

Agenda

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

August 15, 2019

12:00 to 2:00 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street, 1st floor
Large Conference Room B and C

12:00 p.m.	Welcome, minutes, housekeeping		Judge Brady
12:15pm	Futures Strategies and Training to Advance Greater Elder Safety STAGES Conference		Nan Mendenhall Michelle Wilkes
12:25 p.m.	Guardianship Signature Program Update		Shane Bahr Michelle Wilkes Andrew Riggle
12:50 p.m.	Clerical Education: <ul style="list-style-type: none">• Update of the clerical manual (see Tab 2)• Form Subcommittee (clerical staff, public guardian, private practitioners)	Tab 1	Subcommittee Rob Denton Xia Erickson Kent Alderman Joanne Sayre Cora Gant
1:20 p.m.	Guardianship Data	Tab 2	Judge Kelly
1:40 p.m.	Collaboration with Tribes Update		James Toledo

Committee webpage: <http://www.utcourts.gov/utc/wings>

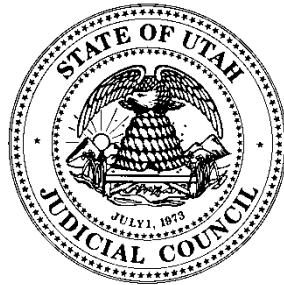
2019 schedule: October 17, December 19.

Tab 1



Utah State Courts

Guardianship and Conservatorship Case Management



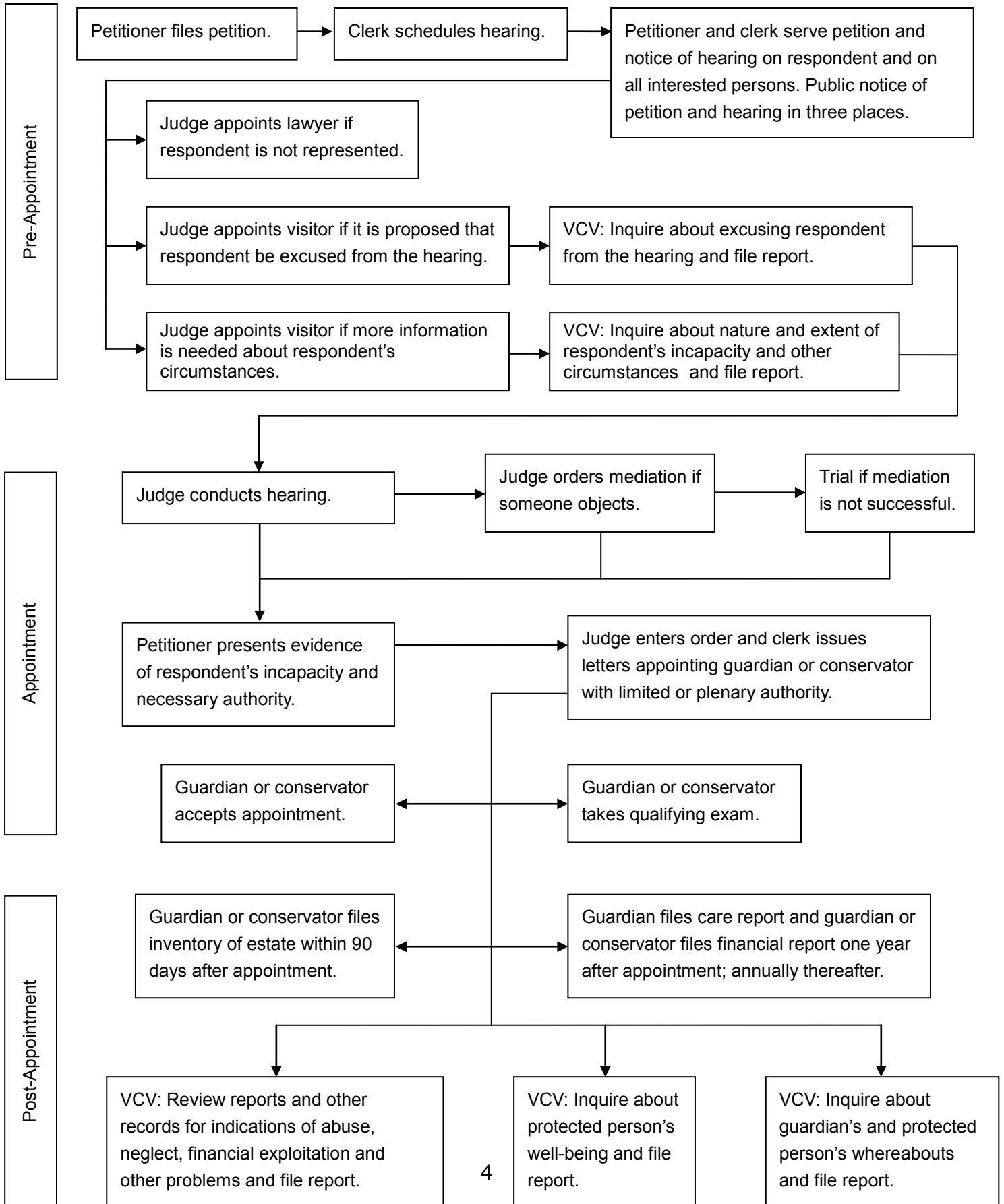
March 1, 2013

Guardianship and Conservatorship Case Management

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(1) Summary of the process



(2) Nature of the office

A **guardian of an adult** is a person or institution appointed by a court to make decisions about the personal well-being — residence, healthcare, nutrition, education, personal care, etc. — of an incapacitated adult, who is called a “protected person.” “Incapacity” means that the protected person’s ability to make or communicate responsible decisions is so impaired that injury or illness may occur because the protected person is unable to care for personal safety or to attend to and provide for such necessities as food, shelter, clothing and medical care.

A **conservator of an adult** is a person or institution appointed by the court to make decisions about a protected person’s estate. A person does not have to be incapacitated to have a conservator appointed. A conservator may be appointed if the respondent is unable to manage his or her property effectively and a conservator is needed to:

- prevent the respondent’s property from being harmed; or
- obtain or provide funds for the respondent’s support or the support of those entitled to be supported by the respondent.

The protected person’s estate includes all of his or her property, business and personal. Some examples are income (such as wages, an annuity, or Social Security or other government benefits), real property (buildings and land), furniture, cash, bank accounts, certificates of deposit, stocks, bonds, retirement benefits, motor vehicles, and valuables such as jewelry, tools, furs and art. A conservator must use reasonable care, skill and caution to manage and invest the estate to meet the protected person’s needs over his or her expected life.

Under appropriate facts, the court might appoint a guardian or a conservator or both. The guardian and the conservator might be two different people, or they might be the same person. If there is no conservator, the guardian has some of the conservator’s responsibilities.

If the protected person needs help in some but not all areas of decision making, the court will order a limited guardianship. Under Utah law, a limited guardianship is preferred, and the court will grant a full guardianship only if no alternative exists. A limited guardian has only those powers listed in the court order. The court can also limit the authority of a conservator.

A **guardian of a minor** may be nominated by the minor’s parent in a will or other signed writing. The appointment of a nominee made in a parent’s will becomes effective when the nominee files his or her acceptance in the court that probates the will. The appointment of a nominee made in a parent’s other signed writing becomes effective when the court appoints the nominee upon petition. If there is no nominee, any interested person may petition the court to appoint a guardian for a minor.

A **conservator of a minor** is appointed using the same procedures as for an adult and has the same authority and responsibility as a conservator for an adult, but the grounds for appointment are: the minor has money, property or business affairs that require a conservator to manage, or that funds are needed for the minor's support and education and a conservator is needed to obtain or provide funds.

(3) Case initiation (adults and minors)

1) From the Primary Menu, select Case > Case Filing > Probate > Case Type > Conservatorship OR Guardianship.

2) Tab to the Name line and enter the name of the respondent (the person the appointment is for).

3) Tab to Party and select the appropriate party type for the Respondent (ICP: incompetent/incapacitated person, MIN : minor, PTP: protected person) and enter the appropriate information.

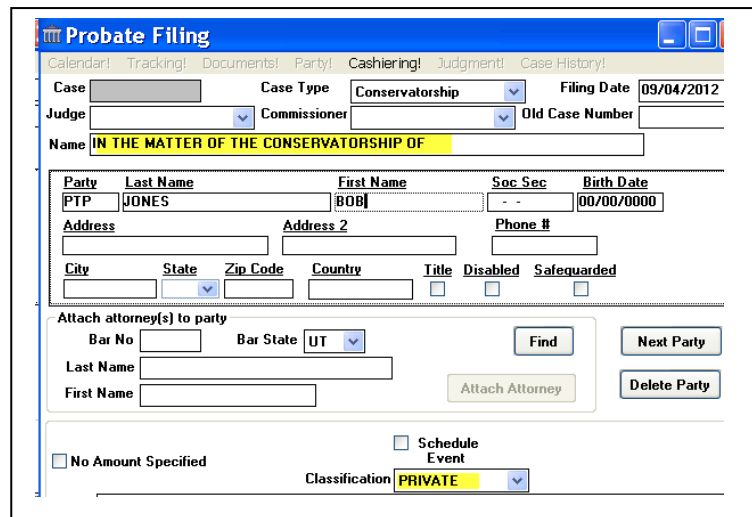
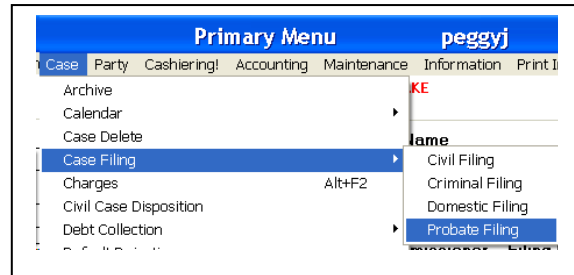
Press the Next Party button and select PET from the drop down box. Enter the address and any other information available. Use Attach the attorney(s) to party to enter the information for each party's attorney if they are represented by counsel. (DCCTR: Attach an Attorney.)

4) Press the Accept Fee button.

This brings up the probate case number and the judge assignment for the case before the Cashiering Screen displays. (DCCTR: Cashiering.)

5) The Civil Fee Document screen opens and displays the document title "Complaint No Amount Probate". Enter the actual name of the document. Select Enter.

6) Calendar the hearing. (DCCTR: Calendaring).



(4) Preparing for the hearing (adults)

As you will see from the description below, things happen very quickly at [the hearing](#). That is why it is important to closely review the file before the hearing to make sure that

everything-that-is-supposed-to-have-happened has happened. See also the form [Checklist to Prepare for the Hearing](#) and the end of this manual.

(a) Does the respondent have a lawyer?

Utah Code [Section 75-5-303](#) requires that the court appoint a lawyer for the respondent if the respondent does not have a lawyer.

(b) Will the respondent attend the hearing?

Utah Code [Section 75-5-303](#) requires that the respondent attend the hearing except in a few circumstances.

(c) If not, has a visitor been assigned?

If it is proposed that the respondent not attend the hearing, either the petitioner must present clear and convincing evidence from a physician that the respondent:

- has fourth stage Alzheimer's Disease;
- is in an extended coma; or
- has an intellectual disability with IQ under 25.

Or the court must order an investigation by a court visitor.

In the pilot districts (Districts 3, 4 and 7), contact one of the coordinators for the Volunteer Court Visitor Program (email: visitor@utcourts.gov or see the court's webpage <http://www.utcourts.gov/visitor/>), and she will prepare an order assigning a volunteer court visitor.

(d) Does the respondent want to be examined by a physician or interviewed by a court visitor?

Utah Code [Section 75-5-303](#) permits the respondent to demand either or both. There are no physicians on call. There are no visitors on call except in the pilot districts (Districts 3, 4 and 7). Contact one of the coordinators for the Volunteer Court Visitor Program (email: visitor@utcourts.gov or see the court's webpage <http://www.utcourts.gov/visitor/>), and she will prepare an order assigning a volunteer court visitor.

(e) Does the judge want more information about the respondent's circumstances?

Utah Code [Section 75-5-303](#) permits the judge to direct an inquiry by a visitor into the respondent's circumstances. In the pilot districts (Districts 3, 4 and 7), contact one of the coordinators for the Volunteer Court Visitor Program (email: visitor@utcourts.gov or see the court's webpage <http://www.utcourts.gov/visitor/>), and she will prepare an order assigning a volunteer court visitor.

(f) Is an interpreter needed?

[Rule 3-306](#) requires that the court appoint an interpreter for any person who is unable to understand or communicate in English. If an interpreter is needed, contact your court's interpreter coordinator.

(g) Are all required documents in the file?

- Petition
- Notice of hearing
- Schedule A (List of persons to be served with petition and notice of hearing)
- Proof of service (on respondent, respondent's spouse, respondent's parents) at least 10 days before the hearing
- Certificate of mailing (to everyone else on Schedule A) at least 10 days before the hearing
- Clerk's certificate of posting public notice at least 10 days before the hearing
- Physician's report; other statements or affidavits about respondent's capacity
- Other documents often filed with the petition, but not necessary until appointment:
 - Completion of Testing Certificate
 - Acceptance of Appointment
 - Proposed Order
 - Letter of Guardianship or Letter of Conservatorship

(5) The hearing (adults)

The court will set a date for a hearing when the petition is filed. This hearing is not a trial with testimony by witnesses, although the judge may ask questions. The judge will consider:

- whether the petitioner has the necessary claims and proof;
- whether proper notice of the petition and hearing has been given;
- whether the respondent is present or has been excused from attending the hearing;
- whether there is a need to assign a physician or court visitor;
- whether there is a need to appoint a lawyer to represent the respondent;
- whether the necessary documents have been filed (See list above.);
- whether the proposed guardian or conservator is required to take the test and file the declaration of completion of testing; and
- whether there are any objections.

Unless someone objects to the petition, the judge will appoint the guardian or conservator at the hearing. If there is an objection, the case will be referred to mediation or set for trial at which the petitioner will have to prove the claims made in the petition.

(6) After the guardian or conservator has been appointed (adults and minors)

1) After the guardian or conservator has been appointed, go to the Name/Address screen with the name the party the court has appointed selected. Check the box Retain Data for new party and select Add Party button.

Civil Case Disposition

Case: 123000004 | Conservatorship

Name: IN THE MATTER OF THE CONSERVATORSHIP OF

Case Assigned Judge: thanson

Date: 09/04/2012

Disposition: **Granted**

Judge: HANSON, TIMOTHY R.

Commissioner: [dropdown]

2) Choose the appropriate party type for the guardian/conservator (GUA Guardian, GCN Guardian Conservator, CON Conservator,) and enter them as the new party.

3) If no post-judgment reporting is required, select the appropriate reason from the drop down box under No annual reporting. (See the next section for guidelines on post-judgment reporting.

4) From the primary menu go to Case>Civil Case Disposition. Enter the date the case was disposed, the status of the disposition and the judge/commissioner making the order.

Name/Address

Case: 123000004 | Conservatorship

Last Name: ANDERSON | Party: Conservator

First Name: STAN | Disability:

Address: 460 S STATE | Residence #: [] | Fax #: []

City/Zip: SALT LAKE CITY | UT | 84114 | Social Security Number: [] | Inmate Number: []

Birth Date: 00/00/0000 | Gender: Male Female | Driver License/State ID #: [] | State: []

Employer Information: [] | Name: [] | Phone number: []

Address: [] | Email Address: []

Case Reference Num: [] | Parties: []

Dismissed No annual reporting Safeguarded Retain Data for new party

Parties dropdown: Count Guarded Account, Minor (for attending school), Parent

(7) Reports (adults and minors)

(a) The reports are required (mostly)

No inventory is necessary if:

- the guardian or conservator is the parent of the protected person;

No annual status report is necessary if:

- the guardian is the parent of the protected person; or
- the protected person is a minor and the appointment is for school attendance.

No annual financial accounting is necessary if:

- the guardian or conservator is the parent of the protected person;

- the protected person is a minor whose estate is in a restricted account requiring a court order to withdraw funds; or
- the protected person is a minor who has no estate.

Otherwise, Utah Code [Section 75-5-312](#) and [Section 75-5-417](#) and [Rule 6-501](#) require that the guardian and conservator file reports with the court. The court can impose a \$5,000 penalty if they:

- willfully fail to file a report;
- make a substantial misstatement in a report; or
- are guilty of gross impropriety in handling the protected person's property.

(b) Inventory of the protected person's property

Within 90 days after being appointed, the conservator — or the guardian if there is no conservator — must identify, locate and inventory the protected person's property and file the inventory with the court. Utah Code [Section 75-5-418](#) and [Rule 6-501](#).

(c) Annual status report

A guardian must report annually to the court on the protected person's care and status. Utah Code [Section 75-5-312](#). The report shows what and how the protected person is doing and alerts the court to changes.

(d) Annual financial accounting

A conservator — or the guardian if there is no conservator — must annually account to the court for the protected person's estate. Utah Code [Section 75-5-312](#) and [Section 75-5-417](#).

If the protected person's estate is limited to payments from a state or federal agency that requires an annual accounting, the guardian or conservator may file with the court a copy of the agency's form.

(e) Final accounting

The conservator — or the guardian if there is no conservator — must file a final accounting with the court if:

- the guardian or conservator resigns or is removed;
- the protected person dies;
- the court ends the guardianship or conservatorship because the protected person regains capacity; or
- the court transfers the guardianship or conservatorship to another state.

The reporting period will be from the date of the most recently filed accounting to the date the guardianship or conservatorship ends. Utah Code [Section 75-5-419](#).

(f) Reporting procedures

The deadlines are:

Document	Who Files?	Due Date
Inventory	Conservator*	Within 90 days after the appointment.
Annual Status Report	Guardian	Within 60 days after each anniversary of the appointment.
Annual Financial Accounting	Conservator*	Within 60 days after each anniversary of the appointment.
Final Financial Accounting	Conservator*	Upon resignation or removal of the guardian or conservator or upon termination of the guardianship or conservatorship or transfer to another state.

* Filed by the guardian if there is no conservator.

The guardian or conservator must file the documents with the court that made the appointment unless there has been a change of venue. The guardian or conservator must serve a copy of the inventory, status report and financial accounting, along with a notice of right to object, on:

- the protected person (if s/he is of an appropriate age and mental capacity to understand the proceedings);
- the protected person’s guardian or conservator (if the court has appointed separate people);
- the protected person’s spouse, adult children, parents and siblings; and
- anyone requesting notice under Utah Code [Section 75-5-406](#).

Code of Judicial Administration [Rule 6-501](#).

The guardian or conservator may serve the documents by mail, email or hand delivery. If anyone objects to the filing or if the judge has further questions, the judicial assistant will schedule a hearing. Code of Judicial Administration [Rule 6-501](#).

(g) Computer entries for reports

Four probate document types may be selected from the drop down box to help in tracking the required probate post-judgment reports.

They are:

- 1) Accounting and Status - Probate
- 2) Annual Accounting - Probate
- 3) Final Accounting - Probate
- 4) Inventory - Probate

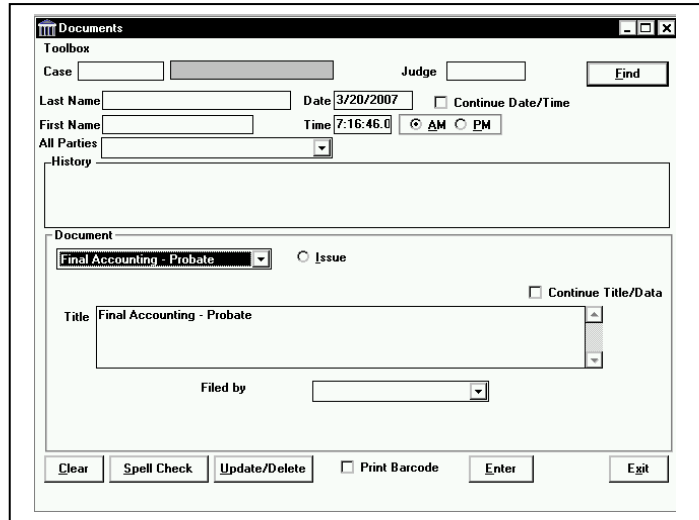
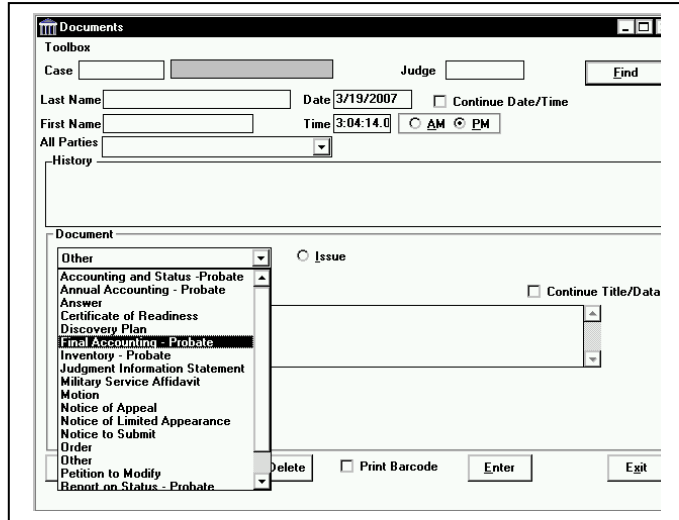
After selecting one of the above options, the Filed by box will appear and all parties names attached to the case will be displayed. When the party that filed the document being entered is selected, a case history note of the document filing and the party name will be created.

Example:

Filed: Inventory - Probate

Filed By: John Doe

Selecting the party who filed the document will allow for accurate record keeping. This is especially important when there are separate guardians and conservators, or a current guardian or conservator as well as a prior guardian or conservator.



(h) Setting up tracking on annual accountings and other reports

The dates the required reports are due should be entered into CORIS when the appointment is made. CORIS will help monitor if reports are filed timely. To enter dates:

- 1) Go to Guardian Conservator Reporting. This screen can be reached 3 different ways.
 - a. Primary >Case > Management > Guardian Conservator Reporting

or

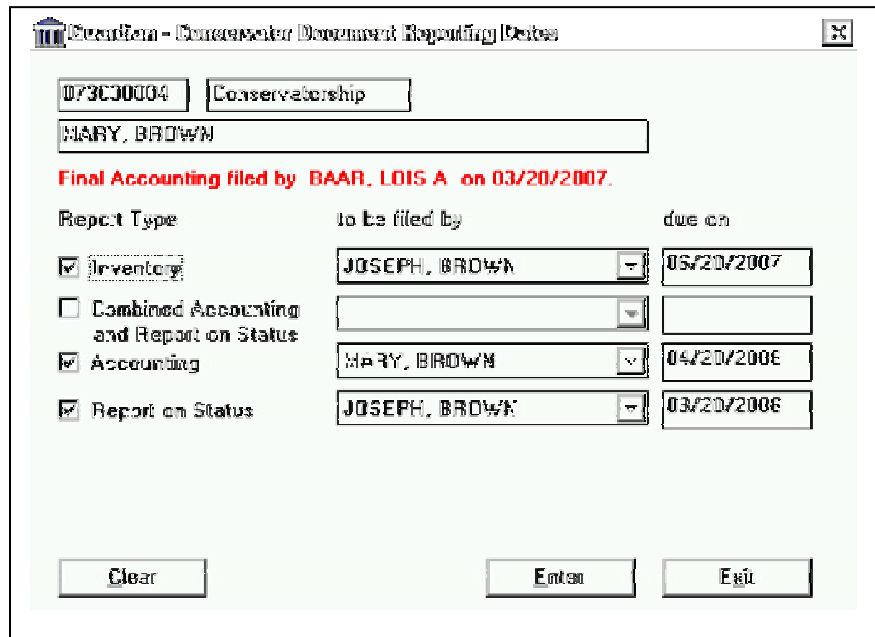
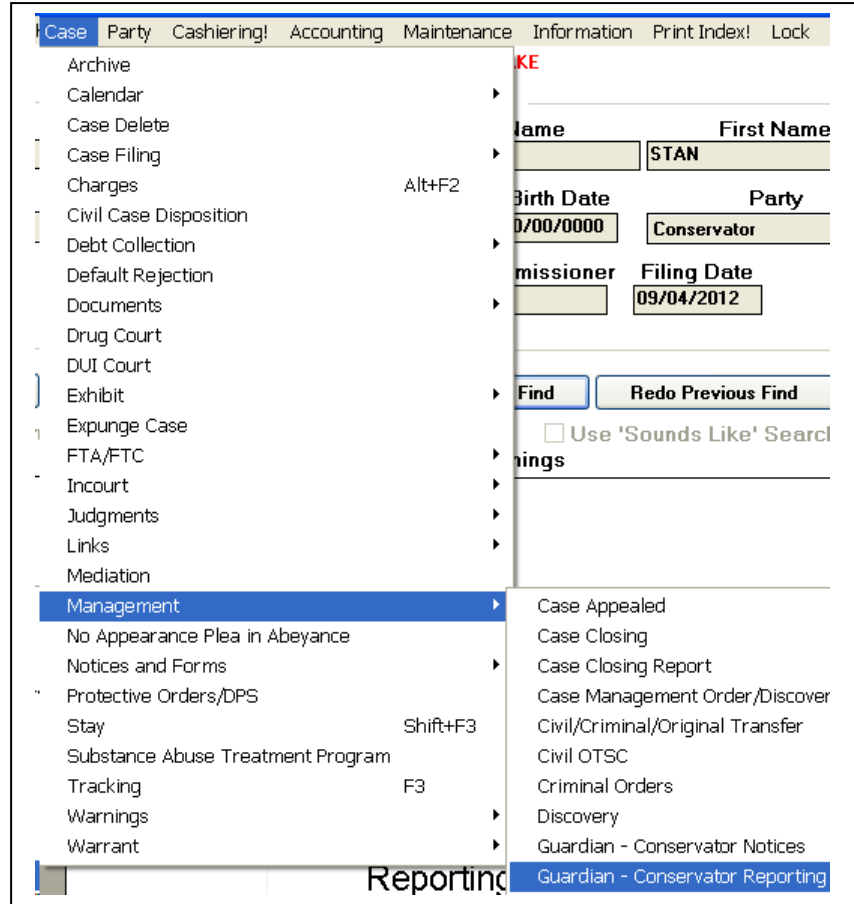
- b. Primary >Case > Incourt > New Minutes. Guardian Conservator Reporting.

or

- c. Primary >Case > Documents (F5) > Toolbox > Guardian Conservator Reporting.

- 2) Under Report Type, select all the report types to be filed. You can select Inventory with Combined Accounting and Report on Status on Status, or just Inventory with the Accounting only. Under to be filed by, select the party responsible to file each report. Under due on, enter the date each report is due.

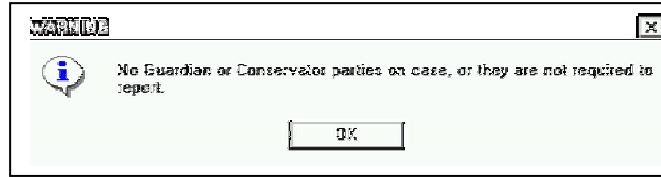
The Inventory due date, for example, is 90 days from the date the order appointing the guardian or conservator is signed. The other due dates should be one year from the date of appointment.



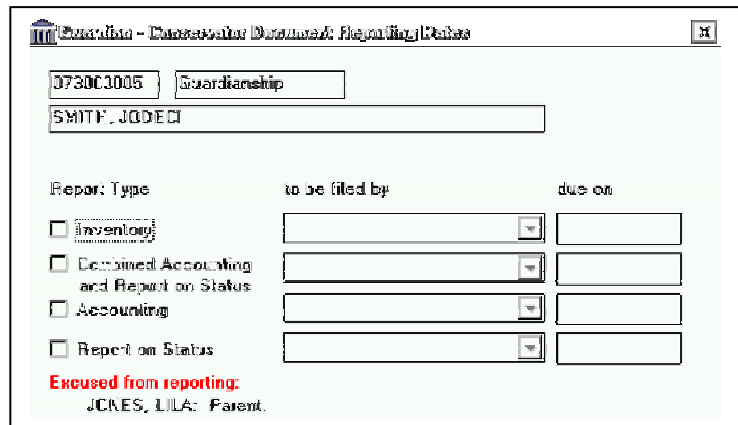
NOTE: This may vary if the judge approved different dates for the convenience of the guardian or conservator.

(i) Updating tracking on annual accountings and other reports

When each tracked report has been filed and accepted by the court, go to this screen and change the date to the next due date. This will trigger the automatic Notice and Order to Show Cause on the next due date.



NOTES: If a clerk tries to set a report due date on a case that does not require post-judgment reporting or does not have a party type of Guardian or Conservator, this warning will display.

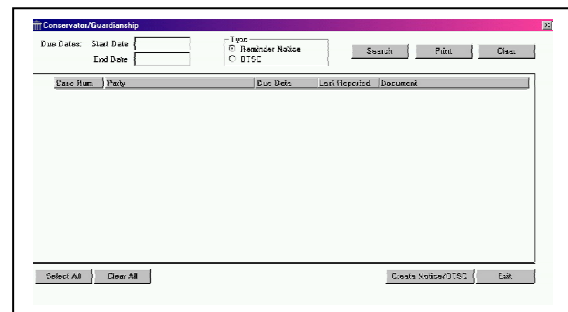


A date cannot be added on this screen until the Guardian or Conservator party has been added in the Name/Address screen.

If No annual reporting was entered on the Name/Address screen, a warning “Excused from Reporting” will display on the Reporting Dates screen. No parties will be listed in the drop down box.

(j) Generating notices for post-judgment reporting

The Guardian Conservator Notices screen is used to track when reports are due, prepare reminder letters, and set up the order to show cause process.



- 1) Select Case > Management > Guardian Conservator Notices
- 2) The Conservator/Guardianship screen will display. Determine the period of time for which to check for post-judgment reports due the court. Enter the Start Date and End Date for the period of time. Using Type, select the document to prepare reminder Notices or Order to Show Causes and select Search.

3) Depending on the selection, this search will pull all cases that require a reminder notice or an Order to Show Cause in the Due Date time period.

4) A list of cases that meet the criteria of the search will display. To create a notice or Order to Show Cause, select the box next to the case number and the Create

Case Num	Party	Due Date	Last Reported	Document
<input type="checkbox"/> 83300005	GEN GUARDCONS TEST	3/1/2007		Accounting and Status - Probate
<input type="checkbox"/> 83300005	GEN GUARDCONS TEST	3/1/2007		Inventory - Probate
<input type="checkbox"/> 87300001	CON TRUSTEES BANK	3/19/2007	2/23/2007	Inventory - Probate
<input type="checkbox"/> 87300002	CON TEST	3/2/2007		Accounting and Status - Probate
<input type="checkbox"/> 87300002	CON TEST	3/1/2007		Inventory - Probate

Notice/OTSC button. The Notice or Order to Show Cause will be prepared and sent to the print index.

NOTE: If the OTSC Type was selected, an OTSC hearing must be calendared. The notice screen will display to set up notices.

(8) Monitoring the guardian or conservator

An incapacitated person for whom a guardian or conservator has been appointed is at risk of being abused, neglected (including self neglect) and financially exploited. That harm might come from the guardian or conservator or from someone else because the guardian or conservator is not doing a good job of protecting the protected person.

Indications of harm and risk of harm might be in the annual reports filed by the guardian or conservator. In the pilot districts (Districts 3, 4 and 7), the judge can assign a volunteer court visitor to audit the annual reports and other records to see whether any indications are present. In Districts 3, 4 and 7, the judge can assign a volunteer court visitor to inquire further about the protected person’s well-being — by observing the protected person’s living circumstances and interviewing the guardian or conservator, the protected person and others in the protected person’s life. Contact one of the coordinators for the Volunteer Court Visitor Program. (email: visitor@utcourts.gov or see the court’s webpage <http://www.utcourts.gov/visitor/>), and she will prepare an order assigning a volunteer court visitor.

In any district, the judge can schedule a hearing and personally interview the guardian or conservator, the protected person and others in the protected person’s life.

(9) Cannot locate the guardian or conservator

If it comes to your attention that the guardian or conservator has moved, try to re-establish contact immediately. Similarly, if the protected person moves, try to re-establish contact immediately. The guardian or conservator is supposed to notify the court if either happens, but s/he often does not. The sooner the effort is made to try to find the guardian or conservator or protected person, the more likely the effort will be successful. The most common scenario is that the guardian or conservator has failed to file an annual report, and the court’s OTSC has been returned as undeliverable.

If you cannot find the guardian or conservator or protected person, contact one of the coordinators for the Volunteer Court Visitor Program (email: visitor@utcourts.gov or see the court's webpage <http://www.utcourts.gov/visitor/>), and she will prepare an order assigning a volunteer court visitor to try to re-establish contact. This service is available for all districts, not just the pilot districts.

(10) Further proceedings

(a) Moving the protected person to a different residence. (adults and minors)

The guardian does not need the court's permission to move the protected person to another residence within Utah, but must notify the court of doing so 10 days before the move and provide the court with the protected person's new address. The guardian must also notify the other interested persons. [Utah Code Section 75-5-312](#).

The guardian or conservator must also notify the court if they move. [Rule of Civil Procedure 76](#).

(b) Moving a guardianship or conservatorship from one county to another within Utah (adults and minors)

The guardian or conservator does need the court's permission to move the guardianship or conservatorship to another county within Utah. Moving the protected person to another residence within Utah, even if the residence is in a different county, is different from moving the guardianship or conservatorship itself to another county. It is possible for the protected person to move without moving the guardianship or conservatorship itself, and it is possible to move the guardianship or conservatorship without moving the protected person.

Moving the guardianship or conservatorship to another county within Utah is called a "change of venue," and the guardian or conservator needs the court's permission. If it would be more convenient to report to a district court in a county other than the one that made the appointment, the guardian or conservator can file a motion to change venue. Utah Code [Section 75-5-302](#) and [Section 75-5-403](#).

(c) Asking for instructions, sanctions, etc.

Over the course of a protected person's life, the guardian or conservator, the protected person, or someone interested in the protected person may file a petition for some type of court order:

- A few of the guardian's and conservator's decisions have to be approved by the judge. The guardian or conservator might want the extra protection of having a particularly controversial decision approved by an independent authority. Or someone might want the judge to direct the guardian or conservator to decide or act in a particular way.

- If the protected person's incapacity becomes better or worse, the guardian and conservator may need less or more authority than given in the previous order and letter of appointment.
- If the guardian or conservator has harmed the protected person, the judge can impose sanction against the guardian or conservator. The harm might have been physical, emotional or financial.

(11) Terminating the guardianship (adults and minors)

(a) Transfer to another state

To transfer a guardianship or conservatorship to another state, the guardian or conservator must petition the Utah district court for permission. Notice of the petition must be served on the persons who would be entitled to notice of a petition for the appointment of a guardian or conservator.

The Utah court may hold a hearing and will issue an order provisionally granting the petition to transfer if the court is satisfied that:

- the guardianship or conservatorship will be accepted by the court in the other state;
- the protected person is present in or is reasonably expected to move permanently to the other state, or, if the proceeding is a conservatorship, the protected person has a significant connection to the other state;
- there is no objection to the transfer, or, if there is an objection, the objector has not established that the transfer would be contrary to the interests of the protected person; and
- plans for care and services in the other state for the protected person are reasonable and sufficient, and arrangements for management of the protected person's property are adequate.

The order will direct the guardian or conservator to petition for guardianship or conservatorship in the other state. The Utah court will issue a final order confirming the move and terminating the Utah guardianship or conservatorship upon receipt of both a provisional order from the court of the other state accepting the proceeding and the documents required to terminate the Utah guardianship or conservatorship.

Utah Code [Section 75-5b-301](#).

(b) Adult protected person regains capacity; minor marries, reaches age 18 or is adopted

The protected person or anyone interested in the protected person's welfare may file a motion or letter with the court asking that the court terminate the guardianship or conservatorship because the protected person has regained capacity. Anyone who knowingly interferes with this request may be guilty of contempt of court.

If the order adjudicating incapacity and appointing the guardian specifies a minimum period during which no one is permitted to claim that the protected person is not incapacitated, the person filing the motion or letter will first have to ask the court for permission to do so. The minimum period can up to one year.

If the appointment is of a guardian, the court will follow the same procedures to safeguard the protected person's rights as provided in Utah Code [Section 75-5-303](#). Since the protected person's incapacity is at issue, the court is required to appoint an attorney to represent the protected person. If the appointment is of a conservator, the court will follow the same procedures to safeguard the protected person's rights as provided in Utah Code [Section 75-5-407](#).

- Utah Code [Section 75-5-307](#).
- Utah Code [Section 75-5-430](#).

If a minor for whom there is a guardian or conservator marries, reaches age 18 or is adopted, the guardian's or conservator's authority and responsibility terminates.

- Utah Code [Section 75-5-210](#).
- Utah Code [Section 75-5-430](#).

(c) Death of protected person

If the protected person dies, the guardian or conservator must notify the court and interested persons immediately and file a copy of the death certificate with the court. If a protected person dies, the conservator must also:

- deliver the protected person's will to the court and inform the executor or a beneficiary named in the will that you have done so;
- continue to pay the protected person's obligations and protect the estate from harm; and
- deliver the balance of the estate to the protected person's personal representative or to others who are entitled to it.

(12) Temporary guardianship (adults)

Under Utah Code [Section 75-5-310](#), the court may appoint a temporary guardian if:

- an emergency exists; and
- the respondent's welfare requires immediate action; and
- the respondent has no guardian or the guardian is not effectively performing their duties.

The appointment of a temporary guardian is not a determination of the respondent's incapacity. The appointment of a temporary guardian can be without notice to anyone. The order will designate a period of days (not to exceed 30 days) during which the temporary guardian has authority to make decisions on the respondent's behalf. The order might limit the areas in which the temporary guardian can make decisions.

Within 5 days after the order, the court must hold a hearing and begin the process to determine the respondent's incapacity.

The temporary guardian is responsible for the respondent's care and custody and must not permit the respondent to leave Utah. The authority of any previously appointed guardian is suspended so long as a temporary guardian has authority.

Utah law does not provide for the appointment of a temporary conservator. Utah law does not provide for the appointment of a temporary guardian for a minor.

(13) Checklist to prepare for the hearing

In the Matter of Protection for _____, Respondent	Case Number _____ Judge _____
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- Will the respondent attend the hearing?
 - Yes
 - No
- If not, has a visitor been appointed?
 - Yes
 - No — Petitioner claims clear and convincing evidence from a physician that respondent has fourth stage Alzheimer’s, extended coma, or an intellectual disability with an IQ of less than 20 to 25.
 - No— Petitioner has **not** claimed clear and convincing evidence. (Assign court visitor.)
- Does the respondent have a lawyer?
 - Yes
 - No (Appoint lawyer.)
- Does the respondent want to be examined by a physician or interviewed by a court visitor?
 - Yes (Assign physician or court visitor.)
 - No
- Does the judge want more information about the respondent’s circumstances?
 - Yes (Assign court visitor.)
 - No
- Is an interpreter needed?
 - Yes — What language? _____ . (Contact interpreter coordinator.)
 - No
- Are all required documents in the file?
 - Petition
 - Notice of hearing
 - List of persons to be served with petition and notice of hearing. (If the petitioner uses court-approved forms, this is called “Schedule A.”)
 - Proof of service of the petition and notice of hearing (on respondent, respondent’s spouse, respondent’s parents) at least 10 days before the hearing
 - Certificate of mailing of the petition and notice of hearing (to everyone else entitled to service) at least 10 days before the hearing
 - Clerk’s certificate of posting public notice at least 10 days before the hearing
 - Physician’s report; other statements or affidavits about respondent’s capacity
 - Other documents often filed with the petition, but not necessary until appointment:
 - Acceptance of Appointment
 - Completion of Testing Certificate (if required)
 - Findings of Fact, Conclusions of Law and Order
 - Letter of Guardianship and/or Conservatorship

_____ Sign here ► _____
Date _____ Typed or Printed Name _____

Tab 2

Guardianship & Conservator Cases Filed Q3 of FY2019

Jan 1, 2019 to Apr 1, 2019

		Guardian-Minor	Guardian-Adult Child	Guardian-Adult	Guardianship	Conservatorship
District 1	Brigham City	3		1		1
	Logan	5	2	2		4
	District 1	8	2	3		5
District 2	Farmington	27	10	11	1	3
	Morgan	1				1
	Ogden	20	6	11		4
	District 2	48	16	22	1	8
District 3	Salt Lake City	99	46	41		4
	Silver Summit		1			1
	Tooele	3	3	2		3
	District 3	102	50	43		8
District 4	American Fork	1		1	1	
	Fillmore	1		2		
	Heber City	1	1			2
	Nephi		1	2		
	Provo	26	18	18		9
	Spanish Fork			1		1
	District 4	29	20	24	1	12
District 5	Beaver	1				1
	Cedar City	5	2			1
	St. George	22	3	5		2
	District 5	28	5	5		4
District 6	Kanab		1			
	Manti		3	1		
	Richfield	1		2		
	District 6	1	4	3		
District 7	Castle Dale	1				
	Price	6				1
	District 7	7				1
District 8	Duchesne	1				
	Roosevelt	1				
	Vernal	1	1	3		1
	District 8	3	1	3		1
Total		226	98	103	2	39