

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY

Case No. \_\_\_\_\_

In the Matter of the Guardianship
and/or Conservatorship of

\_\_\_\_\_  
Incapacitated and/or Protected Person)

ORDER OF APPOINTMENT OF A
PERMANENT GUARDIAN AND/OR
CONSERVATOR OF AN ADULT

The Court has read the sworn or affirmed "Petition for Permanent Appointment of Guardian and/or
Conservator" and held a hearing to determine whether the court should enter the Order requested in the Petition.

THE COURT FINDS:

- A. Petitioner is entitled to file said Petition under A.R.S. §14-5303(A) & §14-5404(A);
B. Petitioner has given "Notice of Hearing" as required by law or "Notice of Hearing" was waived by all interested parties;
C. Venue in this county is proper;
D. The reports of the physician and the court investigator have been considered by the court.
E. GUARDIANSHIP: The above-captioned person is an incapacitated person and in need of the continuing care and supervision of a guardian and the person appointed below is competent to serve as guardian of the incapacitated person and has priority for appointment under A.R.S. §14-5311.
F. CONSERVATORSHIP: Appointment of a conservator is necessary because the proposed ward is unable to manage his or her property and affairs effectively due to mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxications, confinement, detention by a foreign power, or disappearance and the person appointed below is entitled to appointment as Conservator under A.R.S. §14-5410.

IT IS ORDERED: (Check the boxes that apply)

- 1. APPOINTMENT OF GUARDIAN AND/OR CONSERVATOR: The court appoints:
NAME: \_\_\_\_\_ as permanent guardian and/or conservator for the adult as described in the caption above.
2. BOND:
[ ] The guardian and/or conservator must file a bond in the amount of \$ \_\_\_\_\_ with the Clerk of the Court, before issuance of the letters, OR
[ ] Bond is not required and is waived.

**3. ISSUANCE OF LETTERS:**

Upon filing the bond, Letters of Guardianship and/or Conservatorship of an Adult shall be issued by the Clerk of the Court, SUBJECT TO THE FOLLOWING RESTRICTIONS:

- The following real property shall not be sold, transferred or encumbered without prior court approval:

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- The following financial accounts shall be restricted with no withdrawal of principal or interest without prior court order:

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- The following additional restrictions apply:

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**4. ACCEPTANCE OF LETTERS:** The guardian and/or conservator shall sign the ***“Acceptance of the Letters”*** under oath, and file the Acceptance with the Clerk of the Court.

**5. ANNUAL REPORT OF GUARDIAN:** The guardian shall report to the court on the status of the incapacitated person and the need to continue the guardianship at least annually by this date as required by A.R.S. §14-5315, by filing the required form with the Clerk of the Court.

**6. MENTAL HEALTH CARE (TITLE 14):**

- OUTPATIENT MENTAL HEALTH CARE.** The guardian has the authority to consent for the ward/incapacitated person to receive outpatient mental health care and treatment.
- INPATIENT MENTAL HEALTH CARE:** The court finds by clear and convincing evidence that the ward requires inpatient care. The guardian has the authority to place the ward in a level one behavioral health facility for inpatient mental health care and treatment. This authority expires on \_\_\_\_\_ (date).

**7. DRIVING PRIVILEGES:**

**Ward’s DOB:** \_\_\_\_\_

- The ward/incapacitated person’s right to obtain or retain a driver’s license is suspended, **OR**
- The ward/incapacitated person’s right to obtain or retain a driver’s license is not suspended.

**8. INVENTORY AND APPRAISEMENT:**

- Within 90 calendar days of this date, the conservator must prepare and file with the Clerk of the Court a detailed inventory of the protected person’s assets indicating fair market value, as required by A.R.S. §14-5418, **OR**
- “Inventory and Appraisement”** is waived and is not required to be filed with the court.

**9. RESTRICTED ACCOUNT:**

- The account is to be restricted, and no withdrawal of principal or interest shall be permitted by the depository except upon receipt of a certified copy of an order of this court authorizing the withdrawal.

**10. REINVESTMENT:**

- The depository may, however, permit reinvestment of the funds within the depository without further order of the court so long as the funds remain restricted in the same institution, at the same branch.

**11. PROOF OF RESTRICTED ACCOUNT:**

- The conservator may only hold funds in a depository which agrees to be bound by the terms of this order and to make written proof of its agreement to be bound, including such proof of the account, the account number, the amount of the deposit, the notarized signature of the depository branch manager, and the agreement not to permit any withdrawal unless it is first provided with a certified copy of this court's order permitting the withdrawal.

**12. ESTABLISHING RESTRICTED ACCOUNT:**

- The  conservator or  attorney for the adult or  attorney for the conservator is responsible for establishing the restricted account and filing the proof required by this order with the court within 30 days of this order.

**13. ANNUAL ACCOUNTING OF CONSERVATOR:**

- The conservator is required to file an annual accounting. The first accounting is due on or before \_\_\_\_\_, **OR**
- Annual Accounting is waived and is not required to be filed with the court.

**14. CHANGE OF ADDRESS:** The guardian and conservator shall immediately notify the court in writing of any change in the address of himself or herself or of the protected person/incapacitated person.

**15. OTHER DUTIES UNDER THE LAW:** The duties of the guardian and/or conservator as required by Arizona law and as set forth in this Order of Appointment and the Order to Guardian and/or Conservators and Acknowledgement shall continue until the guardian and/or conservator is discharged from these duties by order of this court.

**16. THE HEARING FOR THE NEXT ANNUAL ACCOUNTING PERIOD is set for:**

\_\_\_\_\_ / \_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_  
(month) (day) (year) (time)

**“WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL THE LETTERS OF APPOINTMENT HAVE BEEN ISSUED BY THE CLERK OF THE SUPERIOR COURT.”**

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Judge of the Superior Court