

IN THE MATTER OF _____

Case No. _____

Ward.

**NOTICE:
ASSUMPTION OF
GUARDIANSHIP AUTHORITY
BY STANDBY GUARDIAN
AND ACCEPTANCE**

I, _____, state under oath:

1. That I was appointed as the standby guardian for _____ on _____.
2. That the current guardian, _____ is unable to continue to serve due to:
The death of the guardian
The guardian is unwilling to serve because of : _____

The guardian no longer has the ability to act because :

The guardian has resigned (written resignation copy is attached which was accepted by the court on _____)
By court order the guardian was removed on _____.

3. I understand that I must comply with [Neb. Ct. R. § 6-1443.01](#) before I can act on behalf of the ward.
4. Please mark one of the following (A, B, or C) and complete the additional questions, if any, for the section you marked:

A) _____ I do have possession or control of the ward's money, assets, possessions or income (including social security or other benefits) and the estimated value is: \$ _____.

B) _____ I **do not** have possession or control of the ward's money, assets, possessions or income (including social security or other benefits). The person who has possession or control of the ward's money, assets, possessions or income (including social security or other benefits) is _____ .

AND

1. _____ I **have** talked to the person in charge of the ward's money, assets, possessions or income (including social security or other benefits)

AND

a. _____ I **am** satisfied that the funds are being handled properly.

b. _____ I **am not** satisfied that the funds are being handled properly because:

2. _____ I have not talked to the person in charge of the ward's money, assets, possessions, or income (including social security or other benefits) because:

C) _____ The ward receives no money, assets, possessions or income (including social security or other benefits).

ACCEPTANCE OF APPOINTMENT AS GUARDIAN

I, _____, accept appointment as guardian of
(Guardian)
_____, and swear that I will perform,
(Ward)
according to law, all duties as guardian.

I acknowledge my responsibilities by *initialing* all of the following:

After Entry of Order of Appointment:

I will file with the court within 30 days of the filing of the Standby Guardian Assumption of Guardianship Authority notification form and Acceptance:

- _____ Guardian/Conservator General Information Form (Form CC 16:2.4).
- _____ Address Information Form (Form CC 16:2.5).
- _____ Personal and Financial Information Form (Appendix Ch. 6, Art. 14, App. 8).
With full account numbers.
- _____ Inventory and Affidavit of Due Diligence Form (Form CC 16:2.9).
- _____ * Proof of Bond (Form from bonding company). If a bond was required by the court.
- _____ * Proof of Restricted Account Form (Form CC 16:2.11).
Within 10 days for any accounts restricted by the court.

After Letters of Guardianship are issued:

I will file with the court:

- _____ Financial Institution Receipt of Letters Form within 30 days (Form CC 16:2.6.1). Showing I presented the Letters of Guardianship to all financial institutions where the ward/minor ward/protected person has accounts and a printout showing the account balance.
- _____ Updated Financial Information Form (Form CC 16:2.40).
With full account numbers if there were changes to the accounts.

I will file with the Register of Deeds:

- _____ * The Letters of Guardianship and/or Conservatorship in any county where the ward has real property or an interest in real property, wherever located, within a reasonable time. (Unless certificate has been previously filed with the court)

***If not required by the court, put "N/A" or "Not Applicable"**

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Within 90 days after the Letters of Guardianship have been issued, I will:

_____ Attend the Guardianship/Conservatorship training class and file the certificate of completion with the court.

Starting *ONE YEAR* after Entry of Order of Appointment, I will file Annual Reports (initial the one that corresponds to the Order of Appointment in this case):

_____ PACKET A – Guardian Annual Report (CC 16:2.33)

_____ PACKET MA – Guardian for a Minor Annual Report (CC 16:2.33M)

_____ PACKET B – Guardian with Budget Annual Report (CC 16:2.34)

_____ PACKET MB – Guardian for a Minor with Budget Annual Report (CC 16:2.34M)

_____ PACKET C – Conservator Annual Report (CC 16:2.35)

_____ PACKET D – Guardian and Conservator Annual Report (CC 16:2.36)

_____ PACKET MD – Guardian and Conservator for a Minor Annual Report (CC 16:2.36M)

_____ PACKET E – Guardian (No Authority over Estate) Annual Report (CC 16:2.37)

_____ PACKET ME – Guardian for a Minor (No Authority over Estate) Annual Report (CC 16:2.37M)

ALL Guardians *MUST* acknowledge all of the following:

_____ I will notify the court of any address change of the ward/protected person within 10 days.

_____ I will notify the court of the death of the ward/protected person within 10 days.

_____ I will file Notice of Newly Discovered Assets (CC 16:2.18) within 30 days if I become aware of additional assets in excess of \$500.00 which did not appear on the Inventory last filed with the court.

_____ I will NOT move the ward out of the State without first obtaining court permission

_____ I will NOT make any cash withdrawals and/or get cash back from without a court order.

_____ I acknowledge that I may receive the forms needed to comply with the above requirements from the clerk or my attorney (if I have one). (If you do not have an attorney, you may get the forms from the clerk's office or on the Nebraska Supreme Court website:
<https://supremecourt.nebraska.gov/programs-services/guardianship-conservatorship#forms>)

State of _____)
County of _____) ss.

This document was acknowledged before me by _____ ,
this _____ day of _____ , 20_____ .

Signature of Judge/Clerk of the Court/Notary Public

Title: _____ Serial Number (if any): _____

Ward/Minor Ward/Protected Person

County Court

Case No. _____

NOTICE OF RIGHT TO OBJECT

TO THE STANDBY GUARDIAN: As standby guardian, you must complete and mail this form to all interested persons and file it with the court.

You are notified that the below listed documents have been filed in the above referenced case on _____.

Date document(s) filed

Notice: Assumption of Guardianship Authority by Standby Guardian and Acceptance

Other (if any):

If you object to the contents or accuracy of these filings, you may file an objection and request a hearing before the court. You have 10 days from the date these documents were filed with the court to complete and file the Objection from which can be obtained on the Nebraska Supreme Court website, <https://supremecourt.nebraska.gov/sites/default/files/CC-16-2-17.pdf>.

Ward/Minor Ward/Protected Person

County Court

Case No. _____

CERTIFICATE OF MAILING

I swear or affirm, **under the penalties of perjury**, that I have filed the Notice: Assumption of Guardianship Authority by Standby Guardian and Acceptance and the required forms with the court and that on _____, I mailed copies of the forms listed below to all interested persons and bonding company, if any, at the addresses set forth below:

Assumption of Guardianship Authority by Standby Guardian and Acceptance

Notice of Right to Object (CC 16:2.16)

NAME(S) OF INTERESTED PERSON(S)	ADDRESS(ES)
_____	_____
_____	_____
_____	_____
_____	_____

See attached (more names and addresses than above)