

I've Been Appointed Limited Conservator Over the Person – Now What?

1 Appointment in Court

This is the date the judge signed the order appointing you limited conservator (termed “limited” because you are only fiduciary over the person, not the property, of the ward).

Upon being appointed as a Fiduciary in Court, you will be charged and responsible for performing certain duties as described in the Order.

2 Take the Fiduciary Oath

Go to the Probate Court Clerk's Office to sign your oath.

3 Receive Letters of Authority (Letter of Limited Conservatorship)

Keep this document and the Order as they detail your authority.

4 Provide your email address to the Probate Court Clerk

The Clerk's Office will email reminders for your required filing.

What Are My Required Filings?

Annual Status Report

Your 1st Annual Status Report is due on _____ (ask the Probate Court Clerk), six (6) months after the date of your appointment.

Thereafter, Your Annual Status Report is due on _____ (ask the Probate Court Clerk), twelve (12) months after your previous Annual Status Report due date.

* The Clerk's Office does not have the authority or ability to extend the time for filing an Inventory, Accounting or Annual Status Report. If an extension is necessary, you or your attorney must file a Motion with the Court requesting such an extension.

What Are My Duties?

Keep in mind that your new title as *Limited Conservator* requires you to make decisions in the best interest of the Ward – and that you will ultimately account to the Court for your actions.

Your fiduciary duties include:

- Your duties are defined within the Court Order. You are responsible for reading and understanding the duties as defined.
- Decision making for the ward's best interest.
- Notification to the Court via the annual status report of any change in ward's physical or mental condition.
- Notification to the Court of a change in the ward's physical or mental condition which may have an effect on the status of the conservatorship.
- Notification to the Court of a request from ward to have conservatorship modified or terminated. (*Petition required*)
- Notification (*in writing*) to the Court of a change to your address, the ward's address and other contact information.
- Court approval is always required before any fees can be disbursed from the Ward's assets.
- If you need to employ a professional to assist with your duties you must seek Court approval if these services have never been approved by the Court in the past.
- You should always consult your attorney regarding compensation for fees incurred performing your duties as Conservator.
- Be aware that you can be removed as Fiduciary at any time the Court determines you are not properly performing your duties.
- Should you ever wish to resign as Fiduciary, you must first file the proper document with the Clerk. (*Consult an Attorney*)
- Court costs are due and payable at the time any pleadings or other Court documents are filed.
- Occasionally, the Court may randomly refer this case to the Office of Conservatorship Management. This may include a home visit to the ward and an interview with the conservator.

Who can I contact for assistance?

***Contact your attorney for all legal questions**

The office listed below may be able to answer non-legal questions regarding conservatorships.

Office of Conservatorship Management
615-880-3355

<http://officeofconservatorshipmanagement.nashville.gov>