

Some of the language is the “*Ward*” is the person who is under the “*Guardianship*”

and generally there is a need for either physical or mental reasons that the person is incapable of managing his/her affairs either financial or personal or in many cases both. The

Guardian

is the person that the Probate Court manages the Wards person, making personal and health decisions also handles the Estate which the assets and income and most times both. The Court would list the authority.

A “*Conservator*” is authorized by the Probate Court to manage only the Wards estate, which is the assets and the income, but does not have the authority because they are also the Guardian to make health related or personal decisions for the Ward.

The Guardian has certain duties something called the “*Fiduciary Duty*”

to arrange for the care and welfare of the Ward. They have to exercise prudence and be a reasonably intelligent individual and they are not personally responsible for the debts of the Ward, but they are accountable for the mismanagement and negligence regarding the Wards estate and a failure to act can be something that constitutes negligence.

What you need to know, if someone you know needs a Guardian

Written by Alex

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