

COMPLETING THE APPLICATION FOR WAIVER

Use 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 completing and filing of all requirements on time.

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.

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Choose the county using the drop-down list.

Enter the name of the ward, minor ward, or protected person.

Check the box next to each of the filing requirements you are asking the court to waive. If "Other", describe.

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

Enter the case number.

Nebraska State Court Form
REQUIRED
CC 16:2.38 Rev. 04/2020
Neb. Ct. R. § 6-1443.01

☒ Printing the form and handwriting the answers.
☐ Completing the form electronically.

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA
Choose the court

IN THE MATTER OF _____ Case No. _____
Ward/Minor Ward/Protected Person. APPLICATION FOR WAIVER

I request the court enter an order waiving:

☐ Address Information Sheet, Rule § 6-1443(A)(1)
☐ General Information Sheet, Rule § 6-1443(A)(1)
☐ Inventory with Affidavit of Due Diligence, Rule § 6-1443(A)(1)
☐ Bond, Rule § 6-1443(A)(1)
☐ Financial Institution Receipt of Orders, Rule § 6-1443(A)(2)
☐ Financial Institution Receipt of Letters, Rule § 6-1443(B)
☐ Annual Accounting, Rule § 6-1442(B)
☐ Updated Inventory, Rule § 6-1442(B)
☐ Bank Statements, Rule § 6-1442(B)
☐ Brokerage Reports or Statements, Rule § 6-1442(B)
☐ Other (if any): _____

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

Applicant requests that the court fix a time and date for hearing and that after notice and hearing the court make and enter an order waiving the filing of the documents indicated above.

Describe your reason for asking the court for the waiver(s).

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Read this entire statement carefully.

If completed by an attorney, enter your Bar Number.

If there is a co-guardian or co-conservator, they will sign the form, and enter their printed name, the date signed, their address, telephone number, and email address.

I acknowledge that I will receive a notice of hearing from the court when I file my Application for Waiver. After I receive the notice of hearing, *it is my responsibility* to send a copy of:

1. this Application for Waiver; and
2. the notice of hearing.

to all interested persons no less than 14 days prior to the hearing date.

I must then file with the court a Certificate of Mailing showing I sent them to all interested persons.

The Certificate of Mailing Form (CC 16:2.49) is found at:

<https://supremecourt.nebraska.gov/sites/default/files/CC-16-2-49.pdf>.

I swear or affirm, under the penalties of perjury, that I have examined the above documents, and to the best of my knowledge and belief, they are true, correct and complete.

Signature: _____ Date: _____

Printed Name: _____
(of guardian and/or conservator)

Street Address/P.O. Box: _____

City/State/ZIP Code: _____

Telephone Number: _____

Email address: _____

If completed by an attorney: _____

Bar Number: _____

Is there more than one guardian and/or conservator? yes ☒ no ☐

Signature: _____ Date: _____

Printed Name: _____
(of co-guardian and/or co-conservator)

Street Address/P.O. Box: _____

City/State/ZIP Code: _____

Telephone Number: _____

Email address: _____

If completed by an attorney: _____

Bar Number: _____

Sign the form, and enter your printed name, the date signed, your address, telephone number, and your email address.

Check the box if there is a co-guardian or co-conservator. If "yes" is checked, the second signature block appears.

* 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.