



YOU'VE BEEN APPOINTED: INFORMATION FOR VIRGINIA GUARDIANS AND CONSERVATORS

ACKNOWLEDGEMENT

The Office of the Executive Secretary, Supreme Court of Virginia, acknowledges with appreciation the preparation of these materials by the Senior Lawyers Conference, Virginia State Bar, and Working Interdisciplinary Network of Guardianship Stakeholders.

July, 2020



[Click here](#) for the Guardians and Conservators video.

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You have now been appointed and qualified¹ as a Virginia guardian or conservator. Guardians and conservators are appointed by the court for adults whom the court finds lack the physical and/or mental capacity to care for themselves or their property. Because you must make important decisions regarding the adult's personal and financial affairs, you should know how best to carry out these responsibilities.

This guide is distributed through circuit court clerks to educate you as a court-appointed guardian or conservator – or you may be fulfilling both roles. The guide is also available online: http://www.vacourts.gov/courts/circuit/resources/guardian_conservator_pamphlet.pdf.

POWERS AND DUTIES OF GUARDIANS

1. Your powers include only those powers listed in your court order.
2. As a guardian, you are in a **fiduciary relationship** with the person for whom you were appointed. You may be personally liable for a breach of any fiduciary duty. Fiduciary duties include acting only in the person's best interest and maintaining good records about how you fulfill your duties. You are not liable for any of the person's actions, unless you are personally negligent. You do not need to spend your personal funds on the person's behalf. You may be paid from the person's money if the court has ordered it.
3. Your duties and authority as a guardian do not extend to decisions addressed in a **valid advance directive or durable power of attorney** the person previously executed. You need to ask the court if you believe there is a need to change a durable power of attorney for finances or to appoint a different health care agent. Any modification of an advance directive may not in any way affect the person's directives about medical treatments or procedures.
4. You must have **enough contact** with the person to know about his or her capabilities, limitations, needs, support, and opportunities. Visit the person as often as necessary and keep track of your visits.

¹ Before you can legally become a guardian or conservator, you must take an oath that you will faithfully perform your duties and give a surety bond, if required by the court order. This is called "qualifying".

5. You need **court approval** ahead of time:
 - to change the person's residence to another state
 - to end or consent to the end of the person's parental rights
 - to change the person's marital status

6. As guardian, you should encourage the person to **participate in decisions**, to act on his or her own behalf, and to develop or regain the ability to manage personal affairs. In making decisions, you need to consider the person's expressed desires and personal values to the extent you can determine them. If you cannot determine those desires and values, you must act in the person's best interest and exercise your fiduciary duties with care, diligence, and prudence.

7. You have the authority to arrange for the **funeral and disposition of remains**, including cremation, interment, entombment, inurnment, or scattering of the ashes. You should make a good faith effort to locate the person's next of kin to make such arrangements. Good faith effort means contacting the next of kin listed in the guardianship petition. You cannot be held liable for the decisions you make regarding the body disposition unless you acted in bad faith or malicious intent.

8. You must mail or deliver an **annual report** to the local department of social services where the person lives. This report should be completed and submitted to the local department of social services four months after appointment as the guardian and annually thereafter. Use the fillable form (CC-1644) and instructions provided by the Office of the Executive Secretary of the Virginia Supreme Court located at: <http://www.vacourts.gov/forms/circuit/cc1644.pdf>. A copy of the report form and a sample are also included with this guide. The annual report must be filed with the local department of social services for the jurisdiction where the person lives. A list of local departments, addresses and contact information are at: <http://www.dss.virginia.gov/localagency/index.cgi>. Remember to date and sign the report before mailing to the local department of social services.

9. You must also mail or deliver a **final report** to the local department of social services where the person lives when the guardianship ends.

POWERS AND DUTIES OF CONSERVATORS

1. As a conservator, you are in a **fiduciary relationship** with the person for whom you were appointed. Fiduciary duties include acting only in the person's best interest, carefully managing any assets you are responsible for, keeping your funds separate from the person's funds, and maintaining good records about how you fulfill your duties. You may be personally liable for a breach of any fiduciary duty. You are not liable for any of the person's actions, unless you are personally negligent. You do not need to spend your personal funds on the person's behalf.
2. Unless there are restrictions in the conservatorship order, you must **take care of and preserve the person's estate and manage it to the person's best advantage**. You should use the person's income and assets to pay the person's debts, including bills for the person's care and any of the person's legal dependents. If you make investments, seek advice from a financial professional to be sure you are investing according to Virginia legal requirements. Do not hesitate to seek legal advice from an elder law attorney about the correct way to use any funds.
3. The Commissioner of Accounts is an attorney appointed by the judge of each circuit court to provide general supervision of all fiduciaries. A list of Commissioners of Accounts, by jurisdiction and alphabetically by name, is at: <https://www.vacourts.gov/forms/circuit/fiduciary>.
4. You should encourage the person to **participate in decisions**, to act on his or her own behalf, and to develop or regain the ability to manage financial matters. In making any financial decision, you should consider:
 - the person's wishes and values
 - the person's accustomed manner of living and quality of life
 - the overall amount of available funds
 - how long you expect the conservatorship to last
 - other available resources
 - the guardian's recommendations
5. To avoid being personally liable on a **contract** you sign on behalf of the person, the contract must specifically state that you are not personally responsible, or you must state that you are signing the contract as a conservator for the person. It is good practice to sign any legal document as "[Your name] as conservator for [person's name]."

6. Once you are appointed, you have the following powers in **managing the person's money and property**. You may exercise these powers without getting prior authorization from the court, unless the court's order says otherwise:
- To sign documents and take all other actions that serve the person's best interests
 - To ratify or reject a contract the person signed
 - To pay money that is for the person's benefit or for the benefit of a legal dependent, to the following parties:
 - a. A provider of goods and services
 - b. An individual or facility that provides care
 - c. The distributee or distributee's custodian under Uniform Gifts or Transfers to Minors Acts
 - d. The person's guardian or a dependent's guardian or conservator
 - To maintain life, health, casualty, and liability insurance for the benefit of the person, or legal dependents
 - To initiate a proceeding to revoke a power of attorney, if circumstances deem necessary for the well-being of the person
 - To borrow, to obtain a mortgage to secure loans, and to renew existing loans
 - To manage the money and property after the conservatorship ends until you deliver it to the person or the person's estate.
7. Before you **sell real estate**, the court may require you to:
- Increase the amount of your bond
 - Get an appraisal of the real estate or interest
 - Give notice to interested parties
 - Consult with the Commissioner of Accounts and the guardian, if one has been appointed

You must report to the Commissioner of Accounts how you have met these requirements. The court order typically requires approval of a sale before it can close. The Commissioner of Accounts reviews the proposed sale contract for reasonableness, reviews the bond based on the proceeds to be received and files a written report with the clerk of court. Once the report is filed, it is confirmed fifteen (15) days after filing if no one files exceptions. The closing cannot occur until the report is confirmed.

8. If the person is receiving Social Security benefits, you have no authority as conservator to manage these funds. You must apply to Social Security through a separate process to be appointed as a representative payee in order to manage these funds. Information on Representative Payees may be found at <https://www.ssa.gov/payee>. Please note that a guardian or conservator is not automatically selected as a representative payee for a Social Security beneficiary. Other governmental agencies such as the Department of Veterans Affairs have similar processes.

WHOM TO NOTIFY OF YOUR APPOINTMENT

1. Send a copy of your letters of qualification as Conservator to every bank, brokerage firm, agency from which annuities are sent, and any other appropriate entity with a letter stating who you are, your address, and requesting future payments be sent to you as conservator.
2. If the person owns a car or a house, notify the insurance companies to send any future billings to you.
 - Tell the insurance company if the house is vacant as the company may require an additional premium to insure a vacant home.
 - If the person is no longer driving but owns a car, you need to decide whether to cancel the insurance or change its coverage until the car is no longer owned by the person.

IDENTIFY CONSERVATORSHIP ASSETS

1. If the person is unable to tell you about his or her assets, you may find it helpful to look in checkbook registers for sources of income or old tax returns, for bank statements and other investment information.
2. Determine how each asset is titled – were the assets solely owned or joint with someone? If the assets were jointly owned, then with whom, and were the funds all contributed by the person or was a percentage contributed by each joint owner? Did the account have a pay on death clause?
3. Vehicles – those titled solely in the person's name are considered a conservatorship asset.
4. Furniture – if the person shares the home with a spouse or family member, the furniture is not usually considered a conservatorship asset under your control.

5. Jewelry – if the person is wearing it, do not consider it as being under your control as a conservator asset. If there is other valuable jewelry that would be in jeopardy if you don't take control of it, inventory it and put it in a safe place.

PUT ASSETS INTO CONSERVATORSHIP NAME

1. Change the titles to every account or asset to "[your name], Conservator for [person's name]."
2. Do not use your own Social Security number on conservatorship assets, use the person's Social Security number.
3. Assets held jointly with a spouse should be split 50/50, and half will go into the conservatorship. Likewise, half of the income earned from joint assets earned after the date of qualification should be deposited into the conservatorship account.
4. Pay on death (P.O.D.) and transfer on death (T.O.D.) accounts or assets should be left in the person's name until you need to use those assets for the person's benefit. If those funds are needed, withdraw the funds and deposit them into the conservatorship checking account. Tell the bank or holder of the asset to send you all statements and 1099's. You should always try to maintain the character of any P.O.D. or T.O.D asset so that the person's wishes will be honored at death.
5. Other jointly owned assets should be reported in the percentage the person contributed.
6. Stocks or investments that have not reached maturity can be left as titled as long as the co-owner agrees to cooperate with you as Conservator and permit you to hold the original documents.

CONSERVATORSHIP CHECKING ACCOUNT

1. Choose a Virginia bank to open the conservatorship checking account. Use only a bank account that returns the original or photocopies of checks, or that allows copies of cashed checks to be viewed and printed online. If you will be keeping more than \$1,000 in the checking account, open an account that pays interest.
2. You are required to submit cancelled checks and/or signed receipts to the Commissioner of Accounts for every disbursement you make as Conservator. Should your bank fail to send you a statement or proof of cancelled checks, call them as soon as you are aware of the situation. Delaying your request for

missing statements or proof of cancelled checks may result in service charges by your bank.

3. You should deposit all income for the person into the conservatorship checking account and make all disbursements from this account. You may invest assets elsewhere, but your record keeping will be greatly simplified if all transactions pass through this one account.

This does not mean you should not invest in certificates of deposits or buy Treasury Bills, etc. Just deposit the proceeds from matured, redeemed, or sold assets into the checking account and then purchase new assets from the same account.

INVENTORY OF ASSETS

1. You must file an inventory of the assets of the person's estate with the Commissioner of Accounts within four months from the date of qualification. A link for contact information for Commissioners of Accounts is provided on page 4 of this guide. The Clerk will have given you an inventory form at the time of your qualification that includes detailed instructions for completing the form, but [Form CC-1671 INVENTORY FOR ESTATE OF INCAPACITATED ADULT](#) and instructions may also be found on Virginia's Judicial System website at <http://www.vacourts.gov/forms/circuit/fiduciary>. These forms may be filled out online and printed for filing. A copy of this form and a sample form are also included with this guide.
2. Use exact figures on your Inventory valuations. Do not round figures. Use the beginning values as of the date of your qualification, not the values as of the day you complete the Inventory.
3. Inventories must be printed legibly in black or blue ink or typewritten and signed by each qualified Conservator.
4. You must submit two copies of the signed Inventory form with the appropriate filing fee to the Commissioner of Accounts office. The Clerk will have given you a filing fee schedule at the time you qualified.
5. You may mail the Inventory and check for the filing fee to the Commissioner of Accounts Office. If you wish to file in person, you should make an appointment ahead of time. An appointment can sometimes be made with as little as one day's notice.
6. Each Conservator must supply the Commissioner of Accounts with telephone numbers, and complete, current street address. If you use a Post Office Box for

mail, a street address must also be provided. It is your responsibility to keep the Commissioner of Accounts informed of your current street address.

ACCOUNTINGS

1. Every Conservator must file an account of the person's assets under your control with the Commissioner of Accounts. The Clerk will have given you an accounting form at the time of your qualification that includes detailed instructions for completing the form, but [Form CC-1682 ACCOUNT FOR INCAPACITATED ADULT](#) and instructions may also be found on Virginia's Judicial System website at <http://www.vacourts.gov/forms/circuit/fiduciary>. These forms may be filled out online and printed for filing. A copy of this form and a sample form is also included with this guide.
2. The first Account should cover the first four-month period, beginning on the date of the Conservator's qualification. This account must be filed with the Commissioner of Accounts within **six months** from the date of qualification. For example, if you qualified on January 10, 2019, the first Account would cover the period January 10, 2019 through May 10, 2019, and it would be due on July 10, 2019.
3. Second and subsequent accountings are to cover the 12 months beginning with the ending date of the prior Account. They are due within 16 months from the ending date of your prior Account. For example, if the first Account ended May 10, 2019, then the Second Account would end May 10, 2020, and would be due by September 10, 2020. You may end your account on any day of the month. For example, instead of ending it May 10, you may end it May 31.
4. You must include the following with every accounting:
 - Original and one copy of the Account signed by each Conservator if more than one are qualified.
 - A check payable to the Commissioner of Accounts in the appropriate amount for the filing fee. The Clerk will have given you the filing fee schedule when you qualified.
 - Vouchers for all disbursements shown on the account which include the original cancelled checks, debit memos, or signed receipts. These will be returned to you. If you use a bank that does not return cancelled checks, you must have a signed receipt from the payee, or a photocopy of the check prepared by the bank. Vouchers must be organized in the same order as they appear on the accounting. Vouchers do not need to be filed in duplicate.

- A copy of the signed settlement sheet for any sale of real estate and brokerage statement to support any sale of stocks or other securities.
 - Verification of each asset that remains on hand as of the end of the accounting period must be provided, as follows:
 - When there are cash accounts, a statement from the financial institution covering the ending date of the accounting and reconciled to agree with your accounting.
 - When there are certificates of deposit, a statement from the financial institution, or the original certificate, or a letter from the issuer verifying the existence of the certificate as of the ending date of the account and stating the balance of the certificate.
 - When there are brokerage accounts, a statement that verifies stocks, bonds, and other securities or funds held. If you hold securities in certificate form, you must exhibit the original certificates to the Commissioner of Accounts or provide a statement from a bank officer certifying the original certificates of each security listed were exhibited to the bank officer on or after the ending date of the accounting.
 - Titles for cars, boats, etc., should be exhibited to the Commissioner of Accounts. Jewelry and furnishings carried as assets under the Conservator's control can be supported by a statement from a disinterested third party certifying the existence and the location of the assets. The statement by the third party should include the party's printed name, address, and daytime phone number.
 - Original notes must be exhibited to the Commissioner of Accounts unless a collection agency is handling the collection of the notes. If so, a statement from the collecting agency certifying the identity of the holder and the principal balance as of the ending date of the account will be accepted.
 - Copies of K-1 forms from the tax returns may be used to verify any partnership interests.
 - If the market value of the asset is not equal to the carrying value, show the market value in parentheses within the asset description
5. You must file a Final Account upon the person's death or upon entry of a court order restoring the person's competency. The final account must show ZERO

assets on hand. You may not hold any assets in escrow for any reason whatsoever.

6. Any assets remaining at the termination of a conservatorship should be delivered to the qualified fiduciary of the estate if the person died, or to the person when declared competent.
7. All original vouchers will be returned to you or your representative after the completion of the Commissioner's audit.
8. Accounts must be printed legibly in black or blue ink or typewritten.
9. You may mail the Account and check for the filing fee to the Commissioner of Accounts Office. If you wish to file in person, you should make an appointment ahead of time. An appointment can sometimes be made with as little as one day's notice.

DISBURSEMENTS

1. You may use principal and income for the benefit of the person. You may also contribute funds towards the support and maintenance of the person's spouse and/or family.
2. Costs of maintaining real property are properly paid from the conservatorship funds.
3. If you must use cash to pay for something, obtain a signed receipt for it. You may find it convenient to occasionally pay small expenses yourself and then write a conservatorship check to yourself for reimbursement.

INVESTMENTS

1. As Conservator, you are responsible for the careful investment of funds under your control. You must make such investments within four months from the time you collect such funds.
2. [Virginia Code § 64.2-1502](#) provides a listing of securities in which a Conservator may invest. Some examples of approved investments are bonds, notes and other evidences of indebtedness of Virginia, a Virginia county, a Virginia city, or the United States as well as savings accounts, time deposits or certificates of deposit in banks, savings banks, trust company, savings and loan association, or credit unions authorized to do business in Virginia that are insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

3. For investments not approved by [Va. Code § 64.2-1502](#), investments must be made in good faith, using intelligent and practical reasoning.
4. You may be personally liable for loss of assets.
5. You may not invest conservatorship monies in unsecured notes or buy real estate or lend money to yourself.
6. Be sure to title all investments properly, i.e. "**Your name**, Conservator for **Person's Name**."
7. Do not make any conservatorship asset joint with you or anyone else. The conservatorship funds belong only to the person and must be listed with the Conservator's name and title. Combining the person's funds with yours, or someone else's, results in confusion and potential liability.

ESTATE PLANNING

1. You must get Court authority to make gifts from the person's estate, to disclaim property, or to create a revocable or irrevocable trust on behalf of the person. This authority may be given in the order appointing the Conservator or by petition in a separate proceeding. If there is a separate proceeding, you must give notice as required and a guardian ad litem must be appointed to represent the person's interests.
2. The Court may determine 1) any amounts, recipients, and proportions of any gifts of the estate, 2) any disclaimers, 3) whether good cause exists to create a trust or transfer assets, or 4) whether to approve the trust created.
3. You may make arrangements for the person's funeral and burial. [Virginia Code § 54.1-2820](#), however, has many requirements that must be met. Before you proceed with making these arrangements, be sure the funeral home's contract meets the requirements of Virginia law.

COMPENSATION FOR CONSERVATORS

1. You are entitled to "reasonable compensation" for the services you provide in administering a conservatorship. There is no specific definition of "reasonable compensation". Unless there are unusual circumstances, the Commissioner will allow a fee based on the [Uniform Fee Schedule Guideline](#), which provides for the following:

Income - 5% of all non-investment receipts (Social Security, retirement payments, etc.) accounted for during each accounting period. No compensation

is allowed on receipts such as interest, dividends, capital gain distributions, or capital gains on sales.

Principal - A fee based upon the market value of the assets brought forward from the Inventory or prior account in accordance with the following schedule:

First \$500,000 1% (.01)
Next \$500,000 $\frac{3}{4}$ of 1% (.0075)
Over \$1,000,000 (up to \$9,999,999.99) $\frac{1}{2}$ of 1% (.005)
\$10,000,000 or more -by agreement with the Commissioner (prior consultation is required).

SURETY BOND COVERAGE

1. The Court determines the amount of your personal bond and whether you must obtain surety on that bond.
2. If the Court requires you to obtain a surety bond, you will pay an insurance company a premium to ensure that you will properly discharge your duties as a Conservator. The amount of the surety bond must be enough to cover the assets you are responsible for and will also include 12 months of anticipated income.
3. The Commissioner of Accounts reports to the Court if the surety bond is insufficient. After reviewing your Inventory and each interim Account, the Commissioner will send you a letter setting out the amount the bond will be increased necessary to cover the existing assets and anticipated income. A copy of the letter is sent to the Clerk of the Court and to the insurance company.
4. You may request a reduction of the amount of the surety bond when you file your Inventory or Account which shows that assets on hand, plus anticipated income, are less than the current surety bond coverage.

FAILURE TO PROPERLY FILE INVENTORY OR ACCOUNTS

Should you fail to file the required Inventory or Account within the required deadlines, or any approved extension, the following actions may result:

1. The Commissioner of Accounts will issue a summons that will be served to you by the Sheriff of your locality. The summons gives you 30 days from the date of service to file the required report with the Commissioner of Accounts.
2. If you do not meet the deadline for filing the Inventory or Account, the Commissioner of Accounts will request the Judge to issue a Rule to Show Cause

against you. The Show Cause summons will also be served by the Sheriff and you will be required to appear in Court to explain to the Judge why you have not filed the required report and why you should not be removed as the Conservator.

3. If you do not settle your accounts as required by Virginia law, you will forfeit your commissions unless the Commissioner of Account finds good cause for your failure to do so.
4. Fees for the issuance of the summons and Rule to Show Cause, as well as any costs for court appearances by the Commissioner of Accounts, will be paid by you personally and will not be paid with funds in the Conservatorship.
5. If you are an attorney, the Commissioner of Accounts must send a copy of his report the Virginia State Bar in addition to sending a copy to the Court.

MODIFICATION/TERMINATION OF GUARDIANSHIP/CONSERVATORSHIP

Your appointment as guardian or conservator may end or be changed for several reasons:

1. Your appointment ends the day the person is deceased.
2. The court may remove you as Guardian or Conservator if it finds you are not acting in the best interests of the person or the person's estate.
3. The court may modify the guardianship or conservatorship order to provide you with more authority or less authority, given the current needs and circumstances of the person.
4. The court may terminate the guardianship or conservatorship order if it finds the person no longer needs a Guardian or Conservator. Upon the petition of the person, the Guardian or Conservator, or on the Court's own motion, and after a hearing is held, the Court may declare the person "restored to capacity." A restoration to capacity means the person regains the rights lost by the original appointment.

Upon any termination of appointment, you are required to file a final Account with the Commissioner of Accounts.

AVAILABLE RESOURCES

VIRGINIA DEPARTMENT FOR THE AGING AND REHABILITATIVE SERVICES (DARS)

8004 Franklin Farms Drive
Henrico, VA 23229-5019

(804) 662-7000/ Toll Free: 1-800-552-5019

Email: dars@dars.virginia.gov

Website: <http://www.vadars.org>

The Department for Aging and Rehabilitative Services, in collaboration with community partners, provides and advocates for resources and services to improve the employment, quality of life, security, and independence of older Virginians, Virginians with disabilities, and their families.

VIRGINIA OFFICE FOR AGING SERVICES OF THE DIVISION FOR COMMUNITY LIVING

1610 Forest Avenue, Suite 100
Henrico, VA 23229-5019

(804) 662-9333/ Toll Free: 1-800-552-3402

Website: <http://www.vda.virginia.gov/>

A network of 25 local agencies, called **Area Agencies on Aging or AAAs**, provides most of the services for seniors in Virginia communities. Each AAA in Virginia serves a specific territory of counties and cities that share common geographic, demographic, and economic boundaries.

To find out what services are offered in your community, you can use a map on the Office for Aging Services website: <http://www.vda.virginia.gov/>

VIRGINIA DEPARTMENT OF SOCIAL SERVICES

[LOCAL DEPARTMENT LISTING - VIRGINIA DEPARTMENTS OF SOCIAL SERVICES](#)

[Va. Code § 64.2-2020](#) requires the guardian to file an annual report with the local department of social services for the jurisdiction where the person lives. To find your local department of social services, you can use the search options on the VDSS's website.

NATIONAL GUARDIANSHIP ASSOCIATION

174 Crestview Drive
Bellefonte Pa 16823-8516
877-326-5992

Website: www.guardianship.org

NGA is a membership organization for guardians, conservators, fiduciaries, judges, and court personnel across the United States who are interested in providing quality guardianship services. It provides multiple educational opportunities and resources for guardians. NGA's *Ethical Principles and Standards of Practice* are tools to help guardians and conservators ethically carry out their responsibilities. You can download them for free on the NGA website. *Fundamentals of Guardianship*, a training manual and desk reference, is available on amazon.com.

Website:
<https://www.consumerfinance.gov/consumer-tools/managing-someone-elses-money/guardian-guides/>

Consumer Financial Protection Bureau, Help for Court-Appointed Conservators in Virginia –a plain language guide for Virginia conservators with tips and examples. You can download copies or order the guide for free.

COMMISSIONERS OF ACCOUNTS

Henrico County Commissioner of Accounts Website:
<http://www.henricocommissionerofaccounts.com/>

Fairfax County Commissioner of Accounts Website:
<https://www.fairfaxcommissionerofaccounts.org/open/page.page?shortname=resource.home>

The Henrico and Fairfax County Commissioners of Accounts websites are provided as resources only. As conservator, you should consult with the Commissioner of Accounts for the Circuit Court in which you qualified.

FORMS

Form CC-1644, [Report of Guardian for an Incapacitated Person](#)

REPORT OF GUARDIAN FOR AN INCAPACITATED PERSON
 COMMONWEALTH OF VIRGINIA
 VA. CODE § 64.2-2020

Name of Incapacitated Person:			
Address of Incapacitated Person:			
Circuit Court where Guardian appointed:		Age:	
Circuit Court Case No.:			
Date of Order of Appointment:		Date Qualified by Clerk:	
Guardian's Name:		
Address:		
Telephone Number:		
Conservator's Name:		
Address:		
<input type="checkbox"/> Same as Guardian		
Telephone Number:		

Initial four-month report Annual report Final report REASON FOR FILING FINAL REPORT

The period covered by this report is: to

- Describe the incapacitated person's living arrangements:

- Describe the current mental, physical and social condition of the incapacitated person (attach additional pages if necessary):
 Mental:
 Physical:
 Social:
 State any changes in the condition of the incapacitated person in the past year:

- Describe all medical, educational, vocational and professional services provided to the incapacitated person for the period covered by this report, and state your opinion of the adequacy of the care received by the incapacitated person:

4. State the number of times you visited the incapacitated person, the nature of your visits and describe your activities on behalf of the incapacitated person (Guardians are required to visit the incapacitated person as often as necessary to know of his or her capabilities, limitations, needs and opportunities):

.....

5. State whether or not you agree with the current treatment or care plan:

.....

6. State your recommendation as to the need for continued guardianship, any recommended changes in the scope of the guardianship, and the steps to be taken to make those changes, and any other information useful, in your opinion, to a consideration of the guardianship:

.....

7. If you incurred expenses in exercising your duties as guardian and if you requested reimbursement or compensation for those expenses, itemize the expenses and list the person(s) from whom you requested reimbursement or compensation.:

.....

I declare, under penalty of perjury, that the information contained in this Annual Report is true and correct to the best of my knowledge.

.....
DATE

SIGNATURE OF GUARDIAN

DSS Use Only:

Date Received: Date Reviewed:

.....
REVIEWER'S SIGNATURE AND TITLE

Form CC-1644, [Sample Report of Guardian of an Incapacitated Person](#)

SAMPLE REPORT OF GUARDIAN FOR AN INCAPACITATED PERSON
 COMMONWEALTH OF VIRGINIA
 VA. CODE § 64.2-2020



Name of Incapacitated Person:	Anna Jones		
Address of Incapacitated Person:	123 Charming Avenue, Little Town, Virginia 22000		
Circuit Court where Guardian appointed:	Fairfax, VA	Age:	48
Circuit Court Case No.:	00-000		
Date of Order of Appointment:	January 1, 2000	Date Qualified by Clerk:	January 1, 2000
Guardian's Name:	Jennifer Andrews		
Address:	200 Main Street Little Town, Virginia 22000		
Telephone Number:	(540) 555-0000		
Conservator's Name:			
Address:			
<input checked="" type="checkbox"/> Same as Guardian			
Telephone Number:			

Initial four-month report Annual report Final report

REASON FOR FILING FINAL REPORT

The period covered by this report is: May 1, 2018 to April 30, 2019

1. Describe the incapacitated person's living arrangements:

Ms. Anna Jones currently resides in her own apartment located in Little Town, VA. Anna previously resided in a group home but requested a more independent home. Anna is well supported and receives intensive support from residential staff. Additional support and monitoring are provided by her guardian, county case manager, and employer to ensure her safety.

2. Describe the current mental, physical and social condition of the incapacitated person (attach additional pages if necessary): Anna is stable and receiving appropriate support for her mental, physical, and social needs.

Mental: Moderate developmental disability, bi-polar disorder.

Physical: Diabetes, sleep apnea.

Social: Many friendships with neighbors and co-workers and her cousin out-of-state.

State any changes in the condition of the incapacitated person in the past year:

Anna moved to her new apartment in the last year. She continues to share that she is glad she made this move.

3. Describe all medical, educational, vocational and professional services provided to the incapacitated person for the period covered by this report, and state your opinion of the adequacy of the care received by the incapacitated person:

Anna continues to attend all of her medical, vocational, psychiatry, and psychology appointments. Anna receives appropriate services to help her with her daily routine and activities. Anna is interested in exploring a paying job in the coming year. Anna also receives case management services through Little Town Community Services Board. Her team, which includes a medical professional, her guardian, vocational staff and CSB staff, has proven to be effective at meeting Anna's needs and ensuring she has the life she desires.

- 4. State the number of times you visited the incapacitated person, the nature of your visits and describe your activities on behalf of the incapacitated person (Guardians are required to visit the incapacitated person as often as necessary to know of his or her capabilities, limitations, needs and opportunities):

The guardian saw Anna 15 times during the last 12 months and talked to her by phone weekly. Meetings take place at Anna's home and vocational programs where we discussed her life and her wishes for the future. The guardian reports this to her support team.

- 5. State whether or not you agree with the current treatment or care plan:

The current/treatment plan is appropriate and meets Anna's needs and abilities.

- 6. State your recommendation as to the need for continued guardianship, any recommended changes in the scope of the guardianship, and the steps to be taken to make those changes, and any other information useful, in your opinion, to a consideration of the guardianship:

Anna continues to need significant support from her guardian to make medical, health, social, housing, and employment decisions. She is working well with her guardian and team and her independence is growing. It is our hope that Anna's skills continue to advance, and she moves towards a more limited guardianship in future years.

- 7. If you incurred expenses in exercising your duties as guardian and if you requested reimbursement or compensation for those expenses, itemize the expenses and list the person(s) from whom you requested reimbursement or compensation:

I am not requesting reimbursement for my work as Anna's guardian.

I declare, under penalty of perjury, that the information contained in this Annual Report is true and correct to the best of my knowledge.

DATE

SIGNATURE OF GUARDIAN

DSS Use Only:

Date Received: Date Reviewed:

REVIEWER'S SIGNATURE AND TITLE

Form CC-1671, [Inventory for Estate of Incapacitated Adult](#)

**INVENTORY FOR ESTATE OF
INCAPACITATED ADULT**
COMMONWEALTH OF VIRGINIA
VA. CODE §§ 64.2-1300, 64.2-1308, 64.2-2016, 64.2-2021

Court File No. _____

Circuit Court of _____

Incapacitated person's name _____

Fiduciary^(ies) name(s) _____

Date of qualification of fiduciary^(ies) _____

This is the first inventory an inventory showing after discovered assets an amended inventory restating all assets.

The fiduciary filing this inventory is a conservator trustee for ex-service person

committee for an incarcerated person limited conservator

Total value of assets listed in Parts 1, 2, 5 and 8 (for bond purposes) \$ _____

ATTACH ADDITIONAL SHEETS IF NEEDED

Part 1. The incapacitated person's personal estate under your supervision and control.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 1:	

FORM CC-1671 (MASTER, PAGE ONE OF THREE) 10/12

Part 2. The incapacitated person's real estate in Virginia over which you have a power of sale.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 2:	

Part 3. The incapacitated person's other real estate in Virginia.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 3:	

Part 4. The incapacitated person's other non-Virginia real estate.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 4:	

Part 5. The incapacitated person's interest in any real or personal property that will pass to another at the incapacitated person's death by way of survivorship or beneficiary designation.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 5:	

FORM CC-1671 (MASTER, PAGE TWO OF THREE) 11/06

Part 6. The incapacitated person's interest in any trust.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 6:	

Part 7. The incapacitated person's rights to periodic payments from certain agencies of the U.S. government.

DESCRIPTION OF PROPERTY	TOTAL ANNUAL VALUE
TOTAL VALUE OF PART 7:	

Part 8. The incapacitated person's right to periodic payments from any other source.

DESCRIPTION OF PROPERTY	TOTAL ANNUAL VALUE
TOTAL VALUE OF PART 8:	

CERTIFICATE OF ACCURACY AND COMPLETENESS

[Must be signed by each fiduciary.]

I (we) hereby certify that to the best of my (our) knowledge and belief this is an accurate and complete inventory of this estate made in accordance with my (our) responsibilities under Virginia law.

Date	Fiduciary
	Address
	Telephone No.:
Date	Fiduciary
	Address
	Telephone No.:

CERTIFICATE OF COMMISSIONER

The Commissioner of Accounts has not independently verified the value of the items on the inventory, or the fact that they are the only assets of the estate.

Inspected, found to be in proper form, and approved on

Commissioner of Accounts

Received in the Clerk's Office and admitted to record on

Clerk

Instructions for CC-1671, [Inventory for Estate of Incapacitated Adult](#)**INSTRUCTIONS — INVENTORY FOR ESTATE OF INCAPACITATED ADULT**

GENERAL: You are required by law to file an inventory with the Commissioner of Accounts within four months after you were sworn in as a fiduciary for an incapacitated person (your “date of qualification”). This inventory must include all of the incapacitated person's (i) personal estate under your supervision and control, (ii) real estate, (iii) legal or equitable ownership interest in any real or personal property that will pass to another at the incapacitated person's death by a means other than testate or intestate succession, and (iv) rights to periodic payments of money. You must report the assets as they existed on the date of your qualification, even though they have changed form or are not in existence on the date the inventory is prepared.

If you discover any other assets after you file your inventory, you must make an additional report to the Commissioner of Accounts by (i) filing an amended inventory showing all assets of the estate, (ii) by filing an additional inventory showing only the after discovered assets, or (iii) with the permission of the Commissioner of Accounts, by showing the after discovered assets on the estate's next regular accounting. The filing must be made, or the permission of the Commissioner of Accounts must be obtained, within four months after you discover the assets.

VALUATION: The value to be placed on assets listed on the inventory is their fair market value as of the date of your qualification, and not the date the inventory is prepared. When available, you should use exact dollar and cent values; do not round off specific values to a higher or lower amount. Real estate may be listed at its value as assessed for local real estate taxes. For all other property, fair market value is normally “the price at which the property would change hands between a willing buyer and a willing seller in the retail market, with neither one being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.” An explanation must be attached if any other method is used to value an asset. Do not reduce the gross value of property by the amount of any outstanding mortgage, loan, lien, or other claim against the property. Special valuation rules that apply to certain assets are mentioned later. If you have a question about determining the fair market value of any asset you should seek assistance from an accountant, a lawyer, any other appropriate professional, or the Commissioner of Accounts. Any reasonable expenses incurred in determining the values to place on estate assets, such as appraisals, are allowable as an administrative cost of the estate.

JOINT PROPERTY AND SURVIVORSHIP PROPERTY INCLUDED: You must include in Part 5 the incapacitated person's interest in assets held by that person and another jointly with the right of survivorship or held by the incapacitated person and that person's spouse as tenants by the entirety. You must also include in Part 5 the incapacitated person's interest in any assets passing to another at death by way of a survivorship provision, a payable on death (POD) provision, or a transfer on death (TOD) provision; and also include in Part 5 any of the incapacitated person's property or money payable to another person under a beneficiary designation contained in a life insurance policy, IRA, pension, or other contractual arrangement.

Part 1. The incapacitated person's personal estate under your supervision and control. List in Part 1 of the inventory only those assets that are in the incapacitated person's sole name. Even if they are in the incapacitated person's name, do not list them in Part 1 if they are designated to go to another person at the incapacitated person's death (such as by a payable on death designation on an account, bond, certificate of deposit, stock certificate, etc.); instead list such assets on Part 5. Assets should be clearly identified, listed in reasonable detail, and valued as of your qualification date (not the date the inventory is prepared). Groupings of similar property, such as personal effects and household property may be listed together; however, if any article is worth over \$500 it should be listed separately. Articles that have a higher value as a collection (stamps, coins, or other collectibles) should be valued as a collection and not individually. Uncashed checks should be listed separately and not included with the cash on hand. Motor vehicles and water craft should include make, model and year. Checking, savings, and other accounts or deposits should include the institution's name, type of account, account number, any accrued interest and any maturity date.

Stocks and mutual funds, whether held in certificate form, book account form or in a brokerage account, must be listed separately and should include company name, number of shares, and price per share. Bonds and promissory notes should include the issuer's name, face amount, interest rate, and maturity date for each item. A sole proprietorship is not a separate entity like a partnership, corporation, or limited liability company, but rather an accumulation of assets that a person uses in a business, and thus the name of the proprietorship should be listed as a heading with the various personal assets which comprise it listed thereunder. (Proprietorship real estate should be listed in Part 2, 3 or 4.) Leases of real estate are personal property to be listed on this part. If, in unusual circumstances, there are assets for which there is no recognized market value, such as some partnership interests, stock in closely held corporations or legal claims against others, they may be valued at \$1.00 or an estimate of value until better information is obtained.

GENERAL INSTRUCTIONS FOR REAL ESTATE: Include in the description of each piece of real estate (or partial interest therein) a street address, if there is one, and the city or county in which the real estate is located. If an appraisal has been obtained, use that value, otherwise use the value as assessed for local real estate taxes, and state which value is used. The real estate's gross value is not to be reduced by the amount of any outstanding mortgage, loan, lien, or other claim against the property. Interests in condominiums and cooperatives are real estate, but leases of real estate are personal property and should be listed on Part 1.

Part 2. The incapacitated person's real estate in Virginia over which you have a power of sale. If (i) the court has not entered an order imposing any restrictions on the sale of the incapacitated person's Virginia real estate, or (ii) if any restrictions imposed by the court have been satisfied, list such Virginia real estate in Part 2.

Part 3. The incapacitated person's other real estate in Virginia. List all of the incapacitated person's other Virginia real estate in Part 3.

Part 4. The incapacitated person's other non-Virginia real estate. List in this part all of the incapacitated person's real estate or partial interests in real estate not situated in Virginia whether or not located in the U.S.

Part 5. The incapacitated person's interest in any real or personal property that will pass to another at the incapacitated person's death by way of survivorship or beneficiary designation. You must include in this part the incapacitated person's interest in assets held by that person and another jointly with the right of survivorship or held by the incapacitated person and that person's spouse as tenants by the entirety.

You must also include in this part the incapacitated person's interest in any assets passing to another at death by way of a survivorship provision, a payable on death (POD) provision, or a transfer on death (TOD) provision; and also include any of the incapacitated person's property or money payable to another person under a beneficiary designation contained in a life insurance policy, IRA, pension, or other contractual arrangement.

There is a special rule for determining the incapacitated person's interest in a joint account or certificate of deposit, and in a payable on death (POD) account or certificate of deposit in a bank or credit union. The interest of the incapacitated person and others will normally be determined by the proportion of the net contributions made by each one to the sums on deposit, except that an account or deposit between persons married to each other will normally be treated as belonging to them equally.

Part 6. The incapacitated person's interest in any trust. You must include in this part the incapacitated person's interest in any trust whether created by the incapacitated person (often called a "living trust" or "self-settled trust") or another party. If the incapacitated person is entitled to payments from a trust fund created by someone else, these payments should be listed in Part 8 of the inventory.

Part 7. The incapacitated person's rights to periodic payments from certain agencies of the U.S. government. This part requires the disclosure of periodic payments of certain federal benefits that are paid on behalf of an incapacitated adult to a designated representative (whether the conservator or another) for which the designated representative (often called a representative payee) is required to report to a federal agency. (Payments for which a designated representative is not required to report to a federal agency are reportable in Part 8.) As a general rule, only Social Security payments, Supplemental Security Income (SSI) benefits, Department of Veterans Affairs benefits and Black Lung benefits will be listed in this section. If the designated representative is required by the agency to file a separate report with that agency regarding the use of the funds, Virginia law requires the conservator to disclose the existence of these federal benefits on the Inventory and the Account, but does not require the conservator to account for the use of these benefits. However, if these funds are commingled with other conservatorship funds, they must be included in the Account (see Instructions to Account).

Show the value of these payments on an annualized basis. For example, "Monthly Social Security benefits of \$250 Value \$3,000."

Part 8. The Incapacitated person's right to periodic payments from any other source. Include all periodic payments other than those that belong in Part 7. Part 8 should include periodic payments from a retirement plan, a disability program, an annuity, a trust fund, etc. Although payments from such sources as the Office of Personnel Management (OPM) and the Defense Finance and Accounting Service (DFAS) are from the U.S. government, they are retirement pay based on employment. Neither OPM nor DFAS require a conservator to file a report with them regarding the use of those funds. Therefore, these payments must be included in Part 8 of the Inventory and be fully accounted for in your accounts.

Show the value of these payments on an annualized basis. For example: "Monthly Civil Service Annuity of \$1,500 Value \$18,000."

FORM CC-1671 (INST) (MASTER, PAGE 4 of 4) 10/09

Form CC-1682, Account for Incapacitated Adult

ACCOUNT FOR INCAPACITATED ADULT Court File No. _____
 COMMONWEALTH OF VIRGINIA
 VA. CODE §§ 64.2-1206, 64.2-1308, 64.2-1305

Circuit Court of _____
 Estate of _____, an incapacitated adult
 Residence of incapacitated person: _____

Type of Fiduciary: Conservator Guardian Committee
 Trustee for ex-service person Limited Conservator

Name of fiduciary _____ Day telephone _____
 Mailing address _____
 Name of other fiduciary _____ Day telephone _____
 Mailing address _____

This is account number one two three _____ Is this a final account? yes no.
 From _____ (date of qualification or end of last account) to _____ (end of this account)

ACCOUNT SUMMARY

1. Beginning Assets (from Parts 1, 2 and 5 of the inventory or from the prior account)	\$ _____
2. Receipts*	_____
3. Gains on Asset Sales (attach itemized list)	_____
4. Adjustments (attach itemized list)	_____
5. Total of 1, 2, 3 and 4 (must equal Total on Line 10)	\$ _____
<hr/>	
6. Disbursements (attach itemized list)	\$ _____
7. Losses on Asset Sales (attach itemized list)	_____
8. Distributions (final account only) (attach itemized list)	_____
9. Assets on Hand (attach itemized list) (carrying value)	_____
10. Total of 6, 7, 8 and 9 (must equal Total on Line 5)	\$ _____
<hr/>	

* Any amounts received as Designated Representative but not included in 2 above (see Va. Code § 64.2-1312). \$ _____
 ** Market Value of Assets on Hand \$ _____

I (We) declare, under penalty of perjury, that this is a true and accurate accounting of the assets of this estate for the period described and that to the best of my/our knowledge all taxes have been paid or provided for.

Date _____ Fiduciary's signature _____
 Date _____ Fiduciary's signature _____

NOTE: Virginia law requires that every account be signed by all fiduciaries.

FORM CC-1682 MASTER 07/20

Sample Form CC-1682, [Account for Incapacitated Adult](#)

SAMPLE ACCOUNT FOR INCAPACITATED ADULT Court File No. _____
 COMMONWEALTH OF VIRGINIA
 VA. CODE §§ 64.2-1206, 64.2-1308, 64.2-1305

Circuit Court of _____
 Estate of _____, an incapacitated adult
 Residence of incapacitated person: _____

Type of Fiduciary: Conservator Guardian Committee
 Trustee for ex-service person Limited Conservator

Name of fiduciary _____ Day telephone _____
 Mailing address _____
 Name of other fiduciary _____ Day telephone _____
 Mailing address _____

This is account number one two three _____ Is this a final account? yes no.
 From _____ (date of qualification or end of last account) to _____ (end of this account)

ACCOUNT SUMMARY

1. Beginning Assets (from Parts 1, 2 and 5 of the inventory or from the prior account)	\$ 102,306.65
2. Receipts*	\$ 37,328.08
3. Gains on Asset Sales (attach itemized list)	\$ 1,125.00
4. Adjustments (attach itemized list)	\$ 4,375.00
5. Total of 1, 2, 3 and 4 (must equal Total on Line 10)	\$ 145,134.73
6. Disbursements (attach itemized list)	\$ 34,085.00
7. Losses on Asset Sales (attach itemized list)	\$ 0.00
8. Distributions (final account only) (attach itemized list)	\$ 0.00
9. Assets on Hand (attach itemized list) (carrying value)	\$ 111,049.73
10. Total of 6, 7, 8 and 9 (must equal Total on Line 5)	\$ 145,134.73

* Any amounts received as Designed Representative but not included in 2 above. (See Va. Code Section 64.2-1312; Instruction III.A.) \$ 3,000.00
 ** Market Value of Assets on Hand (See Instruction IX.D.) \$ 111,799.73

I (We) declare, under penalty of perjury, that this is a true and accurate accounting of the assets of this estate for the period described and that to the best of my/our knowledge all taxes have been paid or provided for.

Date _____ Fiduciary's signature _____
 Date _____ Fiduciary' signature _____

NOTE: Virginia law requires that every account be signed by all fiduciaries.

FORM CC-1682 (SAMP) (MASTER, PAGE ONE OF THREE) 07/20

RECEIPTS:

LMN Bank interest

6/25/06	53.51
7/25/06	54.17
8/25/06	55.73
9/25/06	56.59
10/25/06	56.82
11/25/06	57.80
12/25/06	58.99
1/25/07	59.40
2/25/07	60.10
3/25/07	60.95
4/25/07	61.44
5/25/07	62.30

STU Corporation, dividends

6/30/06	50.00
9/30/06	50.00
12/31/06	65.00
3/31/07	65.00

Employer's disability payments –	10 months @ \$490	4,900.00	
	2 months @ \$510	1,020.00	5,920.00

CDO Annuity – 12 months @ \$2,400			28,800.00
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ABC Bank, interest

6/30/06	415.10
9/30/06	418.55
12/31/06	420.92
3/31/07	425.71

TOTAL RECEIPTS 37,328.08

GAINS ON ASSET SALES:

6/14/06 Net Proceeds of sale of 80 shares of NOP Company	5,125.00
less carrying value of	<u>4,000.00</u>
TOTAL GAINS	1,125.00

ADJUSTMENTS:

Correct 500 shares of STU Corp. from \$119.75 per share on Inventory to true Inventory value of \$128.50/share	59,875.00	
	<u>64,250.00</u>	
TOTAL ADJUSTMENTS:	4,375.00	

DISBURSEMENTS:

Check #		
#008 ABC Agency, bond premium	490.00	
Sunshine Nursing Home		
6/06-5/07, 12 months @ \$2,785/month	33,420.00	
#009 Dr. John Doe	50.00	
#015 Dr. John Doe	50.00	
#024 Dr. Mary Roe	<u>75.00</u>	
TOTAL DISBURSEMENTS:	34,085.00	

LOSSES ON ASSET SALES – none 0.00

DISTRIBUTIONS – none 0.00

ASSETS ON HAND:

Fifth National Bank, Money Market Acct. #123789	20,907.73	
500 shares of STU Corp. at carrying value of \$128.50/share (5/31/07 market value of \$130/share = \$65,000)	64,250.00	
Third National Bank, Savings Acct.	25,892.00	
TOTAL ASSETS ON HAND		111,049.73

Instructions for CC-1682, [Account for Incapacitated Adult](#)**INSTRUCTIONS FOR ACCOUNT FOR INCAPACITATED ADULT****I. GENERAL**

- A. Accounts must be filed with the Commissioner of Accounts. Ask the Commissioner how many copies are required to be filed.
- B. Accounts must be signed by each fiduciary.
- C. The first account must cover the period from the date of qualification through the next four months. It must be filed within six months from the date of qualification.
- D. Second and subsequent accounts are due within 16 months from the ending date of the prior account, and should cover no more than 12 months. You may end the account on any day of a month.
- E. Appropriate documentation to prove the account (as set forth below) must accompany the account. Whenever these instructions refer to a receipt, statement, invoice, etc., you must furnish the original of the document in question to the Commissioner. If you seek to use a photocopy of a check as a voucher or receipt, a copy of both sides of the canceled check shall be sufficient, or a copy of the front side of the check, and the periodic statement from the financial institution showing the check number and amount that coincides with the copy shall be sufficient, provided such copy was made in the regular course of business in accordance with the admissibility requirements of Virginia Code Section 8.01-391, and provided further that the Commissioner of Accounts may require a fiduciary to exhibit a proper voucher for a specific payment or for distributions to the incapacitated adult's personal representative, spouse, heirs or distributees.

II. BEGINNING ASSETS

- A. Use total from Parts 1, 2 and 5 of the Inventory (including Amended or Supplemental Inventory) if this is a First Account.
- B. Use total Assets on Hand (at carrying value) from prior account if this is a Second or later account.

III. RECEIPTS

- A. A conservator is required to account to the Commissioner of Accounts regarding the incapacitated person's income and property that the conservator has received or become chargeable with. If certain federal benefits (Social Security, Supplemental Security Income, Veterans Affairs and Black Lung benefits) are paid to a designated representative (whether the conservator or another) on behalf of an incapacitated adult, and *if* (i) the designated representative is required to report to a federal agency for the use of such benefits *and* (ii) the benefits are kept in a separate account and not commingled with other conservatorship assets, the conservator does not have to account to the Commissioner of Accounts for the use of such benefits. However, the amount received must be listed on the line marked with "*". If such benefits are kept in the same account as other conservatorship assets, then these benefits are included under Part 2 and accounted for in the same manner as the incapacitated adult's other income. Any federal benefits paid to a conservator on behalf of the incapacitated adult for which the conservator is not required to report to a federal

FORM CC-1682 (INST) (MASTER, PAGE ONE OF THREE) 11/06

agency for their use must be disclosed in Part 2 and accounted for in the same manner as the incapacitated adult's other income.

- B. Itemize in chronological order in Part 2 all receipts (interest, dividends, periodic payments, etc., but not Social Security, Supplemental Security Income, Veterans Affairs and Black Lung benefits except as discussed in III.A. above) brought in during the account period. You may list all receipts from each payor in the same place, so long as each receipt is separately stated.
- C. Show each item of income separately. For example, show each quarterly dividend from XYZ stock rather than showing a lump sum for the year.

IV. GAINS ON ASSET SALES

- A. For securities sold by a broker, show net proceeds less carrying value of asset sold. In all other cases show total sales proceeds less costs of sale and less carrying value of asset sold.
- B. Provide original broker's statement or signed settlement sheet as verification.

V. ADJUSTMENTS

- A. If you received permission from the Commissioner of Accounts not to file a Supplemental Inventory, itemize any additional assets discovered that were not reported previously.
- B. Show any corrections to items reported on the Inventory or prior account, e.g. where the value of an asset or the number of shares was incorrectly reported.

VI. DISBURSEMENTS

- A. Do not include any disbursements from U.S. government benefits unless the amount of these benefits has to be included in Part 2 as explained in III.A. above.
- B. Disbursements should be listed in chronological order; however, you may group together disbursements made to the same payee, e.g. monthly nursing home payments and/or telephone, gas, and electric bills. If you group disbursements you must also group your proper vouchers and receipts in the same order as shown on the account.
- C. A proper voucher or a signed invoice or receipt must be provided in support of each disbursement and they must be organized in the same order as they appear on the accounting.
- D. Where a reimbursement is made to the fiduciary or another person for expenses paid on behalf of the incapacitated adult, evidence of the expenses paid must be provided. The Commissioner may also require evidence that the obligation paid was a debt or expense of the conservatorship.

VII. LOSSES ON ASSET SALES

- A. Show carrying value of assets sold less total sales proceeds.
- B. Provide copy of broker's statement or signed settlement sheet as verification.

FORM CC-1682 (INST) (MASTER, PAGE TWO OF THREE) 11/06

VIII. DISTRIBUTIONS

- A. A conservatorship comes to an end upon the death of the incapacitated adult, or when the incapacitated adult is declared competent by the Circuit Court.
- B. Your powers as Conservator cease when the conservatorship comes to an end. You should thereafter write no conservatorship checks; when an Administrator or Executor qualifies, then transfer all remaining assets to that fiduciary. The Administrator or Executor will pay all unsettled Conservatorship debts and expenses, including the filing fee for the Final Conservatorship Account and your final fee for serving as Conservator.
- C. Itemize all assets delivered to the Administrator or Executor, or to the formerly incapacitated adult.
- D. A proper voucher or signed receipt from the formerly incapacitated adult (if competency was restored) or from the Executor or Administrator must be provided.

IX. ASSETS ON HAND


- A. Itemize each asset remaining on hand at its carrying value as of the ending date of this account.
- B. Where the market value of the asset is not equal to its carrying value, show the market value in parentheses within the asset description, or attach a separate itemized list.
- C. Provide verification of the existence of each asset, i.e., bank statements (reconciled to agree with your account balance), broker's statements or original stock certificates, original notes, copies of K-1 forms, titles to cars or boats. To verify jewelry and furnishings a statement from a disinterested third party certifying the existence and location of said items will be acceptable.
- D. Where the market value of the total assets on hand is not equal to their carrying values, show the total market value of assets on hand on the line marked "***".

X. FORMAT

- A. The use of the Account Summary form is strongly encouraged. If this format is not used, the information required by this form must be summarized on one page.
- B. The itemized lists attached to the Account Summary form must comply with these Instructions and the accompanying Sample Account, or else you must make a complete accounting that complies with the provisions of Virginia Code Section 64.2-1206 and 64.2-1308.

FORM CC-1682 (INST) (MASTER, PAGE THREE OF THREE) 10/12

REPORTING TIMEFRAME CHART

	<p align="center">Guardianship For Incapacitated Adult - File with Local Department of Social Services</p>	<p align="center">Conservatorship For Incapacitated Adult - File with Court Commissioner of Accounts</p>
<p align="center">Within 4 Months From Date of Qualification</p>		<p align="center">Inventory for Incapacitated Adult Form CC-1671</p>
<p align="center">Within 6 Months From Date of Qualification</p>	<p align="center">Report of Guardian for an Incapacitated Adult Form CC-1644 <small>*This first report covers the first four months from date of qualification. All subsequent reports shall each cover a twelve-month period of time.</small></p>	<p align="center">Account for Incapacitated Adult Form CC-1682 <small>*This first accounting covers the first four months from date of qualification. All subsequent accountings shall each cover a twelve-month period of time.</small></p>
<p align="center">Within 4 Months From Ending Date of Current Annual 12 Month Period</p>	<p align="center">Report of Guardian for an Incapacitated Adult Form CC-1644 <small>*An annual report is due within four months following each twelve-month period being accounted for.</small></p>	<p align="center">Account for Incapacitated Adult Form CC-1682 <small>*This accounting is due within four months following each twelve-month period being accounted for.</small></p>
<p align="center">A final report must be filed when a Guardianship ends. A final accounting must be filed when a Conservatorship ends.</p>		

Note: The first accounting of a conservator for an incapacitated adult shall be filed with the Commissioner of Accounts within six months from the date of qualification of the conservator (covering the first four-month time period from the date of qualification. For example, if the qualification took place on July 1, 2019, then the first accounting would cover the time period of July 1, 2019 through October 31, 2019, and the due date for filing would be December 31, 2019. The second and subsequent accounting would cover the time period November 1, 2019 through October 31, 2020, and the due date for filing would be March 1, 2021, etc. This example also applies to the filing of reports of Guardians for Incapacitated Adults.

Note: The conservator should check with the Commissioner of Accounts regarding the Commissioner of Accounts' and Circuit Court Clerk's fees on Accountings. The conservator should also check with the Commissioner of Accounts regarding the number of copies of Accountings which are required to be filed.