

HANDBOOK

FOR

GUARDIANS

Compiled and Edited by
Guardianship Office
Clark County, Nevada
With special acknowledgment to the
State Bar of Arizona
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HANDBOOK FOR GUARDIANS

You have been appointed guardian of the person or estate of someone who is unable to handle his or her personal or financial affairs. This is a very important position. Your responsibilities will require a large time commitment from you.

The main responsibilities of the guardian of the person are to decide where the ward will live and to arrange for meals, medical and personal care, transportation and recreation. The responsibilities of the guardian of the estate are to take control of the ward's property, establish a budget, pay the ward's debts when they become due, properly invest the ward's property, and report to the court about the estate.

All guardianship are under court supervision. It is the responsibility of the court to make certain that the guardianship is functioning in the best interests of the ward. Guardianship commissioners and staff help the Family Court Judge manage guardianships. Court officers review all files to insure accountings are filed and review the accountings for content and accuracy.

Your attorney plays a key role in the guardianship system. You should discuss any questions you have about your responsibilities with your attorney, not court personnel. Court personnel are not permitted to give legal advice. You may pay your attorney from guardianship funds (subject to Court approval) for helping you in such matters as obtaining your appointment and preparing inventories and accountings. After you have read the entire Handbook, you should meet with your attorney to discuss what tasks you must complete. A close working relationship with your attorney will make your job as guardian easier.

You may petition the Court to approve payment of fees to you from guardianship funds for the work you do. You will base your fees on the time you spend, the size of the estate, and the value of your services. You may reimburse yourself for expenses paid out of your own money for the benefit of the ward. However, the Court cannot approve payment or reimbursement unless you keep good records of the time you spend on guardianship matters and keep receipts for estate expenses. You should write down the date, what you did and how much time you spent.

Final authority to make decisions rests with you (subject in certain cases to the Court's approval). Still, you should make it a practice to discuss all major issues with your ward, attorney and, if appropriate, other family members. Many disputes brought before the court are as much of a result of a failure to talk with interested parties as they are of an incorrect decision. A few minutes of prior consultation may save many hours of later dispute.

RESPONSIBILITIES AS GUARDIAN

As guardian, you determine where your ward will live and who will provide meals, personal care, transportation and recreation. Your level of involvement will, of course, depend on the degree of personal supervision needed by your ward. You should try to discuss decisions with your ward before acting. Try to select the alternative that preserves the personal independence, dignity and lifestyle of your ward to the extent consistent with your ultimate responsibilities as guardian.

PLACE OF RESIDENCE

As guardian, you must decide where your ward shall live (unless the court has expressly ordered that your ward retains this right). That power is not unlimited. For example, you may not place your ward in an inpatient mental health facility without seeking court approval. Similarly, you cannot make your ward a "prisoner" by denying the pleasure of visiting family and friends.

Your Ward should remain in his or her home if it is possible to make it safe and comfortable for your ward. To make the home safe and comfortable, you may have to change the locks so that no unauthorized person enters the home. You may also have to have the home thoroughly cleaned to eliminate unsanitary or unsafe debris. You should contact the local gas, electric, water, garbage, and telephone companies to make sure these services to the home continue. It may also be necessary to make repairs or modifications to the home. Extensive and expensive repairs must be pre-approved by the court.

If your ward will be alone in the residence for more than brief periods of time, you may want to subscribe to an emergency medical button response system. With such a system, one touch of a button will bring help to your ward in minutes.

Most wards require some assistance with day-to-day living. This assistance can range from someone to do simple errands (such as buying groceries once a week) up to full 24 hour nursing care. You can hire assistants directly, you will have to verify employment eligibility, file employment tax returns and arrange workers' compensation coverage. Whether you hire the assistant directly or through an agency, you are responsible for establishing guidelines for the assistants and insuring each assistant follows those guidelines.

At some point in time, it may no longer be feasible, for either physical or financial reasons, for your ward to continue to live in his or her home. If this occurs, it is your responsibility to find a place for your ward and arrange for the move. Before you sign a written agreement for a new placement, you may wish to have it reviewed by your attorney.

You are not personally liable for your ward's costs just because you are his or her guardian. You should refuse to sign any documents if they include a promise that you will pay for his or her care from your own funds. Even if your ward is placed in a care facility, it remains your responsibility to make sure that your ward receives appropriate health care, nutrition, grooming, recreation, and social stimulation. You should visit the facility periodically and regularly review your ward's charge with the nursing shift supervisor to ensure that your ward receives proper care.

NUTRITION

Proper nutrition is essential to the physical and mental well-being of your ward. Ask your ward about his or her likes and dislikes. Also, consult with your ward's physician to decide what types of food and beverages should and should not be provided. Have the physician or a qualified nutritionist prepare a diet plan. Then arrange for the purchase and preparation of the appropriate food and beverages.

Very often your ward will not be capable of preparing his or her own meals. Several community organizations may be available to deliver prepared meals to a ward's home. There are also senior centers throughout the State that provide at least one hot meal as part of the daily program.

HEALTH CARE

You are responsible for making decisions regarding your ward's medical care and treatment. You must consent to any medical treatment before it is provided to your ward, unless it is an emergency. Emergencies are situations where your ward has a medical condition which, if not immediately diagnosed and treated, will lead to serious disability or death. If it is not an emergency, your consent must precede any treatment.

You should always act in good faith and base your decisions on medical advice. You may not place your ward in an inpatient mental health facility without the specific approval of the court. Likewise, you may not consent to experimental medical procedures without court approval.

Usually you will continue to use the health care providers your ward has used in the past, so long as these persons have the qualifications to provide the required care. If your ward suffers from a medical problem (such as Alzheimer's disease or alcoholism), you should educate yourself about the illness, what is likely to happen and what can be done to reduce adverse effects.

Many wards have executed a living will or a durable power of attorney for health care. These documents specify what actions to take regarding prolonging life through life support systems. If you are confident that your ward had the capacity to understand the documents when it was signed, you should respect his or her wishes. You should seek direction from the court when you are not sure whether your ward

understood the document. If you believe that the person designated in the power of attorney is not acting in the best interests of your ward, you can ask the court to revoke the power. A power of attorney is not necessarily void after the appointment of a guardian.

You should make sure that your ward has appropriate health insurance. This may include Medicare, a health maintenance organization ("HMO"), Medicare supplemental health insurance, long term care insurance, and if your ward is eligible, Medicaid ("SAMI" or "MAABD") coverage, or Clark County Assistance.

RECREATION

A ward's disabilities may make it difficult to continue many activities that have been sources of happiness over the years. Lack of outside stimuli often results in accelerating your ward's physical and mental decline.

You have a duty to ensure that your ward has appropriate social and intellectual stimulation and the physical means of enjoying it. Talk to your ward about what he or she would like to do. If your ward likes to read, make sure that reading material is available and that your ward has properly fitted glasses and a reading light. Large print books and books on audio tapes are available at most libraries and bookstores. If your ward shares a room with someone, make sure that he or she has earphones. Other sources of pleasure are favorite foods and drink, lotions and powders, and, for some, television.

Encourage your ward to call and write family and friends. Similarly, encourage them to visit or write back. Encourage family and friends to take your ward on periodic outings. Even extremely impaired people enjoy being taken to restaurants, to the park and out for drives. Some organizations will make daily telephone calls to your ward to check on his/her welfare. Many churches have volunteers who will visit your ward regularly. If it is appropriate, you should encourage and arrange daily activities for your ward.

CONTROL

If your ward is a danger to others, you should take all the reasonable steps necessary to reduce the danger. For example, your ward should not drive if he or she is unable to safely operate a motor vehicle. If your ward has a violent temper, he or she should not have access to guns or other lethal weapons. If you are negligent in your attempts to control your ward, you may have to pay, with your own funds, any damages caused to others by your failure to control your ward. Because of this, you may want liability insurance to protect yourself.

GUARDIAN'S REPORTS

You must file an annual report with the court describing your ward's residence, physical and mental health, whether there is still a need for a guardian and (if there is no

guardian of the estate) your ward's financial situation. If your ward is a minor, you must also report on their progress in school and their immunizations. You must mail copies of your report to your ward, your ward's guardian of the estate (if any), your ward's spouse (or parents if your ward is unmarried), the attorney (if any), and any interested party who has filed a demand for notice with the court.

You must notify the court whenever you change your address. Failure to keep the Court advised of your whereabouts may lead to your removal as guardian, the imposition of fines or even your arrest.

RESPONSIBILITIES OF THE GUARDIAN OF THE ESTATE

As guardian of the estate, you will manage and use your ward's property primarily for his or her benefit. Your secondary consideration will be the benefit of your ward's legal dependents (such as a spouse or minor children). You must:

- (1) take control of the property and make sure that it is adequately protected against loss;
- (2) establish (in consultation with the guardian of the person and/or your ward) a budget;
- (3) pay our ward's debts as they become due;
- (4) invest the property in investments suitable to your ward's circumstances; and
- (5) annually report to the court about the assets, receipts and disbursements of the estate.

Much of this can be done without prior court approval. However, there are certain acts that require prior court approval. In particular, selling the ward's property or changing investments usually requires prior court approval. If you have any doubts, you should contact your attorney before taking action.

TAKE CONTROL OF PROPERTY

Your Letters of Guardianship of the estate are the legal document giving you the authority to take all the actions described herein. You should have enough certified copies to give one to each bank, stockbroker, stock transfer agent and other officials. They may make a copy and return the certified Letters to you, but some will want to retain a certified copy.

Your first duty as guardian of the estate is to take control of your ward's property. Identify what your ward owns and arrange for transfer of title into the guardianship estate's name. Your ward's property may include cash, uncashed checks, bank accounts, stocks, bonds, notes receivable, partnership interests, life insurance policies, real estate, furniture, jewelry, automobiles and the right to receive payments from the government, insurance companies, employers and trusts.

You should immediately open a checking account

and, if appropriate, a savings or money market account titled as "(Ward's name), by (Your name) as Guardian." This account will serve as a place to deposit funds you collect. You should also consider opening a safe deposit box to hold documents and property of independent value. You must use your ward's social security number for the accounts, not your own. Use the checking account to deposit all receipts and pay all expenses. Separately record each receipt and each expenditure in the checkbook register so that later you will have the details necessary for the accounting you will submit to the court. If the checking account balance is larger than immediate needs, you should deposit the unneeded funds in an interest-bearing account. **The law requires you to always keep your ward's property separate from your own property. You may never use your ward's property for your own benefit; any time you benefit in any way from the guardianship, although your ward may also benefit, you should secure prior court approval.**

The best source of information about assets is probably your ward. You should review all his/her financial records with your ward, including current bank and broker statements, income tax returns, account ledgers, deeds and insurance policies. You have a right to enter your ward's safe deposit box and remove the contents. If the box is rented with another person, that other person should be present when the box is opened.

You also have a right to interview other people who may have knowledge of your ward's property, such as your ward's accountant and stockbroker. You may want to send a letter to all banks and savings and loan associations in the area to find out what accounts your ward owned as of the date of your appointment. You should transfer the funds in each account to the guardianship accounts. Financial institutions must waive early withdrawal penalties on time deposits made by your ward before the guardianship is started. However, you should always check with the financial institution before you withdraw funds from the account; the interest rate in a longstanding account may be advantageous. You should limit to \$100,000.00 the total deposits with any one financial institution. If you ward is going to be receiving wages or a monthly allowance, you may want to keep one small checking account open in his or her name and direct monthly bank statements to your own address.

Although your ward's stocks and bonds will ordinarily be in a safe deposit box or with a broker, it is not uncommon to find certificates in your ward's home. Therefore, you should make a careful search of the home. If you believe that your ward owns a security but you are unable to locate the certificate, you should write to the company and obtain a replacement certificate.

Property that is co-owned with another person (such as a joint bank account) or co-controlled by another person acting under a power of attorney creates special problems. If

the only other owner is your ward's spouse, you (with the help of your attorney) should find out whether the funds are community property. Normally, joint tenancy accounts are owned by the named account holders in proportion to the contributions each joint tenant made to the account. Joint tenancy accounts also have an affect on the estate plan of your ward, and you must take your ward's estate plan into account when investing or selling assets and paying your ward's bills. You will need to determine your ward's intent for using joint tenancy accounts and whether the other joint tenant contributed any part of the account. Before dividing or closing a joint tenancy account, you should consult with your attorney. If none of the funds belong to the other joint tenant, you may transfer the funds to a new account with the joint tenant named as a P.O.D. (payable on death) beneficiary. If you cannot reach an agreement about what belongs to your ward, consider taking control of the entire property to prevent the other owner(s) from disposing of your ward's share. You may seek instructions from the Court concerning the disposition of the property. As guardian of the estate, you have the authority to revoke any financial powers of attorney previously signed by your ward. You should consult your attorney for assistance in preparing and recording a revocation and in notifying the person named in the power of attorney.

You should deposit valuable jewelry, stamp and coin collections and other small objects of substantial value in the guardianship safe deposit box, unless you decide that the benefits of leaving such property with your ward outweighs the risks of loss. You should store valuable furs, antiques and art work and excess furniture in an insured warehouse if there is no immediate need for these items at your ward's home. You should also decide whether other people hold property that belongs to your ward. For example, your ward may have lent to others furniture, art work or other items, and it is necessary for you to decide whether such items should be reclaimed. You may want to take photographs of all your ward's valuable personal and household effects for insurance purposes.

You should get the title to your ward's automobile and make sure that no unauthorized person drives it. No one should drive the automobile unless it is adequately insured. If you decide to store the automobile in a garage, remember to keep the registration current.

Your ward may receive payments from the government, insurance companies, (former) employers and trusts. You should contact the Social Security Administration, Civil Service Retirement System and the Veterans Administration to find out whether your ward is eligible for benefits and arrange for checks to be sent to you as the guardian. If your ward receives retirement or disability benefits from an employer or an insurance company, contact the payor and have benefits sent directly to you. If your ward is a beneficiary of a trust, you should review the terms of the trust with the trustee and have trust distributions sent directly

to you. Consult with your attorney if your ward was a trustee.

Record a certified copy of your Letters of Guardianship in the County Record's Office of each Nevada county where your ward owns real estate, and also in the county where your ward resides. This will help prevent any unauthorized sale or mortgaging of the property. Consult with your attorney if your ward owns real estate outside Nevada. If the property is rental property, you should direct the tenants to pay rent to you.

For automobiles, real estate and household effects, you should insure the property against fire, theft and other hazards (for its replacement value), as well as liability to third parties (including workers' compensation claims of household help). You may insure the property, your ward and yourself without prior court approval.

You should also consider canceling charge accounts and credit cards in your ward's name to make sure that no one can make unauthorized purchases.

PREPARE THE INVENTORY

You must file an inventory of all assets owned by your ward at the time of your appointment (no matter where located) within 60 days after your appointment. The inventory and appraisal:

- * advises the court of the extent of your ward's estate;
- * helps the court set your bond; and
- * serves as the starting point for your annual accountings.

If you are not sure of the value of an asset, you may want to have the asset appraised. Unless you are planning to sell real property, you may use the County Assessor's full cash value for inventory purposes. If you must, obtain a formal appraisal by a certified appraiser. You do not always have to obtain formal appraisals, but the inventory entry for each item should state whether the value is estimated, an assessed value or an appraised value.

ESTABLISH A BUDGET

You should prepare a budget for your ward with the guardian of the person and, if possible, with your ward. The budget should project income from all sources, including income from investments and employment and income from the government, insurance companies, (former) employers and trusts. It should also project housing, food, clothing, personal care, in-home assistance, medical care, transportation, insurance, utilities, taxes, entertainment, estate administrative fees (including attorney's fees) and, if authorized, support of your ward's legal dependents. In establishing a budget, you should remember your **sole** responsibility is to your ward and those entitled by law to support from your ward. You should not deprive your ward of

a reasonable item merely to allow his or her heirs to inherit more property. Your responsibility is to your ward, not to the heirs.

You will need to discuss with your attorney and the guardian of the person how to pay expenses. Usually, it is simpler for the guardian of the estate to pay expenses directly, and you should arrange to have bills sent directly to you. There may be situations or expenses where it is simpler to pay money to the guardian of the person, or even to your ward, to allow that person to pay the expenses. For example, your ward may benefit from having a small checking account with which to pay monthly utility bills. However, if your ward will pay the utility bills, you should ask the utility to notify you before taking any action for nonpayment.

You may not make gifts from your ward's funds, even if your ward wants to make the gift. If your ward has a history of gift-giving, you may apply to the Court for authority to continue this pattern.

If you receive a bill for your ward which you do not believe is valid, you must take action within 60 days. You should consult your attorney regarding the proper procedure to disallow such a claim.

MAKE SUITABLE INVESTMENTS

Review your ward's investments (perhaps with a qualified financial consultant) to decide whether they are appropriate in light of your ward's age, life expectancy, income requirements and estate size. You must manage your ward's estate prudently and should avoid risky investments. The safety of the investment is more important than receiving a high rate of return. If the court later decides that you invested unwisely, you may have to repay any loss. You should review any proposed changes with your ward and be sensitive to your ward's perception of what is a risky investment. Before acting on any proposed sale or purchase, you should consult with your attorney. Generally you must ask for court approval prior to the sale.

The court is unlikely to approve unsecured loans, loans to relatives (even if secured) or obligations of foreign countries or foreign corporations. Should you decide that a sale of Nevada real estate is necessary, you must first obtain court approval to enter into a sales agreement. After the sale is concluded, the sale must then be confirmed by the court. This process requires two court hearings. The advice of your attorney in this process is strongly advised.

When the guardianship needs cash, you must choose between raising the cash by borrowing, by the sale of assets, or both. You must obtain prior court approval to borrow money. No court approval is required to deposit or withdraw funds from the following investments:

- * deposits in a federally insured bank, or savings and

- loan association in Nevada, unless access to the account has been restricted by the court;
- * interest-bearing obligations of or fully guaranteed by the United States;
- * interest-bearing obligations of the United States Postal Service, or the Federal National Mortgage Association;
- * general obligations of Nevada, or political subdivisions thereof.

You may not require prior court approval to sell personal and household effects. There may, however, be notice requirements that need to be met. You should check with your attorney to make sure you will not be held personally responsible for any loss that results from an improper sale of personal property. In addition, you should not rush to sell household effects just because it appears likely that your ward will be placed in a nursing home. Usually you will wait for a period after nursing home placement before disposing of property. This gives your ward time to adapt to the home. Once you decide to dispose of the property, **do not** just distribute it among family members, even if they will inherit the property after your ward's death.

The sale of real property requires prior court approval and you should consult your attorney before making any final decision to sell. You may use an agent to sell the property, but be sure to tell the agent in advance if the sale will be subject to court confirmation. In addition, there is a limitation on the commission that can be paid to the real estate agent-usually seven percent (7%) for improved property, and ten percent (10%) for unimproved property. You will also need court approval to rent out the property.

PAY TAXES

As guardian of the estate, you will file tax returns for your ward. You may hire and pay a tax preparer to prepare the returns without prior court approval. If you suspect that tax returns are not current, you should contact the Internal Revenue Service to obtain copies of prior returns and to find out what returns are missing. There are penalties for both failure to file a return and failure to pay the tax. Sometimes a penalty may be waived if the guardian shows that the failure to file was due to reasonable cause (such as the ward's incapacity) and not due to willful neglect. The fact that the guardianship has been created may be sufficient grounds for waiving the penalty. After your appointment, you may be personally liable for any later failure to file returns. You should also pay real estate taxes, personal property taxes and unemployment taxes (e.g., for in-home help) when due.

ACCOUNT TO THE COURT

Unless the court says otherwise, you must file an accounting with the court each year and when the guardianship is terminated. If possible, you should review the accounting with your ward before the court hearing. All fees paid to the guardian and the guardian's attorney are subject to court

review and approvals as part of the accounting process.

A petition requesting approval of the accounting must be filed with the court and properly noticed for hearing.

The accounting must show all receipts and expenditures, investment transactions, disposition and acquisition of assets, gains or losses on sale of assets and changes in value of assets for the specific accounting period. The first accounting commences with the total estate figure shown on the inventory, appraisal and record of value. Each subsequent accounting commences with the total property of estate figure from the prior accounting.

The court or any interested person entitled to notice of the guardianship proceeding has the right to request copies of all supporting records and documentation (e.g., receipts, copies of paid bills) from the accounting period. A detailed check register may be sufficient.

GLOSSARY OF TERMS

BOND	A bond issued by one party, the surety (insurance company) guaranteeing that they will pay specific amount of money (bond limit) if the principal (guardian) fails to perform his or her duties or causes a loss of guardianship funds.
COURT	The District Court.
GUARDIAN OF THE ESTATE	A person appointed by a court to manage the estate (finances) of a Ward, i.e., to provide an inventory to the court, account to the court annually, to receive income, pay bills, invest funds, file taxes, etc.
GUARDIAN OF THE PERSON	A person who has been appointed by the court to act on behalf of a ward's person, i.e., to determine placement, make medical decisions, etc.
INCOMPETENT PERSON	A person who, by reason of mental illness, mental deficiency, advanced age, disease, weakness of mind or any other cause, is unable, without assistance, to properly manage and take care of himself or his property.
LETTERS	Letters of Guardianship of the person, estate, or both, issued by the Clerk of the Court, showing official authority.
PETITION/PLEADING	A written application to the court, stating facts and circumstances requesting court action on a specific matter.
PROPERTY	Means both real and personal property or any interest in it and anything that may be the subject of ownership.
WARD	A person for whom a guardian of the person or guardian of the estate has been appointed.

APPENDIX A

GOVERNMENT BENEFITS

Dealing with medical bills will be one of your major jobs as guardian. Medicare, Medicaid, and Clark County General Assistance are government medical programs for which your Ward might qualify. Your Ward might also be able to get income from Social Security.

MEDICARE

Who is Covered

In general, Medicare covers:

- * People 65 and older who are entitled to receive Social Security;
- * People under 65 who have been receiving Social Security disability benefits for two years;
- * People with end-stage renal disease (kidney failure);
- * Certain former employees of federal, state and local governments and railroads.

What is Covered

Medicare is a federal health insurance program for those over 65 or disabled. There are two types of insurance. Part A, which is provided without charge, covers hospital expenses. Part B, which is optional and which charges premiums, covers outpatient medical care.

Medicare Part A (Hospital Insurance) covers:

- * Hospitalization
- * Up to 150 days per year post-hospital skilled nursing facility care. Most nursing home care is not covered because it is personal care such as help with bathing or eating;
- * Certain part-time home health services; and
- * Hospice care.

Medicare Part B (Medical Insurance) covers:

- * Physician's services;
- * Certain outpatient services;
- * Home Health care;
- * Diagnostic tests; and
- * Medical appliances

What is Not Covered

Medicare will not pay for:

- * Routine checkups;
- * Eye exams and glasses, except for eye surgery;
- * Hearing exams and hearing aids;
- * Routine podiatric care and orthopedic shoes;
- * Dental services;
- * Custodial care (help in bathing, dressing, or eating); or
- * Most long-term nursing home care.

How to Apply

Contact your local Social Security office or call 1-800-772-1213.

MEDICARE SUPPLEMENTAL INSURANCE

Because Medicare does not cover everything, you should consider buying private insurance to supplement Medicare. Get from your local Social Security Office a free copy of the pamphlet "Guide to Health Insurance for people with Medicare." This pamphlet explains how supplemental insurance works and how to shop for it.

MEDICAID

The Welfare Division for the State of Nevada administers the Medicaid program for the State of Nevada.

What is Covered

The Nevada Medicaid will cover many types of Medical assistance, including primary medical care, doctors, hospitals, and nursing home care. The benefits that a recipient is entitled to depends on several factors, and not all applicants are entitled to all benefits. Consultation with your attorney regarding available benefits is suggested.

Who is Covered

- * SSI recipients;
- * AFDC recipients;
- * Children in families on food stamps;
- * Others, including institutionalized (nursing home) individuals who meet certain income and asset criteria (Note: there are federal and state laws that can protect assets of the spouse and dependent family members of a Medicaid recipient-if the ward has a spouse or dependent family member, and is in need of medical or institutional care, it is wise to consult with your attorney about public assistance programs that pay for the ward's care yet allow the family to keep some of their common assets).

How to Apply

The Social Security Administration processes applications for SSI recipients.

The Nevada Welfare Division processes applications for all other state benefits, including AFDC, and children in families on food stamps. All others must apply through a county eligibility office.

SOCIAL SECURITY

The Social Security Administration pays retirement benefits to those over 65. It also pays survivors' benefits to some spouses and children of deceased persons, even though the family members are under 65. You should apply to the Social Security Administration to be the "representative payee" of your ward's social security benefits. The checks will then be made directly to you, as guardian.

SOCIAL SECURITY DISABILITY

The Social Security Administration makes monthly disability payments to disabled workers under age 65 and their families, disabled widows, and unmarried persons who become disabled before age 22. Types of disabilities that qualify are heart disease, arthritis, brain damage, mental illness, progressive cancer, and loss of limb function.

SUPPLEMENTAL SECURITY INCOME-SSI

SSI makes monthly payments to people who are over 65, blind, or disabled and who have very limited income and resources. SSI recipients automatically qualify for Medicaid.

Contact the Social Security Administration to apply for social security, disability, or SSI payments at 1-800-772-1213.

APPENDIX B

SELECTING A CARE FACILITY

If the ward cannot live on his own, you as guardian, can choose a residence for him. Depending on the ward's needs, you may decide on:

- * Group Care Facility -- provides room and board, and some activities.
- * Skilled Nursing Facility -- provides room, board, 24 hour nursing care, and therapy.
- * Visit each facility that you are considering and look for these things:

General Considerations

- * Is the facility licensed by the State of Nevada?
- * Does the facility participate in Medicaid?
- * Does the facility provide special services the ward needs, such as therapy or a special diet?
- * Is the atmosphere pleasant and cheerful?
- * Is the staff courteous and caring?
- * Do residents look well-cared for and generally content?
- * Are residents allowed to wear their own clothes, decorate their rooms, and keep a few prized possessions on hand?
- * Is there a written statement of resident's rights?
- * Do residents, other visitors, and volunteers speak favorably about the facility?

General Physical Condition

- * Is the facility clean and orderly?
- * Is the facility reasonably free of unpleasant odors?
- * Are toilet and bathing facilities easy for handicapped people to use?
- * Is the facility well-lighted?
- * Safety
- * Are wheelchair ramps provided where necessary?
- * Is the facility free of obvious hazards, such as obstacles to residents?
- * Are there grab bars in toilet and bathing facilities and handrails on both sides of hallways?
- * Do bathtubs and showers have non-slip surfaces?
- * Is there an automatic sprinkler system and automatic emergency lighting?
- * Are there portable fire extinguishers?
- * Are exits clearly marked and exit signs lighted?
- * Are exit doors unobstructed and unlocked from inside?

Medical Services

- * Does the facility have an arrangement with a dental service?
- * Is a doctor available at all times for emergencies, either on staff or on-call?
- * Does the facility have arrangements for quick transportation in an emergency?

- * Are pharmaceutical services supervised by a qualified pharmacist?
- * Is a room set aside for storing and preparing drugs?

Nursing Services

- * Is at least one registered nurse (RN) or licensed vocational nurse on duty at night?
- * Is an RN on duty during the day, seven days a week?

Food Services

- * Is the kitchen clean and tidy? Is food properly refrigerated? Is waste properly disposed of?
- * Ask to see the meal schedule. Are there three meals a day? Are meals served at normal hours?
- * Are there no more than 14 hours between the evening meal and breakfast the next morning?
- * Are residents given enough food? Does the food look and taste good?
- * Do residents who need it get help in eating, whether in the dining room or in their own rooms?

Social Services and Patient Activities

- * Are there social services available to aid residents and their families?
- * Does the facility have an activities coordinator and a varied program of activities?
- * Are activities offered for residents who are inactive or confined to their rooms?
- * Can residents attend religious services and talk with clergymen both in and outside the facility?
- * Are a barber and beautician available?

Patient's Rooms

- * Do all the rooms open onto a hallway?
- * Do they have a window to the outside?
- * Does each resident have a reading light, a comfortable chair, and a closet and drawers for personal belongings?
- * Is there fresh drinking water within reach?
- * Is there a curtain or screen to provide privacy for each bed?
- * Do bathing and toilet facilities have adequate privacy?

APPENDIX C

SAMPLE LETTER TO COUNTY RECORDER

[Insert your address]

[Insert the date]

Office of the County Recorder
[Insert the county recorder's address]

Re: Guardianship of [Insert ward's name], a protected person
Guardianship Case No. [Insert number]

Dear Sir/Madam:

Please record the enclosed certified copy of my Letters of Guardianship. Please return the recorded document to me in the enclosed stamped, self-addressed envelope.

Also enclosed is a check in the amount of \$_____ for the recording fee.

Thank you for your assistance in this matter.

Sincerely,

[Insert your name], Guardian

[Call the county recorder to find out the amount of the recording fee.]

APPENDIX D

SAMPLE LETTER CANCELING CREDIT CARD OR CHARGE ACCOUNT

[Insert your address]

[Insert the date]

[Insert the Bank/Company name]

[Insert the Bank/Company address]

Re: Guardianship of [Insert ward's name], a protected person
Guardianship Case No. [Insert number]
Account No. [Insert number]

Dear Sir/Madam:

I have been appointed Guardian for the above-named account holder. Enclosed is a certified copy of the Letters of Guardianship issued by the District Court of the State of Nevada.

I am requesting that you immediately cancel the account so no further charges may be made.

Thank you for your assistance in this matter.

Sincerely,

[Insert your name], Guardian

APPENDIX E

SAMPLE LETTER TO BANK

[Insert your address]

[Insert the date]

Operations Officer
[Insert Bank name]
{Insert Bank address]

Re: Guardianship of [Insert Ward's name], a protected person
Guardianship Case No. [Insert number]

Dear Sir/Madam:

I have been appointed Guardian for the above-referenced person. Enclosed is a certified copy of my Letters of Guardianship.

Please review your records to determine whether the above-referenced person has any accounts or safe deposit boxes at any of the branches of your institution. If so, please inform me of the account numbers, the balance in each account, the interest rate paid on each account, and the branch where each account and safe deposit box is located.

This is also to inform you that I hereby revoke any power of attorney or other signature authorization with respect to any of these accounts.

When I receive this information from you, I will let you know whether I wish to execute a new signature card reflecting my appointment as Guardian or open another Guardianship account. It is my understanding that all accounts in FDIC institutions may be withdrawn prior to maturity and no penalty for early withdrawal may be imposed if a court declares a person is no longer capable of managing his or her own financial affairs, and the account was issued before the date of such determination and not extended or renewed after that date. If these regulations do not apply to your institution, please let me know.

Thank you for your prompt assistance in this matter.

Sincerely,

[Insert your name], Guardian

APPENDIX F

**SAMPLE LETTER TO SOCIAL SECURITY/
VETERANS ADMINISTRATION**

[Insert your address]

[Insert the date]

[Social Security Administration or VA]
[Insert address]

Re: Guardianship of [Insert Ward's name], a protected person
Guardianship Case No. [Insert number]
Social Security No. [Insert Ward's number] or
Veteran's VA Reference No. [Insert Ward's number]

Dear Sir/Madam:

I have been appointed Guardian for the above-referenced person. Enclosed is a certified copy of my Letters of Guardianship. I am requesting that future checks be made payable to me as Guardian for the above-referenced person.

Thank you for your prompt assistance in this matter.

Sincerely,

[Insert your name], Guardian

APPENDIX G

**SAMPLE LETTER TO INTERNAL REVENUE SERVICE AND
NEVADA DEPARTMENT OF REVENUE**

[Insert your address]

[Insert the date]

Internal Revenue Service
Ogden, UT 84201

Nevada Department of Revenue
[Insert address]

Re: [Insert Ward's name]
Social Security No. [Insert Ward's number]
Clark County Guardianship Case No. [Insert number]

Dear Guardianship Coordinator:

I have been appointed Guardian of the Estate of the above-referenced person. A certified copy of my Letters of Guardianship is enclosed.

Please send all future correspondence concerning the above-referenced person to me at the following address:

[Insert your mailing address]

Also, please send me a copy of the last two income tax returns that were filed by the above-referenced person or any form necessary to obtain those returns.

Thank you for your help in these matters.

Sincerely,

[Insert your name], Guardian

[The letter to IRS should be accompanied by its completed Form 56, Notice Concerning Fiduciary Relationship. You may order the I.R.S. form by calling 1-800-829-3676]

APPENDIX H

SAMPLE ANNUAL REPORT OF GUARDIAN - ADULT

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the)
Person of:)
) CASE NO. G _____
)
) DEPT. NO. A
 AN ADULT)
_____)

ANNUAL REPORT OF THE GUARDIAN (ADULT)

Name of Ward _____

Date of Birth of Ward _____

Address of Ward _____

Phone Number of Ward _____

Ward's Current Physician _____

Name of Guardian(s) _____

Address of Guardian(s) _____

Phone Number of Guardian(s) _____

Relationship of Guardian to Ward _____

1. Describe the residential situation where the ward lives (private home, boarding home, nursing home, etc.) _____

What are the provisions made there for the ward's care in terms of daily living needs and recreation?

Are you comfortable with the care that is provided to your ward? If not, explain.

2. Does your ward attend any daily activities, work or training programs or have any regular weekly outings? If so, please describe them. _____

Do you believe these activities are meeting your ward's needs? Explain.

3. Briefly describe the medical care your ward has had in the last year.

When was your ward last seen by a physician?

What is your ward's current health status?

4. Have there been any substantial changes in your ward's mental abilities or health in the last year? If so, please describe them.

5. How many times did you visit your ward during the past year?

6. Do you believe your ward continues to need a guardian? Please explain.

7. Does your ward have assets, property or annual income in excess of \$5,000? If so, who is responsible for this money or property? Explain and list assets.

8. Does the ward receive any county services? _____ If so, specify.

9. Does the ward receive services from any other source? _____ If so, specify.

10. Other comments or information not covered above:

The undersigned swears that the answers set forth above in the annual report of the guardian are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

DATE: _____

Sign Name: _____

Print Name: _____

Address: _____

Please mail to:
Clerk of the District Court
601 N. Pecos
Las Vegas, NV 89101

Phone #: _____

SAMPLE ANNUAL REPORT OF GUARDIAN - MINOR

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the Person of: _____)
)
)
) CASE NO. G _____)
)
) DEPT. NO. A)
)
 A MINOR.)
 _____)

REPORT OF THE GUARDIAN OF THE PERSON (MINOR)

I, _____, Guardian of the Person of the above-named minor ward, hereby submit this report regarding the development, health, education, and well being of the ward since the last annual report of the guardian (please provide an extra sheet of paper if necessary):

I. Development of the Ward:

(A) Please list a few of the ward's goals, accomplishments or activities which have occurred over the past year:

II. Health of the Ward:

(A) Please circle the current health of the Ward.

Good Fair Poor

Describe: _____

(B) Has the ward experienced any significant health problems in the last year?

Yes No

Describe: _____

(C) Has the ward experienced any significant injuries or accidents in the last year?

Yes

No

*Please include any documentation of injury or accident and include a doctor's note for all significant health problems or injuries, please also attach a copy of immunization record.

III. Education of the Ward

(A) Please list the school which the ward attended last year. _____

(*Please include a copy of the most recent report card.)

(B) Please list the school which the ward will attend next year.

(C) Please list any accomplishments or problems which occurred during the ward's schooling last year.

IV. Well Being of the Ward

(A) Has the ward experienced any difficulties since the last report including, but not limited to, emotional or legal problems? Yes No

If yes, please explain: _____

(B) Does the ward still reside with you, the legal guardian? Yes No

If no, please explain: _____

(C) Who provides the majority of the supervision of the ward? _____

The undersigned swears that the answers set forth above in the report of the guardian of the person are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

DATE: _____

Sign Name: _____

Print Name: _____

Address: _____

Phone #: _____

Please mail to:
Clerk of the District Court
601 N. Pecos
Las Vegas, NV 89101

APPENDIX I

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of:)
)
) CASE NO. G _____
)
) DEPT. NO. A
)
 A Minor/An Adult)
 _____)

INVENTORY, APPRAISAL AND RECORD OF VALUE

	Asset Value	Amount of Encumbrance	Estate's * Interest	VALUE of Estate's Interest
A. REAL PROPERTY				
Description				
Item				
1. _____	\$ _____	\$ _____	%()	\$ _____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____
B. PERSONAL PROPERTY				
Case and Deposits (List)				
4. _____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____
6. _____	_____	_____	_____	_____
Partnership Interests, Etc. (Describe)				
7. _____	_____	_____	_____	_____
8. _____	_____	_____	_____	_____
Notes, Bonds, Securities, Debts, Etc. (List Name & Address of Debtor, Date Debt Originated, Endorsement W/Date, Estimate				
As				
To Amount Collectible)				
9. _____	_____	_____	_____	_____
10. _____	_____	_____	_____	_____
11. _____	_____	_____	_____	_____
12. _____	_____	_____	_____	_____
Vehicles (Describe)				
13. _____	_____	_____	_____	_____
14. _____	_____	_____	_____	_____
15. _____	_____	_____	_____	_____
Miscellaneous Personal Property (Describe)				
16. _____	_____	_____	_____	_____
17. _____	_____	_____	_____	_____
18. _____	_____	_____	_____	_____

* Designate Nature of Estate's Interest & % of Ownership; (C) Community; (S) Separate; I.E. 50% (C) or (S).

STATE OF NEVADA)
COUNTY OF CLARK)

OATH OF APPRAISER

I, the undersigned, appraiser of the estate of the above named Decedent solemnly affirm that I will truly, honestly, and impartially appraise the inventory of the Estate to the best of my knowledge and ability.

SUBSCRIBED AND AFFIRMED to before me this
____ day of _____, 19____,

Appraiser

NOTARY PUBLIC

(Type Name & Address)

APPRAISAL

I, the undersigned appraiser of the Estate of the above named Decedent, hereby certify that Items _____ of the Inventory of the Estate have been examined by me and that I appraise items on the Inventory at the value shown opposite thereof for a total sum of _____ (\$ _____) Dollars.

Appraiser **Date**

(Repeat Oath & Certification For Each Appraiser, Attach Separate Sheets If Necessary.)

STATE OF NEVADA)
COUNTY OF CLARK)

OATH OF EXECUTOR/ADMINISTRATOR

I, the undersigned **9** Executor(trix) **9** Administrator(trix) of the Estate of the above named Decedent solemnly affirm that the foregoing inventory is a true statement of all assets of the Estate which have come into my possession or which I have knowledge and includes all money and claims of the deceased.

SUBSCRIBED AND AFFIRMED to before me this
____ day of _____, 19____,

Executor(trix)/Administrator(trix)

NOTARY PUBLIC

VERIFIED RECORD OF VALUE IN LIEU OF APPRAISEMENT

I, the undersigned solemnly affirm that Items _____ of the Inventory of the Estate have been examined by me and that I record the value of these items on the Inventory at the value shown opposite thereof for a total sum of _____ (\$ _____) Dollars.

Executor(trix)/Administrator(trix)

STATE OF NEVADA)
COUNTY OF CLARK)

The undersigned being duly sworn states that he is the Executor(trix)/Administrator(trix) of the Estate of the above named Decedent; that he has read the above and foregoing Record of Value, knows the contents thereof, and that the same is true of his/her own knowledge, except for those matters therein stated on information and belief, and as for those matters he believes them to be true.

SUBSCRIBED AND AFFIRMED to before me this
____ day of _____, 19____,

Executor(trix)/Administrator(trix)

NOTARY PUBLIC

APPENDIX J

GUARDIANSHIP ACCOUNTING FOR PERIOD OF
[month] [day], [year] to [month] [day], [year]

INCOME:

Inventory and Appraisalment	\$ _____
or	
Ending Balance from Prior Accounting	\$ _____
Gain on Sales or Dispositions (Schedule A)	+\$ _____
Receipts (Schedule B)	+\$ _____
Other Income (Schedule C)	+\$ _____
TOTAL INCOME	\$ _____

EXPENSES:

Disbursements (Schedule D)	-\$ _____
Loss on Sales (Schedule E)	-\$ _____
Distributed Assets (Schedule F)	-\$ _____
Property of Estate on Hand (Schedule G) (Ending Assets)	\$ _____
TOTAL EXPENSES	\$ _____

The _____ Account for the Estate of

for the Period

**SCHEDULE A
GAINS ON SALES OR DISPOSITIONS**

DATE	DESCRIPTION	GAIN or INCREASE
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE B
RECEIPTS**

DATE	PAYOR, TYPE OF RECEIPT	AMOUNT
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE C
OTHER INCOME**

DATE	PAYOR, TYPE OF INCOME	AMOUNT
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE D
DISBURSEMENTS**

DATE	PAYEE AND PURPOSE	AMOUNT
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE E
LOSSES ON SALES**

DATE	DESCRIPTION	LOSS or DECREASE
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE F
DISTRIBUTED ASSETS**

DATE	DESCRIPTION	LOSS or DECREASE
		\$
	TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$

The _____ Account for the Estate of _____

for the Period _____

**SCHEDULE G
PROPERTY OF ESTATE ON HAND
(ENDING ASSETS)**

ASSET DESCRIPTION	CURRENT VALUE
TOTAL _____ OR SUBTOTAL _____ (CHECK ONE)	\$