, or the protected person has died. If the protected person is a minor who is not in need of protection as an adult, the petition should be filed when the minor reaches the age of 18.

Unless otherwise ordered by the court, before you can be discharged of liability in connection with the conservatorship and before your bond, if any, is released, you will need to either **file a final accounting** with the court, *or if the protected person has died*, and unless prohibited by order of the court, you may choose to instead **file a verified** (notarized) **statement**, that meets all the requirements of Arizona law, A.R.S. § 14-5419.

13. You must notify the court within ten (10) days of learning of the death of the protected person.
14. If you have any questions as to your duties as a conservator, contact an attorney who handles conservatorships **before** taking any action.
15. To be entitled to compensation for your services as conservator, you must be either related by blood or marriage to the protected person, or a licensed fiduciary. See A.R.S. §14-5651(K)(1).
16. WITHIN THIRTY (30) DAYS AFTER YOUR LETTERS OF CONSERVATOR ARE ISSUED, YOU MUST MAIL A COPY OF **THIS ORDER** TO THE FOLLOWING:
 - A. YOUR PROTECTED PERSON IF HE OR SHE IS AT LEAST 14 YEARS OF AGE;
 - B. YOUR PROTECTED PERSON'S ATTORNEY, SPOUSE, PARENTS, AND ADULT CHILDREN;
 - C. YOUR PROTECTED PERSON'S GUARDIAN IF ONE HAS BEEN APPOINTED; AND
 - D. ANY PERSON WHO HAS FILED A DEMAND FOR NOTICE IN THIS MATTER.

This is only an outline of some of your duties as 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.

Case Number: _____

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.

THIS ORDER shall be effective on _____, the minor's eighteenth birthday.

Dated: _____
Judge or Commissioner

In the matter of conservatorship for _____ :
Name of protected person

**ORDER TO CONSERVATORS AND ACKNOWLEDGMENT and
INFORMATION TO INTERESTED PERSONS**

ACKNOWLEDGMENT: By signing below I/we acknowledge receiving a copy of this order and agree to be bound by its provisions as long as serving as conservator whether or not read before signing.

Date Signed

Signature of Conservator

Printed Name

Date Signed

Signature of Co-Conservator (if applicable)

Printed Name

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of the Conservatorship of:

Case Number: _____

ORDER OF APPOINTMENT OF A PERMANENT CONSERVATOR OF AN ADULT

(Name of Protected Person)

for A MINOR AGED 17.5 OR OLDER to
become effective at age 18

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

The Court has read the sworn "*Petition for Appointment of Conservatorship*" and held a hearing to determine whether the court should enter the Order requested in the Petition.

THE COURT FINDS:

- A. Petitioner is entitled to file the Petition under Arizona law, A.R.S.14-5404(A);
- B. Petitioner has given "*Notice of Hearing*" as required by law or "*Notice of Hearing*" was waived by all interested parties;
- C. Venue in this county is proper;
- D. Any reports by health professional or court investigator have been considered by the Court;
- E. **Appointment of a conservator is necessary** because in accord with A.R.S. §14-5401:
 - 1. The proposed protected person is unable to manage his or her property and affairs effectively due to mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxication, confinement, detention by a foreign power, or disappearance; and
 - 2. The person has property that will be wasted or dissipated unless proper management is provided or because funds are needed for the support, care and welfare of the person or those entitled to be supported by the person, and that protection is necessary or desirable to obtain or provide funds.
- F. The person named below is eligible for appointment under A.R.S. §14-5410.

IT IS ORDERED:

1. **The Court appoints:** _____
as permanent conservator for the person to be protected named above.

The person to be protected is a MINOR, and the appointment is effective upon the minor's 18th birthday on this date: _____
(Month, Date, Year of Protected Person's 18th Birthday)

2. **BOND:** The Conservator must file a bond in the amount of \$ _____
with the Clerk of the Court, Probate Registrar by (date): _____
OR **Bond is not required.**

3. **ISSUANCE OF LETTERS:**

Upon filing of any required bond, **"Letters of Conservatorship of an Adult"** shall be issued by the Clerk of the Court, Probate Registrar,

SUBJECT TO THE FOLLOWING RESTRICTIONS:

RESTRICTED ACCOUNT: Funds shall be deposited into an interest bearing, federally insured restricted account at a financial institution engaged in business in Arizona. No withdrawals of principal or interest may be made without certified order of the superior court. Unless otherwise ordered by the court, reinvestment may be made without further court order so long as funds remain insured and restricted in this institution at this branch **(Arizona Rules of Probate Procedure, Rule 22 (C) 2).**

The Conservator may only hold funds in a depository which agrees to be bound by the terms of this Order and to make written proof of its agreement to be bound, including such proof of the account, the account number, the amount of the deposit, the notarized signature of the depository branch manager, and the agreement not to permit any withdrawal unless it is first provided with a certified copy of this Court's order permitting the withdrawal.

The following funds/accounts shall be restricted:

FILING PROOF OF RESTRICTED ACCOUNT: The conservator, the attorney for the conservator, the attorney for the protected person, or the attorney for the insurance company, is responsible for establishing the restricted account and filing proof with the Court within **30** days of this Order.

RESTRICTED REAL PROPERTY (real estate/land): No restricted realty shall be leased for a period of more than one year, sold, encumbered or conveyed without prior court order.

The following property or properties shall be restricted:

FILING PROOF OF RECORDED RESTRICTION: The conservator is responsible for filing proof of recorded restriction with the Court within 30 days of this Order.

4. **ACCEPTANCE OF LETTERS:** The Conservator shall sign the **“Acceptance of the Letters”** under oath or by affirmation, and file the **Acceptance** with the Clerk of the Court, Probate Registrar.

5. **INVENTORY and CREDIT REPORT:**

Within **90** calendar days of this date, the Conservator must prepare and file with the Clerk of the Court a **detailed inventory** of the protected person’s assets indicating fair market value, as required by A.R.S. § 14-5418, and **attach to the inventory a copy of the protected person’s credit report that is dated within ninety days before the filing of the inventory,**

OR

“Inventory” and Credit Report are waived and are **not** required to be filed with the court.

6. **ESTATE BUDGET**

Within **90** calendar days of the appointment date, the Conservator must prepare and file with the Clerk of the Court a detailed budget for the current year. A new budget must be prepared and filed with the Annual Accounting for each year thereafter. **Rule 30.3, A.R.P.P.**

7. **STATEMENT OF SUSTAINABILITY**

Within **90** calendar days of the appointment date, the Conservator must provide the court with an estimate as to whether the assets available to the Conservator are enough to meet the expenses of the protected person for the duration of time the protected person is expected to need care or fiduciary services. **Rule 30.2, A.R.P.P.**

8. **ANNUAL ACCOUNTING OF CONSERVATOR:**

The Conservator shall report to the Court on the administration of the protected person’s property by filing an annual accounting, and petitioning the court for approval of the accounting on or before the anniversary date of qualifying as conservator (the date of the **Letters of Appointment** as conservator), in accord with **A.R.S. § 14-5419.**

OR

Annual Accounting is waived and is not required to be filed with the court.

9. **CHANGE OF ADDRESS:** The Conservator shall immediately notify the Court in writing of any change in address of either protected person or conservator.

10. **OTHER DUTIES UNDER LAW:** The duties of the Conservator as required by Arizona law and as set forth in this Order and the Order to Conservator shall continue until the Conservator is discharged from these duties by order of this court.

11. **DISCHARGE OF ATTORNEY:**

The court-appointed attorney is discharged from further duties in this matter, or

The Court having found that the best interests of the protected or incapacitated person require continuing representation, the court-appointed attorney **is not discharged** from further duties in this matter,

DONE IN OPEN COURT: _____

Signature of Judicial Officer

Printed Name

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of Conservatorship for

Case Number: _____

LETTERS OF APPOINTMENT AS PERMANENT CONSERVATOR and ACCEPTANCE OF LETTERS

Name of Protected Adult Minor

ISSUANCE OF LETTERS:

1. (Conservator's Name:) _____
is appointed as conservator for the above named adult or minor.
2. **Reason for appointment:** The adult or minor named in the caption above is a protected person.
3. **Length of appointment:** until further order of this court.
4. **Restrictions** that apply to this permanent appointment, by order of the court:

- Restrictions above affect the conservator's ability to manage monetary assets of the estate; therefore, in accord with Rule 22 (C) (2), Arizona Rules of Probate Procedure:**
Funds shall be deposited into an interest-bearing, federally insured restricted account at a financial institution engaged in business in Arizona. No withdrawals of principal or interest may be made without certified order of the Superior Court. Unless otherwise ordered by the court, reinvestment may be made without further court order so long as funds remain insured and restricted in this institution at this branch.

WITNESS: _____

CLERK OF THE SUPERIOR COURT

SEAL: _____

By: _____
Deputy Clerk

Case No. _____

ACCEPTANCE OF LETTERS OF APPOINTMENT

State of Arizona)
Graham County) ss.

I accept the duties as permanent conservator of _____
(Name of Protected Person)

and

I swear or affirm that I will perform these duties according to law.

Signature of Conservator

Printed Name of Conservator

Sworn to or affirmed before me this date: _____

CINDY WOODMAN, Clerk of Superior Court

Notary

OR

My commission expires: _____
(or Seal below)

By: _____
Deputy Clerk of Court