

GUARDIANSHIP FLOW CHART

What is a Guardianship?

A party seeking a guardianship (“Petitioner/ Proposed Guardian”) files an action with the Court to request the power to handle the affairs of another party (“proposed ward”). The guardianship request may be to handle the affairs of the person only, the estate of the person, or both.

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Review the [Instructions for Guardian](#) prior to filing any matter

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Starting the case

A General Petition is filed with the Court to initiate the case. The Petition will request that the Court grant a Guardianship over the person, the estate, or the person **and** estate of the proposed ward.

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[CLICK HERE FOR PETITION](#)

The Guardianship Petition must include specific information about the proposed guardian.

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The Petition must include a written statement from a doctor or a suitably qualified person regarding the condition of the proposed ward and the need for a guardianship.

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A hearing must be scheduled by contacting the Administrative Assistant for D12 by telephone or in person. A Citation will be issued by the Clerk of the Court.

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Notice of the hearing (the Citation to Appear) must be mailed to all required parties at least 20 days prior to the hearing.

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Petitioner must obtain permission from the Court if he/she intends to achieve notice of the hearing by publication. If so, notice of the hearing must be given 20 days prior to the hearing.

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At the hearing, the Court will determine whether to grant the petition, deny it, or continue the proceedings.

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If an Order is entered appointing a Guardian, Letters of Guardianship shall be executed under oath by the appointed guardian. The Clerk of Court will issue and file the Letters.
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An Inventory/Appraisal of the Ward's financial estate must be filed in the case within 60 days of the Order Appointing Guardian.

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[**CLICK HERE TO VIEW INVENTORY FORM**](#)

Once a guardianship has been ordered, the Court will conduct annual reviews of the physical and/or financial condition of the Ward

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Guardianship of Person

An Annual Report upon the condition of the Ward must be filed within 60 days of the 12 month anniversary of the Order Appointing Guardian.

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[**CLICK HERE FOR BLANK ANNUAL REPORT**](#)

Guardianship of Person AND Estate

If a Guardianship was granted over the person and estate of the Ward, the Guardian must file both an Annual Report and an Annual Accounting.

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[**CLICK HERE FOR BLANK ANNUAL REPORT**](#)
[**CLICK HERE FOR ACCOUNTING FORM**](#)

Guardianship of Estate

An Accounting of the Ward's financial situation must be filed annually. A hearing must be set on the Annual Accountings. The hearing must be noticed to all interested parties.

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[**CLICK HERE FOR ACCOUNTING FORM**](#)

For estates with a value under \$10,000, the Court may allow summary accounting, which does not require the filing of an Annual Accounting.

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Additional steps may be required. Consult appropriate state and local laws for further information