

In re Conservatorship/Guardianship of Lindhurst

Case Number

A-18-0420

Court Number

Lancaster

Call Date

December 12, 2018

Case Time

1:00 PM

Case Audio

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Case Summary**A-18-0420, In re Conservatorship/Guardianship of Lindhurst**

Lancaster County, District Judge Holly J. Parsley

Attorney for Appellant: Wayne E. Janssen

Attorney for Appellee: Joel G. Lonowski

Civil Action: Request for Accounting and a motion for a surcharge against the conservator of Dolores Lindhurst?s estate.

Action Taken by Trial Court: The trial court found there was not a breach of fiduciary duty by the conservator, that the accounting of the estate was correct, and a surcharge was not ordered.

Assignments of Error on Appeal: On appeal, Janet Lindhurst argued that the trial court erred in determining that the conservator did not breach her fiduciary duty owed to Lindhurst?s estate by not renting the home for a fair rent, or for making improper withdraws from the estate account. Further, Janet argued that the trial court erred in not finding that the conservator should be surcharged for breaching her fiduciary duty by not accounting for rent received or for failing to make an asset of the estate productive.

Case Location

Lincoln

Court Type

County Court

Schedule Code

A2

Panel Text

Moore, Chief Judge, Riedmann, and Welch, Judges
