

REQUIRED

APPLICATION FOR WAIVER

Neb. Ct. R. §6-1445.01

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA

IN THE MATTER OF THE
GUARDIANSHIP/CONSERVATORHIP OF

Case # _____

Ward/Incapacitated Person/Protected Person

**APPLICATION FOR WAIVER, NOTICE
OF RIGHT TO OBJECT, AND
CERTIFICATE OF MAILING**

COMES NOW, _____, applicant, and moves the court for an order waiving:

- _____ Address Information Sheet Rule §6-1443 (1)
- _____ General Information Sheet Rule §6-1443 (1)
- _____ Inventory with Affidavit of Due Diligence Rule §6-1443 (1)
- _____ Bond Rule §6-1443 (1)
- _____ Acknowledgement of Financial Institution prior to Letters being Issued Rule §6-1443 (2)
- _____ Acknowledgement of Financial Institution after Letters are Issued Rule §6-1443 (2)
- _____ Annual Accounting Rule §6-1442 (B)
- _____ Certificate of Proof of Possession 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: _____

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.

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 from the County Court, it is my responsibility to send a copy of:

1. This Application for Waiver;
2. Notice of Hearing; and
3. Notice of Right to Object Form

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 this Application for Waiver, Notice of Hearing and the Notice of Right to Object form to all interested persons.

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(s) of Guardian(s) and/or Conservator(s)

Date _____

Print or Type Name of Guardian(s) and/or Conservator(s)

Bar Number and Firm Name (attorneys only)

Street Address/P.O. Box of Guardian(s) and/or Conservator(s)

City/State/ZIP Code of Guardian(s) and/or Conservator(s)

Phone(s)

E-mail Address(es)

NOTICE OF RIGHT TO OBJECT

TO THE GUARDIAN AND/OR CONSERVATOR: As Guardian and/or Conservator, you must complete and mail this form to all interested parties and file it with the court.

You are notified that _____, guardian, has filed the following in the above referenced case on _____, 20__.

Date document(s) filed

Application for Waiver

Other: _____

If you object to the contents or accuracy of these filings, you may file an objection before the date of the scheduled hearing. The Objection form can be obtained on the Nebraska Supreme Court website, <http://supremecourt.ne.gov/forms/county/guardian-conservators.shtml>.

Signature(s) of Guardian(s) and/or Conservator(s)

Date _____

Print or Type Name of Guardian(s) and/or Conservator(s)

Bar Number and Firm Name (attorneys only)

Street Address/P.O. Box of Guardian(s) and/or Conservator(s)

City/State/ZIP Code of Guardian(s) and/or Conservator(s)

Phone(s)

E-mail Address(es)

Ward/Incapacitated Person/Protected Person

Case # _____

CERTIFICATE OF MAILING

TO THE GUARDIAN AND/OR CONSERVATOR OR THEIR ATTORNEY: You need to complete and file this form with the court showing that you mailed the required documents marked below to all the interested parties you list below.

I, _____, swear or affirm, **under the penalties of perjury**, that on the _____ day of _____, 20__ I mailed copies of the forms marked below to all interested persons* and bonding company, if any, at the addresses set forth below:

- Application for Waiver;
- Notice of Hearing; and
- Notice of Right to Object Form

<u>NAME</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____
_____	_____

See attached (more names and addresses than above)

Signature(s) of Guardian(s) and/or Conservator(s) or Their Attorney

Date _____

Print or Type Name of Guardian(s) and/or Conservator(s) or Their Attorney

Bar Number and Firm Name (attorneys only)

Street Address/P.O. Box of Guardian(s) and/or Conservator(s) or Their Attorney

City/State/ZIP Code of Guardian(s) and/or Conservator(s) or Their Attorney

Phone

E-mail Address

*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 shall 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.