

The Second Judicial District Court of the  
State of Nevada in and for the County of Washoe

**INSTRUCTIONS FOR GUARDIANS  
(Keep for Reference)**

When a person is unable to make his/her own decisions due to lack of age or incapacity, that person becomes, upon application, a “protected person” of the Court. The Court appoints a “guardian” who, as an officer of the Court, agrees to assume responsibility for the protected person's welfare and to report regularly to the Court.

Now that the Court has appointed you guardian, there are certain things you must do, and certain things you cannot do. Under the laws of the State of Nevada, you are bound to obey the following rules:

**If you fail to perform any of your duties as guardian, you may be removed from office and be held personally liable for any loss or damage sustained by the protected person by reason of your failure. You are under a duty, at all times, to act in the best interests of your protected person and to avoid conflicts of interest which impair your ability so to act.**

1. Within 60 days after your appointment as guardian, you must file with the Clerk of the Court an inventory showing all the property belonging to the ward. It is your responsibility to see that you or your attorney submits this report on time.
2. If you are appointed Guardian of the Estate, each year, within 60 days of the anniversary of your appointment, you must file with the Clerk of the Court an annual account on which you should show what funds came into your hands as guardian, how much was spent for the protected person, and the balance remaining. Be sure to save receipts and canceled checks for funds spent. The Court may wish to see them. You must give the protected person and any other interested persons, as the Court directs, a copy of the annual account each year. At your request, your attorney will prepare these accounts for you or you may seek the assistance of the Resource Center or download the form from the Court's web site at [www.washoecourts.com](http://www.washoecourts.com).
3. You must keep the protected person's money and assets separate from your own. When establishing bank accounts or holding property on behalf of the protected person, title designations should read: (Your name), Guardian of the Person and Estate of (name of protected person).  
REMEMBER: Although the money belongs to the protected person, you may use it only for his/her normal care and maintenance unless the Court orders otherwise.
4. You may, without prior approval of the Court, invest the protected person's funds in FDIC or FSLIC insured savings accounts in any bank or savings and loan institutions, interest bearing obligations of or guaranteed by the

United States or the United States Postal Service, or interest bearing general obligations of any county, city or school district of Nevada, the State of Nevada or Federal National Mortgage Association.

5. You may not invest the protected person's funds as listed below unless prior Court approval has been obtained:
  - a. Invest the protected person's assets in any manner other than those outlined in number 4 above.
  - b. Continue a business of the protected person.
  - c. Borrow money for the protected person.
  - d. Enter into contracts or complete the performance of contracts for the protected person.
  - e. Make gifts from the protected person's estate or make expenditures for the protected person's relatives.
  - f. Sell, lease, place into any trust or surrender any property of the protected person.
  - g. Exchange or partition the protected person's property.
  - h. Obtain advice, instructions and approval of any other proposed act of the guardian relating to the protected person's property.
  - i. Authorize experimental medical treatment, or dental treatment.
  - j. Exercise or release power of the protected person as donee of a power of appointment.
  - k. Change the state of residence or domicile of the protected person.
6. A report must also be made to the Court annually, as outlined in number 2 above, or if you are appointed as the Guardian of the Person only, or if you have been granted a summary guardianship. The report must contain your good faith evaluation of the following information for the preceding year:
  - a. Changes in medical conditions of the ward
  - b. Changes in the living conditions of the ward
  - c. Changes in the mental and emotional conditions of the ward
  - d. A listing of the hospitalizations and medical appointments of the ward
  - e. If the protected person is institutionalized, an evaluation of the care and treatment received by the protected person.
  - f. Your attorney can assist you in producing and filing the report or you may seek the assistance of the Resource Center or download the form from the Court's web site at [www.washoecourts.com](http://www.washoecourts.com).
7. If you are a guardian of a minor protected person, the guardianship does not end automatically when the child becomes 18 years of age. You remain liable until you file a final account, report and petition for discharge and receive a written order of discharge from the Court. Your attorney will

assist you in preparing the necessary paperwork or you may seek the assistance of the Resource Center. The same rules must be followed when a protected person dies, or when there is no further need for the guardianship.

8. As guardian of the person of the protected person, you have the duty to take charge of the person of the protected person and to provide for the protected person's care, treatment, rehabilitation, education, support and maintenance; and the powers and duties shall include (a) assuring that the protected person resides in the best and least restrictive setting reasonably available; (b) assuring that the protected person receives medical care and other services that are needed; (c) promoting and protecting the care, comfort, safety, health and welfare of the protected person; and
  - (i) providing required consents on behalf of the protected person.
9. You are obligated to abide by the Protected Person's Bill of Rights to the greatest extent possible.

**This statement of duties and liabilities is a summary and is not a complete statement of the law. Your conduct as a guardian is governed by the law itself and not by this summary. When in doubt, consult your attorney or seek the assistance of the Resource Center.**