

PROBATE COURT OF CLAYTON COUNTY
Instructions for Completing
Annual/Final Return of Conservator

- Returns of conservators must be full, complete, detailed and accurate. Estimates and rounding are **not** permitted.
- The return is a report of every receipt and every expenditure of cash, and or check, and is similar to a simple check register on a personal bank account.
- If all funds are deposited into the conservatorship account(s) and all payments are made by check or drafts from those account(s), completing the return should be no more difficult than transferring the information from the bank records to these forms.
- It is the responsibility of the conservator to fully and properly complete the returns required. **It is not the responsibility of court staff to prepare or correct returns.** Incorrect, incomplete or unbalanced returns will simply be returned to the conservator for completion or correction.
- **Please NOTE: all returns must be typed or legibly printed in black ink. Illegible returns will NOT be accepted for filing.**

Page 1 and 2 of Return

1. Enter the name(s) of the Conservator(s) on the line in the box at the top of Page 1.
2. Enter the Docket No. (the case number) on the line indicated.
3. Enter the **Name** of the Ward or Minor on the line indicated.
5. Circle “Final” or “Annual” to indicate the type of return.
6. Enter the dates covered by the return. If this is the *first* return, the beginning date will be the date of your appointment. If this is not the first return, the beginning date will be the ending date from the last return.
7. Complete the Combined Summary Accounting.
 - A. Enter the total beginning balance from the last accounting. If this is the *first* return, the beginning balance is zero; everything received will be reported under Receipts.
 - B. Enter the Total Receipts in all accounts for the period covered by the return. Include all money and accounts initially transferred to and/or deposited into the conservatorship account(s) and all additional money received. Include all income received from all sources and all interest paid on any accounts or deposits. **“Anything that is received must be reported.”**

C. Add the Beginning balance and the Total Receipts, and enter the Subtotal.

D. Enter the Total Expenditures from all accounts for the period covered by the return. Include all money spent or paid out, including any amounts automatically deducted from accounts and any bank charges, check printing charges, service charges or other fees. Include also any money paid out in cash (a practice discouraged by the court).

“You must report any and all money that is spent for any reason.”

E. Subtract the Total Expenditures from the Subtotal, and enter the ending balance on the next line.

8. **You are REQUIRED to file with each Return and updated Inventory and Asset Management Plan.** Check the box to indicate that you have attached it to your Return.
9. Complete and sign the Verification. Your signature must be notarized or be witnessed by a Probate Court Clerk. Include the full information on how you may be contacted if there are any questions about your return.
10. Remainder of Page 2 is to be completed by Court staff.

Page 3 of Return

1. Transaction Register(s)

A. Complete a **TRANSACTION REGISTER** [Page 3] for **EACH** conservatorship account for the full period covered by your Return. If all transactions for the period covered will not fit on one page, make copies of Page 3. The period covered for each account must be the same.

B. If you prefer, instead of the Transactions Register, you may attach a printed and complete computer software transaction report for each conservatorship account, provided it includes all of the required information.

C. You **MUST** report and show all receipts and all expenditures. Any money you received, from any source, is a **“Receipt,”** and any money you spent or paid out is an **“Expenditure.”** Be sure to include any money automatically deposited into an account and any interest earned on an account. Also be sure to include any automatic payments from an account and all service charges, check printing charges and other bank fees.

D. If you have more than one account, use the following Worksheet to combine the amounts from all accounts into totals for the Combined Summary on Page 1.

WORKSHEET TO RECAP ALL ACCOUNTS

If you have more than one account, before entering the amounts in the Combined Summary on Page 1, complete the following RECAP:

BEGINNING BALANCES:

Account No. _____

Account No. _____

Account No. _____

Account No. _____

TOTAL BEGINNING BALANCES (Enter on Page 1) _____

RECEIPTS:

Account No. _____

Account No. _____

Account No. _____

Account No. _____

TOTAL RECEIPTS (Enter on Page 1) _____

EXPENDITURES:

Account No. _____

Account No. _____

Account No. _____

Account No. _____

TOTAL EXPENDITURES (Enter on Page 1) _____

ENDING BALANCES:

Account No. _____

Account No. _____

Account No. _____

Account No. _____

TOTAL ENDING BALANCES (Enter on Page 1) _____

Page 4 of Return

Bank Account Verifications: The balances in all accounts must be verified. A certificate signed by a bank employee for each account is required unless you provide the court an **original** bank statement for the account showing the account balance on the ending date of the return. The bank statement will be returned to you after being copied by the staff.

Page 5 of Return

Verification of Investments: All investments held by a broker or financial institution must be verified. A certificate signed by an employee of each brokerage firm or institution is required unless you provide the court an **original** statement of holdings showing the investments held on the ending date of the return. The statement will be returned to you after being copied by the staff.

Serving as Conservator for another is an important job. It should be taken seriously. As a Conservator, you have taken an oath of office by which you have agreed to perform your duties as a Conservator in compliance with Georgia law. It is YOUR DUTY to file a Return each and every year as long as you serve as Conservator. It is the responsibility of the Court and its staff to assure that EVERY Conservator complies with this requirement.

IN THE PROBATE COURT OF CLAYTON COUNTY, GEORGIA

IN THE MATTER OF THE ESTATE OF _____) Final _____ Annual _____
 _____) **Return of Conservator**

Ward/Minor (if minor date turn 18 _____)

From (beginning date) _____ **To** (ending date) _____

DOCKET NO. _____

Conservator(s)

I hereby certify that my address is:

I certify that the Ward's address:

This is _____ **is not** _____ **new**

This is _____ **is not** _____ **new**

**COMBINED SUMMARY ACCOUNTING
 OF CASH TRANSACTIONS IN ALL ACCOUNTS**

A. BEGINNING CASH BALANCE	\$		
B. ADD TOTAL RECEIPTS	\$		
C. SUBTOTAL		\$	
D. SUBTRACT TOTAL SPENT		\$	
E. CASH BALANCES IN ALL			\$

_____ (Check here) I/We have attached hereto an updated Inventory and Asset Management Plan (Required)

VERIFICATION AND CERTIFICATION BY CONSERVATOR(S)

STATE OF GEORGIA
COUNTY OF CLAYTON

I/We, _____, being duly sworn, depose and say that I am/we are the Conservator(s) for the Minor/Ward named above, that I/we now reside at _____ and that this is a full and true account of the estate for the period stated, to the best of my/our knowledge and belief.

For purposes of contacting me/us with regard to this return, my/our daytime telephone number(s) is/are _____, my/our evening telephone number(s) is/are _____, my/our cell telephone number(s) is/are _____, and my/our email address(es) is/are _____.

_____ I/We also serve as guardian(s) of the ward/minor, and the Personal Status Report () is filed simultaneously herewith () was previously filed on _____ () is not due at the same time as this Return.

_____ I/We certify that copies of this Return have been mailed by me/us to the Guardian of the Minor/Ward, if one and if different than the Conservator(s) and to the Surety on the bond of the Conservator(s)

Sworn to and subscribed before me on _____
the _____ *Day of* _____ *20* _____.

(Notary or Clerk, Probate Court)

Signatures of Conservator(s)

Recorded in Imaged Records
PROBATE COURT OF CLAYTON COUNTY

Docket No. _____

Date Imaged: _____

RETURN FILED

Filed

(Dep.) CLERK

ACCOUNT VERIFICATIONS

NOTE: Use the certificates on these pages to verify balances in each account held OR attach an ORIGINAL bank statement for each account showing balances on ending date. The bank statement will be returned to you.

[NOTE: Please copy this page if additional certificates are needed.]

CERTIFICATE OF BALANCES ON DEPOSIT

(Name and Address of Bank or Financial Institution)

I do certify that on _____, 20____, there was on deposit in this institution to the credit of the estate managed by this Conservator the following:

Checking Account Balance: \$ _____ Account Nos. _____

Savings Account Balance: \$ _____ Account Nos. _____

Certificate(s) of Deposit at Face Value: \$ _____ Certificate Nos. _____

Interest paid and credited to the above accounts during period of this Statement of Account totaled \$ _____.

[Do NOT include accrued but unpaid interest.]

I further certify that each account is properly titled in the Conservator's fiduciary capacity for the benefit of the ward/minor.

(Signature of Certifying Official)

Printed Name and Title of Certifying Official

CERTIFICATE OF BALANCES ON DEPOSIT

(Name and Address of Bank or Financial Institution)

I do certify that on _____, 20____, there was on deposit in this institution to the credit of the estate managed by this Conservator the following:

Checking Account Balance: \$ _____ Account Nos. _____

Savings Account Balance: \$ _____ Account Nos. _____

Certificate(s) of Deposit at Face Value: \$ _____ Certificate Nos. _____

Interest paid and credited to the above accounts during period of this Statement of Account totaled \$ _____.

[Do NOT include accrued but unpaid interest.]

I further certify that each account is properly titled in the Conservator's fiduciary capacity for the benefit of the ward/minor.

(Signature of Certifying Official)

Printed Name and Title of Certifying Official

CERTIFICATE AND VERIFICATION OF INVESTMENTS HELD

(Name and Address of Bank or Financial Institution)

I do certify that on _____, 20____, there were held by this institution to the credit of the estate managed by this Conservator the Investments shown on the Inventory and Asset Management Plan attached to this Return and that the cost or value at acquisition are correct. I further certify that all investments are properly titled in the Conservator's fiduciary capacity for the benefit of the ward/minor.

(Signature of Certifying Official)

Printed Name and Title of Certifying Official

THIS PAGE TO BE COMPLETED BY COURT STAFF

Calculation of Bond Sufficiency

Total Value of Personal and Intangible Property from Updated Inventory and Asset Management Plan attached to Return	\$
PLUS: Any Cash Assets Not Shown on Updated Inventory	
TOTAL VALUE TO BE BONDED	\$
CURRENT SURETY BOND AMOUNT	
AMOUNT OF BOND EXCESS/(DEFICIENCY)	\$

RETURN AUDITED

Audited and approved on _____

By: _____
Fiduciary Compliance Officer/Deputy CLERK

ORDER ADMITTING RETURN TO RECORD

The foregoing Return and its affidavit having been carefully examined and found correct, and having remained on file in office for _____ days and no objections having been filed thereto, the same is allowed; and it is ordered that said return together with its affidavit be recorded as the law requires.

Filed

JUDGE, PROBATE COURT OF CLAYTON COUNTY

(Deputy) Clerk

**ORDER DIRECTING RECORDING OF RETURN
WITHOUT APPROVAL OR DISAPPROVAL**

The within and foregoing return having been filed and examined and having remained on file for more than thirty days and no objection to same having been filed, but it appearing to the Court that the return may evidence waste or mismanagement, it is ordered that the return be recorded without approval or disapproval by the Court and that a copy of same be served upon the surety on the conservator's bond.

Filed

JUDGE PAM FERGUSON
PROBATE COURT OF CLAYTON COUNTY

(Deputy) Clerk