

GUARDIANSHIP OF MINOR'S ESTATE

Disbursements of Principal & Income

- * Income, and principal if income is insufficient, may be used for the costs of administration of the guardianship.
- * Income, and principal if income is insufficient, should be used for the minor's health, education, maintenance and support, after the guardian takes into account the minor's other reasonably available resources and sources of income.

Accountings

- * The first account must begin on the date of qualification and end four (4) months thereafter. The first account is due six (6) months from date of qualification.
- * Second and subsequent accounts should cover periods not exceeding twelve (12) months from the ending date of the prior account. Each account is due within four (4) months from the ending date of the accounting period chosen.
- * Exception: The Commissioner of Accounts may grant a guardian a three-year filing period after an accounting has been filed that reflects the assets under the guardian's control are less than \$15,000.

In guardianship accountings where more than one child is involved, funds for each minor should be accounted for separately. Income or disbursements from each child's share should be reflected separately for income tax purposes.

Compensation for Guardian

- * Fees of 5% of the annual accounting income and 1% of the principal assets, per year for the duration of the guardianship are generally considered reasonable for estates having assets of less than \$100,000.

Investments

- * A guardian has a reasonable time not exceeding four months to invest any principal collected.
- * A guardian may not lend money on an unsecured basis or lend money to himself.
- * Assets must be properly titled: "Guardian's name, Guardian for Ward's Name".

Surety Bond Coverage

* The Court will set the initial amount of the bond. The Commissioner of Accounts, after reviewing each accounting, will determine if there is sufficient bond to cover the assets remaining on hand, plus the next twelve (12) months anticipated receipts.

* When the same guardian qualifies upon the estate of two or more wards who are members of the same family, only one qualification and one guardianship bond shall be required.