

INSTRUCTIONS TO NEWLY APPOINTED GUARDIANS

- Court appointed guardians are required, under § 37.2-1021 of the *Code of Virginia*, to file an annual report with the local department of family services for the jurisdiction in which he/she was appointed.
- The first report to be filed by the guardian is due at the local department of family services within six months from the date of the guardian's qualification and covers the status of the incapacitated person during the first four months of the guardianship.
- After the first report has been filed, reports are due annually. Each report covers a twelve-month period and is due within four months from the last day of the twelve-month period, beginning on the last day of the preceding reporting period (*Code of Virginia*, § 26-17.4).

(Example: If the reporting period covered in an annual report begins on March 1, 1997, and ends February 28, 1998, the annual report must be filed with the local department of social services not later than June 28, 1998. The annual reporting period for the next twelve-month period would begin February 28, 1998.)

- The report shall be on a form prepared by the Office of the Executive Secretary of the Supreme Court. The first annual reporting form will be provided by the Clerk of the Court at the time of qualification. Subsequent annual reporting forms will be provided by the local department of family services. The guardian has four months from the end of the reporting period in which to complete the annual report and submit it to the local department of family services. **All questions on the form must be answered.**
- When the guardian or the incapacitated person, either or both, live outside the Commonwealth of Virginia, the court that appointed the guardian retains jurisdiction and the report shall continue to be made to the local department of family services in the jurisdiction in which the guardian was appointed.
- If the incapacitated person relocates to or resides in a jurisdiction other than where the guardian was appointed, it is the responsibility of the local department of family services to forward the guardian's report to the local department of family services in the jurisdiction where the incapacitated person then resides. After the report and court paperwork is forwarded to the other jurisdiction, the local department of family services for the jurisdiction where the guardian was appointed will notify the guardian in writing to send subsequent reports, accompanied by the five dollar filing fee, to the local department of family services for the jurisdiction where the incapacitated person resides. The written notification to the guardian will provide the name, telephone number and mailing address of the local department of family services for the jurisdiction where the person resides.

- If the incapacitated person dies, the guardian will prepare a summary report and include within the report the notice of the incapacitated person's death. The report will be filed with the local department of social services as required by the *Code of Virginia*, § 37.2-1021.
- **Incomplete report forms will be returned to the guardian for completion.**
- The report form shall be accompanied by a \$5.00 filing fee. The fee should be submitted in check form only and the check should be made payable to the Loudoun County Department of Family Services.
- When co-guardians are appointed, each co-guardian is required to sign the report form. One \$5.00 filing fee must accompany the report signed by co-guardians. Each co-guardian may file a separate report form. Individual co-guardian reports must be accompanied by the \$5.00 filing fee.
- The department of family services is required to report twice a year to the Circuit Court guardians who are 90 days overdue in filing a report.
- Mail the annual report form and check as follows:

Loudoun County Family Services

Adult & Aging Services Admin
102 Heritage Way, Suite 103
P.O. Box 7400
Leesburg, Virginia 20177-7400

- The local department of family services contact person regarding guardianship reports is Laura Stienstra, Program Assistant. She may be reached at 102 Heritage Way, Suite 103, P.O Box 7400 Leesburg, VA 20177-7400, by telephone at (703) 737-8091 or email laura.stienstra@loudoun.gov