

PETITION FOR APPROVAL OF ANNUAL ACCOUNTING AND FEES



PINAL COUNTY

**TO FILE PETITION FOR APPROVAL
OF ANNUAL ACCOUNTING OR FEES**

INSTRUCTIONS AND FORMS

Provided as a Public Service by

REBECCA PADILLA

Clerk of the Superior Court

PROCEDURES:

WHEN AND HOW TO FILE PETITION FOR APPROVAL OF ANNUAL ACCOUNTING, AND APPROVAL OF FEES (if applicable)

WHEN TO FILE PETITION FOR APPROVAL OF ANNUAL ACCOUNTING OR FEES.

Follow the instructions below to find out what forms you need to complete and how often you must do so.

- A. Petition for Approval of Accounting: Every year** the conservator must file a Petition to ask the court to approve how money was managed for the Ward (protected person). To complete the Petition for Approval you will **also need to obtain and complete Simplified Annual Accounting package** and package available from the Self Service Packet from the Superior Court.
- B. Fee Statement and Proof of Mailing: Every year**, if the conservator or anyone else is charging fees to the estate of the Ward. The Petition must also include a request for approval of the FEE STATEMENT, and attach a copy of the FEE STATEMENT. See the **Fiduciary Fee Guidelines** available from Superior Court to help you with this, if you are not sure.
- C. Estate Management Plan and Proof of Mailing: Every year** that you are required to file an Accounting, you **must** also file an Estate Management Plan.
- D. Annual Report of Guardian: Every year**, if you as the conservator are also guardian for the person, you **must** file the ANNUAL REPORT OF THE GUARDIAN at the same time you file the Petition for Approval of Accounting. See the Self-Service Packet called ANNUAL REPORT OF THE GUARDIAN.

HOW TO FILE THE PETITION FOR APPROVAL OF ANNUAL ACCOUNTING OR FEES.

STEP 1 **COMPLETE THE PETITION FOR APPROVAL OF ACCOUNTING AND/OR FEE STATEMENT** and Estate Management Plan and Proof of Mailing. If you are claiming fees, you must also complete the Fee Statement and Proof of Mailing. **HAVE DOCUMENTS NOTARIZED PRIOR TO MAKING COPIES.**

Notice of Hearing regarding Annual Accounting: Complete this form, except #2, which will be completed by the office of the Clerk of Superior Court. You must list the titles of all the documents filed with the Petition for Approval of Accounting and/or Fee Statement.

STEP 2 **COPIES.** Make copies of **all** of the documents: one set for you and one set for each of the interested parties.

STEP 3 **FILE THE DOCUMENTS WITH THE COURT:** Follow carefully the following steps:

NOTE: Make sure you have also completed the:

- Simplified Annual Accounting in its entirety.
- Court Order regarding Petition for Approval of Annual Accounting # (1st, 2nd, 3rd, etc.) and Fee Statement (if applicable). Complete only the information of the person filing document, the name of the ward or Protected Person in the caption and references the case number. The rest will be complete by the Judge.
- File the **originals** with the Clerk of Court.

- You should go to the Court at least two hours before it closes. You may file your court papers at one of the Pinal County Superior Court locations.

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyaz.gov/office.html

- Bring the extra copies of the Petition, the Accounting, the Estate Management Plan and the Fee Statement (if applicable) for the Clerk to conform (date-stamp). The Clerk of the Court will keep the original for the Court file. The Clerk will give the copies for you and the other interested parties back.
- If you cannot or do not want to file the copies in person, you can also mail the documents to the Clerk at the same location where your case is pending. **Include a self-addressed stamped envelope so that the Clerk can return your conformed copies to you.**

Mail original and copies of documents to:

REBECCA PADILLA
Clerk of the Superior Court
P.O. Box 2730
Florence AZ 85132

STEP 4

GIVE NOTICE OF THE HEARING TO EVERYONE ENTITLED TO NOTICE: After you receive the information about the date, time, and place of the hearing, you must provide a copy of the NOTICE OF HEARING by mail or delivery to all interested persons. Be sure that you do this at least **14 days** before the hearing. For more information about notice, see the Self-Service Center packet about Giving Notice to the Parties. If mailing the Notice, first class postage-prepaid mail is sufficient. Certified or Registered mail with return receipt is an extra step you can take to prove that the person you wanted to have notice actually did get the notice.

The people you should give notice to are:

- All ward(s) (protected person(s)). This includes a minor if he or she is 14 years or older.
- The guardian, if the person has one, **unless** it is the same person as the conservator;
- If there is no guardian or if the guardian is also the conservator, then to the spouse.
- If the spouse is the conservator or is incapacitated, then to a parent or adult child who is not serving as conservator;
- The guardian ad litem if one was appointed by the court;
- The court-appointed attorney.

STEP 5

Complete and file other court papers: Obtain and complete the **PROOF OF NOTICE** package stating how and when you gave notice to interested persons. Make **1 extra copy** of each of the following documents. Then file the originals with the Clerk of Court, and get the conformed copies back from the Clerk.

- Notice of Hearing File original Get back 1 stamped copy
- Proof of Notice File original Get back 1 stamped copy
- Waiver of Notice File original Get back 1 stamped copy
 (If signed by interested parties)

STEP 6

Court approval of the Annual Accounting and fees is required. At or after the hearing date, the Judge/Commissioner will decide whether to approve the petition, or ask you to give additional information. If the petition is not approved, be sure to follow the instructions on the court order you receive from the Judge/Commissioner.

OTHER HELP: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys".

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC

PETITION FOR APPROVAL OF
 ANNUAL ACCOUNTING OF CONSERVATOR
DUE _____

_____ An Adult A Minor

PERIOD FROM _____ TO _____
MO Day YR MO DAY YR

HONORABLE

AND/OR
 FEE STATEMENT

State of Arizona)
 County of Pinal) ss.

THE PETITIONER STATES UNDER OATH AS FOLLOWS:

INSTRUCTIONS: For approval of annual accounting, put a check mark in boxes 1, 2, 3 and complete number 1:

1. This accounting covers the period from _____ (date) to _____ (date) and is due on _____
2. Attached is a correct statement of all financial dealings I had on behalf of the Ward or protected person during this accounting period. The summary of all financial transactions I conducted or allowed on behalf of the Ward or protected person during this period of time are fully described, itemized, and summarized on the attached pages. I request that the Court enter an order approving this annual accounting. (Be sure to attach the accounting.)
3. Attached is a copy of the Estate Management Plan.

INSTRUCTIONS: For approvals of fee statements, put a check mark in box number 4:

4. Attached is a copy of the Fee Statement for which I request approval too. (If you check this, attach the Fee Statement.)

 (DATE)

 (PETITIONER)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

My Commission Expires:

 (Deputy Clerk/Notary Public)

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

FEE STATEMENT AND PROOF OF MAILING

_____ an Adult or a Minor

HONORABLE: _____

INSTRUCTIONS: This document must be completed in all cases where fees are charged. All activities for which fees are charged must be specifically listed, such as telephone calls, meetings, staff meetings, conferences, document preparation, work in house or files, personal visits, and so forth

STATEMENT OF FEES FOR SERVICES: The following is a statement of fees for services rendered from _____ (date) to _____ (date).

DATE	DESCRIPTION AND SERVICE PROVIDER	TIME

NUMBER OF HOURS BILLED:

Total number of hours billed is _____ x \$ _____ per hour = \$ _____ **TOTAL CHARGE**

PROOF OF MAILING:

A copy of this management plan was mailed or delivered to the following persons:

NAME	ADDRESS

Today's Date: _____

Your Signature: _____

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

**ESTATE MANAGEMENT PLAN AND
PROOF OF MAILING**

_____ an Adult or a Minor

HONORABLE: _____

Note: This document must be completed in all cases where the conservator or trustee is required to file an accounting with the court. Print or type neatly using **black ink only**. Use additional paper if necessary. Follow the Superior Court Fiduciary Fee Guidelines.

1. Physical condition of the person: _____

2. Anticipated care of ward/protected person, and services to be provided: _____

3. Special needs of the ward/protected person: _____

4. Other special needs of the ward/protected person: _____

5. Anticipated expenses for the ward/protected person, including project fiduciary fees: _____

6. Anticipated changes in finances/financial status of ward/protected person: _____

7. A copy of this management plan was mailed or delivered to the following persons:

NAME	ADDRESS	RELATIONSHIP
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DATE: _____

SIGNED: _____

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

**NOTICE OF HEARING REGARDING
 ANNUAL ACCOUNTING**

_____ an Adult or a Minor

HONORABLE: _____

LEGAL NOTICE: YOUR RIGHTS MAY BE AFFECTED
 An important court proceeding that affects your rights has been scheduled. If you do not understand this Notice or the other court papers, contact an attorney for legal advice.

1. **NOTICE IS GIVEN** that the Petitioner has filed with the Court the following Petition and other court papers (List the title of the Petition and the title of all papers you filed with the court:

2. **COURT HEARING.** A court hearing has been scheduled to consider the Petition and matters in the court papers as follows:

NAME OF JUDICIAL OFFICER: _____
DATE AND TIME OF HEARING: _____
PLACE: *Pinal County Justice Complex, Superior Court*
 971 Jason Lopez Circle, Building A
 Florence AZ 85232

3. **RESPONSE TO PETITION.** You can file a written Response to the Petition. If you file a written Response, file the original with the court, provide a copy to the judge named above, and mail a copy to all interested parties at least five (5) business days before the hearing. Or, you can appear in person at the hearing. You must appear at the hearing only if you wish to object to the Petition. **Note:** There are filing fees associated with filing a written response, inquire with the Clerk of the Court.

If you wish to object to any part of the Petition or Motion that accompanies this notice, you must file with the Court a written objection describing the legal basis for your objection at least three (3) days before the hearing or you must appear in person or through an attorney at the time and place set forth in the Notice of Hearing.

 (Dated)

 (Petitioner's Signature)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of (check one or both)
 Guardianship Conservatorship

CASE NUMBER: GC _____

**WAIVER OF NOTICE REGARDING
PETITION FOR APPROVAL OF
ANNUAL ACCOUNTING AND FEES**

_____ an Adult or a Minor

HONORABLE: _____

I state under oath the following:

- 1. RECEIVED COURT PAPERS.** I have received and read a copy of the following Petition and other court papers: *Petition for Approval of Annual Accounting and Fees, Simplified Annual Accounting; Annual Report of Guardian, Estate Management Plan; Fee Statement (if applicable) and Notice of Hearing.*
- 2. RELATIONSHIP:** My relationship to the person who is named in the caption above as incapacitated or protected is (explain):

3. CONSENT AND WAIVE NOTICE.

I consent to the Petition for Approval of Annual Accounting and Fees, Simplified Annual Accounting and all other documents listed above. I waive all notice of any hearing or court proceeding in connection with this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

(DATE)

(SIGNATURE)

SUBSCRIBED AND SWORN TO before me _____ day of _____, 20 _____

My Commission Expires:

By _____
(DEPUTY CLERK OR NOTARY)