

AT THE HEARING

If the guardianship petition is unopposed, your petition will be scheduled for a routine hearing at the Courthouse in Wilmington (New Castle County), Dover (Kent County) or Georgetown (Sussex County). The Master sitting as judge in that hearing will review your petition and the Final Guardianship Order with you. The Master may have questions specific to your particular case. In addition, the Master will make sure that you understand, if you are appointed guardian of the property of the disabled person, that you will have control of the disabled person's money and property, and will have to use that money and property for the benefit of the disabled person, not for yourself or anyone else; and that as guardian of the property, you will have to file an inventory of the disabled person's property within 30 days; and that each year on the anniversary of the guardianship, you will have to file an accounting showing what money or property the disabled person has received, what has been spent, what remains and the sources of income and the purposes of the expenditures. You will need to keep documents such as receipts and cancelled checks to support your accounting. The Master will explain that you will have to open a special guardianship bank account for the disabled person, and that you will have to submit documentation (the "proof of compliance") that the account has been opened, and the disabled person's funds deposited in the account, within thirty days. The Master will also make sure you understand that, if you become guardian of the person, you will have to make medical and personal decisions for the disabled person and will have to act in the disabled person's interest; and that each year on the anniversary of the establishment of the guardianship, you will have to file a report on the status of the disabled person's health together with a notarized statement from a doctor stating

whether the guardianship matter should continue. The Master will tell you that you must inform the Court promptly if you or the disabled person should change your residential address; and that if questions arise, you should contact the Register in Chancery at the county where your petitioning paperwork was filed. (New Castle, 302-255-0544; Kent 302-735-1930; and Sussex 302-856-5775.)

If you are appointed guardian of the property, you will be asked by the Court to post a performance bond, which may be secured or unsecured. Once the Master has signed the guardianship Order, you will be directed to the Office of the Register in Chancery, where you will post any required bond and where you will be given a certified copy of the Guardianship Order, which you will need in order to demonstrate to others (banks, physicians, etc.) that you are the guardian of the disabled person.