

# INSTRUCTIONS FOR APPLICATION FOR WAIVER

The purpose of this form is to ask the court to waive one or more of the filing requirements.

Unless the court signs an order approving the application, you are still responsible for the timely completing and filing of all requirements.

Even after the application is approved, you must keep all of the records including bank statements, receipts, checks, payment stubs and other proof of the receipts and payments made on behalf of the ward/minor ward/protected person. You must be able to prove that all proper payments were made and show all income received.

If you are printing the Application and handwriting the answers, you will check the first box. If you are typing in your answers, you will check the second box.

- Printing the form and handwriting the answers.
- Completing the form electronically.

## 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 COURT OF  COUNTY, NEBRASKA

IN THE MATTER OF

## BODY OF FORM

The numbers listed below correspond to the numbers of the sections on the form.

1. Check the box next to each of the filing requirements you are asking the court to waive.

|                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Address Information Sheet, Rule § 6-1443(A)(1)                 |
| <input type="checkbox"/> | <input type="checkbox"/> | General Information Sheet, Rule § 6-1443(A)(1)                 |
| <input type="checkbox"/> | <input type="checkbox"/> | Inventory with Affidavit of Due Diligence, Rule § 6-1443(A)(1) |

2. Complete the reason you are asking the court to waive the filing requirements.

My reason(s) for requesting said waiver(s) are:

## SIGNATURE SECTION

If this is a co-guardianship and/or co-conservatorship both must sign.

For the second signature block to appear, check the (a.) “yes” box on the question located below the first signature block:

a.  Is this a Co-guardianship and/or Co-conservatorship?  Yes  No

- i. The guardian(s) and/or conservator(s) will sign their name(s).
- ii. Enter the date.
- iii. Print the guardian(s) and/or conservator(s) name(s).
- iv. Enter the guardian(s) and/or conservator(s) street address(es).
- 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 guardian(s) and/or conservator(s) address(es).
- vii. Enter the guardian(s) and/or conservator(s) telephone number(s) with area code.
- viii. Enter the email address(es).

|      |   |                          |       |
|------|---|--------------------------|-------|
| i.   | _____                                     | ii.                      | _____ |
|      | Signature of Guardian and/or Conservator  | Date:                    |       |
| iii. | _____                                     | iv.                      | _____ |
|      | Print or Type Name                        | Address                  |       |
| v.   | _____                                     | vi.                      | _____ |
|      | Bar Number and Firm Name (Attorneys Only) | City, State and Zip Code |       |
| vii. | _____                                     | viii.                    | _____ |
|      | Telephone                                 | E-mail address           |       |

\* 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.