

A Handbook for Guardians

Prepared by

**Administrative Office of the Courts
Oklahoma City, Oklahoma**

A Handbook for Guardians

Index

Introduction to Guardianship 2

Types of Guardianships 2

**Who Is Governed By the Oklahoma
Guardianship and Conservatorship Act 4**

Incapacity 4

Guardianship Proceedings 5

Who May Be Appointed As a Guardian 6

A HANDBOOK FOR GUARDIANS

This handbook is published pursuant to the guardianship laws of Oklahoma. It is designed to provide information about the laws and procedures concerning guardianship and conservatorships.

It includes a summary of the duties of guardians and conservators, such as legal notices, time tables, and required court approvals.

Penalties may be assessed against a guardian or conservator for failure to comply with the requirements of the law or orders of the court. Accountability is important not only to the court, but also to the ward.

This handbook has been provided as a reference guide only. It is not intended to answer all questions on guardianship. The handbook is not designed to substitute for the advice of the guardian's own attorney concerning the responsibilities, duties, authority or liabilities of service as a guardian. A guardian may seek the advice of an attorney at his or her own expense. If a guardian cannot afford an attorney the guardian may contact Legal Aid of Eastern or Western Oklahoma.

The Court and its staff, as well as the Court Clerk's office and its staff are elected public servants. However, the rules and laws governing the contact of these individuals prohibit them from providing legal advice or a specific case. They cannot provide legal advice on how the court procedures should be applied in a specific case. It is improper for the judge or his/her staff to speak with the guardian about a specific case without all interested parties being present.

Introduction to Guardianship

Appointment as a guardian brings with it many responsibilities and duties. The precise nature of a guardian's duties will be determined by the judge and by the law. A guardian will perform duties under the direction and supervision of the court and will be required to account to the court for any action taken as a guardian. A guardian will be directed by the court to take certain actions as guardian and to prepare reports for the court.

The Oklahoma Legislature enacted the Guardianship and Conservatorship Act to protect the welfare of all citizens of the state and to protect the financial resources and the physical well-being of minors, partially incapacitated and incapacitated persons.

The legislature has created different types of guardianships. Statutes governing guardianships may be found beginning at Title 30 of the Oklahoma Statutes thereafter referred to as "O.S.", Section 1-101. Relative Guardianship of Minors has certain special requirements and these will be covered in a separate handbook. All statutes mentioned in the Handbook may be found at.

A guardianship may be general, limited, or special. A general guardian may be a guardian of the person of the ward, a guardian of the property of the ward, or both. A limited guardian is a person authorized by the court to exercise limited powers over the person of the ward, the Oklahoma property of the ward, or both. A special guardian may be appointed to meet the emergency needs of a ward.

Types of Guardianships

A guardianship is a person appointed by the court to take care of the person or property of another. *(30 O.S. §1-105)*

Other useful terms are:

Guardian – A person appointed as general or limited guardian of the person, and/or general or limited guardian of property, or as a special guardian. It does not include "guardian ad litem." *(30 O.S. §1-106)*

Ward – A person over whom a guardian is appointed and a person over whose property a guardian or conservator is appointed.

General Guardian – A guardian of the person or of all the property of the ward within this state or of both person and property. *(30 O.S. §1-109)*

Limited Guardian – A person authorized by the court to exercise limited powers over the person of the ward, or over the property of the ward within the state or of both person and property. *(30 O.S. §1-109)*

Special Guardian – A guardian appointed for an emergency purpose, generally not to exceed thirty (30) days. *(30 O.S. §3-115)*

Guardian Ad Litem – A person appointed by the court to assist in making decisions. *(30 O.S. §1-111)*

Guardianship Plan – The plan for the care and treatment of a ward or for the management of the ward’s financial resources, or both. *(30 O.S. §1-111)*

Minor – A person under eighteen (18) years of age. *(30 O.S. §1-111)*

Additional definitions may be found at Title 30 of the Oklahoma Statutes, Section 1-111.

Estate – The property of the person subject to the guardianship proceeding. *(30 O.S. §1-111)*

Guardianship Proceeding – A proceeding for the appointment of a guardian or for other orders regarding the condition, care or treatment of or the management of the financial resources of a ward. *(30 O.S. §1-111)*

Who is Governed by the Oklahoma Guardianship and Conservatorship Act

The Guardianship Act applies to:

1. Minors in Oklahoma
 2. Incapacitated and partly incapacitated persons
 3. Property in Oklahoma belonging to a minor or incapacitated person who does not live in Oklahoma, and,
 4. Property coming into the control of a guardian who is subject to the laws of Oklahoma.
- (30 O.S. §1-112)*

No person, whether a parent or nonparent, has any power as a guardian unless so appointed by the court. The Oklahoma Guardianship and Conservatorship Act shall not be construed to limit the parental rights of parents as the natural guardians of their children.

Incapacity

An incapacitated person is defined by the statutes as “a person eighteen (18) years of age or older:

- a. who is impaired by reason of:
 1. mental illness as defined by Section 1-103 of Title 43A of the Oklahoma Statutes;
 2. mental retardation or developmental disability as defined by Section 1-818.2 of Title 63 of the Oklahoma Statutes;
 3. physical illness or disability;
 4. drug or alcohol dependency as defined by Section 3-403 of Title 43A of the Oklahoma Statutes; or
 5. such other similar cases, and
- b. whose ability to receive and evaluate information effectively or to make and to communicate responsible decisions is impaired to such an extent that said person:
 1. lacks the capacity to meet essential requirements for his physical health or safety, or
 2. unable to manage his financial resources.

A partially incapacitated person is defined as “an incapacitated person whose impairment is only to the extent that without the assistance of a limited guardianship person is unable to:

1. meet the essential requirements for his physical health or safety, or
2. manage all of his financial resources or to engage in all of the activities necessary for the effective management of his financial resources.

A finding that an individual is partially incapacitated shall not constitute a finding of legal incompetence. A partially incapacitated person shall be legally competent in all areas other than the area or areas specified by the court in its dispositional or subsequent orders. Such person shall retain all legal rights and abilities other than those expressly limited or curtailed in said orders.” (30 O.S. §1-111)

Guardianship Proceedings

A guardianship proceeding will usually be filed in the district court of the county where the minor, the incapacitated or the partially incapacitated person resides. If the proposed guardian is a member of the minor’s or incapacitated person’s family, the guardianship proceeding may take place in the district court of the county where the proposed guardian lives. (30 O.S. §1-115)

In all cases, the first step in a guardianship is the filing of a written petition. Any person interested in the welfare of a person believed to be incapacitated or partially incapacitated may file a verified petition alleging the incapacitation and requesting the appointment of a guardian for the potential ward.

The procedures for the appointment of a guardian for a minor (a child under the age of eighteen (18) years) and the appointment of a guardian for an incapacitated person differ. A guardian may be appointed for a minor after a hearing on a petition filed with the district court. (30 O.S. §2-101) If the minor is at least fourteen (14) years of age, he or she will be given notice of the hearing. A minor of fourteen (14), or a minor upon reaching the age of fourteen (14), may nominate his or her own guardian. (30 O.S. §§2-103 and 2-104) Such nomination must be approved by the court.

Special procedures may be available for the management of the estate of a ward that does not exceed Ten Thousand Dollars (\$10,000). If this applies in your situation, please consult a lawyer. (30 O.S. §2-116)

Who May Be Appointed As a Guardian

The statutes relating to guardianship set forth a list of persons who may serve as guardians and an order of priority for appointment by the court. (30 O.S. §3-104) A guardian or limited guardian is often a spouse, child or other relative of the potential ward. After the petition is filed, notice must be given to a statutorily set list of persons of the time and place of the hearing. The subject of the proceeding must always be given notice. The notice requirements are set out at page ___ of this handbook. A brief list of those who may be appointed as a guardian, with priority of appointment, are as follows:

1. the person(s) nominated by the subject of the guardianship;
2. the current guardian or limited guardian appointed by a court in another jurisdiction where the incapacitated or partially incapacitated person resides;
3. the person nominated by the will or other writing of a deceased parent, spouse or adult child that was serving as the guardian or limited guardian of the subject of the proceeding;
4. the spouse of the subject of the proceeding;
5. an adult child;
6. a parent;
7. a sibling;
8. a person, approved by the court, with whom the subject of the guardianship was living for more than six (6) months.

Legal Representation

The person who is the subject of the proceeding may hire an attorney or the court may appoint a lawyer for the person who is the subject of the petition. (30 O.S. §3-107) The court may, if it is in the best interest of the ward, have the prospective ward evaluated by a mental health professional or other expert. (30 O.S. §3-108) The cost of court-appointed legal representation or evaluation may be charged against the ward's estate if sufficient funds are available. (30 O.S. §3-107)

At the court hearing on the petition, which shall be no more than thirty (30) days after the filing of the petition, the court may find:

1. that the subject of the petition does not need a guardian; or
2. that the subject of the petition does need a general guardian of the person of the ward;
3. that the subject of the petition needs a guardian of the property of the ward;
4. that the subject of the petition is a partially incapacitated person and needs a limited guardian of the person and a limited or general guardian of the property of the ward.
(30 O.S. §3-111)

The powers of a limited guardian are assigned by the court. A limited guardian of the person may not take custody of the person of the ward.

The court may establish specific limitations on the legal activities of a ward, including, but not limited to, determining whether the ward retains sufficient capacity to vote, to serve as a juror, to drive, to be licensed or continue to practice any profession, to make personal medical decisions, to appoint an agent, to enter into contracts, to grant conveyances, or to make gifts of property.
(30 O.S. §3-113)

A special guardian may be appointed if imminent danger to the health or safety of the ward exists, or if the ward's property will be seriously damaged or dissipated. If notice is required, a time for hearing will be set within seventy-two (72) hours. Seventy-two (72) hours notice must be given and personally served upon the subject, subject's attorney, subject's spouse and at least one other adult relative. (30 O.S. §3-115)

A guardian will usually be required to post a bond with the court before serving as a guardian. If the value of the ward's estate and the yearly income of the ward is not more than Forty Thousand Dollars (\$40,000), and the guardian is a parent, spouse, brother, sister, grandparent, child or grandchild of the ward, bond may be waived. The court alone may waive a bond. (30 O.S. §4-201)

In general, all the powers and duties of the guardian are set forth in the order of the court creating the guardianship. If a guardian is at all uncertain as to whether a specific act would be legal or proper, an attorney should be consulted.

Responsibilities of a Guardian

A guardian or limited guardian of the person is responsible for the care and control of the ward. A guardian must perform in good faith and diligently any specific duties and powers assigned by the court. A Guardian shall:

1. become or remain sufficiently acquainted with the ward to maintain contact and to know capacities, limitations, needs, opportunities and health of the ward;
2. assure that the ward has a place to live which is least restrictive and most normal for his or her health and safety;
3. provide required consents or approvals as authorized by the court. *(30 O.S. §3-118)*

A guardian or limited guardian of the person of the ward, may file a Proposed Plan for the Care and Treatment of a Ward with the petition, submit one to the court at the time of hearing, or file the plan with the court within ten (10) days after appointment. *(30 O.S. §3-120)* The court may extend the time for filing the plan for not more than thirty (30) days. The court may approve a plan acceptable to the court without notice to all persons involved and without a hearing. The court may order the modification of the plan at a review hearing. Sample forms are found on page __. In short, the plan must list the services necessary for the physical health and safety of the ward, the method by which services will be obtained, the manner in which the guardian and ward will share the decision-making authority, and such other services as are necessary to assist in meeting all needs of the ward.

If you are a guardian of the person of the ward, the court may also authorize proceedings to compel the performance by a third person of his duty to support the ward or to pay money for the welfare of the ward. This is not an authorized activity if a guardian of the property or conservator for the estate of the ward has been appointed. A guardian or limited guardian of the person may, if authorized by the court, consent to certain necessary medical care for the ward without liability. (A guardian will be liable for this consent only as a parent would be liable for making the same consent for a child.) A guardian may not consent to certain medical procedures unless an emergency exists and the life of the ward must be saved. An attorney should be consulted if this situation occurs.

A guardian or limited guardian of the property of an incapacitated or partially incapacitated person must file with the court, for approval, a document called a Proposed Plan for the Management of the Financial Resources of the Ward. The plan must contain:

1. the services necessary to manage the property of the ward placed under the control of the guardian or limited guardian;
2. the method for obtaining the services;
3. the manner in which the guardian(s) of the property and the guardian(s) of the person will make decisions and share in the decision-making authority;
4. the services necessary to assist in the management of the property to fulfill the needs of the ward and the duties of the guardian or limited guardian.

The plan must be filed with the petition, submitted to the court at the time of hearing, or filed within two (2) months of the guardian's appointment. A sample form for the proposed plan may be found on page __. (30 O.S. §3-122)

A guardian or limited guardian of the property of the ward serves in a fiduciary capacity to the ward. The ward's property must be safely maintained. The limits on the expenditures by the guardian of the ward's money are set by law. Consultation with an attorney may be necessary before expending any monies belonging to the ward. The court sets limits on the sale of the ward's property. The law also provides that money belonging to a minor, an incapacitated, or a partially incapacitated person, may only be invested in certain ways.

A guardian or limited guardian of the property of a ward shall file an inventory of the estate of the ward within two (2) months after appointment as guardian. (30 O.S. §§3-122, 4-301) It may be filed with the Plan for Management of the Property of the Ward. The time to file an inventory may be extended by the court. An inventory is a listing of all of the ward's property. Inventories may be required by the court at any time. The inventory is filed with the clerk of the district court. The judge, the ward, or any interested person may request that the property be appraised.

A guardian or limited guardian of the person or of the property must, at the conclusion of his first year of guardianship, and at least once a year thereafter, file a report on the guardianship of the property. (30 O.S. §4-303) This report must include an accounting of any money received by the guardian for the ward, any payment(s) made for the ward by the guardian, any changes of

property on the inventory, and any significant change in the physical or mental condition of the ward, or the ward's financial resources. The report shall state the guardian's request for compensation and the guardian's request for compensation for attorney. Additional reports may be required of guardians and limited guardians by the court appointing them.

Unless the court directs, or it is required by the Uniform Veteran's Guardianship Act (*72 U.S.C. §126.1, et seq.*), the guardian of the property of a ward may not have to file an annual accounting or an annual plan if the ward's financial resources or assets, other than the homestead, are worth less than Forty Thousand Dollars (\$40,000), if a bond has been posted, or are worth less than Ten Thousand Dollars (\$10,000) regardless of whether a bond has been posted and if the guardian or limited guardian of the property is the spouse or a relative of the ward within the fourth degree of consanguinity.

The requirements for an annual report on the guardianship of an incapacitated or partially incapacitated person are, in brief, as follows:

1. the name and place of abode of the ward;
2. the name and address of the guardian or limited guardian;
3. any significant changes in the capacity of the ward to meet the essential requirements for physical health or safety;
4. the services being provided to the ward and their relationship to the guardianship plan;
5. problems during the reporting period;
6. any significant actions by the guardian during the reporting period;
7. the reasons why the appointment should be continued;
8. the reasons, if any, why no less restrictive alternative environment for the ward is to be considered. (*30 O.S. §4-305*);

The reporting requirements for the guardian of the property are, in brief:

1. the name and place of abode of the ward, and the name and address of the guardian;
2. changes in the capacity of the incapacitated or partially incapacitated ward to manage financial resources and the service being provided for the management of those resources;
3. significant actions by the guardian during the reporting term;

4. problems during the reporting term;
5. reasons why the guardianship should not be terminated or a less restrictive alternative implemented. *(30 O.S. §4-306)*

Copies of the annual report are mailed to persons entitled to notice as set out in 30 O.S. §4-307. These persons have fifteen (15) days after the report is filed to object. The court may hold a hearing on the annual report. *(30 O.S. §4-307)* The court may require a new bond; failure to obtain the bond may result in the guardian's removal.

The duties of the guardian with regard to the administration of the property of the ward are clearly set forth in the statutes. A guardian must settle the accounts and receive the just debts of the ward. A guardian or limited guardian may execute waivers or consents for the ward as authorized by the court. Limits are set on the type of investments a guardian may make with regard to the ward's property. The court must approve or order the sale of the ward's real or personal estate.

Limitations of the Powers of a Guardian

Some guardians may fix the abode of the ward within the county. The ward may not be moved outside the county without court approval. *(30 O.S. §1-120)*

A guardian does not have the power to do the following acts:

1. to consent on behalf of the ward to withholding or withdrawal of life-sustaining procedures except with specific court authorization or as authorized by advance directive executed pursuant to state law;
2. to consent on behalf of the ward to termination of the ward's parental rights;
3. to consent to an abortion, psychosurgery, removal of a bodily organ, performance of any experimental biomedical or behavioral procedure except in an emergency and to preserve the life of the ward and with permission of the court having jurisdiction of the proceeding;
4. to prohibit the marriage or divorce of the ward except with court approval;
5. to consent on behalf of the ward to placement of the ward in a facility or institution absent formal commitment proceedings. *(30 O.S. §3-119)*

Guardianship Fees

As a guardian, an individual may receive a fee for work performed. The court will set the compensation. Compensation for the collection of the ward's income by a guardian or limited guardian of the property must not exceed seven and one-half percent (7-1/2%) of the income collected. (30 O.S. §§4-401 and 3-122). Payment may not be made without court order.

Removal of a Guardian

A guardian may be removed by the district court:

1. for abuse of fiduciary responsibility;
2. for continued failure to perform his duties;
3. for incapacity to perform his duties;
4. for gross immorality;
5. for having interest adverse to the faithful performance of his duties;
6. if the instrument in which the person was nominated as guardian is judicially determined to be invalid;
7. if a guardian of the property is insolvent;
8. when it is not longer proper that the ward should be under guardianship. (30 O.S. §4-801)

Termination of Guardianship

If an incapacitated or partially incapacitated person marries, the court will hold a review hearing to determine what changes, if any, need to occur concerning the guardianship. (30 O.S. §4-802)

Pursuant to law, a guardian's responsibility terminates upon the death of the guardian, conservator or ward, the determination of incapacity of the guardian, the guardian's removal or resignation, the restoration of the capacity of the ward, or the expiration of the term of a special guard's authority. The court, after notice and hearing, may remove a guardian for cause who has failed for thirty (30) days to make an account or a report after being required to do so. (30 O.S. §4-803)

A guardian may resign and the court, upon notice, may appoint a successor.

A guardian must account for all actions at the end of the guardianship. A final report and request for final compensation shall be filed within thirty (30) days of the event terminating the guardian's responsibilities. (30 O.S. §4-803)

The court shall set the final account for hearing on a date not less than fifteen (15) days after the filing of the final report. Notice of the hearing shall be given at least ten (10) days prior to the hearing by first-class mail. *(30 O.S. §2-101)* If the guardianship for an adult, or if it was a conservatorship action, notice must be given as set out in 30 O.S. §§3-110 and 4-803.

Any person receiving notice may appear and file written exceptions to the final account. Upon approval of the final account, the guardian or conservator and his sureties shall be discharged. *(30 O.S. §4-803)*

Confidentiality

Confidential information filed or submitted to the court under the Oklahoma Guardianship or Conservatorship Act shall not constitute a public record and shall be sealed by the court. Access to the confidential information shall be strictly controlled. The fact of the existence of a guardianship or conservatorship shall not be considered confidential. *(30 O.S. §1-122)*

Nomination of a Guardian

Every person eighteen (18) or older who is of sound mind and not acting under duress, menace, fraud or undue influence may nominate a guardian. A form is provided in this booklet for nominating a guardian. *(30 O.S. §3-102)* A person nominated as guardian shall be given preference in the appointment of a guardian. *(30 O.S. §3-104)*

Restoration of Capacity

Any person judicially determined to be incapacitated, totally or partially, the guardian, any relative or friend of the ward may petition the court for restoration to capacity. Proceeding must be brought in the court having jurisdiction over the guardianship proceeding by filing a verified petition.

A hearing shall be set within thirty (30) days after filing the petition. Notice shall be given as in guardianship proceedings. *(30 O.S. §3-116)* If the ward's restoration is judicially determined, the guardian must comply with requirements of terminating the guardianship.

Multiple Guardians

Multiple guardians appointed for one ward are liable as if they are sole guardians. They must each post bond unless waived. *(30 O.S. §4-501)* One may give another co-guardian written authority to act for both. If a ward has more than two guardians, the act of a majority is valid. *(30 O.S. §4-502)* If one guardian dies, the power continues in the survivor until further appointment is made. *(30 O.S. §4-503)* When an account is rendered by two or more joint guardians, the judge of the district court may allow the same upon oath of any of them. *(30 O.S. §4-304)*

Financial Issues

The guardian is responsible for the payment of the debts of the ward. *(30 O.S. §4-701)* The guardian must collect all debts owed the ward. *(30 O.S. §4-702)* Settlement of claims or law suits requires approval of the court. Before selling any real property, or making any investment, the guardian must obtain an order from the court. *(30 O.S. §§4-705 and 4-708)*

Except as otherwise provided by law, money belonging to wards can only be invested:

1. in real estate and first mortgages upon real property which do not exceed fifty percent (50%) of the actual value of the property; or
2. United States Bonds, or any other type of security certificate, or evidence of indebtedness, which is guaranteed by the United States Government, or any authorized agency thereof;
3. state bonds; or
4. bonds of municipal corporation; or
5. Annuities covered by the Oklahoma Life and Health Insurance Guarantee Association which do not exceed Three Hundred Thousand Dollars (\$300,000), individually.

6. in accounts in savings and loan associations and credit unions located in the State of Oklahoma; and/or
7. all types of interest-bearing time deposits and certificates of banks, savings and loan associations and credit unions located in the State of Oklahoma, not to exceed the amount insured by the United States Government. *(30 O.S. §4-709)*

A guardian selling real estate may be required to post a bond. *(30 O.S. §4-763)*

Upon termination of a guardianship or removal of a guardian, a final accounting shall be filed within thirty (30) days of the event terminating the guardianship. A hearing shall be set by the court and notice given. Any person receiving notice may file exceptions to the final report. *(30 O.S. §4-803)*

Civil Liability

Any guardian who willfully violates the duties or powers assigned by the court shall be liable for actual damages. *(30 O.S. §4-901)*

Conservatorships

If a person is unable, by reason of physical disability only, to manage his or her property and voluntarily consents to the establishment of a conservatorship and the appointment of a conservator, a verified petition may be filed in district court. The court shall direct that notice be personally served on the person alleged to be unable to manage his or her property. Notice shall be served on others as directed by the court. *(30 O.S. §3-211)* A conservator will not be appointed unless the subject of the proceeding consents to the appointment. *(30 O.S. §3-212)* A conservator is required to post a bond *(30 O.S. §3-214)* and shall have all the same powers and duties, including the submission of plans and reports, as a guardian. *(30 O.S. §3-215)*

A conservator may be discharged upon application of the ward and with notice to the conservator and to the ward's next of kin as directed by the court. Upon termination of a conservatorship, a conservator shall account to the court as would a guardian. *(30 O.S. §3-216)*

A conservator may be compensated in the same manner as a guardian. *(30 O.S. §3-217)*

Time Table of Guardianship

	Act	Time
	(30 O.S. §3-110) FILING OF VERIFIED PETITION NOTICE SERVED ON:	
1.	Subject	Personal service ten (10) days before hearing
2.	Subject's spouse	Service by mail ten (10) days before hearing
3.	Subject's attorney	Service by mail ten (10) days before hearing
4.	Subject's adult children	Service by mail ten (10) days before hearing
5.	Subject's parents, if none living, adult child	Service by mail ten (10) days before hearing
6.	Subject's siblings and adult grandchildren, if no living parent(s)	Service by mail ten (10) days before hearing
	IF NONE OF THE ABOVE, THEN TO AT LEAST ONE (1) AND NOT MORE THAN THREE (3) OF THE NEAREST ADULT RELATIVES OF THE SUBJECT	Service by mail ten (10) days before hearing
7.	Proposed or nominated guardian	Service by mail ten (10) days before hearing
8.	Persons having care or custody of the subject	Service by mail ten (10) days before hearing
9.	Department of Human Services, Department of Mental Health and Substance Abuse Services, if providing services to the subject	Service by mail ten (10) days before hearing
10.	As appropriate, the Veterans Administration	Service by mail ten (10) days before hearing
11.	Any other person designated by the court	Service by mail ten (10) days before hearing
	Hearing (30 O.S. §3-109)	Within thirty (30) days of filing petition
	Proposed Plan For Care and Treatment of the Ward (30 O.S. §3-120)	With petition or within ten (10) days of appointment of guardian
	Proposed Plan for Management of the Property of the Ward and Inventory (30 O.S. §3-122)	With petition or within two (2) months of appointment of guardian
	Annual Report (30 O.S. §§4-305 and 4-306)	Upon expiration of a year from time of appointment and annually thereafter
	Application for Termination of Guardianship Resolution of Dispute, Request for Further Restrictions or Review Hearings (30 O.S. §4-308)	Notice as in guardianship proceedings within ten (10) days prior to hearing
	Sale of Property of Ward (30 O.S. §4-755)	Notice as in guardianship proceedings ten (10) days before hearing. Hearing in not less than ten (10) nor more than thirty (30) days following filing a verified petition. Notice may be waived.
	Final Accounting (30 O.S. §4-803)	Within thirty (30) days of the event terminating the guardianship. Then (10) days notice as in guardianship proceeding or, if deceased, to the ward's personal representative
	Hearing on Final Account (30 O.S. §4-803)	Within fifteen (15) days of filing

**In The District Court Of _____ County
State Of Oklahoma**

In The Matter Of the)
Guardianship Of) **PG - _____**
_____)
_____)

**Plan For The Care And
Treatment Of A Ward**

I, _____, the (guardian, limited guardian) for _____ (name and current place of abode for the ward) hereby submit this (initial, annual or as ordered by the court) Guardianship Plan for the care and treatment of said ward.

1. I believe the services necessary for the physical health and safety of the ward are _____.

2. Those services will be obtained or provided as follows:

3. The guardian (or conservator) of the property (name or indicate as not applicable) of the ward, the ward, and I plan to cooperate and share decision-making authority with regard to _____ the ward within the provisions of the dispositional order as follows:

4. I believe the following services will assist in fulfilling the needs of the ward implementing the terms of the most recent dispositional order applying to me as (guardian or limited guardian);

Date

(Signature of guardian or limited guardian)

**In The District Court Of _____ County
State Of Oklahoma**

In The Matter Of the)
Guardianship Of) **PG - _____**

_____)

**Plan For The Management
Of the Property Of A Ward**

I, _____ (name), the (petitioner, guardian, or limited guardian) for _____
(name and current place of abode) hereby submit this (initial, annual or as ordered by the
court) Guardianship Plan.

1. I believe the services necessary to manage the property of the ward which is subject
to this P l a n a r e a s f o l l o w s :

2. Those services will be provided in the following manner:

3. The guardian (or limited guardian) of the person, (Name or indicate as not applicable)
the ward and I plan to cooperate and share decision-making authority with regard to the
ward within the provisions of the dispositional order as follows:

4. I believe the following services will assist in the management of the property of the
ward subject to my control, implementing the terms of the most recent dispositional
order applying to me as (guardian or limited guardian) of the property:

Date

(Signature of guardian or limited guardian)

30 O.S. §3-122

**In The District Court Of _____ County
State Of Oklahoma**

In The Matter Of the)
Guardianship Of) PG - _____
_____)
_____)

**Report on the Guardianship
Of the Person**

I, _____(Name), the (Guardian/Limited Guardian of the person) for
_____ (Name), an (incapacitated/partially incapacitated) person hereby submit this
(annual, court-ordered) Guardianship Report:

1. The present place of abode of the ward is:

2. The type of home or facility in which the ward lives is _____ and the name of
the person in charge of the home or facility is
_____.

3. My present street address and telephone number is:

4. During the last year, I have seen the ward _____ times. I otherwise or also have
become or remained familiar with the needs and care of the ward as follows:
- - - - -

5. The following services are currently being provided to the ward:
- - - - -

6. These services (are, are not) provided for in the current Guardianship Plan. The
reason they are not shown in the current Guardianship Plan is:

7. The ward was last seen by a physician on: _____ . The purpose of the visit was _____

8. I (have, have not) observed any major change in the ward's physical or mental condition during the last year. (If so,) these are my observations:

9. I (have, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. (If so,) I took the following actions:

10. There (have, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my letters. (If so,) I have observed these problems:

11. It is my opinion that the guardianship (should, should not) be continued. (If so,) the basis for my belief is as follows:

12. I believe the ward (would, would not) be able to manage essential requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. (If so,) the basis for my belief is as follows:

13. My opinion of the present care being provided to the ward is as follows:

- - - - -

14. The place of abode of the ward (has, has not) changed since the last guardianship report. If so, the place of abode of the ward was changed for the following reasons:

- - - - -

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Date

(Signature of guardian or limited guardian)

30 O.S. §3-305

**In The District Court Of _____ County
State Of Oklahoma**

In The Matter Of the)
Guardianship Of) **PG - _____**

_____)

**Report on the Guardianship
Of Property**

I, _____ (name), the (Guardian or Limited Guardian of the property) of _____ (name), an incapacitated (or partially incapacitated person, hereby submit this (annual, court ordered) Report.

1. List any significant changes in the capacity of the ward to manage his or her financial resources:

2. The services currently being provided to the ward are as follows:

3. These services (are, are not) provided for in the current Guardianship Plan as approved by the court.

The reason these services are not shown in the current plan are as follows:

4. I (have, have not) taken any significant actions for or on behalf of the ward since the last time I submitted a Guardianship Report. (If so,) these actions are as follows:

5. There (have, have not) been any significant problems relating to the guardianship since the last time I submitted a Guardianship Report. (If so,) The problems are as follows:

6. In my opinion, the guardianship (should, should not) be continued. The reasons for my belief are as follows:

7. It is my belief that the ward (would, would not) be able to manage his or her financial resources with fewer restrictions on the ward's ability to act for him or herself. The reasons for my belief are as follows: _____

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Date

(Signature of guardian or limited guardian)

**In The District Court Of _____ County
State Of Oklahoma**

In The Matter Of the)
Guardianship Of) **PG - _____**

(a) minor child(ren)

**Report on the Guardianship of
Property of a Minor Ward**

I, _____ (name), the (Guardian or Limited Guardian of the property) of
_____ (name), a minor, hereby submit this (annual, court-ordered)
Report.

1. The services currently being provided to the ward are as follows: _____
2. These services (are, are not) provided for in the current Guardianship Plan as approved by the court.

The reason these services are not shown in the current plan are as follows:

3. I (have, have not) taken any significant actions for or on behalf of the ward since the last time I submitted a Guardianship Report. (If so,) These actions are as follows:

4. There (have, have not) been any significant problems relating to the guardianship since the last time I submitted a Guardianship Report.

(If so ,) T h e p r o b l e m s a r e a s f o l l o w s :

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Date

(Signature of guardian or limited guardian)

30 O.S. §3-306

STATE OF OKLAHOMA)
) SS.
COUNTY OF _____)

Nomination Of Guardian By An Adult

I, _____ (name), being of sound mind and not acting under any duress, menace, fraud or other undue influence, do hereby nominate (name, current residence and relationship, if any of the nominee) to serve as the guardian of my (person, property, both) in the event that after the date of this instrument I become incapacitated.

Executed at (city, state) on the _____ day of _____, 2_____

Signature

