

Corey R. Steel
State Court Administrator



Deborah A. Minardi
State Probation Administrator

October 1, 2020

Greetings Guardians and Conservators,

Enclosed is the 45-day **Notice of Reports Due** for your guardianship and/or conservatorship. Also enclosed is a new **Interested Person Update** form, as well as a **Waiver of Notice** form.

Effective April 1, 2020, the Nebraska Supreme Court updated the rules of Guardianships and Conservatorships in response to concerns raised and suggestions made by guardians/conservators, judges, court staff, attorneys and members of the public. We hope with these changes you find the reporting forms are simpler and easier to complete.

INTERESTED PERSONS

Under the previous rules, “interested persons” had to file a form or “opt-in” to receive case information. This is no longer the case under the new rules. Instead, any “interested persons” not wanting to receive the annual reports will need to “opt out” of receiving case information. This revision complies with Nebraska statutes’ definition of “interested persons” and the rights of those individuals to receive notice without filing a request to do so.

You are receiving this information because the court appointed you guardian or conservator prior to April 1, 2020, and there are different filing requirements depending on when your annual report is due.

Annual Report Due on or before December 31, 2020

- Send copies of your annual report to interested persons as you have done in the past (interested persons who “opted-in” and agencies paying benefits).
- Complete the **Interested Person Update** form and return it to the court with your reporting packet and fees. Interested persons may have been listed on the petition to appoint you as guardian or conservator, or you can find more information in the **Interested Person Update form** instructions and on the Nebraska Judicial Branch website (Self-Help Section, Guardians & Conservators).
- Once you have completed your **Interested Person Update** form, send the enclosed **Waiver of Notice** form to all individuals listed.
- For all future reporting, send a copy of your annual report to interested persons under the new rule (all interested persons, unless they have signed and returned **Waiver of Notice** form, and agencies paying benefits).

Annual Report Due on or after January 1, 2021

- Complete the **Interested Person Update** form. Interested persons may have been listed on the petition to appoint you as guardian or conservator, or you can find more information in the **Interested Person Update** instructions and on the Nebraska Judicial Branch website (Self-Help Section; Guardians & Conservators).

- Once you have completed your **Interested Person Update** form, send the enclosed **Waiver of Notice** form to all individuals listed if you want to give them an opportunity to waive receiving the annual report for this year.
- File your annual report with fees and the **Interested Person Update** form.
- Send a copy of your annual report to interested persons under the new rule (all interested persons, unless they signed and returned the enclosed **Waiver of Notice** form, and agencies paying benefits). Also send the **Waiver of Notice** form if you have not already done so.

HIGHLIGHTS

- In **Packets A, B, D and E**, the **Annual Report of Guardian on Condition of Ward** is revamped. The information now being requested more accurately reflects the information necessary for the court to review.
- In **Packet B**, the table requiring the guardian to fill in the details of the approved budget was removed, and a new budget request only needs to be filed if the income and/or expenses have increased or decreased by 10% or more from last approved budget. This will allow for expected changes in income/expenses, which may occur in the normal course of living.
- In **Packet E**, guardians who have no authority over the estate are no longer required to file an inventory.
- **Packets MA, MB, MD, and ME** are new packets for filing of annual reports when the ward is a minor. The questions more accurately reflect the information relevant to the circumstances of a minor.

In all of the packets with financial reporting, you will notice:

- A **Certification Proof of Possession** form is no longer required, but is discretionary. *This means some courts may still require you to file this form on an annual basis.*
- The **Inventory** form is updated to make it easier to complete and read.
- The accounting portion of the packets allows you to attach a spreadsheet (e.g., Excel, QuickBooks, Quicken, or a simple Word/WordPerfect table).
- Bank and brokerage statements must still be filed with the court, but you no longer are required to send them to Interested Persons, *unless the court orders you to do so.*
- You are no longer required to file a **Personal and Financial Information** form in your annual report. Instead, you will only complete an **Updated Financial Information** form if you need to report any changes to accounts (e.g., new account, account number change, financial institution change, closing of an account, and change of title).

Completing the forms online allows you to save and easily update your information.

(<https://supremecourt.nebraska.gov/forms>)

If you have any questions, please contact the court whose address is on the enclosed 45-day **Notice of Reports Due** or e-mail nsc.guardianconservator@nebraska.gov.

Sincerely,



Corey R. Steel
State Court Administrator