

# When a Conservator is Requested

*(What does this mean for me?)*

## 1. When Someone Requests a Conservator for You



The court wants to know if you are:

- Impaired. Or,
- Unable to manage your finances.

If so, the court may act to protect you and others who rely on your support.

## 2. Discussion with a Court Visitor



The court must determine:

- If a conservator is needed. If so,
- If there should be limits on their powers.

To help determine that, the court may assign a *court visitor*. The visitor will explain the request for and powers of a conservator.

They will also chat about any limitations on power you request.

## 3. Hearing



The person requesting a conservator for you must show your need for one. They do this by asking questions to people at a hearing.

People who may testify at the hearing include:

- You and the proposed conservator.

- A doctor or other professional. And,
- Other affected people.

#### 4. When a Conservator is Assigned



The court will assign a conservator when it determines you are:

- Unable to get or evaluate information.
- Unable to communicate decisions.
- Unable to return to the U.S. Or,
- Missing or detained.

And, your property will be wasted unless help is provided.

*See C.R.S. § 15-14-401(1)(B).*

#### 5. The Conservator's Powers



Unless limited by the court, a conservator can:

- Manage your finances. And,
- Manage any business affairs.

#### 6. A Conservator's Standard of Care



A conservator has a fiduciary duty to you. They must:

- Consider your limitations.
- Encourage your participation in decisions. And
- Encourage development in managing your own finances.

## 7. Conservator's Documents



The conservator must submit for approval:

- An inventory of your assets. And,
- A financial plan.

These are due **within 90 days** after they are appointed. After that, the conservator will file a report every year.

## 8. Financial Plan



The financial plan explains how your income and assets will be managed. The financial plan must:

- Be based on your needs and best interest.
- Include steps to restore your ability to manage your property.
- Estimate how long the Conservatorship will be needed. And,
- Estimate what expenses and resources are projected.

## 9. Ending or Changing the Conservatorship



You can request a change by submitting a petition with the court. This document must inform the court that your condition has changed. It must show that the need for the conservatorship no longer exists.