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# NAVIGATING GUARDIANSHIP AND CONSERVATORSHIP PAPERWORK

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FORM ESSENTIALS

# WHAT IS NEEDED TO GET STARTED?

- Information and a lot of it!
  - Information on the individual who is being considered for a Guardian and/or Conservator
    - Personal identifying information
    - Family information
    - Financial information
    - Medical information (Evaluation)
      - This included ability to do daily activities
      - What aids are needed
        - Have the aids been offered and tried
          - Failed or successful
      - Who can now sign the evaluation and provide information
      - Why is the form now lengthier
- [Report of Examination and Evaluation \(12-2025\)](#)

# AND MORE INFORMATION

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- i. Information on the proposed Guardian(s) and/or Conservator(s)
  - 1. Personal identifying information
  - 2. Background check – on DCF registry or criminal or bankruptcy records -  
[https://www.ksrevisor.gov/statutes/chapters/ch59/059\\_030\\_0118.html](https://www.ksrevisor.gov/statutes/chapters/ch59/059_030_0118.html) Disclosure of bankruptcy or criminal history.
  - 3. Conflicts with the individual or not – disclosure needed
  - 4. Reside in KS or
    - a. Resident Agent -  
[https://www.ksrevisor.gov/statutes/chapters/ch59/059\\_030\\_0109.html](https://www.ksrevisor.gov/statutes/chapters/ch59/059_030_0109.html) Effect of acceptance of appointment; resident agents.



# PETITIONS

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## ADULT

- Adult Guardianship –
  - Personal information of the adult (name, address, age, etc.)
  - Notice individuals
  - Proposed guardian information (including conflicts and background check information)
  - Reason guardianship is necessary
    - Including protective arrangement and less restrictive means options
    - Is full or limited being requested and why
- Adult Conservatorship –
  - Same information as above but add summary of property, income, debts, etc.

## MINOR

- Minor Guardianship –
  - Personal information of the child and who they reside with
  - Notice information individuals
  - Reason for guardianship and best interest of the minor
  - Proposed guardian information
  - Any property that minor has
- Minor Conservatorship –
  - Same information as guardianship but also property and financial information

# PETITIONS

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[Petition Guardianship and Conservatorship Adult \(12-2025\)](#)

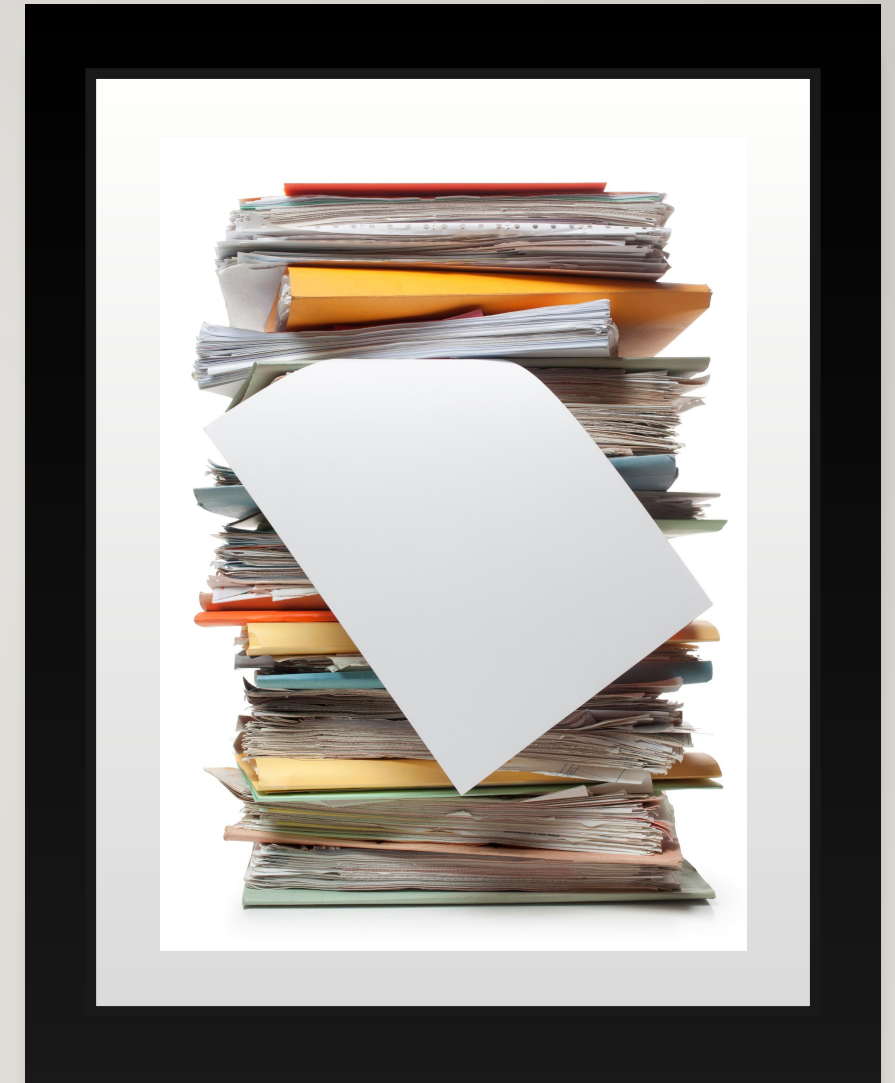
[Petition Guardianship Adult \(12-2025\)](#)

[Petition for Guardianship or OP Minor \(12-2025\)](#)

[Petition for G&C or OP Minor \(12-2025\)](#)

[Petition for Conservatorship or OP Minor \(12-2025\)](#)

[Petition Conservatorship Adult \(12-2025\)](#)



# NOTICES

Notice of hearings; general requirements [G&C forms training\Approved forms\Notice of Hearing \(12-2025\).docx](#)

Notice of the date, time and place of hearing (unless ordered by the court for good cause.

Proof of notice of a hearing

Notice must be in at least 16-point font, plain language and in a language in which person to be notified is proficient (if feasible).

Hearing and notice for appointment of guardian for minor [G&C forms training\Approved forms\Notice of Minor Petition \(12-2025\).docx](#)

KSA 59-30,130 lays out the specifics, but highlights are:

If child is over 12 the child gets notice

Parents of child and any adult with whom the child resides or who has had primary care or custody of the child for at least 60 days during the 2 years before the filing or 730 days during the last 5 years, grandparents and adult siblings

Any other person the court determines

Hearing and notice for appointment of guardian for adult. [G&C forms training\Approved forms\Notice of Adult Petition \(12-2025\).docx](#)

KSA 59-30,143 lays out the specifics, but highlights are:

Must be served on respondent

All listed under 59-30,142(b)(1) through (3)

Spouse of respondent or an adult with who respondent has shared household responsibilities for more than 6 months in the last 12-month period

Adult children, adult stepchildren, adult grandchildren and each parent and adult sibling of the respondent or at least one adult nearest in kinship to the respondent

Adult former stepchildren with who there is an ongoing relationship in the 2-year period

Person primarily responsible for care of the respondent

Any attorney currently representing the respondent

Any representative payee for the respondent

Guardian or conservator acting for the respondent in this or any other jurisdiction

Trustee or custodian of a trust or custodianship of which respondent is a beneficiary

Any fiduciary for the respondent from VA

Power of Attorney

Anyone nominated as guardian by respondent

Anyone nominated as guardian by the respondent's parent or spouse in a will or other signed record

Person known to have routinely assisted the respondent with decision making during the last 6 months

# PRELIMINARY ORDERS

- Appointing attorney
  - For minor or parent –
    - Shall be appointed if requested or GAL recommends (if appointed), or court determines is needed
    - Duties of court appointed attorney
      - Make reasonable effort to ascertain minor's wishes
      - Advocate for minor's wishes or Best interest if not reasonably ascertainable
  - For adult individual –
    - Shall be appointed regardless of ability to pay with preference of prior representing counsel
  - Orders for further eval –
    - Upon the filing of the petition or any other time at or before the hearing, if the contents of the petition or evidence at the hearing support a prima facie case of the need for a guardian, the court shall order an examination and evaluation of the respondent to be conducted through a general hospital, psychiatric hospital, community mental health center, community developmental disability organization or by a licensed physician, psychiatrist, psychologist, physician assistant, nurse practitioner, social worker or other professional appointed by the court who is qualified to evaluate the respondent's alleged cognitive and functional abilities and limitations and will not be advantaged or disadvantaged by a decision to grant the petition or otherwise have a conflict of interest.
  - Orders of temporary emergency nature –
    - Child - 59-30,135 **59-30,135. Emergency guardian for minor.**
    - Adult - 59-30,152. **Emergency guardian for adult.AND 59-30,172. Emergency conservator.**

**59-30,133. Order of appointment; priority of nominee; contents of order; obligations of parents.**

(c) An order granting a guardianship for a minor must state that each parent of the minor is entitled to notice that:

- (1) The guardian has changed the residence or school of the minor subject to guardianship;
- (2) the court has modified or limited the powers of the guardian; or
- (3) the court has removed the guardian.

(d) An order granting a guardianship for a minor must identify any person, in addition to a parent of the minor, who is entitled to notice of the events listed in subsection (c).

(e) The appointment of a guardian under this section shall not be construed to relieve a parent of any obligation imposed by law for the support, maintenance, care, treatment, habilitation or education of that parent's minor child.

**59-30,170. Order of appointment for conservator; contents of order; review hearing. (same as adult)**

**ADJUDICATION  
ORDERS –  
LIMITED OR  
FULL (MINORS)**

# ADJUDICATION ORDERS – LIMITED OR FULL (ADULTS)

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## GUARDIANSHIP

### **59-30,150. Order of appointment for guardian; contents of order; review hearing.**

(a) A court order appointing a guardian for an adult must:

(1) Include a specific finding that clear and convincing evidence established that the identified needs of the respondent cannot be met by a protective arrangement instead of guardianship or other less restrictive alternative, including use of appropriate supportive services, technological assistance or supported decision making; and

(2) include a specific finding that clear and convincing evidence established the respondent was given proper notice of the hearing on the petition.

(b) A court order establishing a full guardianship for an adult must state the basis for granting a full guardianship and include specific findings that support the conclusion that a limited guardianship would not meet the functional needs of the adult subject to guardianship.

(c) A court order establishing a limited guardianship for an adult must state the specific powers granted to the guardian.

(d) A court order appointing a guardian for an adult must include the date of a review hearing to be set 90 days after the order of appointment is entered. At that hearing, the court shall review the guardian's plan filed pursuant to K.S.A. [59-30,156](#), and amendments thereto.

(e) The court, as part of an order establishing a guardianship for an adult, shall identify any person that subsequently is entitled to:

## CONSERVATORSHIP

**59-30,170. Order of appointment for conservator; contents of order; review hearing.** (a) A court order appointing a conservator for a minor must include findings to support appointment of a conservator.

(b) A court order appointing a conservator for an adult must:

(1) Include a specific finding that clear and convincing evidence has established that the identified needs of the respondent cannot be met by a protective arrangement instead of conservatorship or other less restrictive alternative, including use of appropriate supportive services, technological assistance or supported decision making; and

(2) include a specific finding that clear and convincing evidence established the respondent was given proper notice of the hearing on the petition.

(c) A court order establishing a full conservatorship for an adult must state the basis for granting a full conservatorship and include specific findings to support the conclusion that a limited conservatorship would not meet the functional needs of the adult.

(d) A court order establishing a limited conservatorship must state the specific property placed under the control of the conservator and the powers granted to the conservator.

(e) A court order appointing a conservator must include the date of a review hearing to be set 90 days after the order of appointment is entered. At that hearing, the court shall review the conservator's plan filed pursuant to K.S.A. [59-30,180](#), and amendments thereto, and the inventory filed pursuant to K.S.A. [59-30,181](#), and amendments thereto.

(f) The court, as part of an order establishing a conservatorship, shall identify any person that subsequently is entitled to:

Notice of Rights After Appointment -\_Not later than 30 days after appointment of a guardian.The statement must be in at least 16-point font, in plain language and, to the extent feasible, in a language in which the adult subject to guardianship is proficient.The statement must notify the adult subject to guardianship of the right to:

- (1) Seek termination or modification of the guardianship, or removal of the guardian, and choose an attorney to represent the adult in these matters;
- (2) file a grievance against the guardian
- (3) be involved in decisions affecting the adult,
- (4) be involved in healthcare decision making to the extent reasonably feasible
- (5) be notified at least 14 days before a change in the adult's primary dwelling or permanent move to a nursing home, mental health facility or other facility that places restrictions on the individual's ability to leave or have visitors unless the change or move is proposed in the guardian's plan
- (6) object to a change or move described in paragraph (5) and the process for objecting;
- (7) communicate, visit or interact with others, including receiving visitors, and making or receiving telephone calls, personal mail or electronic communications, including through social media, unless: (must be authorized by the court)

Letters and Oaths and Affidavit of Basic Instruction Program – KSA 59-30,108

Inventories – KSA 59-30,181

[G&C forms training\Approved forms\Affidavit of Service for Notice of Rights \(12-2025\).docx](#)

[G&C forms training\Approved forms\Basic Instructional Program\(12-2025\).docx](#)

[G&C forms training\Approved forms\Oath of Conservator \(12-2025\).docx](#)

[G&C forms training\Approved forms\Oath of Corporate Conservator \(12-2025\).docx](#)

[G&C forms training\Approved forms\Oath of Guardian \(12-2025\).docx](#)

# NOTICE OF RIGHTS AFTER APPOINTMENT AND LETTERS AND OATHS AS WELL AS INVENTORIES

# PLANS

## Plan Contents – Plan and Motion to Approve

**1. Guardian plan for minor – 59-30,140. Guardian's plan for minor.** (a) At any time, **the court may require the guardian of a minor, or the guardian of a minor may choose,** to develop and file with the court a plan of care for the minor. Any such plan must be based on the needs of the minor and take into account the best interest of the minor as well as the minor's preferences, to the extent known to or reasonably ascertainable by the guardian.

**2. Guardian plan for adult – 59-30,156. Guardian's plan for adult.** (a) Not later than 60 days after appointment and when there is a significant change in circumstances, or the guardian seeks to deviate significantly from the existing guardian's plan, a guardian for an adult **shall** file with the court a plan for the care of the adult. The plan must be based on the needs of the adult and take into account the best interest of the adult as well as the adult's preferences, values and prior directions, to the extent known to or reasonably ascertainable by the guardian.

**3. Conservator plan – 59-30,180. Conservator's plan.** (a) Not later than 60 days after appointment, and whenever there is a significant change in circumstances or the conservator seeks to deviate significantly from the existing conservator's plan, a conservator **shall** file with the court a plan for protecting, managing, expending and distributing the assets of the conservatorship estate. The plan must be based on the needs of the individual subject to conservatorship and take into account the best interest of the individual as well as the individual's preferences, values and prior directions, to the extent known to or reasonably ascertainable by the conservator.

Notice of Right to Object

Order Approving Plan

# ANNUAL REPORTS

Guardianship – Annual Report - Guardian's report;  
monitoring of guardianship – must haves are in KSA  
59-30,157 which includes when a special report must be  
filed. These are not optional!

Conservatorship – Annual Accounting – must haves are  
in KSA 59-30,182

Order Approving Report/Accounting

[G&C forms training\Approved forms\Guardian Report  
with Annual Financial Report clean.docx](#)

# OTHER FORMS

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- Transfer of jurisdiction – forms pending
  - [59-30,266](#) (to another state) Transfer of guardianship or conservatorship to another state.
  - [59-30,267](#) (from another state) Accepting guardianship or conservatorship transferred from another state.
    - [59-30,126](#) Registration of orders from another state; effect.
    - [59-30,268](#) Registration of guardianship orders.
    - [59-30,269](#) Registration of protective orders.
    - [59-30,270](#) Effect of registration.
  - GAL or Court liaison – forms pending
    - GAL [59-30,116](#) Guardian ad litem.
    - Court Liaison [59-30,201](#) Appointment and role of court liaison. [59-30,144](#) Appointment and role of court liaison. [59-30,164](#) Appointment and role of court liaison.
    - Facilitator [59-30,207](#) Appointment of facilitator.
- Mtn for Instructions or Ratification – forms pending
- Temporary Substitute G or C – forms pending
- Successor – forms pending
  - [59-30,111](#) Judicial appointment of successor guardian or successor conservator.
  - [59-30,139](#) Termination of guardianship for minor; removal of guardian; appointment of successor.
  - [59-30,158](#) Removal of guardian for adult; appointment of successor.
  - [59-30,189](#) Removal of conservator; appointment of successor.
- Restoration (of rights) – forms pending

# MORE FORMS

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- Closing Matters/Discharge of Fiduciary – forms pending
  - [59-30.113](#) Effect of death, removal or resignation of guardian or conservator.
  - [59-30.186](#) Death of individual subject to conservatorship.
  - [59-30.190](#) Termination or modification of conservatorship.
- Grievance against guardian or conservator [G&C forms training\Approved forms\Grievance \(12-2025\).docx](#)
  - [59-30.127](#) Grievance against guardian or conservator.
- Bonds
  - [59-30.174](#) Grievance against guardian or conservator.
  - [59-30.175](#) Terms and requirements of bond.
- Other protective arrangements – forms pending
  - [59-30.196](#) Authority for protective arrangement; alternative to guardianship or conservatorship.
  - [59-30.197](#) Basis for protective arrangement instead of guardianship for adult.
  - [59-30.198](#) Basis for protective arrangement instead of conservatorship for adult or minor.
  - [59-30.199](#) Verified petition for protective arrangement; contents.

# OTHER INFORMATION

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- <https://www.kjc.ks.gov/about/news> (Want notice of when forms are posted use this link)
- Judicial Council has the goal to post all approved forms on 12/19/25 on their website.
- [Guardianship Alternatives](#)