

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Licensed Fiduciary Number: _____

Representing Self, without a Lawyer OR Attorney for _____



SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Conservatorship of

Case Number: _____

Protected Minor's Name

ORDER TO CONSERVATOR OF
A MINOR

Warning: Your appointment is not effective until the Clerk of Superior Court has issued your Letters of Appointment.

You have asked the court to appoint you as the conservator for the protected minor named above. While you serve as the minor's conservator, you will be under this court's authority and supervision, and the court will continue to monitor the minor's best interests.

This Order generally explains your duties to the minor and to this court. You may have additional duties imposed by statutes, rules, or the court. By separate order, the court may modify or excuse you from performing a specific duty described below.

1. Ownership of Conservatorship Assets. The conservatorship assets are the minor's property. The assets do not belong to you. You must hold and manage the assets for the minor's benefit.

2. **Use of Minor's Assets.** If you are a parent of the minor, you may not use conservatorship assets to fulfill your legal obligation to support your child. That is, you may not use the conservatorship funds to pay for things that parents normally would pay for to support their own children, such as food, clothing, shelter, education expenses, etc., unless the court enters an order that expressly allows you to do so.
3. **Certified Copy of Letters of Appointment.** You will need to obtain a certified copy of the Letters of Appointment that the Clerk of Superior Court will issue to you. The certified copy is proof of your authority to act on behalf of the minor. You may need to obtain additional (or updated) certified copies from time to time for delivery to, or inspection by, the people with whom you are dealing.
4. **Titling of Accounts.** Any financial account that belongs to the minor should be titled "The Estate of (the minor's name), Minor" by (your name), Conservator.
5. **Restricted Assets.** If the court has entered an order restricting an account, you must file Form 10, Proof of Restricted Account from Financial Institution, within 30 days after the court's order, or as otherwise ordered by the court. Form 10 must be signed by an authorized representative of the financial institution. Ariz. R. Prob. P. 36(b)(2). You may not withdraw funds (principal or interest) from the restricted account without a court order. If the financial institution allows you to withdraw the funds without a court order, you may be personally liable for the funds withdrawn from the account. The court may also remove you as conservator, find you in contempt of court, and sanction you for your failure to follow the court order.
6. **Compliance with Probate Rule 45.** If the court has not waived these requirements, you will need to comply with A.R.S. §§ 14-5418 and 14-5419 and Rule 45 of the Arizona Rules of Probate Procedure regarding the filing of an inventory, a consumer credit report, accounts, and budgets.
7. **Termination of the Conservatorship.** The conservatorship terminates only when the court enters an order terminating the conservatorship. Before the court can enter such an order, you, the minor, or another interested person must file a petition asking the court to terminate the conservatorship and to allow the conservatorship property to be disbursed to the former minor. The petition should be filed when the minor turns 18, after the funds in the conservatorship estate have been depleted, or the minor's death, whichever occurs first. You may need to file a final account with the court before you can be discharged of liability in connection with the conservatorship and before any bond is exonerated.
8. **Change of Your Contact Information.** If your contact information changes during your appointment, you must file Form 13, Notice of Change of Fiduciary's Contact Information, within 10 days after such a change occurs. Ariz. R. Prob. P. 13(c)(1)(A).

9. Legal Advice. You are responsible for obtaining proper legal advice about your duties. Failure to do so may result in personal financial liability for any losses. If you have any questions about the meaning of this order or the duties that the court's orders, statutes, and rules impose upon you by reason of your appointment as guardian and conservator, you should consult an attorney or petition the court for instructions.
10. Compensation for Services as Conservator. If you are a licensed fiduciary or are related by blood or marriage to the minor, you may be entitled to compensation for your services as conservator. *See* A.R.S. §§ 14-5414(A) and 14-5651(K)(1). If you wish to be compensated for your services, you should keep detailed records of the time you spend performing your duties. The time records should include the date you perform each task, a description of the task, the amount of time you spent on the task, and the hourly rate you are charging for that task. Read Rule 33, Arizona Rules of Probate Procedure, and Arizona Code of Judicial Administration § 3-303 for more information about compensation for conservator services.
11. Mail Copy of this Order. Within 10 court days after the court issues this Order to Conservator of a Minor, you must mail a copy of the Order to the following:
 - (a) The minor, if the minor is at least 14 years of age;
 - (b) The minor's attorney (if the minor has an attorney) and parents;
 - (c) The minor's guardian, if one has been appointed for the minor; and
 - (d) Any person who has filed a demand for notice in connection with this matter.
12. Inability to Serve as Conservator. If you become unable to continue with your duties for any reason, you (or your own guardian or conservator, if you have one) must petition the court to accept your resignation and appoint a successor. If you should die, your personal representative or someone acting on your behalf must inform the court of your death and petition for the appointment of a successor.
13. Forms. The forms referred to in this Order are available at <https://www.azcourts.gov/probate>.

Warning: Failure to obey this order, the other orders of this court, or the statutory provisions or rules relating to conservators may result in your removal as conservator and other penalties. In some circumstances, you may be held in contempt of court, and your contempt may be punished by confinement in jail, a fine, or both. Ariz. R. Prob. P. 48.



Presiding Judge, Probate and Mental Health Department

ACKNOWLEDGEMENT

I (We), the undersigned, agree to be bound by the provisions of this order, as long as I (we) continue to serve as conservator.

Date

Conservator Signature

Conservator Name (Type or Print Name)

Date

Co-Conservator Signature

Co-Conservator Name (Type or Print Name)