CONSERVATOR'S ACCOUNT FORMS TUTORIAL

This program was developed under grant number SJI-11-E-008 from the State Justice Institute. The points of view expressed are those of the faculty and do not necessarily represent the official position or policies of the State Justice Institute.

PBCAT1-062016

ABOUT THE
CONSERVATOR'S ACCOUNT FORMS TUTORIAL

This tutorial contains valuable information useful to anyone serving as a court-appointed conservator in Arizona. The responsibilities of a conservator include submitting a variety of financial reports known as "Conservator Accounts" to the court as well as a number of other documents and worksheets over the term of the conservatorship.

Review of this material is highly recommended and may be or dered by the judicial officer assigned to your case, but is not part of the mandatory training required to be completed before your Letters of Appointment can be issued by the Clerk of the Court.

You may access and complete the training free online at:
www.azcourts.gov/probate/Training.aspx

If you were specifically ordered to review the *Conservatorship Account Forms Tutorial* by the judicial officer assigned to your case, after you have completed your review you will need to file either the Certificate of Completion available at the end of the online version, or the Declaration of Completion form at the back of this packet.

If you have questions about the conservator account forms, contact the Probate Clerk at (520) 724-3230.

Conservator's Account Forms Tutorial

After viewing the contents of this tutorial you will be able to determine:

- **Which forms are required of the fiduciary by the courts**
- **How each form is used to report different financial information**
- **Where to obtain the forms, and**
- **How to submit the forms**

Annual Reporting

By state statute and Supreme Court rule, a conservator is required to file an annual report to the court that provides an account of the status of the protected person's finances. Until recently, courts across the state have required varying formats for providing this information.

Standardized Forms

In June 2011, the Committee on Improving Judicial Oversight and Processing of Probate Matters recommended standardized conservator account forms to bring uniformity and comparability to judicial oversight of conservatorships.

Financial Status

These standardized forms will give the judge and other interested parties a financial status of the conservatorship; they allow the court to view, in one document, last year's account information, this year's account information and the plan for the coming year.

Standardized Forms Start Date

Starting on September 1, 2012, all new conservatorship cases are required to use the standardized forms. If you are an existing conservator as of September 1, 2012, you should receive an order from the court after you file your next account indicating when you will be required to begin using the standard forms.

Filing the Form

The form the conservator needs to file depends on the phase of the conservatorship. The form technically is just a cover sheet providing information such as the case number, the name of the conservator and protected person, and a listing of the specific documents the conservator is required to file which comprises the conservator's account to the court.

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF THE CONSERVATORSHIP FOR

(Protected Person's Name)

☐ a Minor ☐ an Adult

Case No.: PB

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S FIRST ACCOUNT (FORM 6)

☐ with BUDGET
☐ with Budget Amendment
☐ with Fee Statement

(Assigned to the Honorable:)

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Conservatorship for

Name of Protected Person
☐ Minor (or)
☐ Adult (or person age 17.5 or older)

Case No. PB

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S ACCOUNT (FORM 7)

☐ with BUDGET
☐ with BUDGET AMENDMENT
☐ with Fee Statement

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

In the Matter of the Conservatorship for:

Name of Protected Person

☐ a Minor
☐ an Adult

Case No. PB:

SUBMISSION OF AND PETITION FOR APPROVAL OF CONSERVATOR'S FINAL ACCOUNT
(Form 8)

☐ with Fee Statement

Assigned to the Honorable:

Form 5: Conservatorship Estate Budget

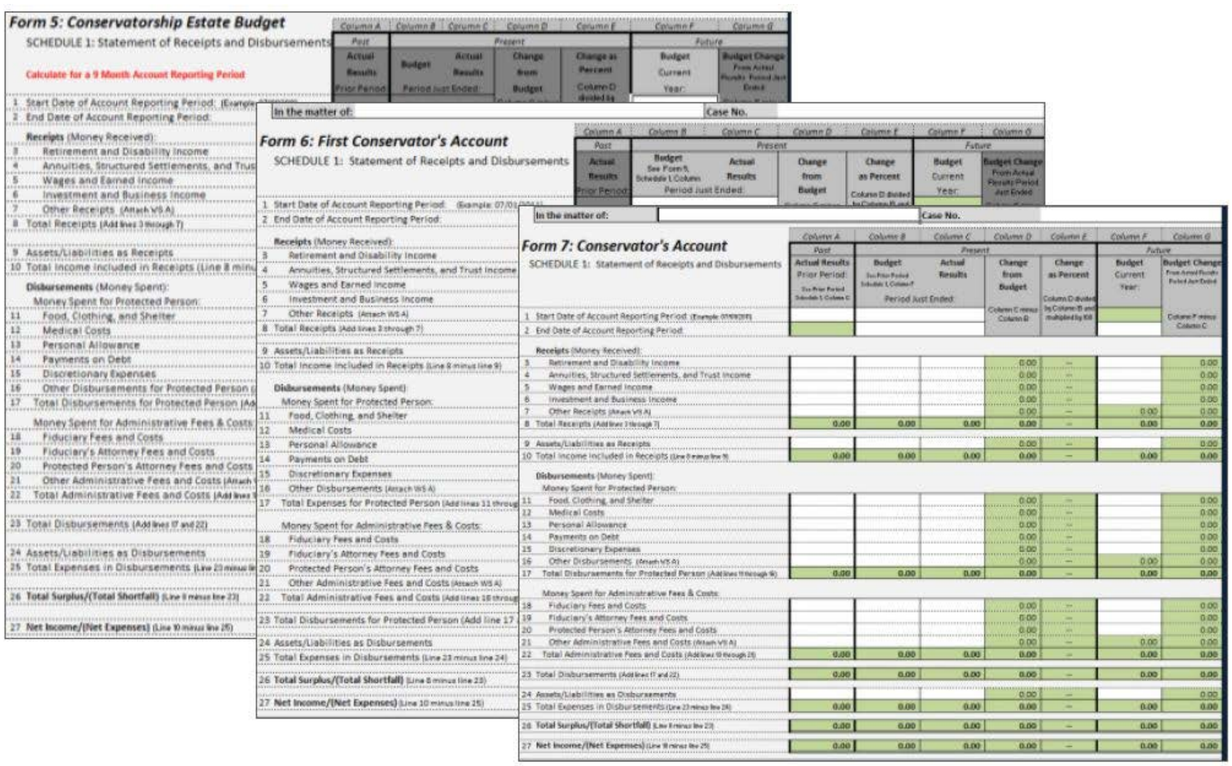
Unless the court waives the requirement, every conservator is required to file the Conservatorship Estate Budget, Form 5, at the beginning of their appointment. This first budget covers only the first nine months of the conservatorship. In subsequent accounts, the conservatorship estate budget will include a full 12-month period.

Form 6: First Conservator's Account

After the completion of the first account reporting period, the conservator will file Form 6, the First Conservator's Account. This account covers the first 9 months of the conservatorship.

Form 7: Conservator's Account

For the second and subsequent account reporting periods, the conservator will file Form 7, the Conservator's Account. The conservator will continue to use Form 7 until the conservatorship ends.



Form 8: Final Conservator's Account

When the conservatorship terminates, the conservator will be required to file one last account, known as Form 8, the Final Conservator's Account.

Form 9: Simplified Conservator'sAccount

In certain situations, the Court may allow the conservator to use a simplified form, known as Form 9, the Simplified Conservator's Account. This form does not require as much information as the typical conservator's account, and is designed for smaller estates or estates with limited financial transactions.

In the matter of:	Case No.	
Form 9: Simplified Conservator's Account	*Column A*	*Column B*
SCHEDULE 1: Statement of Receipts and Disbursements	*Past*	*Present*
	Actual Results Prior Period: See Prior Period Form 9, Schedule 1, Column B	**Actual Results** Period Just Ended:
1 Start Date of Account Reporting Period: (Example: 07/01/2011)		
2 End Date of Account Reporting Period:		
Receipts (Money Received):		
3 Retirement and Disability Income		
4 Annuities, Structured Settlements, and Trust Income		
5 Wages and Earned Income		
6 Investment and Business Income		
7 Other Receipts		
8 Total Receipts (Add lines 3 through 7)	0	0
Disbursements (Money Spent):		
Money Spent for Protected Person:		
9 Food, Clothing, and Shelter		
10 Medical Costs		
11 Personal Allowance		
12 Payments on Debt		
13 Discretionary Expenses		
14 Other Disbursements		
15 Total Disbursements for Protected Person (Add lines 9 through 14)	0	0
Money Spent for Administrative Fees & Costs:		
16 Fiduciary Fees and Costs		
17 Fiduciary's Attorney Fees and Costs		
18 Protected Person's Attorney Fees and Costs		
19 Other Administrative Fees and Costs		
20 Total Administrative Fees and Costs (Add lines 16 through 19)	0	0
21 Total Disbursements (Add lines 15 and 20)	0	0
22 **Total Surplus/(Total Shortfall)** (Line 8 minus line 21)	0	0

USING PROBATE FORMS

Forms and Schedules

Even though the account forms are given a distinct form number, the actual schedules and worksheets the conservator must complete for each account reporting period are essentially the same. The only difference is that certain columns within each schedule may not need to be filled out, depending on which account you are filing with the court. The schedules are formatted so you know which columns you need to complete.

Supporting Schedules

With each account, you will be required to complete up to three supporting schedules. Each schedule represents different aspects of the conservatorship.

Schedule 1: Statement of Receipts and Disbursements
The first schedule, Schedule 1: Statement of Receipts and Disbursements, summarizes the receipts and disbursements of the conservatorship. With this schedule, you are informing the court what money came into the estate and what money went out during the account reporting period.

Schedule 2: Statement of Net Assets & Reconciliation
The second schedule, Schedule 2: Statement of Net Assets & Reconciliation, provides the court a summary of the value of the estate. For this form you will summarize the information you initially provided in the inventory. In subsequent accounts, you will be required to update certain inventory values.

Schedule 3: Statement of Sustainability of Conservatorship
The last schedule, Schedule 3: Statement of Sustainability of Conservatorship provides information to the court about how long the protected person's estate will last before it runs out of money to support the protected person's needs. In other words, you are indicating to the court whether or not the estate is sufficient to cover the protected person's expenses for the duration of the conservatorship.

Sustainability

If, after calculating the estimated years of sustainability, you find the protected person's assets do not cover the total cost of care and services, the conservatorship is considered not sustainable. You must report this to the court on Schedule 3, along with your management plan going forward. This management plan must explain how you will protect and preserve the protected person's estate for as long as possible.

Worksheets

As you complete the schedules, you may have information that does not fit into any of the specified line items. If so, you need to report that information as an “other” item on the schedule. Any time you have to report an “other” item (such as other receipts, other disbursements for the protected person, or other general assets), you must complete a worksheet to list the item(s). For each schedule, there is a separate worksheet to provide this additional information.

Schedule 1 / Worksheet A

For Schedule 1, you would complete Worksheet A to show supporting detail for any other receipts, other disbursements for the protected person, or other administrative fees and costs.

In the matter of:		Case No.	
Start Date of Account Reporting Period Just Ended:			

WORKSHEET A

Supporting Detail for Form 7, Schedule 1:

Other Receipts; Other Disbursements; Other Administrative Fees and Costs

Category	*Column F:* Total (For Page)
Line 7: Other Receipts	0.00
Line 16: Other Disbursements	0.00
Line 21: Other Administrative Fees and Costs	0.00

Other Receipts (Line 7)		Other Disbursements (Line 16)		Other Administrative Fees and Costs (Line 21)	
Description	*Column F:* Budget Current Year Amount	Description	*Column F:* Budget Current Year Amount	Description	*Column F:* Budget Current Year Amount

Schedule 2 / Worksheet B

For Schedule 2, you would complete Worksheet B if you have other general assets or other money denominated assets to report. You would also use Worksheet B to list any bills and payables more than 30 days old, as well as any other debts owed by the protected person.

In the matter of:		Case No.	
Start Date of Account Reporting Period Just Ended:			

WORKSHEET B

Supporting Detail for Form 7, Schedule 2:

Other General Assets; Other Money-Denominated Assets; Bills and Payables More Than 30 Days Old; Other Debts

Category	*Column B:* Total (For Page)
Line 8: Other General Assets	0
Line 13: Other Money-Denominated Assets	0
Line 16: Bills and Payables More Than 30 Days Old	0
Line 17: Other Debts	0

Other General Assets (Line 8)		Other Money-Denominated Assets (Line 13)		Bills and Payables More Than 30 Days Old (Line 16)		Other Debts (Line 17)	
Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value	Description/ Explanation of Change	*Column B:* Updated Inventory Value

Schedule 3 / Worksheet C

For Schedule 3, you would complete Worksheet C if there are any adjustments to the value of net assets, or adjustments to net income, or expenses that impact the value of the estate going forward. For example, you would enter as a positive value any new and significant assets that you expect to come into the conservatorship in the next account reporting period, such as an inheritance or a personal injury award. You would enter as a negative value any assets that need to be used to satisfy any planned, one-time, significant expense such as a one-time medical cost or a large repair to the protected person's home.

In the matter of:		**Case No.**	
Start Date of Account Reporting Period Just Ended:			

WORKSHEET C

Supporting Detail for Form 7, Schedule 3:

Adjustments to Net Assets Available to Conservatorship;
Adjustments to Recurring Net Income/(Net Expenses)

Category	***Column B:*** **Total (For Page)**
Line 3: Adjustments to Net Assets Available to Conservatorship	0
Line 6: Adjustments to Recurring Net Income/(Net Expenses)	0

*Note: If change is negative, place ( ) around the amount or a minus sign in front of the amount

Adjustments to Net Assets Available to Conservatorship (Line 3)		**Adjustments to Recurring Net Income/(Net Expenses) (Line 6)**	
Description/ Explanation of Adjustment	*Column B:* Updated Sustainability Estimated **Adjustment Amount**	**Description/ Explanation of Adjustment**	*Column B:* Updated Sustainability Estimated **Adjustment Amount**

FILING PROCEDURE

Print or Electronic

Excel and PDF

- **Available to complete by hand**
  OR
- **Complete electronically**
  - **Automatically calculates**
  - **Carries information over**

The forms will be available in Excel format and as fillable PDF documents. If you complete the schedules and worksheets electronically, using either format, formulas are included to perform the required calculations and to automatically enter some information. If you do not complete the forms electronically, you can print either the Excel version of PDF version to complete the form by hand.

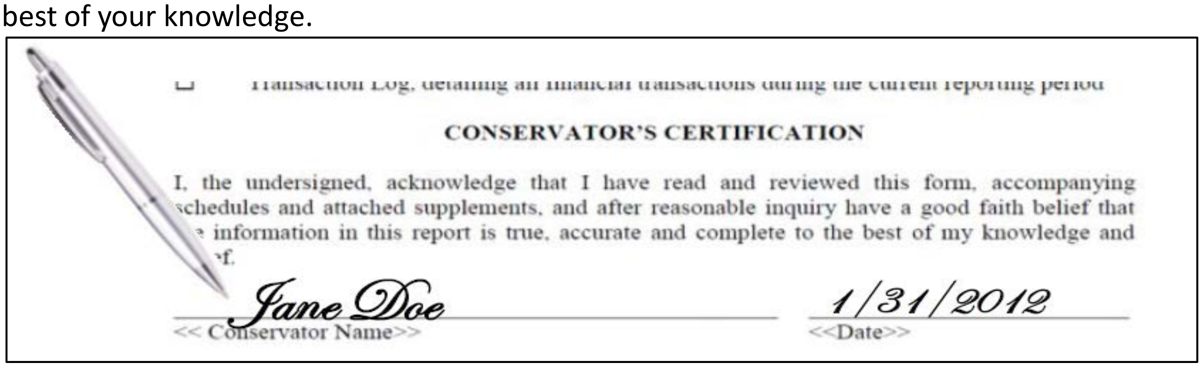
Review Your Work

After you have completed the required schedules and worksheets, review all the documentation to ensure you have not left out any information. Remember, if you do not have any information to report in a certain category, enter a 0 on that line.

After you have completed the required schedules and worksheets, review all the documentation to ensure you have not left out any information. Remember, if you do not have any information to report in a certain category, enter a 0 on that line.

Sign the Conservator Certification Page

Once you have double checked your documentation, complete the form cover sheet and sign the conservator's certification at the bottom of the coversheet page. By signing the certification, you are acknowledging to the court that you have read and reviewed the accompanying schedules, worksheets and any other supporting details you are providing, and that you have a good faith belief the information is true, accurate and complete to the best of your knowledge.


☐ Transaction Log, detailing all financial transactions during the current reporting period

CONSERVATOR'S CERTIFICATION

I, the undersigned, acknowledge that I have read and reviewed this form, accompanying schedules and attached supplements, and after reasonable inquiry have a good faith belief that e information in this report is true, accurate and complete to the best of my knowledge and ef.

Jane Doe — 1/31/2012

<< Conservator Name>> — <<Date>>

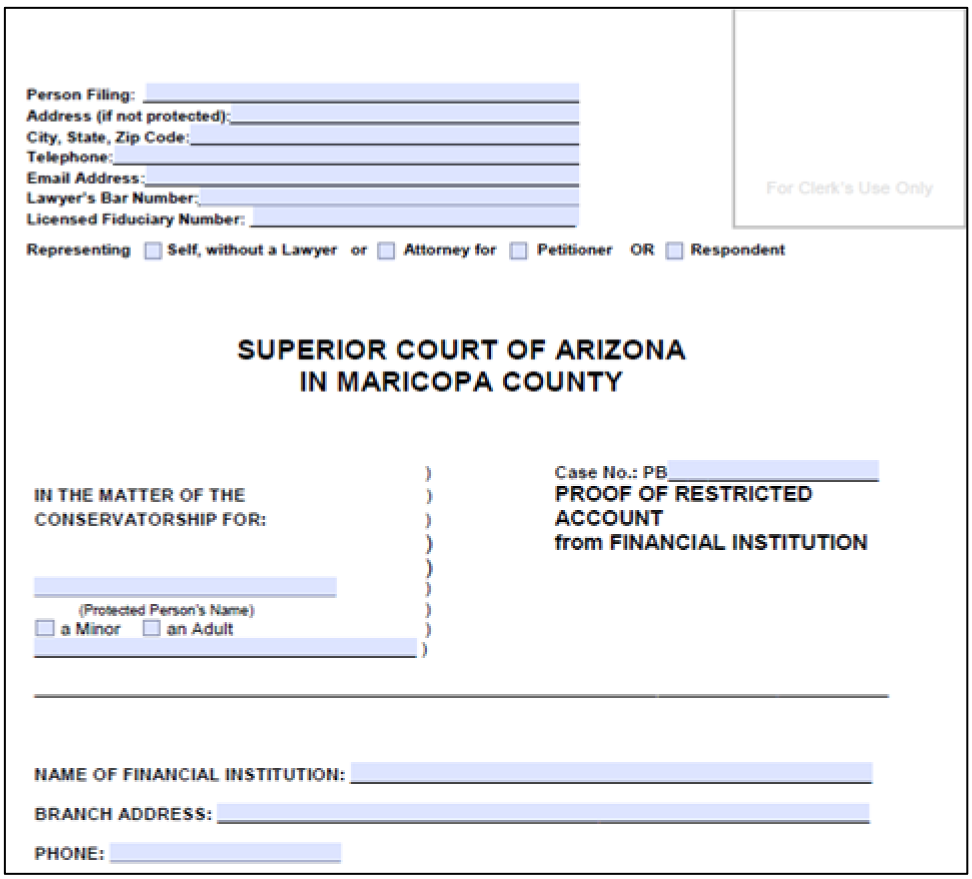
File the Form

You will file the account form with the Clerk of the Court or Probate Registrar of the court that appointed you as conservator. You must also provide copies of the account to all interested parties.

Other Tools

Form 10: Proof of Restricted Account

With each account, you will be required to provide other documentation in addition to the required schedules and worksheets. For example, a Form 10 may also be required if the court orders a restriction on the use of the protected person's bank account or accounts. Form 10 is known as the Proof of Restricted Account form. This is a mandatory form that must follow the format prescribed by the Arizona Supreme Court.



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 ☐ Petitioner OR ☐ Respondent

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF THE CONSERVATORSHIP FOR:

______
(Protected Person's Name)
☐ a Minor ☐ an Adult

Case No.: PB______

PROOF OF RESTRICTED ACCOUNT from FINANCIAL INSTITUTION

NAME OF FINANCIAL INSTITUTION: ______

BRANCH ADDRESS: ______

PHONE: ______

Inventory

When you file Form 5 (the Conservator's Estate Budget) you will need to also file an Inventory.

In the matter of: ____________________ Case No. ____________

INVENTORY
(Use additional sheets if necessary)

Inventory Date: ____________

CHECKING ACCOUNTS, SAVINGS ACCOUNTS, MONEY MARKET ACCOUNTS
Include both Restricted and Unrestricted Bank Accounts

Name of Bank	Bank Address	Account Type	Name Account is Under	Account Number	Value

STOCKS, BONDS, MUTUAL FUNDS AND OTHER INVESTMENTS
Include Other Money-Denominated Assets, and Tax Deferred Assets

Company Name	Company Address	Number of Shares or Units	Value Per Unit	Actual Value

Statement of Asset Distribution

When you file your final account, Form 8, you will need to file a Statement of Asset Distribution.

In the matter of: ______________________ Case No. ____________

Statement of Asset Distribution

(Use additional sheets if necessary)

End Date of Account Reporting Period: ______________

CHECKING ACCOUNTS, SAVINGS ACCOUNTS, MONEY MARKET ACCOUNTS

Include both Restricted and Unrestricted Bank Accounts

Name of Bank	Account Number	Value	Who Received Asset and Why

STOCKS, BONDS, MUTUAL FUNDS AND OTHER INVESTMENTS

Include Other Money-Denominated Assets, and Tax Deferred Assets

Company Name	Actual Value	Who Received Asset and Why

Transaction Log

Once the court issues your letters of conservatorship you should begin recording receipts and disbursements (income and spending). A good practice for doing this is to use a Transaction Log. Additionally, a new transaction log should be started for each account reporting period the day following the prior account reporting's closing. This will also make completing Schedule 1 much easier if you already have the transaction information documented. The form and format shown below is optional. A report printed from financial software or even a legible copy of a detailed check register that provides the same information may also be acceptable.

In the matter of: ____________________ Case No. ____________

Transaction Log

(Use additional sheets if necessary)

End Date of Account Reporting Period: ____________

Transaction Category	Date	Account No. (include last 4 digits of account number)	Transaction Type	Check number	Payer/Payee	Purpose/Description	Income Amount	Expense Amount

Filing an Amended Budget

There may also be occasions when you will have to file an amended budget. The Rules of Probate Procedure require that a conservator file an amended budget within 30 days of projecting that any expense for any budget category will exceed 10 percent or $2,000 of the original budgeted amount, whichever is greater.

In the matter of:		**Case No:**	
Date of Amended Budget:			
AMENDED BUDGET **Complete Only if Necessary*	*Column A* **Previously Filed Budget** (Schedule 1 , Column F OR Prior Amended Budget, Column B)	*Column B* **Amended Budget**	*Column C* **Explanation of Change**
	Current Year		
1 Start Date of Account Period (See SCHEDULE 1, Column F, Line 1):			
2 End Date of Account Period (See SCHEDULE 1 Column F, Line 2):			
Receipts (Money Received):			
3 Retirement and Disability Income			
4 Annuities, Structured Settlements, and Trust Income			
5 Wages and Earned Income			
6 Investment and Business Income			
7 Other Receipts (Attach WS A)		0.00	
8 Total Receipts (Add lines 3 through 7)	0.00	0.00	
9 Assets/Liabilities as Receipts			
10 Total Income Included in Receipts (Line 8 minus line 9)	0.00	0.00	
Disbursements (Money Spent):			
Money Spent for Protected Person:			

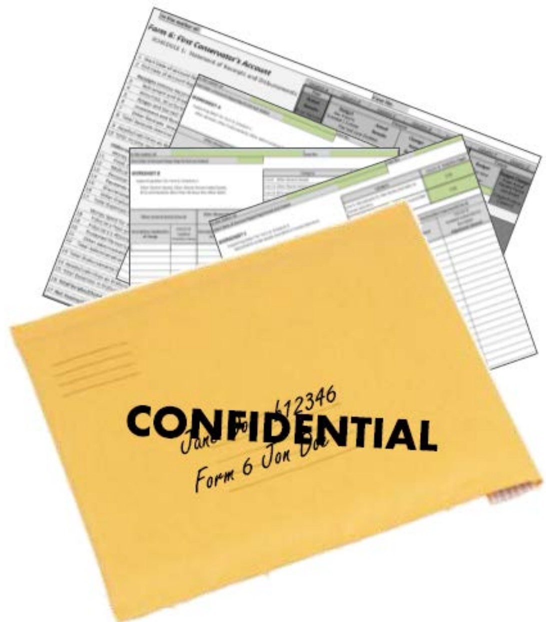
While these documents are required to be filed with the court, their format is not mandated. However, for your convenience there are optional forms provided for these reports on the Judicial Branch website at www.azcourts.gov/probate.

Important Reminders

Here are some good practices to keep in mind during your Conservatorship.

Keep Your Records - As conservator, you must maintain accurate and complete records of the financial activity for the protected person. It is important to save copies of all the forms, schedules and other required documentation you file with the court. You may need to refer to this information later if the court has a question about the information you provided, and you will need to use most of the information again in future accounts.

Remember Confidentiality. Except for the form coversheet, please remember that all other account documentation is considered confidential and not available for public inspection. When filing confidential documents, place the original document in an envelope that bears the case name and number, the name of the document being filed, the name of the party filing the document, and the label "**Confidential Document**."



Refer to Instructions - If this is your first time serving as a conservator, we understand there is a lot of information you have to familiarize yourself with. Remember to refer to your instructions when completing the account forms. You may also find it helpful to review the definitions contained in the first section of your instruction booklet.

Probate Website

In addition to the instructions on the probate website at www.azcourts.gov/probate, you will find additional useful information to assist you in learning more about your role and responsibilities as conservator. From this site you can select the specific form you need to complete, along with the instructions associated with that particular form.

Thank you for viewing this information. The welfare of the protected person is of utmost importance to the court. Please remember to view the page on the Judicial Branch website devoted to Probate for additional information and resources.

Your Name: ______________________
Your Address: ______________________
Your City, Zip Code: ______________________
Your Telephone No. ______________________
Represents ☐ **Self OR** ☐ **Attorney for:** ______________
State Bar Number (if applicable): ______________

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA
IN PIMA COUNTY

In the Matter of the Estate of

____

A ☐ Deceased or ☐ Protected Person

Case Number : ______________

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below:

(Check all that apply, include dates, and attach any certificates from online training.)

- ☐ Unlicensed Fiduciary — Date completed: ______________
- ☐ Conservatorship — Date completed: ______________
- ☐ Personal Representative — Date completed: ______________
- ☐ Guardianship — Date completed: ______________

Date: ______________

____
Signature

____
Printed Name

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.