

# ADULT GUARDIANSHIP INITIATION

## What is a Guardianship?

When a guardian is appointed by a judge to manage the personal and/or financial affairs of an adult ("Protected Person") who is unable to meet basic requirements for health and safety.

### Step 1: Starting the Case

A complete Petition for Guardianship of an Adult must be filed to start the case. The judge cannot consider appointing a guardian without this Petition.

### Step 2: File the Petition

Sign up for an electronic filing account on eFlex and electronically file the documents on eFlex, or bring the documents to the Resource Center for filing in-person. There may be a small filing fee if the Petition requests guardianship over the estate, and assets are at least \$2,500.00.

### Step 3: Schedule the Hearing

Complete page 1 of the Citation to Appear and Show Cause (the clerk will fill in the hearing date later). Email the Citation to Appear and Show Cause to [AdultGuardianship@washocourts.us](mailto:AdultGuardianship@washocourts.us) or bring it to the Resource Center.

### Step 4: Serve the Documents

A copy of the Petition and Citation must be personally served on the Protected Person (personal service cannot be completed by the petitioner) at least 10 days before the hearing. The Petition and Citation must also be served on all relatives entitled to notice. If serving by mail, it must be certified mail and at least 20 days before hearing.

### Step 5: File Proof of Service

Make sure the Declaration of Service on the Adult and Certificate of Mailing are completed and filed into the case using eFlex or by bringing the documents to the Resource Center.

## THE HEARING ON THE PETITION

The hearing will probably be on Zoom. Petitioners must make sure the Adult is connected to the hearing. Parties can use computers at the Resource Center or Law Library to connect to their hearing.

**Denied...**

**Granted...**

**or  
Continued...**

If the Petition is denied or the hearing is continued, listen carefully to the Judge for the reasons why.

If the hearing is continued, carefully follow the instructions given at the hearing and in the order you receive.

If the Petition is granted, the Judge will appoint a guardian of the person, of the estate, or both. Carefully read the order appointing guardian.

When the Order Appointing Guardian is filed, the Guardian must file an Acknowledgment of Duties and obtain Letters of Guardianship. Letters of Guardianship can be issued at the Resource Center.

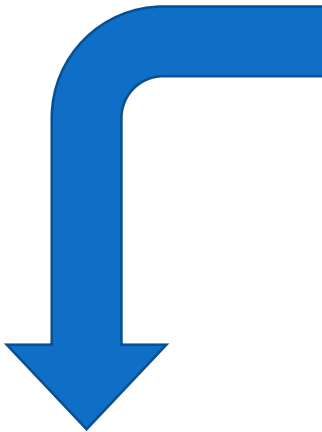
The Guardian may need to complete online training available on the Court's website at [www.washoecourts.com](http://www.washoecourts.com) on the Adult Guardianship Page. When the training is successfully completed, the certificate of completion must be filed into the case using eFlex or by bringing the certificate to the Resource Center.



If the guardianship is over the estate, an **Inventory, Appraisal, and Record of Value** must be filed in the case within 60 days of the Order Appointing Guardian.



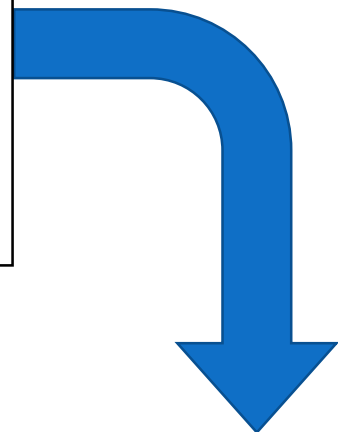
Guardians of the person must file an annual report each year. Guardians of the estate must file an accounting each year. The report and/or accounting must be filed each year on the date the Guardian was originally appointed.



**Guardianship of Person**  
An Annual Report of the Guardian and Request for Submission must be filed every year. The Court will issue an order approving the report or if there are concerns, set a hearing. The Court will set a review hearing at least every three years.



**Guardianship of Person AND Estate**  
The Guardian must file an Annual Report and Annual Accounting every year. If the estate is above \$10,000, then a hearing is needed to approve the Annual Accounting. The Guardian must contact the Court to set a hearing when the Annual Accounting is filed. File the Notice of Hearing and serve the Notice of Hearing on all relatives entitled to notice 10 days prior to hearing.



**Guardianship of Estate**  
An Accounting must be filed every year. If the estate is above \$10,000, then a hearing is needed to approve the Annual Accounting. The Guardian contact the Court to set a hearing. File the Notice of Hearing and serve the Notice of Hearing on all relatives entitled to notice 10 days prior to hearing.



For estates with a value under \$10,000, the Court may enter an Order waiving the Annual Accounting. Read the order appointing guardian carefully to confirm the filing requirements.



***Have questions about guardianship procedure, filing deadlines, and forms? Contact [AdultGuardianship@washoecourts.us](mailto:AdultGuardianship@washoecourts.us). For general court questions, contact the Resource Center at [ResourceCenter@washoecourts.us](mailto:ResourceCenter@washoecourts.us) or 775-325-6731 or the Law Library at [LawLibrary@washoecourts.us](mailto:LawLibrary@washoecourts.us) or 775-328-3250.***