

PROCEDURES: WHEN AND HOW TO FILE SUBMISSION OF AND PETITION FOR APPROVAL OF BUDGET AND/OR ACCOUNTING AND APPROVAL OF FEES (if applicable)

Follow the instructions below to find out what forms you need to complete and how often you must do so.

- A. Submission of and Petition for Approval of Budget and/or Accounting: Every year, (pursuant to A.R.S. §14-5419),** the conservator must file a *Submission of and Petition for Approval of Budget and/or Accounting* to ask the Court to approve how money was managed for the **Protected Person. The accounting is due within ninety (90) days of the closing date of the accounting period, unless otherwise ordered by the Court.** To help you complete the *Submission of and Petition for Approval of Budget and/or Accounting* you should read and follow the ACCOUNTING GUIDELINES in this packet.
- B. Fee Statement: Every year,** only if the conservator or anyone else is charging fees to the estate of the Protected Person.
- C. Annual Report of Guardian: Every year, only if you are the guardian and conservator for the person, you must file the ANNUAL REPORT OF THE GUARDIAN at the same time you file the Submission of and Petition for Approval of Budget and/or Accounting.** The annual report of guardian forms are available at www.mohavecourts.com.

STEP 1 COMPLETE THE SUBMISSION OF AND PETITION FOR APPROVAL OF BUDGET AND/OR ACCOUNTING AND FEES:

Complete the *Submission of and Petition for Approval of Budget and/or Accounting* forms that apply, available at www.azcourts.gov/probate. If you are claiming fees, you must also complete the FEE STATEMENT.

STEP 2 COPIES:

Make copies of all of the documents: one set for you and one set for each of the interested parties. **DO NOT ATTACH OR FILE ANY FINANCIAL STATEMENTS WITH THE ORIGINAL ACCOUNTING FILED WITH THE CLERK OF THE COURT.**

STEP 3 FILE YOUR DOCUMENTS WITH THE COURT: Follow carefully the following steps:

- File the original accounting with the Clerk of Court. Go to the same court location where your case is pending. Court locations are listed below:

Clerk of Superior Court
415 E. Spring St.
Kingman, AZ 86401
(928) 753-0713
Monday-Friday
8:00a-5:00p

Clerk of Superior Court
2225 Trane Road
Bullhead City, NV
(928) 758-0730
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

Clerk of Superior Court
2001 College Drive
Lake Havasu City, AZ 86404
(928) 453-0701
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

- Bring the extra copies of the *Submission of and Petition for Approval of Budget and/or Accounting*, the Accounting forms that apply, and the Fee Statement (if applicable) for the Clerk to conform (date stamp). The Clerk of the Court will keep the original for the Court file. The Clerk will give the copies for you and the other interested parties back to you.
- If you cannot or do not want to file the documents in person, you can also mail the documents to the Clerk of the Court. Provide a self-addressed, stamped envelope with proper postage so that the Clerk can return your "conformed" (stamped by Court staff) copies to you.

Mail to: Clerk of Superior Court
P.O. Box 7000
Kingman, AZ 86402

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, VISA/MasterCard debit or credit cards, money order, or personal in-state check made payable to the "Clerk of Superior Court" are acceptable forms of payment.

Go online to www.mohavecourts.az.gov for a list of our current fees.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court.

You will be notified by mail of any hearing set in your case. The hearing may be a non-appearance hearing at which you need not actually be present.

STEP 4 GIVE NOTICE OF THE "NON-APPEARANCE" HEARING TO EVERYONE ENTITLED TO

NOTICE: After you receive the information about the date, time, and place of the "non-appearance" hearing, you must give NOTICE OF HEARING and a copy of the Budget and/or Accounting by mail or delivery to all interested persons. Be sure that you do this at least 14 days before the hearing. If mailing the Notice, first class postage-prepaid mail is sufficient. Certified or registered mail with return receipt is an extra step you can take to prove that the person you want to have notice did get the notice.

The people you should give notice to are:

- All ward(s) (protected person(s)). This includes a minor if he or she is 14 years or older.
- The guardian, if the person has one, unless it is the same person as the conservator;
- If there is no guardian or if the guardian is also the conservator, then to the spouse.
- If the spouse is the conservator or is incapacitated, then to a parent or adult child who is not serving as conservator;
- The guardian ad litem if one was appointed by the Court;
- The court-appointed attorney.

STEP 5 COMPLETE AND FILE OTHER COURT PAPERS: Complete the PROOF OF NOTICE stating

how and when you gave notice to interested persons. At least 10 days before your non-appearance hearing, mail or hand-deliver the original and 2 copies of the following documents to the Clerk of Superior Court at one of the locations listed above.

- Notice of Hearing
- Proof of Notice
- Waiver of Notice (if signed by interested parties)
- Court Order Regarding *Submission of Petition for Approval of Budget and/or Accounting*

The Clerk of the Court will file the original for you and deliver the copies to the judge assigned to the hearing. Include a self-addressed stamped envelope so that the Clerk can return your conformed copies to you.

You do not need to come to the "non-appearance" hearing. The purpose of a "non-appearance" hearing is to give persons who object to the paperwork the opportunity to let the Judge/Commissioner know they have an objection. So, if someone shows up at the scheduled "non-appearance hearing," the Court will reset the hearing for a new date, time and place. You will get notice of the new hearing date in the mail from the Court. If you receive a new hearing date, you must go to the hearing.

Court approval of the Budget and/or Accounting and Fees (if applicable) is required. At or after the “non-appearance” hearing date, the Judge/Commissioner will decide whether to approve the petition, or ask you to give additional information. If the *Submission of Petition for Approval of Budget and/or Accounting* is not approved, be sure to follow the instructions on the court order you receive from the Judge/Commissioner.

OTHER HELP: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can find a list of lawyers by going online at www.azbar.org.