

Utah Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Thursday, June 18, 2026, 12:00 pm | 2 hours |

AGENDA

	Topic	Presenter	Materials
12:00	Meeting begins		
	<ul style="list-style-type: none"> Housekeeping, minutes Welcome guests and new members 	Judge Sanchez	<i>April 2026 – Minutes (draft)</i>
12:10	WINGS Updates		
	<ul style="list-style-type: none"> GRAMP - <ul style="list-style-type: none"> WINGS Rule 3-421 revisions GSP/CVP Funding Training series recap & next steps New attorney recruitment options 	Keri Sargent Shonna Thomas	
	<ul style="list-style-type: none"> Disability Law Center (DLC) - <ul style="list-style-type: none"> Supported Decision Making resource 	Andrew Riggle	
	<ul style="list-style-type: none"> Workgroups - <ul style="list-style-type: none"> G/C Manual & Test Forms Background Disclosure 	Shonna Thomas	<i>Exam – Guardian or Conservator of an Adult</i> <i>Exam – Guardian or Conservator of a Minor</i>
12:45	WINGS Projects		
	<ul style="list-style-type: none"> Judicial Training – <ul style="list-style-type: none"> Bench cards / bench books LMS training modules Workgroup, seeking volunteers 	Judge Sanchez	<i>Adult GC Bench Card</i>
	<ul style="list-style-type: none"> Guardianship and Alternatives training – <ul style="list-style-type: none"> Partnering with the Utah Parent Center Workgroup, seeking volunteers 	Judge Sanchez Shonna Thomas Natasha Burningham	
	<ul style="list-style-type: none"> Attorney mentors list – how to proceed 	Shonna Thomas	
1:45	Other Business		
	<ul style="list-style-type: none"> Indian Child Welfare Act (ICWA) and minor guardianships 	Keri Sargent	
	<ul style="list-style-type: none"> Veterans Guardianship Initiative 	Shonna Thomas	
	<ul style="list-style-type: none"> 	Stakeholders	
2:00	Meeting adjourned		

Next meeting:

August 20, 2026

Exam: Guardian or Conservator of an Adult

	TRUE (X)	FALSE (X)
1. A guardian is responsible for the care of a protected person. (Pages 4-5)		
2. A conservator is responsible for the property and financial affairs of a protected person. (Pages 4-5)		
3. The appointment order contains a statement of your powers, rights and duties. (Page 9)		
4. As guardian, you are required to make reports to the court only when there is a major change in the protected person's condition. (Page 21)		
5. As conservator, you must file an inventory of the property owned by the protected person within 180 days of your appointment. (Page 21)		
6. Every year, within 60 days after the anniversary of your appointment, you must file an Accounting Report with the court. (Page 22)		
7. Annual reports must be done on approved court forms. (Pages 25-26)		
8. After you prepare a report, your only responsibility is to file it with the court. (Page 26)		
9. The court may give a penalty for failure to file a required report. (Page 20)		
10. When you are uncertain about your responsibilities the best course is to consult a lawyer. (Pages 27 & 30)		
11. You should record financial transactions made on behalf of your protected person on a monthly basis. (Page 19)		
12. You should manage the protected person's money using your own bank account to keep it secure. (Pages 15 & 16)		
13. Managing the protected person's money means only paying bills and expenses. (Pages 13 & 16)		
14. If the protected person cannot communicate, you must make decisions as close to what they would want if they could tell you. (Page 11)		
15. If you can no longer carry out the responsibilities of a guardian and conservator, you can have someone take over for you, using the same court order. (Page 7)		

Answer Key: Guardian or Conservator of an Adult

	TRUE (X)	FALSE (X)
<p>1. A guardian is responsible for the care of a protected person. (Pages 4-5)</p> <p>True! A guardian is a person chosen by the court to make decisions about the care of the person being protected. This protected person is sometimes called an "incapacitated person" or "ward." These choices might be about where the adult lives, their health care, food, or other personal needs.</p> <p>A court will only choose a guardian if the adult is incapacitated and needs ongoing care and supervision and there is no other option that can meet those needs.</p>	X	
<p>2. A conservator is responsible for the property and financial affairs of a protected person. (Pages 4-5)</p> <p>True! A conservator is a person chosen by the court to manage the property and financial affairs (money) of the protected person.</p> <p>The court appoints them to manage the protected person's "estate." The estate includes everything the protected person owns. The conservator must use reasonable care and skill to manage this estate so the protected person's needs are met over their expected life.</p>	X	
<p>3. The appointment order contains a statement of your powers, rights and duties. (Page 9)</p> <p>True! Understanding the rules for a Guardian is very important. Utah law tells you what your job as a guardian or conservator includes. The court order explains exactly what your powers are, and if there are any limits. There are many things a guardian cannot do, unless the court specifically grants that power.</p>	X	
<p>4. As guardian, you are required to make reports to the court only when there is a major change in the protected person's condition. (Page 21)</p> <p>False! If you are a guardian, you have to write a report for the court <u>every year</u> about the person you are protecting. This yearly report is called the Status Report.</p> <p>The Status Report tells the court about the protected person's care and how they are living. It also shows what the protected person is doing. It helps the court know about changes or possible problems. This report is due every year, within 60 days after the anniversary of your appointment.</p>		X
<p>5. As conservator, you must file an inventory of the property owned by the protected person within 180 days of your appointment. (Page 21)</p>		X

<p>False! As conservator, you will need to create a special, one-time report called an Inventory. You must file this report within 90 days after the court chooses you to be the conservator (or the guardian, if there is no conservator).</p> <p>To complete the Inventory, you need to find and make a list of everything the protected person owns. Once you have the whole list, you must provide the information on the court's Inventory Report form, and file it with the court or other parties.</p>		
<p>6. Every year, within 60 days after the anniversary of your appointment, you must file an Accounting Report with the court. (Page 22)</p> <p>True! If you are a conservator, or the guardian (if there is no conservator), you have to tell the court every year about how the protected person's money is doing. This report is called the Accounting Report.</p> <p>The reports track the protected person's personal money, investments, and other things they own over time. The starting point for the Accounting Report is based on information you provided in the Inventory Report.</p> <p>To prove that you handled the money correctly, you must send the Accounting Report along with bank statements, receipts, and other papers about the protected person's money.</p>	<p>X</p>	
<p>7. Annual reports must be done on approved court forms. (Pages 25-26)</p> <p>True! Reports can be printed from the Court's website or completed through the <i>MyPaperwork</i> system. Whichever method you pick, you must file your papers with the court that first chose you to be the guardian (made the appointment). If the protected person moves to a different county, you are allowed to ask the court to move your reports to that new county.</p>	<p>X</p>	
<p>8. After you prepare a report, your only responsibility is to file it with the court. (Page 26)</p> <p>False! When you turn in your documents, you also need to send a copy to certain people, along with a notice that tells them they have the right to complain or disagree (object). This is called "serving" the documents.</p> <p>You must serve copies on these people:</p> <ul style="list-style-type: none"> • The protected person (but only if they are mentally able to understand what the proceedings mean). • The protected person's guardian or conservator (if the judge picked different people for those jobs). • The protected person's family, including their husband or wife, adult children, parents, and brothers and sisters (siblings). • Anyone else who is officially asked to be notified. 		<p>X</p>

<p>You can send these documents using mail, email, or by delivering them by hand.</p>		
<p>9. The court may give a penalty for failure to file a required report. (Page 20)</p> <p>True! A judge can make a guardian or conservator pay a fine of \$5,000 if they do certain things wrong:</p> <ul style="list-style-type: none"> • <u>If they purposefully do not file a report.</u> • If they make a very big mistake in the report they turn in. • If they act very, very wrongly while handling the protected person’s money or belongings. <p>Most guardians and conservators have to turn in reports every year. This includes spouses (husbands or wives) who are guardians. However, there is an exception if the guardian or co-guardian is the parent of the adult protected person; they usually do not have to turn in these reports, unless the judge says so. If the guardian or conservator is not the parent, they are required to file these reports.</p>	<p>X</p>	
<p>10. When you are uncertain about your responsibilities the best course is to consult a lawyer. (Pages 27 & 30)</p> <p>True! There are many laws that talk about how a trusted person should act and possible criminal penalties if a guardian or conservator does certain wrong things. Because these penalties are so serious, talk to a lawyer if you have specific questions.</p> <p>You do not need special talents or skills to be a guardian or conservator. But if you do have special skills, you must use those skills when you manage the person's money and belongings. If you have specific questions about your duties, you should ask your lawyer.</p>	<p>X</p>	
<p>11. You should record financial transactions made on behalf of your protected person on a monthly basis. (Page 19)</p> <p>False! You have to be able to show proof <u>every time</u> money was spent or earned for the protected person. This proof can come from good recordkeeping, which includes:</p> <ul style="list-style-type: none"> • Keeping receipts and vouchers. • Use folders and files to keep documents neat. • Keeping the protected person’s papers separate from your personal papers. • Getting copies of the protected person’s important planning documents. • Saving copies of all court papers. 		<p>X</p>

<ul style="list-style-type: none"> • Keep a diary all year long of important things the protected person does or big events that happen. • If the protected person lives somewhere else, write down the dates you go to visit them. • Keep important papers, like checks, deeds, and wills in a secure location. 		
<p>12. You should manage the protected person’s money using your own bank account to keep it secure. (Pages 15 & 16)</p> <p>False! You must keep the protected person's money and property separate from your own. Open a special checking account just for the guardianship or conservatorship. This is where you put income and pay bills. You are NOT allowed to do certain things like:</p> <ul style="list-style-type: none"> • Do not mix your money with the protected person’s money (called comingling). • Do not use the estate’s money to pay your personal bills. • Do not put estate funds into your personal bank account. • Do not borrow money or property from the estate. • Do not sell estate property for less than its fair market value (what it is truly worth). For example, you cannot sell property cheaply to family members. • Do not put your own name on the protected person’s property as if you own it. It is okay to put your name on an account as the conservator for the protected person, but not as the owner. 		X
<p>13. Managing the protected person’s money means only paying bills and expenses. (Pages 13 & 16)</p> <p>False! Being a conservator means you are in charge of managing another person’s money and property (called the estate). Paying bills and managing the protected person’s expenses is just one part of being a conservator.</p> <p>Your job is to use the protected person's money and property to pay for their support, care, and education. If the protected person has extra money after all their needs are paid for, the conservator should save or invest that excess money.</p>		X
<p>14. If the protected person cannot communicate, you must make decisions as close to what they would want if they could tell you. (Page 11)</p> <p>True! As a guardian, you either help the person make personal decisions, or you make the decisions for them if they are unable to choose.</p>	X	

<p>If the protected person cannot communicate, you must try hard to figure out what decision they would have made if they were able to choose. You must act based on what the protected person has said they want and what they believe in (their personal values). Your guide is what the protected person would do, not what you would do, as long as the decision is the best thing for them.</p>		
<p>15. If you can no longer carry out the responsibilities of a guardian and conservator, you can have someone take over for you, using the same court order. (Page 7)</p> <p>False! If you are chosen as a permanent guardian (or conservator), you are expected to stay in that role until the court officially ends your appointment. You can resign, but you must have the court's permission.</p> <p>If the protected person still needs help, the court can choose a new helper, called a successor guardian, to take your place, but you must keep doing your duties until the court officially removes you as the guardian or conservator.</p>		<p>X</p>

Exam: Guardian or Conservator of a Minor

		TRUE (X)	FALSE (X)
1.	A guardian is responsible for the care of a protected person. (Pages 4-5)		
2.	A conservator is responsible for the property and financial affairs of a protected person. (Page 5)		
3.	The court order contains a statement of your powers, rights and duties. (Pages 6-7)		
4.	As guardian, you are required to make reports to the court only when there is a major change in the minor's condition. (Pages 12-13)		
5.	As conservator, you must file an inventory of the property owned by the minor within 180 days of your appointment. (Page 12)		
6.	Every year, within 60 days after the anniversary of your appointment, you must file an Accounting Report with the court. (Page 13)		
7.	Annual reports must be done on approved court forms. (Pages 16-17)		
8.	After you prepare a report, your only responsibility is to file it with the court. (Page 17)		
9.	The court may give a penalty for failure to file a required report. (Page 12)		
10.	When you are uncertain about your responsibilities the best course is to consult a lawyer. (Page 18)		
11.	You should record financial transactions made on behalf of the minor person on a monthly basis. (Pages 10-11)		
12.	You should manage the minor's money using your own bank account to keep it secure. (Pages 9-10)		
13.	Managing the minor's money means only paying bills and expenses. (Pages 8 & 9)		
14.	If a guardian is appointed for the minor, the minor's parents keep some decision-making some rights. (Page 10)		
15.	If you can no longer carry out the responsibilities of a guardian and conservator, you can have someone take over for you, using the same court order. (Page 6)		

Answer Key: Guardian or Conservator of a Minor

	TRUE (X)	FALSE (X)
<p>1. A guardian is responsible for the care of a protected person. (Pages 4-5)</p> <p>True! A guardian is a person chosen by the court to make decisions about the care of the minor. The minor is considered to be a protected person, and is sometimes called a "ward."</p> <p>Guardianship gives an adult who is not the child's parent the authority to make decisions about the child instead of the child's parents. The guardian can be any responsible adult who is not the child's parent. The guardian does not need to be related to the child.</p>	X	
<p>2. A conservator is responsible for the property and financial affairs of a protected person. (Page 5)</p> <p>True! A conservator is a person chosen by the court to manage the money and finances of the minor, which can include assets the minor may be entitled to as a beneficiary of an estate, settlement, or trust.</p> <p>The court may appoint a conservator if:</p> <ul style="list-style-type: none"> • the minor owns property that requires management or protection which cannot otherwise be provided; • the minor's business affairs may be jeopardized; or • a conservator is needed to obtain or provide funds for the minor's support and education. <p>Often a conservator is needed if the minor is about to receive an inheritance, government benefits, insurance or annuity benefits or damages as a result of a civil lawsuit.</p>	X	
<p>3. The court order contains a statement of your powers, rights and duties. (Pages 6-7)</p> <p>True! Understanding the rules for a Guardian is very important. Utah law tells you what your job as a guardian or conservator includes. The court order explains exactly what your powers are, and if there are any limits. There are many things a guardian cannot do, unless the court specifically grants that power.</p>	X	
<p>4. As guardian, you are required to make reports to the court only when there is a major change in the minor's condition. (Pages 12-13)</p> <p>False! If you are a guardian, you have to write a report for the court <u>every year</u> about the person you are protecting. This yearly report is called the Status Report.</p>		X

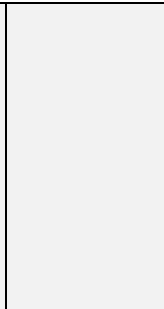
<p>The Status Report tells the court about the minor's care and how they are living. It also shows what the minor is doing. It helps the court know about changes or possible problems. This report is due every year, within 60 days after the anniversary of your appointment.</p>		
<p>5. As conservator, you must file an inventory of the property owned by the minor within 180 days of your appointment. (Page 12)</p> <p>False! As conservator, you will need to create a special, one-time report called an Inventory. You must file this report within 90 days after the court chooses you to be the conservator (or the guardian, if there is no conservator).</p> <p>To complete the Inventory, you need to find and make a list of everything the minor owns. Once you have the whole list, you must provide the information on the court's Inventory Report form, and file it with the court or other parties.</p>		X
<p>6. Every year, within 60 days after the anniversary of your appointment, you must file an Accounting Report with the court. (Page 13)</p> <p>True! If you are a conservator, or the guardian (if there is no conservator), you have to tell the court every year about how the minor's money is doing. This is called the Accounting Report.</p> <p>The reports track the minor's personal money, investments, and other things they own over time. The starting point for the Accounting Report is based on information you provided in the Inventory Report.</p> <p>To prove that you handled the money correctly, you must send the Accounting Report along with bank statements, receipts, and other papers about the minor's money.</p>	X	
<p>7. Annual reports must be done on approved court forms. (Pages 16-17)</p> <p>True! Reports can be printed from the Court's website or completed through the <i>MyPaperwork</i> system. Whichever method you pick, you must file your papers with the court that first chose you to be the guardian (made the appointment). If the minor moves to a different county, you are allowed to ask the court to move your reports to that new county.</p>	X	
<p>8. After you prepare a report, your only responsibility is to file it with the court. (Page 17)</p> <p>False! When you turn in your documents, you also need to send a copy to certain people, along with a notice that tells them they have the right to complain or disagree (object). This is called "serving" the documents.</p> <p>You must serve copies on these people:</p> <ul style="list-style-type: none"> • The minor (if they are old enough to understand the proceedings). • The minor's guardian or conservator (if the judge picked different 		X

<p>people for those jobs).</p> <ul style="list-style-type: none"> • The minor’s parents. • Anyone else who is officially asked to be notified. <p>You can send these documents using mail, email, or by delivering them by hand.</p>		
<p>9. The court may give a penalty for failure to file a required report. (Page 12)</p> <p>True! A judge can make a guardian or conservator pay a fine of \$5,000 if they do certain things wrong:</p> <ul style="list-style-type: none"> • <u>If they purposefully do not file a report.</u> • If they make a very big mistake in the report they turn in. • If they act wrongly while handling the minor’s money or belongings. 	<p>X</p>	
<p>10. When you are uncertain about your responsibilities the best course is to consult a lawyer. (Page 18)</p> <p>True! There are many laws that talk about how a trusted person should act and possible criminal penalties if a guardian or conservator does certain wrong things. Because these penalties are so serious, talk to a lawyer if you have specific questions.</p>	<p>X</p>	
<p>11. You should record financial transactions made on behalf of the minor on a monthly basis. (Pages 10-11)</p> <p>False! You have to be able to show proof <u>every time</u> money was spent or earned for the minor. This proof can come from good recordkeeping, which includes:</p> <ul style="list-style-type: none"> • Keeping receipts and vouchers. • Use folders and files to keep documents neat. • Keeping the minor’s papers separate from your personal papers. • Saving copies of all court papers. • Keep a diary all year long of important things the minor does or big events that happen. • If the minor lives somewhere else, write down the dates you go to visit them. 		<p>X</p>
<p>12. You should manage the minor’s money using your own bank account to keep it secure. (Pages 9 & 10)</p> <p>False! You must keep the minor's money and property separate from your own. Open a special checking account just for the guardianship or conservatorship.</p>		<p>X</p>

<p>This is where you put income and pay bills. You are NOT allowed to do certain things like:</p> <ul style="list-style-type: none"> • Do not mix your money with the minor’s money (called comingling). • Do not use the minor’s money to pay your personal bills. • Do not put the minor’s estate funds into your personal bank account. • Do not borrow money or property from the minor’s estate. • Do not sell the minor’s estate property for less than its fair market value (what it is truly worth). For example, you cannot sell property cheaply to family members. • Do not put your own name on the minor’s property as if you own it. It is okay to put your name on an account as the conservator for the minor, but not as the owner. 		
<p>13. Managing the minor’s money means only paying bills and expenses. (Pages 8 & 9)</p> <p>False! Being a conservator means you are in charge of taking care of someone else's money and property.) Paying bills and managing the minor’s expenses is just one part of being a conservator.</p> <p>The law has strict rules about how you must do this, and you have certain powers unless a judge says otherwise. You are expected to be very careful, smart, and responsible with the money, just like a trusted manager.</p> <p>Taking care of a minor's money is a lot like taking care of an adult's money. You must make a budget and keep their belongings safe. Most minors do not have a lot of wealth, but if they do, there may be extra rules you have to follow.</p>		X
<p>14. If a guardian is appointed for the minor, the minor’s parents keep some decision-making some rights. (Page 10)</p> <p>True! The appointment of a guardian or conservator does not fully end a parent’s rights and responsibilities for their minor child. The legal parents are still required or allowed to do some things, even if the court has ordered someone else to be guardian or conservator:</p> <ul style="list-style-type: none"> • Parents remain responsible for child support. • Parents retain the right to consent to adoption. • Parents retain the right to determine the child's religion. • Parents retain the right to reasonable parent-time unless restricted by the court. 	X	
<p>15. If you can no longer carry out the responsibilities of a guardian and conservator, you can have someone take over for you, using the same court order. (Page 6)</p>		X

False! If you are chosen as a guardian (or conservator), you are expected to stay in that role until the court officially ends your appointment. You can resign, but you must have the court's permission.

If the minor has not reached age 18, the court can choose a new helper, called a successor guardian, to take your place, but you must keep doing your duties until the court officially removes you as the guardian or conservator, even if the minor has been adopted.



GUARDIANSHIPS

Respondent's Attendance at the Hearing

The respondent must attend the hearing unless there is clear and convincing evidence from a physician that:

- The respondent has fourth stage Alzheimer's disease;
- The respondent is in an extended coma, or
- The respondent has an intellectual disability with an intelligence quotient score under 25

Otherwise, the court must appoint a court visitor to investigate the ability of the respondent to appear. [Utah Code § 75-5-303\(5\)\(a\)](#).

Incapacity

The petitioner must prove that the respondent is incapacitated by clear and convincing evidence. *In re Boyer*, 636 P.2d 1085 (Utah 1981). Incapacity is defined in [Utah Code §75-1-201\(22\)](#).

The respondent *may* be examined by a physician appointed by the court and *may* be interviewed by a visitor sent by the court. [Utah Code §75-5-303\(4\)](#).

ADULT GUARDIANSHIP & CONSERVATORSHIP BENCH CARD

Alternatives to Guardianship

The court shall ensure that all alternatives to guardianship, including powers of attorney and supported decision-making, are fully explored before imposing a guardianship.

Limited vs. Full Guardianship

The guardian's authority should be limited unless nothing less than a full guardianship is adequate. If the court does not grant a limited guardianship, a specific finding shall be made that nothing less than a full guardianship is adequate. [Utah Code §75-5-304](#).

Right to an attorney

The respondent has the right to an attorney of their choice. [Utah Code §75-5-303\(2\)](#).

If the respondent does not have counsel, the court must appoint one through the [Guardianship Signature Program](#).

An attorney is not required if the court makes these findings on the record under [Utah Code §75-5-303\(5\)\(d\)](#):

- The respondent is the biological or adopted child of the petitioner;
- The value of the respondent's estate does not exceed \$20,000;
- The respondent appears in court with the petitioner;
- The respondent is given the opportunity to communicate, to the extent possible, his or her acceptance of the appointment of petitioner;
- The court is satisfied that counsel is not necessary to protect the respondent's interests,
- No attorney from the Guardianship Signature Program is able to provide counsel within 60 days of court appointment of counsel, and
- The court appoints a court visitor.

If the court finds counsel is necessary, a second hearing will be required.

Continuing Jurisdiction

Court monitoring of guardians is required to ensure the welfare of incapacitated adults, identify abuses, and sanction guardians who demonstrate malfeasance.

See:

- [NCSC - National Probate Court Standards \(2013\)](#)

Reporting Abuse or Exploitation

Judges are mandatory reporters, [Utah Code §62A-3-305](#), [Utah Code § 62A- 4a-403](#).

Report suspected abuse or exploitation:

Minor Child – DCFS:

- 1-855-323-3237
- DCFSintake@utah.gov

Vulnerable Adult – APS:

- 1-800-371-7897
- [Report of Suspected Dependent Adult / Elder Abuse](#)

CONSERVATORSHIPS

Many of the procedures in conservatorships are the same or similar as with guardianships.

See:

- [Utah Code §§ 75-5-401 through 433](#)
- [Bench Book for Adult Guardianship and Conservatorship](#)

Counsel in conservatorships is not required but may be appointed. [Utah Code §75-5-407](#).

COURT VISITOR PROGRAM

The Court Visitor Program can be used to protect vulnerable adults under guardianship, assist guardians, and inform judges' decisions.

A Court Visitor volunteer is a special appointee of the court who has no personal interest in the proceedings. Court Visitors report on observable facts and collected information, and serve as the "eyes and ears" of the court.

See:

- [Utah Code §75-5-308](#)
- <https://www.utcourts.gov/gramp/cvp/>

Visitors are available in all judicial districts and provide the following services at no charge:

- Interview the petitioner and respondent - in their home - as well as other interested parties (e.g., respondent's care providers), and prepare a report for the court.
- Conduct reviews of annual reports and other documents, for the court, and compile a report for the court identifying potential red flags.
- Locate guardians with whom the court has lost contact, educate them on their responsibilities, and provide a report to the court with updated contact information for the guardian.

This is a product of Utah WINGS



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Grantees carrying out projects under government sponsorship are encouraged to express freely their findings and conclusions. Therefore, points of view or opinions do not necessarily represent official Administration for Community Living or DHHS policy.

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