Nebraska State Court Form REQUIRED	**LETTERS APPOINTING THE PUBLIC GUARDIAN AS SUCCESSOR GUARDIAN AND SUCCESSOR CONSERVATOR**	CC 16:2.334 New 09/16 Neb. Ct. R. § 6-1443.01

IN THE COUNTY COURT OF_____COUNTY, NEBRASKA

Case #_____

IN THE MATTER OF

_____

Ward/Incapacitated Person/Protected Person

LETTERS APPOINTING THE PUBLIC GUARDIAN AS SUCCESSOR GUARDIAN AND SUCCESSOR CONSERVATOR

TO:___THE PUBLIC GUARDIAN_____
Name of successor guardian/successor conservator

The court finds the Public Guardian is qualified and is appointed as the successor guardian and successor conservator of the estate of_____.

The Public Guardian is authorized and empowered to care for and manage the estate subject to the following limitation of powers until they shall be discharged according to law.

The court finds clear and convincing evidence that:

_____A full guardianship is necessary and is the least restrictive alternative. **The Public Guardian, as successor guardian is granted all powers conferred upon guardians by law.**

i. Selecting the ward's/incapacitated person's place of abode within or without this state;
ii. Arranging for medical care for the ward/incapacitated person;
iii. Protecting the personal effects of the ward/incapacitated person;
iv. Giving necessary consent, approval, or releases on behalf of the ward/incapacitated person;
v. Arranging for training, education, or other habilitating services appropriate for the ward/incapacitated person;
vi. Applying for private or governmental benefits to which the ward/incapacitated person may be entitled;
vii. Instituting proceedings to compel any person under a duty to support the ward/incapacitated person or to pay sums for the welfare of the ward/incapacitated person to perform such duty, if no conservator has been appointed;
viii. Entering into contractual arrangements on behalf of the ward/incapacitated person, if no conservator has been appointed;
ix. Receiving money and tangible property deliverable to the ward/incapacitated person and applying such money and property to the ward's/incapacitated person's expenses for room and board, medical care, personal effects, training, education, and habilitating services, if no conservator has been appointed, or requesting the conservator to expend the

ward's/incapacitated person's estate by payment to third persons to meet such expenses, and

x. Other:_____

_____

_____

_____

_____This is a limited guardianship. The Public Guardian, as successor guardian, shall have the following authorities and responsibilities as checked below (acting together with the ward/incapacitated person or individually):

- ❑ Selecting the ward's/incapacitated person's place of abode within or without this state;
- ❑ Arranging for medical care for the ward/incapacitated person;
- ❑ Protecting the personal effects of the ward/incapacitated person;
- ❑ Giving necessary consent, approval, or releases on behalf of the ward/incapacitated person;
- ❑ Arranging for training, education, or other habilitating services appropriate for the ward/incapacitated person;
- ❑ Applying for private or governmental benefits to which the ward/incapacitated person may be entitled;
- ❑ Instituting proceedings to compel any person under a duty to support the ward/incapacitated person or to pay sums for the welfare of the ward/incapacitated person to perform such duty, if no conservator has been appointed;
- ❑ Entering into contractual arrangements on behalf of the ward/incapacitated person, if no conservator has been appointed; and
- ❑ Receiving money and tangible property deliverable to the ward/incapacitated person and applying such money and property to the ward's/incapacitated person's expenses for room and board, medical care, personal effects, training, education, and habilitating services, if no conservator has been appointed, or requesting the conservator to expend the ward's/incapacitated person's estate by payment to third persons to meet such expenses.
- ❑ Other: _____

_____.

As a successor conservator, the Public Guardian is authorized and empowered to care for and manage the estate subject to the following limitation of powers until you shall be discharged according to law:

LIMITATIONS OF POWER:

- **The Public Guardian shall not pay compensation to themselves from assets or income of your protected person, nor sell real property of the estate without first giving notice to interested persons and obtaining an order of the court. The order may be entered without a hearing if all interested persons have waived notice of hearing or have executed their written consent to the fee.**
- **The Office of Public Guardian is prohibited from making ATM withdrawals or receiving cash back on debit transactions.**
- **Other restrictions:**_____
  _____.

The Public Guardian is directed to:

- Give a copy of these Letters to all financial institutions where the protected person has an account/assets. The Public Guardian must then file with the court an Acknowledgement of Financial Institution form along with a Personal and Financial Information for Guardianships and Conservatorships form with full account numbers.

- File with the court a Notice of Newly Discovered Asset form within 30 days of becoming aware of additional assets, gifts, awards, settlements, or inheritances over $500.00 not disclosed in the current inventory. The Public Guardian must also file with the court a Certificate of Mailing showing the Notice of Newly Discovered Asset form was mailed by first class mail, postage pre-paid, to all interested persons along with a Notice of Right to Object form.

- File a copy of the Letters Appointing the Public Guardian as Successor Guardian and Successor Conservators with the Register of Deeds in any county where the protected person has real property or an interest in real property.

- File a Condition of Ward report and a complete accounting of their administration of the ward's/incapacitated person's/protected person's money, assets, possessions or income (including social security or other benefits) as required by the Nebraska Supreme Court Rules.

DATE ISSUED: _____

BY THE COURT:_____(Seal)
(County Judge)