<u>State</u>	Accounting Frequency	Status Report	<u>Status</u> <u>Frequency</u>	Court Review	Post-Hearing Investigator	Sanctions
UGPPA	420(a) Annually unless court otherwise directs	Current condition, living arrangement, services provide, opinion on adequacy of care, summary of visits and activities on ward's behalf, extent to which ward participated in decision making, whether institutional care plan is in best interest, plans for future care, recommendation on need for changes in scope of guardianship	317(a) 30 days after appointment and at least annually or whenever ordered by court	317(c), 420(d) Shall establish system for monitoring including filing and review of annual reports and plans	317(b), 420(c) May appoint a visitor to review a report or plan, interview person or conservator, or other investigation	Not stated
Alabama: Code	26-2A-147 at least every 3 years, at removal or resignation	26-2A-108 26-2A-78(b)(5) report condition of ward and estate	26-2A-108 26-2A-78(b)(5) as ordered by court or required by court rule	Not stated	Not stated	26-2A-110(a) removal if best interest
Alaska: Stat.	13.26.255 as court may direct, on removal or resignation	13.26.118 status, condition, living arrangement, activities, address & contacts, services, actions 13.26.117 guardianship implementation report 90 days after appointment	13.26.118 (a) after 1 st 90 days, then yearly, additional report if ordered, significant change, resign, removed, terminated, ward requests Every 3 years visitor prepares report	Not stated	13.26.118 visitor to evaluate ward every 3 years	13.26.235 removal for good cause
Arizona: Rev. Stat. Ann.	14-5419 (A) annually	14-5315(C) major changes, be continued, summary of service, last doctor, # and last date of visit, changes in condition	14-5315 (A) annually	Not stated	as directed by the ct., additional investigations by ctappointed investigator to determine if necessary to continue appt.	14-5307(A) removal if best interest

State	Accounting Frequency	Status Report	<u>Status</u> <u>Frequency</u>	Court Review	Post-Hearing Investigator	<u>Sanctions</u>
Arkansas: Code Ann.	28-65-320(a) annually	28-65-322 mental, physical, social status, living situation, need to continue	28-65-322 annually	Not stated	Not stated	28-65-108(b) denial of fee 28-65-320(f) denied fee if fail to file accounting
California: Prob. Code	2620(a) 1 yr. from appt., then biennially	Repealed	Repealed	1850(a)(1), (2) court shall review 6 months after appointment, 1 year after, then annually	1851(a) Court Investigator shall visit, inform that under conservatorship, report if wish to terminate, if conservatee acting in best interest, if still need conservatorship	2620.2(c) If fail to timely file accounting, ct. must punish or remove, order funds to ct. supervised account, appoint temporary guardian, appoint attorney for ward, or extend time. 2650(a)-(b) removal if fail to perform duties or report

State	Accounting Frequency	Status Report	<u>Status</u> Frequency	Court Review	<u>Post-Hearing</u> Investigator	<u>Sanctions</u>
Colorado: Rev. Stat. Ann.	15-14-317 Within 6 months of appointment and annually thereafter	15-14-317(1) Ward's condition, location, services provided, visit/activity summary, plan adequacy, future plan, continued need	15-14-317 Within 6 months of appointment and annually thereafter	15-15-503(2)(g) May review conduct of fiduciary 15-10-502 Without statement of reasons, may ask for report at any time	15-14-317(2) May appoint visitor to review, interview and investigate 15-10-503(2) Upon petition or own motion, after hearing, may temporary restrain fiduciary's performance, exercise of powers	15-14-112(2) Removal if best interests or for other good cause 15-10-503(1) If emergency because of fiduciary's actions or omissions that pose imminent risk of substantial harm, may order immediate restraint, restriction, or suspension of powers, direct to appear 15-10-503(2)(d) Suspend fiduciary if determines fiduciary has violated duties 15-10-503(2)(e) Remove for cause 15-10-504(2) Surcharge if breach of fiduciary duty or improper exercise of power 15-10-504(3) Direct or indirect contempt 15-10-504(4) Such sanctions as deem
Connecticut: Gen. Stat. Ann.	45a-655(a), (c) Inventory within 2 months; may require annual accounting	45a-656(c) Condition, efforts to encourage independence, whether least restrictive	45a-656(c) At least annually	45a-660(c) After 1 year; not less than 3 years thereafter; review written medical evidence	Not stated	appropriate Not stated

State	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
	<u>Frequency</u>		<u>Frequency</u>		<u>Investigator</u>	
Delaware: Code Ann. tit. 12	end of 1 st year, then as court requires but not more often than biennially unless special occasion	Not stated	Not stated	Not stated	Not stated	12 3908(a) 12 3944 contempt, imprisonment, removal for failure to account
District of	21-2065(d)(1)-(2)	21-2047(a)(5)	21-2047(a)(5)	Not stated	Not stated	21-2049
Columbia:	at least yearly or	ward's condition	at least semi-annually or			21-2061
Code Ann.	on court order		on court order			removal if best interest
Florida: Stat. Ann.	744.367 (1)-(3) 744.3678(1) yearly 744.365 verified inventory	744.367(1) 744.3675(1) annual plan, condition, address, plans for care & services, whether living arrangement best suited to needs, report of physician, restoration of rights 744.362 initial report due in 60 days 744.363 initial plan	744.367(1) yearly 744.3678(5) waived if only SS benefits and rep payee	744.3215(1) (a)- (b) 744.368 Clerk to review personal reports within 30 days and property reports with 90 days. Clerk report when not timely filed 744.369 court review report within 60 days of clerk's report on initial and 15 days on annual 744.372 court review appropriateness and extent	744.107(2) Court monitor investigates and report findings inquiry from interested person or from court on own; court may take action	744.3685 fines, contempt for failure to report 744.474 removal

State	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
	Frequency		<u>Frequency</u>		Investigator	
Georgia: Code Ann.	53-7-180(2) yearly 29-5-22 inventory 2nd month (takes into account estate plan) 29-5-30(c) file updated plan with annual return 29-5-60 file verified return with updated plan	ward's general condition, changes, living situation, expenditure of funds, alterations	29-4-22 60 days after appointment, then yearly	29-5-60(c) court carefully examine each return	Not stated	29-4-52(a) revoke, suspend, add security, reduce, deny compensation or other 29-4-53 cause of action for breach of fiduciary duty, damage, compel performance, enjoin, redress, constructive trust
Hawaii: Rev. Stat.	560:5-420 annually	560:5-317(a) condition, living arrangement, services, visit and activities, plan in best interest, future plan for care, need to continue or change powers	560:5-317(a) at least yearly	Not stated	560:5-317(b), - 420(c) may appoint kokua kanawai to review report and investigate	
Idaho: Code	15-5-419(2) Yearly with specific content	15-5-419(a) ward's status	15-5-419(a) yearly	Not stated	Not stated	15-5-307(a) remove if best interest 15-5-419(b) removal, fines, recovery of assets, surcharge, judgment
Illinois: 75/5 Ill. Comp Stat.	5/13-5(h) GAL can do accounting on death if PG and large estate	5/11a-17(b) mental, physical status; living arrangements, services received 5/13-5(g) report of public guardian	5/11a-17(b) if court directs	Not stated	5/11a-20(b) on request, court may appoint GAL to investigate	5/11a-15 removal

<u>State</u>	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
7 71	Frequency		Frequency 20.2.0.1(1)	00000	<u>Investigator</u>	
Indiana:	29-3-9-6(a)(1)	29-3-9-6(c)	29-3-8-1(b)	29-3-9-8	29-3-9-11	29-3-12-4 (a)
Code Ann.	29-3-9-5(a)	condition & circumstances	as ordered by court	29-3-9-6(e)	Div. of Family &	removal
	after 1 st 90 days,			accounting not	Children when	
	then biennially			final until	ordered	
				approved by		
				court after notice		
				and hearing		
Iowa:	633.670(a),(b)(1)	633.669(2)	633.669(1)	633.669(5)	Not stated	Not stated
Code Ann.	after 1 st 60 days,	condition, activities, living	after 60 days, then yearly	reports reviewed		
	then yearly	arrangements, services,		and approve by		
		visits, need to continue		district judge or		
				referee		
				633.674		
				court settle each		
				account by		
				allowing or		
				disallowing		
Kansas:	59-3083	59-3083(a)	59-3083	59-3084(a)	59-3084(b) &	59-3084 (c) &
Rev. Stat. Ann.	annually, other	form prescribed by court	annually, other times as	court shall	59-3085(b)	59-3085 (c)
	times as court	rule	court may specify; &	review report	court may set	Modify powers; require
	may specify; &		upon change of address	upon filing	hearing	filing of amended plan
	upon change of		or residence, significant			59-3089
	address or		change in health,			order to show cause for
	residence,		impairment, or assets			failure to fulfill duties;
	significant					removal
	change in health,					
	impairment, or					
	assets					
Kentucky:	387.710	387.670(1)	357.670(1)	387.670(3)	Not stated	384.080
Rev. Stat. Ann.	60 days after	condition, address, services	annually	court to review		Recovery of damages on
	appointment,	received, visits, need to	_	report and take		bond
	then biennially;	continue		necessary actions		387.090(1)
	informal biennial					removal for failure to
	report if less than					discharge duties or to
	\$2500					account

<u>State</u>	Accounting Frequency	Status Report	<u>Status</u> Frequency	Court Review	<u>Post-Hearing</u> Investigator	<u>Sanctions</u>
Louisiana: Civ. Code Ann.; Code of Civ. Pro.; Rev. Stat. Ann.	CCP 4569(A) annually RS13:3443(A)	CCP 4569(A) condition of interdict	CCP 4569(A) annually	Not stated	CCP 4551; CC 393 shall appoint undercurator CCP 4565 shall appoint undercurator to review accounts & reports	RS9:1025 removal if not adequately performing duties and in best interest
Maine: Me. Rev. Stat. Ann. tit. 18	18-A 5-419(a) as specified by court	18-A 5-312(a)(5) ward's condition	18-A 5-312(a)(5) as required	18-A 5-312(a)(5) review report 18-A 5-419(c) court may appoint visitor to review reports	18-A 5-419(c) 18-A 5-312(a)(5) may appoint visitor to review, determine care needs	18-A 5-415 remove conservator for good cause 18-A 5-307 remove guardian if best interest
Maryland: Code Ann., Est. & Trusts	Rule 10-206 annually, examined by trust clerk who reports to court	13-708(b)(7) residence, health status, guardian's plan, need for continuation	13-708(b)(7) annually	Not stated	14-404(a) review board reviews public guardianship annually, file review every 6 months	13-221 removal for good cause
Massachusetts: Gen. Laws ch.	205(1)(6) At least once a year	Not stated	Not stated	201 48 if embezzlement complaint, court may cite and examine suspect, including guardian or conservator	Not stated	
Michigan: Comp. Laws Ann.	700.5418 annually	700.5314(e) condition, improvement or deterioration, living arrangement, medical treatment, services, guardian visits, need for continuation	700.5314(e) annually	700.5309 court review 1 st then every 3 years	700.5310(4) court may send visitor to investigate if complaint	700.5310 removal

<u>State</u>	Accounting Frequency	Status Report	<u>Status</u> <u>Frequency</u>	Court Review	Post-Hearing Investigator	<u>Sanctions</u>
Minnesota: Stat. Ann.	524.5-420(a) annually	524.5-316(a) current condition; living arrangements; medical, educational, vocational services provided; adequacy of care; recommended changes in scope	524.5-316(a) at least annually	524.5-316(c) & 420(c) court will establish system to monitor and file	524.5-316(b) & 420(c) court may appoint visitor to review, interview, investigate	524.5-112(b) removal if best interest
Mississippi: Code Ann.	93-13-67 at least annually	93-13-121 account for guardian's acts and doings	93-13-121 at least annually	Not stated	Not stated	19-13-23 removal for sufficient cause
Missouri: Ann. Stat.	475.190(4) annually	475.082(2) address, number of contacts, date last seen by MD, need for continuation	475.082(2) annually	475.082(1) court review status of every ward annually	475.082(3) court may order mental status evaluation	475.082(5) removal if best interest
Montana: Code Ann.	72-5-438(1) at least annually	72-5-321(2)(e) condition of ward	72-5-321(2)(e) Annually	Not stated	Not stated	72-5-414 removal for cause
Nebraska: Rev. Stat.	30-2648(a)(5) as court directs	30-2628(a)(5) condition of ward	30-2628(a)(5) annually	30-2628(a)(5) court shall receive comments on need to continue	30-2623(c) court may send visitor to guardian and ward before removal, resignation or termination	30-2623(a) removal if best interest
Nevada: Rev. Stat	159.177(1) annually	159.081 condition of ward; exercise of authority and performance of duties by guardian	159.081 annually	159.176 court must review every guardianship annually	Not stated	159.185 removal
New Hampshire: Rev. Stat. Ann.	464-A:36 annually	464-A:35(I) medical condition, medical procedures, care and treatment, services, living situation, guardian's plan, need for continuation	464-A:25(I)(c) annually unless court finds is not necessary	464-A:25(d) Review heath care decision authority annually as part of court annual review of report	d64-A:35 (II) court may send annual report to person it may designate to visit ward and if necessary request hearing	464-A:37 citation, show cause, fine, removal for failure to file report or account 464-A:39(I) removal if best interests

<u>State</u>	Accounting Frequency	Status Report	<u>Status</u> Frequency	Court Review	<u>Post-Hearing</u> Investigator	Sanctions
New Jersey: Stat. Ann.	3B:12-42 at intervals as ordered by the court	3B: 12-42(a) Mental, physical and social condition, living arrangement, services provided, visits, if plan in best interest, future care, recommendation of continuation	3B:12-42 at intervals as ordered by the court	Not stated	3B:12-42(b) Court may appoint individual to review report, interview ward and guardian, investigate	Not stated
New Mexico: Stat. Ann.	45-5-314 annual, form in code, progress and condition, manner conservator carried out responsibilities, continued need, court cannot waive	form in code, progress and condition, health, medical and dental care, residence, education, employment, habilitation, manner guardian carried out duties, continued need	45-5-409(C) annual, court cannot waive filing, may require more frequently	Not stated	Not stated	45-5-314(C) 45-5-409(D) \$5/day reports are overdue
New York: Mental Hyg. Law	81.31(b)(7), (8) Accounting annually	81.30(a) # visits, steps taken to provide for needs 81.31(b) form in code contact information, major changes, date last doctor exam, doctor evaluation and functional level, appropriateness of residence, med treatment, plan for treatment, social condition, resume of activities, need to continue	81.30 initial report in 90 days 81.31 annually in May	81.32(a) court examiners must examine reports with 30 days of filing	81.32(b) examiner determines condition and care, finances, manner guardian carries out duties	81.32(c) demand filing, order to comply, deny compensation, remove

<u>State</u>	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
	<u>Frequency</u>		<u>Frequency</u>		Investigator	
North	35A-1264	35A-1242(a)	35A-1242(a)	35A-1243(d)	35A-1243(a)-(b)	35A-1244
Carolina:	annual	corporation or disinterested	initially within 6 months,	court shall take	designated agency	clerk shall order show
Gen. Stat.		public agent file initial	2 nd in 1 year, annually	appropriate	shall certify to clerk	cause if guardian fails to
		status report	thereafter	action	that has reviewed,	file report or report
					may send	incomplete
					comments, petition	
					clerk to order	
					guardian to perform	
					duties, modify	
					terms, remove, or restore	
North Dakota:	30.1-29-19	30.1-28-12(8)	30.1-28-12(8)	Not stated	30.1-28-7(3)	30.1-28-12.1
Cent. Code	Annually and as	If institutionalized, if	Annually	Tvoi siaieu	before removal,	if fail to report or
Cent. Code	court directs	continues to require	Zimuany		resignation or	account, issue show
	court uncers	guardianship, any powers			restoration, may	cause, contempt
		to change			send visitor	T.
Ohio:	2111.14(A)	2111.49(A)(1)	2111.49(A)(1)	2111.49(A)(2)	2111.49(A)(2)	2111.49(B)
Rev. Code Ann.	file inventory	content in code, changes in	2 years after letter issued	court shall	court may direct	Shall take any action
	within 3 months	condition, # of contacts,	and then biennially or as	review	investigator to	necessary, termination or
	2111.36	necessity to continue,	order		verify	modification.
	shall report on	adequacy of care, date last				On request hearing shall
	money expended	dr. exam, med. statement				be held to evaluate
	in improving	on need to continue				continued necessity
	ward's real estate					
0111	within 45 days	20.4.20.7.(20 4 202 (D)	20 4 20=		20 4 004
Oklahoma:	30-4-303(A)	30-4-305 (person)	30-4-303(D)	30-4-307	Not stated	30-4-801
Stat. Ann. tit. 30	annually	30-4-306 (property) forms in code	annually	May hold		guardian removed for
		change in mental condition		hearing and shall hold hearing if		abuse of fiduciary responsibilities, failure
		or physical condition,		objection to		to perform, incapacity to
		change in capacity to meet		report or court		perform, gross
		essential requirements,		considering		immorality, conflict of
		services provided, actions		order change.		interest, property
		taken, problems addressed,		Court shall		guardian's insolvency
		why continue, why no		examine changes		Same same s missi, they
		LRA		to property and		
				adjust bond		

<u>State</u>	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
	Frequency		<u>Frequency</u>		Investigator	
Oregon: Rev. Stat.	125.325 annually	form in statute, services received, care giver, physical & mental condition, # contacts, major decisions, reasons to continue	within 30 days of each anniversary	Not stated	may appoint visitor any time after fiduciary appointed	removal if fail to use good business judgment (higher standard if professional), if place in mental or nursing facility without court approval
Pennsylvania: Cons. Stat. Ann.	20-5531 whenever directed by court	20-5521(c)(1)(ii) contact, placement, major medical or mental problems, support services, need to continue, # contacts	20-5521(c)(1) at least annually	20-5512.2 may set date for review hearing in order establishing guardianship, or if petitioned, or major change, guardian fails to perform	Not stated	20-3182 grounds for removal of fiduciary
Rhode Island: Gen. Laws	33-15-26 annually	33-15-26.1(a) residence, condition, change in capacity, summary of actions taken	33-15-26.1(a) annually	33-15-26 33-15-26.1(b) probate court shall monitor each file, shall cite if late in filing	Not stated	accountable for full value of estate property if fail to comply with citation to report without sufficient excuse
South Carolina: Code. Ann.	62-5-419 annually	62-5-312(a)(5) condition of ward	62-5-312(a)(5) annually at least	Not stated	62-5-307(c) before removal of guardian, court shall send visitor	62-5-307 may remove if best interest of ward
South Dakota: Codified Laws	29A-5-408 annually	29A-5-403 services provided, recommendation for continuation, current mental, physical, social condition	29A-5-403 annually, court order, resign, remove	29A-5-403 any interested person may request hearing on report	Not stated	removal for material mistake in petition, incapacity, substance abuse, conviction of relevant crime, waste, mismanagement, neglect, adverse interest, fails to file report

State	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
	<u>Frequency</u>		<u>Frequency</u>		<u>Investigator</u>	
Tennessee: Code Ann.	34-1-111(a) annually, within 60 days of anniversary of appointment 34-1-115 at hearing submit property management plan for investments	34-1-111(c)(2) physical and mental condition; need for continuation	34-1-111(a) annually	34-1-131 clerk shall examine account and report to judge	Not stated	34-1-111(g) surcharged for failure to account 34-1-123 summons for abuse, mismanagement, may report to district attorney
Texas: Prob. Code Ann.	741(a) annually	743(b) living arrangement, guardian visits, physical and mental health, medical care and evaluation, activities, unmet needs, need for modification	743(b) annually	742(b) accounts must be approved by judge 743(e) status reports must be approved by judge 672(a) court to review each guardianship annually to determine need for continuation, modification, termination	648(b) court may appoint visitor at any time during pendency of guardianship 672(b)(2) visitor report may be used by judge in annual review 694A(c) Court must appoint investigator or GAL if ward applies for modification	attachment and imprisonment to enforce order 725 removal for failure to give bond 744 show cause, fine, removal for failure to report or account 761 removal for causes listed
Utah: Code Ann.	75-5-419 file on resignation, removal or as ordered	75-5-312(2)(e)(i) ward's condition	75-5-312(2)(e)(i) as required	Not stated	75-5-307(3) before removal, resignation, restoration, court may appoint visitor	75-5-307 remove if best interest 75-5-429 conservator liability if at fault

<u>State</u>	Accounting	Status Report	<u>Status</u>	Court Review	Post-Hearing	Sanctions
T 7	Frequency	14.207(3)	Frequency	14 2070	<u>Investigator</u>	14 2077()(2)
Vermont: Stat. Ann. tit. 14	14-3076(b) annual on anniversary date	14-3076(b) report on condition and progress, manner carried out duties, need to continue	14-3076(a) annually	annual notice of right to file motion of termination	Not stated	14-3077(a)(2) termination for failure to file annual report 14-3077(a)(3) Failure to act in accord with court order
Virginia: Code Ann.	26-17.4(B) 37.2-1022(E) annually	37.2-1021(B) current condition, living arrangements, services, frequency of visits, if agree with current plan, need to continue	37.2-1021(A) annually with social services	37.2-1022(A) social services notifies clerk if 90 days delinquent	Not stated	Not stated
Washington: Rev. Code Ann.	11.92.040(2) annually within 90 day of anniversary date	services, medical and mental status, change in functional abilities, guardian activities, need for changes in scope, professionals who have assisted	11.92.043(2) annually	Not stated	Not stated	11.92.160 failure to file accounting 11.92.180 failure of duties results in a reduction in compensation
West Virginia: Code	44A-3-11(a)(1) semi-annually in 1 st year and in February thereafter	44A-3-2(a) current condition, living arrangements, services, visits, activities, if agree with current plan, need to continue	44A-3-11(a)(1) semi-annually in 1 st year and in February thereafter	44A-3-2(b) court may hold hearing on report	Not stated	44A-3-11 misdemeanor if knowingly violate reporting requirements at termination 44A-4-4 removal if misstatement in petition, incapacity, substance abuse, conviction of relevant crime, waste, mismanagement, neglect, adverse interest, fails to file report

State	Accounting Frequency	Status Report	<u>Status</u> <u>Frequency</u>	Court Review	Post-Hearing Investigator	<u>Sanctions</u>
Wisconsin: Stat. Ann	54.62 annually before April 15 54.62(9) at any time may require accounting at hearing	54.25(1)(a) Health condition, location, recommendations, if living in LRA	54.25(1)(a) Annually to court and county dept.	54.62(5) court promptly examine accounts	54.40(1) may appoint GAL	54.62(8) May order show cause, issue warrant, fine
Wyoming: Stat. Ann.	3-3-901(a)(i) annually	a-2-109 residence, condition, information necessary to show condition of affairs	3-2-109 every 6 months	Not stated	Not stated	Not stated

[©] American Bar Association Commission on Law and Aging and Sally Balch Hurme (May 2009).