

§ 6-1442.01. Budget process in guardianships and conservatorships.

(A) A guardian or conservator or a nominated guardian or conservator may request the court to allow the guardian and/or conservator to file an annual budget summarizing the receipts and disbursements expected to be expended for the budget year. The court may in its order approving the budget authorize a variance of up to 10 percent over the original budgeted amounts approved in the order.

(B) If authorized by the court, the budget may allow for payments to the guardian and/or conservator for items such as rent, room and board, and guardian and/or conservator fees. Effectively, this is a preapproval of these payments, and payments up to the amounts approved are authorized. Anything above the budget amounts (subject to subsection (A)) remains subject to § 6-1437(B).

(C) At the end of the annual reporting period unless otherwise ordered by the court, the guardian and/or conservator shall file a report summarizing the payments made under the budget listing any payments beyond the budget, a copy of the last bank statement, except for the Office of Public Guardian which will provide documentation as required in § 6-1433.03, and an inventory at the end of the year and may request a budget for the next year. These documents (except for the bank statement and the Office of Public Guardian individual ledger, which are not mailed to interested persons except as ordered by the court,) shall be sent to all interested persons unless waived by the court for good cause shown. For purposes of this paragraph, interested persons shall include all those defined in § 6-1433(B)(2).

(D) Court authorization under this section shall be made at a hearing after notice to all interested persons. However, if the waiver of notice and hearing is signed by all interested persons, the court may enter the order without further notice and without further hearing. For purposes of this paragraph, interested persons shall include all those defined in § 6-1433(B)(2)

(E) If a budget has been approved, the guardian or conservator shall not be required to file an annual accounting unless otherwise ordered by the court.

(F) If the court authorizes ATM withdrawals or cash back on a debit transactions as part of an approved budget, the Letters of the guardian and/or conservator shall be so modified.

(G) If additional assets are received during the year for which notice to the court is required under these rules, the court may review the budget during the year and the bond.

§ 6-1442.01 adopted May 23, 2013, effective September 1, 2013; § 6-1442.01(C) and (D) amended September 10, 2015; § 6-1442.01(C) amended June 15, 2016; § 6-1442.01(A)-(C) amended November 13, 2019, effective April 1, 2020.
