PROBATE COURT OF CHATHAM COUNTY

Instructions for Completing
Annual/Final Return of Conservator

- Returns of conservators must be full, complete and accurate. Estimates and rounding are not permitted.
- The return is a report of every receipt and every expenditure of cash and is similar to a simple check register on a personal bank account.
- If all funds are deposited into the conservatorship account(s) and all payments are made by check or drafts from those account(s), completing the return should be no more difficult than transferring the information from the bank records to these forms.
- It is the responsibility of the conservator to fully and properly complete the returns required. **It is not the responsibility of court staff to prepare or correct returns.** Incorrect, incomplete or unbalanced returns will simply be returned to the conservator for completion or correction. **Please NOTE: all returns must be typed or legibly printed in black or blue ink. Illegible returns will NOT be accepted for filing.**

Page 1 of Return

1. Enter the name(s) of the Conservator(s) at the top of Page 1.
2. Enter the case number on the line indicated.
3. Enter the Name of the Ward or Minor on the line indicated.
4. Circle Final or Annual to indicate the type of return.
5. Enter the dates covered by the return. If this is the first return, the beginning date will be the date of your appointment. If this is not the first return, the beginning date will be the ending date from the last return.
6. Complete the Combined Summary Accounting.
   A. Enter the total beginning balance from the last accounting. If this is the first return, the beginning balance is zero; everything received will be reported under Receipts.
   B. Enter the Total Money Received from Section 1 for all accounts for the period covered by the return. Section 1 must include all money and accounts initially transferred to and/or deposited into the conservatorship account(s) and all additional money received. Section 1 must include all income received from all sources and all interest paid on any accounts or deposits. **If you received it, you must report it.**
   C. Add the beginning balance and the Receipts, and enter the Subtotal.
   D. Enter the Total Money Spent from Section 2 for all accounts for the period covered by the return. Section 2 must include all money spent or paid out, including any amounts automatically deducted from accounts and any bank charges, check printing charges, service charges or other fees. Section 2 must include also any money paid out in cash (***a practice discouraged by the court***). **If you spent it, you must report it.**
   E. Subtract the Expenditures from the Subtotal, and enter the ending balance on the next line.
   F. If you were order to file and maintain a surety bond, provide the current amount of the bond.
7. You are REQUIRED to file with each Return an updated Inventory and Asset Management Plan. Check the box to indicate that you have attached it to your Return.
8. Complete and sign the Verification and Certification. Your signature must be notarized or be witnessed by a Probate Court Clerk. Include the full information on how you may be contacted if there are any questions about your return.

Pages 2 and 3 of Return

Section 1 MONEY RECEIVED and Section 2 MONEY SPENT

A. Please complete Section 1 and Section 2 for ALL conservatorship account for the full period covered by your Return. If all transactions for the period covered will not fit on one page, make copies of Page 1 and/or 2. The period covered for each account must be the same. If money is received in or spent from different accounts, please provide a separate page for each account and note which account on each page.

B. If you prefer, instead of Section 1 and 2, you may attach a printed and complete computer software transaction report for each conservatorship account, provided it includes all of the required information and totals of money received and money spent.

C. You MUST report and show all receipts and all expenditures. Any money you received, from any source, is money received and any money you spent or paid out is money spent. Be sure to include any money automatically deposited into an account and any interest earned on an account. Also be sure to include any automatic payments from an account and all service charges, check printing charges and other bank fees.

Page 4 of Return

<u>Conservator Verifications:</u> A conservator is required to account for the balances of all banks and investment accounts in the conservatorship by attaching the last statement in the reporting period. A conservator is required to maintain the ward's funds in separate conservator accounts and not commingle funds with the conservator's funds. If a conservator is ordered to maintain a bond, the conservator is responsible for paying all premium payments until discharged or relieved of that obligation by order of the Court. If the Conservator is also the Guardian, the Guardian is responsible for filing a personal status report every year. A conservator is responsible for paying all taxes, including ad valorem taxes, owed by the ward.

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You are required to mail a copy of the completed return to the guardian (if you are not also the guardian) and to the insurance company providing your bond, if any. You will need

Serving as Conservator for another is an important job. It should be taken seriously. As a Conservator, you have taken an oath of office by which you have agreed to perform your duties as a Conservator in compliance with Georgia law. It is YOUR DUTY to file a Return each and every year as long as you serve as Conservator. It is the responsibility of the Court and its staff to assure that EVERY Conservator complies with this requirement.

"Failure to comply with any of the reporting requirements can subject the conservator to citation to appear before the Court. The Court is granted broad discretion in dealing with conservators who fail to comply with the lawful duties and responsibilities, including the failure to timely file properly completed reports. Conservators may be removed from office by the Court, and the Court may take such other actions as in the Court's judgment may be appropriate under the circumstances of the case. This may include an assessment (money judgment) against a guardian or conservator and the surety on the bond for any amount found by the Court to have been mismanaged or misappropriated by the guardian or conservator." <u>Handbook for Guardians and Conservators of Adults in Georgia</u>, 2008.

PROBATE COURT OF CHATHAM COUNTY
ANNUAL / FINAL RETURN OF CONSERVATOR

IN THE MATTER OF:

___________________________________(Ward or Minor)   FILE NO. ______________________

CONSERVATOR: ______________________________   ◯ ANNUAL ACCOUNT ◯ FINAL ACCOUNT

Reporting Period From: ____________________ to ____________________.

COMBINED SUMMARY OF ACCOUNTING OF CASE TRANSACTIONS IN ALL ACCOUNTS				
A.	CASH BALANCES FROM ALL ACCOUNTS FROM LAST ACCOUNTING (Amount carried forward from E in last return)	$		
B.	ADD TOTAL MONEY RECEIVED FOR ALL ACCOUNTS (Total from Section 1)	$		
C.	SUBTOTAL (Add A. and B.)		$	
D.	SUBTRACT TOTAL WITHDRAWALS FROM ALL ACCOUNTS (Total from Section 2)		-$	
E.	CASH BALANCES IN ALL ACCOUNTS AT END OF REPORTING PERIOD			$
F.	CURRENT BOND AMOUNT REQUIRED	$		
G.	Name of Bonding (Insurance) Company (if applicable)			
H.	Bond Number if Applicable			
I.	I have the attached the following (initial if applicable): _____ **Last Bank Statement** for each Conservator bank or investment account. Do not send bank statements to insurance company or surety. _____ Proof of bond premium payment. _____ Supporting documentation for the following unusual income or expense: ____			
______ (Initial Here) I/ We have attached hereto an updated Inventory and Asset Management Plan (Required).				

Section 1. MONEY RECEIVED Account No. Reported: ________________		
DATE	**RECEIVED FROM** Please provide the following information for each entry: • Name of Payor • An explanation if it would be helpful to reviewer • If amount entered represents multiple or monthly receipts, an explanation of the monthly or periodic amounts included.	AMOUNT
		$
	(Amount to Insert in B. on page 1) **TOTAL AMOUNT RECEIVED**	

[NOTE: Please copy this page if additional space is needed. Enter the TOTALS on the first page.]

Section 2. MONEY SPENT Account No. Reported: ________________		
DATE	**TO WHOM PAID AND PURPOSE OF EXPENDITURE** Conservators are required to maintain all records and documents to support every expenditure and ***may be required upon request*** to provide receipts to the Court for its use in reviewing or auditing the return.	AMOUNT
		$
	(Amount to insert in D. on Page 1) **TOTAL AMOUNT SPENT**	

[NOTE: Please copy this page if additional space is needed. Enter the TOTALS on the first page.]

CONSERVATOR VERIFICATIONS

I, ________________________, being duly sworn, depose and say

(1) that I am the Conservator(s) for __________________________________the Minor / Ward, that my current contract information is:

____ [full mailing address with zip code]

____ [phone numbers]

____ [email address]

(2) that I have deposited all of the minor / ward's funds into bank accounts that are designated as conservator account(s), that I have not mixed or co-mingled the ward's funds with my own and that I have attached to this report the last bank statement for all accounts containing ward's funds.

(3) that this is a full and true account of the estate for the period stated, to the best of my knowledge and belief.

(4) That I do further certify to the Court that all bond premiums due have been paid to date.

(5) that all income tax returns required have been filed to date; and that all taxes, including ad valorem taxes, have been paid to this date.

(6) _____ I also serve as guardian of the ward/ minor, and the Personal Status Report ( ) is filed simultaneously herewith ( ) was previously filed on _________ ( ) is not due at the same time as this Return.

Sworn to and Subscribed before me on ___________.

____
Signature of Conservator(s)

____
Notary or Clerk, Probate Court

ACKNOWLEDGMENT OF FINAL RETURN ***[Only required on FINAL RETURN]***

I, the undersigned, do hereby acknowledge receipt of a copy of the foregoing **FINAL RETURN** of Conservator:

(as applicable)	Signature:
____ former Minor now an adult	____
____ former ward now restored	____
____ successor conservator for minor or ward	____
____ personal representative of estate of former ward	____

Sworn to and subscribed before me on _______________.

____
Notary Public / (Dep.) Clerk of Probate Court

CERTIFICATE OF MAILING OF INVENTORY OR ANNUAL RETURN

This is to certify that I have this date forwarded by first class mail, in a stamped addressed envelope, a copy of the foregoing (inventory) (annual return) to **(1) the Guardian of the Minor or Ward (if different person than Conservator) and (2) the insurance company or surety who issued me a bond. For insurance company or surety: *please only send return and do not include bank statements.***

Please Note: If any of the following addresses are new addresses, please so specify.

NAME:	COMPLETE MAILING ADDRESS:
______________________________	____
______________________________	____
______________________________	____

____
Signature of Personal Representative
Address: ____________________________________
____
____
Telephone: __________________________________
Sworn to and subscribed before me
this _____ day of _______________, 20 ___.

____
Notary Public or Clerk of the Probate Court

____
Signature of Personal Representative
Address:____________________________________
____
____
Telephone: _________________________________
Sworn to and subscribed before me
this _____ day of _______________, 20 ___.

____
Notary Public or Clerk of the Probate Court

Recorded in Imaged Records **Probate Court of Chatham County** Date Imaged: ____________________ Clerk's Initials: ___________________	**RETURN FILED** __________________ Date ______________________ Deputy Court Clerk

[TO BE COMPLETED BY PROBATE STAFF]

In Re: ____

Conservator: ____

Case Number: ____

Calculation of Bond Sufficiency	
Total Value of Personal Property and Intangible Property from Updated Inventory and Asset Management Plan	$
PLUS: Any Cash Assets not Shown on Updated Inventory	$
Total Value to be Bonded	$
Total Value of Current Bond	$
Amount of Bond ☐Excess ☐Deficiency	$

☐ ORDER ADMITTING RETURN TO RECORD

The foregoing Return and its affidavits having been carefully examined and found correct, and having remained on file in the office for thirty (30) days and no objections having been filed thereto, the same is allowed; and it is ordered that said return together with its affidavits be recorded as the law requires.

____
Date Filed

____
Deputy Clerk

____
ASSOCIATE JUDGE, PROBATE COURT
CHATHAM COUNTY, GEORGIA

☐ ORDER DIRECTING RECORDING OF RETURN WITHOUT APPROVAL OR DISAPPROVAL

The foregoing Return and its affidavits having been carefully examined and found correct, and having remained on file in the office for thirty (30) days and no objections having been filed thereto, but it appearing to the Court that the Return fails to comply with the Letters of Conservatorship and may evidence waste or mismanagement, it is ordered that the Return be recorded without approval or disapproval by the Court and that a copy of same be served upon the surety on the conservator's bond.

____
Date Filed

____
Deputy Clerk

____
ASSOCIATE JUDGE, PROBATE COURT
CHATHAM COUNTY, GEORGIA
Date: ___________

_____See Auditor's Notes Attached