

# INSTRUCTIONS NOTICE OF EMERGENCY NOMINATION OF THE PUBLIC GUARDIAN AND CERTIFICATE OF MAILING

The purpose of this form is to inform the Office of Public Guardian that you have nominated them to act as Temporary Guardian and/or Temporary Conservator.

## 1. HEADING

- a. Choose the county in the drop down box below the first blank.
- b. Enter the case number assigned by the clerk of the court.
- c. Enter the name of the ward/minor ward/protected person.

IN THE COUNTY  OF  COUNTY, NEBRASKA

IN THE MATTER OF  Case No.

Ward/Minor Ward/Protected Person

## 2. BODY OF FORM

- a. Read the statement carefully. There are no entries to complete in this section.

## 3. SIGNATURE SECTION

- i. The petitioner will sign their name.
- ii. Enter the date.
- iii. Print the petitioner's.
- iv. Enter the petitioner's street address.
- v. If this form is completed by an attorney, there is a space for the bar number and firm name.
- vi. Enter the city, state, and zip code of the petitioner's address.
- vii. Enter the petitioner's telephone number with area code.
- viii. Enter the email address.

Date

Signature of Petitioner

Print or Type Name of Petitioner Street Address/P.O. Box of Petitioner

Bar Number and Firm Name (attorneys only) City/State/ZIP Code of Petitioner

Phone of Petitioner e-mail Address of Petitioner

## CERTIFICATE OF MAILING

a. **TO THE GUARDIAN AND/OR CONSERVATOR OR THEIR ATTORNEY:** You need to complete the Certificate of Mailing form and file it with the court showing that you mailed the required documents to all the interested persons you list.

- i. Enter the name of the ward/minor ward/protected person, the county name, and the case number in the upper left hand corner.

<input type="checkbox"/>	_____
i.	Ward/Minor Ward/Protected Person
	_____ County Court
	Case No. _____

- ii. If you are completing this form electronically, these will automatically fill in from the information you already entered.
- iii. Enter the date you are mailing the Notice of Emergency Nomination of the Public Guardian form to the Office of Public Guardian and to all interested person(s).
- iv. List all of the interested persons\* and their addresses on the lines provided.

<input type="checkbox"/>	<u>NAME(S) OF INTERESTED PERSON(S)</u>	<u>ADDRESS(ES)</u>
iv.	_____	_____

- v. **IF** there are more names and addresses for interested persons\* than the spaces on the form provide room for, check the box next to "See Attached" and attach a sheet with the name and address of each additional person.

<input type="checkbox"/>	<input type="checkbox"/> See attached (more names and addresses than above)
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b. **SIGNATURE SECTION (Signed by either the attorney or guardian/conservator)**

- i. Use the same instructions as on page 2.

\* Pursuant to Neb. Rev. Stat. § 30-2601, interested persons are defined as:

- children and spouses;
- future heirs if the ward/incapacitated person/protected person would die without leaving a valid will (brothers and sisters who are adults, grandparents, etc.);
- a trustee of any trust executed by the ward/incapacitated person/protected person;
- if there are no individuals defined as “interested persons” above, include any person or organization named as a “devisee” in the ward’s/incapacitated person’s/protected person’s most recent will;
- after death of the ward/incapacitated person/protected person, interested person also includes the personal representative of a deceased ward’s/incapacitated person’s/protected person’s estate, the deceased ward’s/incapacitated person’s/protected person’s heirs in an intestate estate, and the deceased ward’s/incapacitated person’s/protected person’s devisees in a testate estate;
- any governmental agency paying benefits on behalf of the ward/incapacitated person/protected person; and
- any person designated by order of the court to be an interested person.

If there are no interested persons identified for a ward/incapacitated person/protected person, the court may appoint a guardian ad litem (Nebraska Supreme Court Rule § 6-1449(B)). The cost of the guardian ad litem may be taken from the assets of the ward/incapacitated person/protected person.