

ANNUAL FIDUCIARY REPORT INSTRUCTIONS FOR COMPLETING CCDR 92

Approximately, one (1) year from the date of the appointment of the guardian of the property, the guardian must file an Annual Fiduciary Report. Failure to timely file the Annual Fiduciary Report can possibly result in the Court removing the Guardian of the Property. There are two ways you can have the initial inventory filed: (1) obtain the services of an attorney to handle your case; or (2) file the case yourself by using the DOM REL forms.

YOU MAY NEED AN ATTORNEY IF:

- the case is contested and any other interested persons has a lawyer.
- you cannot locate the disabled person or any other interested person to serve them with your papers.
- the disabled person has a house, a pension, or a large amount of property or income.
- you think the court will need information that you cannot get.
- you think that the disabled person and interested person will object to the appointment of guardian.

Completion of Form DOM REL 92.

Complete the Inventory of Assets

Page 1: (Caption) Fill in the name of the disabled person. Also, fill in **your** address and **your** telephone number.

- **(1st paragraph)** Fill in the name of the guardian of the property, check whether this is an annual or final report and give the beginning and ending dates.

PART I

Paragraph A: Provide the location, liber/reference, balance of any mortgages/debts, the name of the lender and the estimate fair market value of any real estate (i.e. homes or land) owned by the disabled person/minor child.

Fair Market Value is defined as the amount of money that a person would be willing to spend for the property.

Paragraph B: Provide the name of the bank, the account number, the type of account (i.e. savings, checking, money market) and the current fair market value

of the account for any cash and cash equivalent for the disabled person/minor child. Make sure that you attach photocopies of all bank statements.

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Paragraph C: Provide a description of all of the disabled person's/minor child's personal property and give the estimated fair market value. (See the definition of "Fair Market Value" above.) Be sure to provide information about the lien or debt. You should list out each vehicle, but for other property you can group the items together if the total amount is under \$1,500. If the value is greater than \$1,500, you need to list them separately. You can always use a separate piece of paper for additional space.

Paragraph D: Provide the name of the corporation, number and class of stock owned by the disabled person/ minor child. Be sure to include the individual stock value and the present fair market value. (See the definition of "Fair Market Value" above.)

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Paragraph E: Provide the name of issuer, interest rate, face value, and maturity date of any bonds owned by the disabled person/minor child. Be sure to include the present fair market value of the bonds. (See the definition of "Fair Market Value" above.)

Paragraph F: If the disabled person/ minor child owns any other property which was not included in the other sections, you need to include that information in this section. Be sure to give the Court a description of the property and the present fair market value. (See the definition of "Fair Market Value" above.)

PART II

Paragraph A: List all the money (e.g. pension, social security, rent, annuities, dividends, interests, refunds) in the space provided and be sure to include the amount received. You can attach an additional sheet if you need extra space. Be sure to total the amount of all the income received for the year.

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Paragraph B: List all the disbursements, or where you spent the money in the space provided. Include whom you paid the money to, the purpose of the money and the amount that you spent. You can attach an additional sheet if you need extra space. Be sure to total the amount of all disbursements made for the year.

Paragraph C: List the total amount of income received for the year in the space provided and list the total amount of disbursements made for the year in the space

provided. Then subtract the disbursements from the income to get the total net income and list that number in the space provided.

PART III

Paragraph A: In the spaces provided, include whether there have been any property/assets added to the disabled person's/minor child's estate. Include the date that the assets was added, a description of the transaction, the total purchase price, and if you got the assets other than by buying it, list the value at the time that you received it. You may attach additional sheets of paper if you need extra space.

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Paragraph B: If you have sold or gotten rid of any property, you will need to inform the Court. In the spaces provided, include the date that you sold or disposed of the asset, a description of how you sold or disposed of it, the gross proceeds, selling costs, carrying value and whether there was any gain or loss from the transaction.

SUMMARY

In the spaces provided, fill in the amount of each item (real estate, cash & cash equivalent, personal property, stocks, bonds, other) from the last fiduciary report and then fill in the space with the value on this report. Lastly, if the Court has required you to file a bond in this case, place the amount of the bond in the blank provided.

Complete the affirmation on page 6, then date and sign the form.

>Other Court Documents

Make sure that you attach photocopies of all necessary statements to your paper and file them at the same time.

>Filing Your Forms.

Take the completed documents to the Clerk of the Court or Trust Clerk. Failure to submit a timely Annual Fiduciary Report could possible result in the Court removing you as the Guardian.