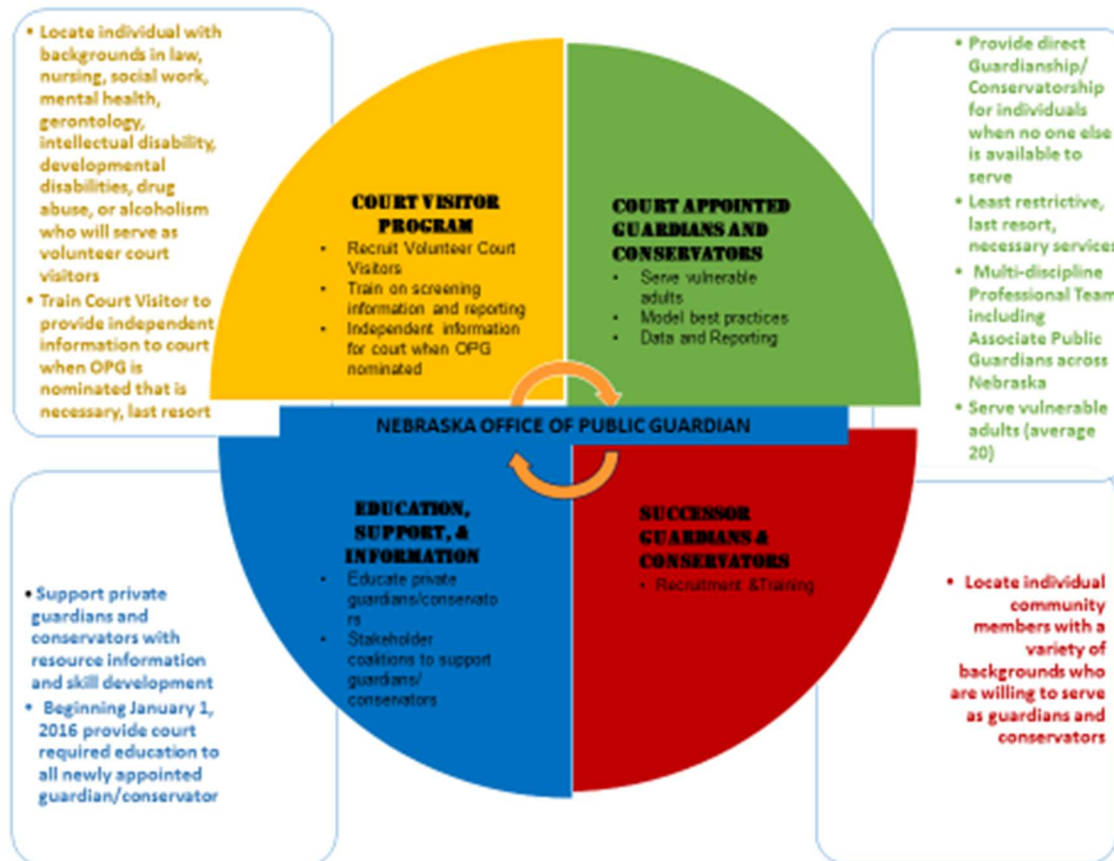


DUTIES OF THE OFFICE OF PUBLIC GUARDIAN

The Public Guardianship Act, Neb. Rev. Stat. §§ 30-4101 through 30-4118, outlines the responsibilities and duties of the Office of Public Guardian. The duties of the Public Guardian can be characterized by: responsibility for equitable appointment process (provided by the Court Visitor Program); direct service as public guardians and public conservators; maximizing resources and implementing effective financial and organizational management practices; facilitating model and best practices for services to wards and protected persons; providing education, support and education to all guardians and conservators in the state; and enhancing opportunity for recruitment of successor guardians/conservators in the private sector¹.



The duties of the Office of Public Guardian include:

- Provide immediate response when guardian/conservator needed in emergency situation- Neb. Rev. Stat. § 30-4105(1)
- Provide an option upon resignation, removal, or discharge of guardian/conservator so no lapse in service- Neb. Rev. Stat. § 30-4105(2)
- Provide equal access and protection for all individuals in need of guardianship or conservatorship services- Neb. Rev. Stat. § 30-4105(3)

- Provide public education to increase awareness of duties of guardians/conservators- Neb. Rev. Stat. § 30-4105(4)
- Encourage more people to serve as private guardians/conservators- Neb. Rev. Stat. § 30-4105(4)
- Recruit members of public and family to serve as guardians or conservators- Neb. Rev. Stat. § 30-4105(5)
- Provide adequate training and support to enhance [guardian/conservator] success- Neb. Rev. Stat. § 30-4105(5)
- Act as resource to guardians/conservators for education, information, and support- Neb. Rev. Stat. § 30-4105(6)
- Safeguard the rights of individuals by supporting least restrictive manner possible and full guardianship only as last resort- Neb. Rev. Stat. § 30-4105(7)
- Model the highest standard of practice for guardians/conservators to improve performance of all guardians/conservators in state- Neb. Rev. Stat. § 30-4105(8)
- Develop a uniform system of reporting and collecting statistical data- regarding guardianship/conservatorship- Neb. Rev. Stat. § 30-4109(1)
- Develop and adopt standard of practice and code of ethics for public guardianship/conservatorship services- Neb. Rev. Stat. § 30-4109(2)
- Prepare a biennial budget for the implementation of the act- Neb. Rev. Stat. § 30-4109(3)
- Develop guidelines for sliding scale of fees for public guardians/conservators- Neb. Rev. Stat. § 30-4109(4)
- Maintain a curricula for training of private and successor guardians/conservators- Neb. Rev. Stat. § 30-4109(5)
- Maintain training programs statewide to offer training curricula for interested parties- Neb. Rev. Stat. § 30-4109(6)
- Guardian and conservator understand disabilities and fiduciary needs of ward/protected person- Neb. Rev. Stat. § 30-4109(6)(a)
- Helping a guardian encourage independence by ward as appropriate- Neb. Rev. Stat. § 30-4109(6)(b)
- Helping a guardian with plans/reports and conservator with accounting/reports- Neb. Rev. Stat. § 30-4109(6)(c)
- Advise a guardian/conservator on ways to secure rights, benefits, and services entitled by ward/protected person- Neb. Rev. Stat. § 30-4109(6)(d)
- Promote public awareness of need and responsibilities of guardianship/conservatorship- Neb. Rev. Stat. § 30-4109(7)
- Apply for and receive funds from public and private sources for purpose of act- Neb. Rev. Stat. § 30-4109(8)
- Once appointed, the office shall make reasonable effort to locate a successor guardian/conservator- Neb. Rev. Stat. § 30-4114(1)
- Provide appropriate and high-quality care and support including timely decision-making
- Serve wards through a multidisciplinary team through ward caseload distribution taking into consideration issues of complexity of case, geographic location, availability of auxiliary support and voluntary services, professional expertise, etc.

- May accept an appointment as guardian/conservator not to exceed average of twenty individuals per each member of the multidisciplinary team- Neb. Rev. Stat. § 30-4115 (2)
- Upon reaching the maximum the Public Guardian shall not accept appointments and ...Shall notify the State Court Administrator that the maximum has been reached- Neb. Rev. Stat. § 30-4115(3)
- Has all powers and duties of guardian in sections 30-2626 and 30-2628; and all powers and duties of a conservator in section 30-2646, 30-2647, 30-2653 through 30-2657- Neb. Rev. Stat. § 30-4116(1)(a)
- If proposed that a ward/protected person be placed outside of their home, the Public Guardian will visit the facility- Neb. Rev. Stat. § 30-4116(2)(c)
- The Public Guardian shall monitor the ward/protected person and his or her care on a continuing basis- Neb. Rev. Stat. § 30-4116(2)(c)
- Maintain personal contact with ward/protected person- Neb. Rev. Stat. § 30-4116(2)(c)
- Public Guardian shall maintain a written record of each visit- Neb. Rev. Stat. § 30-4116(2)(c)
- Public Guardian shall maintain periodic contact with all individuals, agencies, public or private, providing care or related service to the ward or protected person- Neb. Rev. Stat. § 30-4116(2)(c)

¹ Neb. Rev. Stat. §§ 30-4105 (5), 30-4109 (7).