Name of Person Filing Document: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Attorney Bar Number (if applicable): _____

Licensed Fiduciary Number (if applicable): _____

Representing [ ] Self or [ ] Attorney for: _____

FOR CLERK'S USE ONLY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF _____

In the Matter of the Guardianship of

Case Number: _____

ORDER TO GUARDIAN AND ACKNOWLEDGEMENT AND INFORMATION TO INTERESTED PERSONS

_____
Ward's Name,

[ ] a Minor
[ ] an Adult

_____
(Assigned Judicial Officer)

Warning: This 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 ward") are matters of great concern to this Court. By accepting appointment as guardian 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 are required to be guided by it and comply with its provisions, as it relates to your duties as guardian of your ward as follows:

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 encouraging and allowing contact between your ward and other persons who have a significant relationship with your ward, unless there is reason to believe that contact would be detrimental to the ward's health, safety, or welfare.

5. 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. However, you are to use the least restrictive means and environment available that meet your ward's needs.

6. You may arrange for medical care to be provided even if your ward does not wish to have it, **but you may not place your ward in an inpatient psychiatric facility against your ward's will unless the Court specifically has authorized you to consent to such placement.**

7. You are required to notify the ward's family members as soon as practicable if your ward is admitted to a hospital for more than 3 days or if your ward dies.

8. **You may handle small amounts of money or property belonging to your ward without being appointed as a conservator**. A "small amount" means that the ward does not receive income (from all sources) exceeding **$10,000 per year**, does not accumulate excess funds exceeding that amount, and does not own real property. **If more than these amounts come into your possession, or are accumulated by you, you are required to petition the Court for the appointment of a conservator.**

9. 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 monies you receive for your ward's current support, care, and education needs;

c. Conserve any excess funds not so spent for your ward's future needs;

d. Maintain your ward's funds in a separate account, distinct from your own and identified as belonging to the ward;

e. Maintain records of all of the ward's property received and expended during the period of the guardianship;

f. Account to your ward or your ward's successors at the termination of the guardianship; and

g. Not purchase, lease, borrow, or use your ward's property or money for your benefit or anyone else's, without prior Court approval.

10. 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 limited to, direct or indirect payments of money, "kickbacks," gifts, favors, and other kinds of personal benefits. If you believe a certain placement or service, that might otherwise be considered self-dealing or a conflict of interest, is in the best interest of your ward, you must document to the Court your reasoning for selecting such placement or service and obtain Court approval.

11. You will need to obtain a certified copy of the **Letters of Appointment** that 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 this document 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.

12. 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 (if there is no conservator) your ward's financial situation. Your report is due each year on the anniversary date of the issuance of your **Letters of Appointment** as permanent guardian.

13. 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. If your ward dies, you shall notify the Court in writing of the ward's death within **ten (10)** days of learning that the ward has died.

14. You must be conscious at all times of the needs and best interests of your ward. If the circumstances that made a guardianship necessary should end, you are responsible for petitioning the Court to terminate the guardianship and obtaining your discharge as guardian. Even if the guardianship should terminate by operation of law, you will **not** be discharged from your responsibilities until you have obtained an Order from this Court discharging you.

15. If you become 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.

16. If you have **any** questions about the meaning of this Order or the duties that it and the statutes impose upon you by reason of your appointment as guardian, you should consult an attorney or petition the Court for instructions.

17. If you are not a licensed fiduciary and are not related by blood or marriage to the ward, you are not entitled to compensation for your services as the ward's guardian. *See* A.R.S. §14-5651(K)(1).

18. Within **thirty (30)** days after your **Letters of Appointment** as guardian are issued, you must mail a copy of this **Order to Guardian and Acknowledgement and Information to Interested Persons** to the following:

a. Your ward;

b. Your ward's attorney, spouse, parents, and adult children;

c. Your ward's conservator if one has been appointed for your ward; and

d. Any person who has filed a demand for notice in connection with this matter.

This is only an outline of **some** of your duties as guardian. 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 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 (18th) birthday.

DATED this ___ day of _____, 20 ___.

_____
Judicial Officer's Signature

_____
Judicial Officer's Name (Type or Print Name)

Case Number: _____

ACKNOWLEDGEMENT

I (We), the undersigned acknowledges receiving a copy of this Order and agree~~s~~ to be bound by its provisions, whether or not read before signing, as long as serving as guardian.

_____ _____

Guardian's Signature Date

_____

Guardian's Name (Type or Print Name)

_____ _____

Co-Guardian's Signature (if any) Date

_____

Co-Guardian's Name (Type or Print Name)