

## INSTRUCTIONS AND CHECKLIST FOR GUARDIANS AND CONSERVATORS FOLLOWING COURT APPOINTMENT

### INSTRUCTIONS AND CHECKLIST ARE FOR YOUR RECORDS ONLY.

These instructions are an outline for getting started as the court appointed guardian and conservator. The information below is used in combination with the KGP Volunteer Training Handbook (Handbook).

**Time Frame – Complete within the first 30 days after your court appointment. KGP staff will be in contact within 30 days to review.**

### GETTING STARTED

Review the General Duties, Responsibilities, Powers and Authorities of Guardians and Conservators in the *Guide to Kansas Laws on Guardianship and Conservatorship* or *Basic Instructions for Guardians and Conservators* located in the front of the KGP Handbook.

### LETTERS OF GUARDIANSHIP AND CONSERVATORSHIP (Handbook Section V.C)

This is the legal document issued by the court which gives you the authority to carry out your duties and responsibilities. You will receive a certified copy of the original document which is on file with the court. Additional certified copies may be obtained from the District Court Clerk if needed. Always keep a certified copy for your records and use.

### FINANCIAL INSTRUCTIONS FOR CONSERVATOR (Handbook Section VI)

The conservator is accountable to the court for ALL income received and expenditures made on behalf of the person.

The person may be eligible for benefits from several sources including: Social Security Administration, Veterans Administration, Railroad Retirement, other retirement sources and employment.

The conservator should make application to receive the benefits on behalf of the person or monitor the benefits being handled by an agency or facility. Records of the use of those benefits should be provided to the guardian and conservator upon request.

### Application Procedures to Become a Representative Payee

**Representative Payee** – The person who receives benefits on behalf of another person.

Contact the nearest Social Security, Veterans or Railroad Retirement Office or relevant pension source to become a Representative Payee.

**Direct Deposit** of monthly benefits is initiated by the conservator, if directly handling the funds. Contact the benefit source and/or bank for the appropriate procedures to follow.

Information needed to complete the Payee application may include: certified copy of the Letters of Conservatorship (and/or Guardianship); Social Security number and date of birth; family information of ward and conservatee

### Banking Procedures (Handbook, SECTION III, D.)

Open a bank account for management of the finances. The account must be separate from the finances of any other person. **NEVER CO-MINGLE FUNDS.**

Always keep a copy of the payment check and receipt of expenditures.

If funds are transferred from a previous conservator or payee, check with KGP staff to determine how funds and accounts should be handled.

**Create a paper trail and document all financial transactions.** Reconcile your documentation and balance with the bank records monthly. Keep all bank records and files in chronological order. Documentation is necessary to prepare the annual court conservator accounting.

### **Electronic Banking**

Read monthly statements promptly. Monitor for missing bills and out-of-pattern transactions. Keep accurate records of the dates and amounts of purchases, payments, and withdrawals. Maintain the ability to provide written document for electronic transactions as may be necessary.

### **Resident Trust Account**

Many providers have a resident trust account set up for the personal expenses of each resident. Review with the provider how the trust account will be handled to best meet the needs of the person. If funds are managed by the provider, a detailed accounting of how the funds are disbursed should be provided to the conservator who is responsible for providing oversight of how funds are expended. Review these records for accuracy and appropriateness of expenditures.

### **Conservator Inventory and Valuation (Handbook Section V. D.)**

The *Inventory and Valuation* describes the assets and property of person's estate at the time the conservator is appointed by the court. It is a summary of all financial resources and property including: cash, bank accounts resident trust account, burial trust/plan, real estate and personal property. Information to complete the inventory may come from multiple sources such as DCF, the facility, a previous guardian and conservator, county records, etc.

This document is prepared by the conservator and filed with the district court within 30 days of the date of appointment. Keep a copy for your records and send a copy to KGP.

### **ESTABLISHING A RELATIONSHIP, ADVOCATING AND MONITORING SUPPORTS AND SERVICES (Handbook Section IX. B)**

To effectively advocate for and monitor the supports and services received by the person, the guardian and conservator shall become and remain personally acquainted with the person. A part of the guardian and conservator role is to learn about the individual's expressed wishes and preferences in all aspects of the person's life including financial matters. Reviewing or developing a plan of care for and with the individual is a good place to begin this process.

**Plan of Care** - Generally providers of supports and services are required to develop a plan of care for the individual. The plan of care is the written blueprint for identifying opportunities of choice for the person and to promote and protect the care, comfort and safety of the person.

### **RECORD KEEPING (Handbook Section X)**

#### **Reports and Documents**

KGP provides a brown accordion folder for storing documents such as legal papers, KGP reports, medical information, and related documentation for supports and services received.

**Ward or Conservatee Information Form** (see Accordion File Folder)

Document any information which may be needed for quick reference regarding the person. This is for your reference and records only.

**KGP Memo of Understanding (MOU)** (Handbook Section II, I)

The MOU is a signed agreement between the KGP volunteer and the KGP stating the responsibilities of each party. Please sign and return the white copy to the Manhattan Office.

**KGP Guardian or Conservator Monthly Report** (Handbook Section II, J.)

Monthly reports provide information to the KGP about advocacy activities provided on behalf of the person. Volunteers electing to complete paper reports will receive the forms by mail at the end of each month. Volunteers filing reports electronically will receive an email notice with the web link to the online form. Completed reports are returned to the Manhattan Office. Retain a copy for your records.

**Electronic Filing**

We encourage volunteers to file KGP monthly reports electronically when possible. To establish filing procedures, contact the Business Manager at [cradeke@ksgprog.org](mailto:cradeke@ksgprog.org) or call 785-587-8555 ext. 11.

**Stipend checks** are issued twice a month.

Contact the KGP Office 1-800-672-0086 or your regional recruiter/facilitator with questions.

## CHECKLIST FOR GUARDIANS AND CONSERVATORS FOLLOWING COURT APPOINTMENT

### LETTERS OF GUARDIANSHIP AND CONSERVATORSHIP

<b>Date Completed</b>	<b>Activity</b> - Provide a copy of your Letters of Guardianship or Conservatorship to the following:
_____	Provider(s) of services and supports, facility and/or residence
_____	Medical provider (doctor, dentist, therapists, etc.)
_____	Banking institution, as applicable
_____	SSA, Veterans Administration, Railroad Retirement, Pension group as applicable

### FINANCIAL INFORMATION – Instructions for Conservator

<b>Date Completed</b>	<b>Activity</b> - Accessing Income Benefits
_____	Make application to become representative payee (if applicable)
_____	Open bank account

### Resident Trust Account

<b>Date Completed</b>	<b>Activity</b>
_____	Review Resident Trust Account with provider, if applicable

### Conservator Inventory and Valuation

<b>Date Completed</b>	<b>Activity</b>
_____	Completed Inventory and Valuation filed with the court
_____	Send copy to KGP and retain copy for records

### Establishing a Relationship, Advocating and Monitoring Supports and Services

<b>Date Completed</b>	<b>Activity</b>
_____	Review copy of the current plan of care
_____	Develop/revise the plan of care with the person and providers of supports and services

### RECORD KEEPING

#### Ward or Conservatee Information Form (see Accordion File Folder)

<b>Date Completed</b>	<b>Activity</b>
_____	Ward or conservatee Information Form completed

### KGP PAPERWORK

#### Memo of Understanding [MOU]

<b>Date Completed</b>	<b>Activity</b>
_____	Signed MOAU and copy sent to KGP

#### Monthly Reports

<b>Date Completed</b>	<b>Activity</b>
_____	Completed Monthly Report sent to KGP

### OTHER ACTIVITIES TO BE COMPLETED

<b>Date Completed</b>	<b>Activity</b>
_____	_____
_____	_____
_____	_____
_____	_____

INFORMATION REGARDING WARD OR CONSERVATEE  
For Your Reference and Records

CONFIDENTIALITY

The personal and business information of the person receiving guardianship or conservatorship services needs to be held confidential. Information should be divulged only to those directly connected with the person, and then only on a need to know basis in the furtherance of the wishes and/or in the best interest of the person.

PERSONAL INFORMATION

Name \_\_\_\_\_

Residence/Address \_\_\_\_\_

Date of Birth \_\_\_\_\_

LEGAL INFORMATION

Court Venue \_\_\_\_\_ Case # \_\_\_\_\_ Date Appointed by Court \_\_\_\_\_

MEDICAL AND HEALTH CARE INFORMATION

KanCare (Medicaid) and Claim Number \_\_\_\_\_

KanCare Managed Care Group [Amerigroup, Sunflower, United] \_\_\_\_\_

Name of Care Coordinator \_\_\_\_\_

Medicare and Claim Number \_\_\_\_\_

Other Coverage [Veterans Affairs, BCBS, etc.] and Claim Number \_\_\_\_\_

Name of Medical Care Provider/Specialty – Information  
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Name of Medical Care Provider/Specialty – Information  
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Name of Medical Care Provider/Specialty – Information  
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Name of Medical Care Provider/Specialty – Information  
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Name of Medical Care Provider/Specialty – Information  
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Name of Medical Care Provider/Specialty – Information  
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Medications Prescribed  
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Purpose  
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**FUNERAL – BURIAL PLANNING AND ARRANGMENTS**

Review the KGP Volunteer Training Handbook, Section XIII Funeral Planning and Burial

<b>Source of Burial Payment (Funeral insurance, designated Irrevocable Trust/Certificate of Deposit)</b>	
_____	Value _____
_____	Value _____
<b>Funeral Home and Contact Information</b>	<b>Cemetery as Applicable</b>
_____	_____
_____	_____
<b>Religious Preference/Affiliation</b>	
_____	
<b>Whom to Notify, relationship and contact Information</b>	<b>Whom to Notify, relationship and contact Information</b>
_____	_____
_____	_____
_____	_____

**FINANCIAL INFORMATION**

**INCOME SOURCES**

Social Security Benefit/Amount \_\_\_\_\_ Representative Payee \_\_\_\_\_

Supplemental Security Insurance/Amount \_\_\_\_\_ Representative Payee \_\_\_\_\_

Other Sources (Veterans Administration, Railroad Retirements, Pensions, Earnings) & Representative Payee \_\_\_\_\_

**LIFE or OTHER INSURANCE**

Company Name/Address/Phone \_\_\_\_\_

Type of Policy/Policy Number \_\_\_\_\_

\_\_\_\_\_

**OTHER INFORMATION**

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