

INSTRUCTIONS

Annual Reporting for Guardians

Forms you will need for the annual reporting requirements:

- *Personal Well-Being Report* (Guardianship) (GAC 11-U);
- *Annual Notice of Right to Petition for Termination or Modification of Guardianship or Other Relief* (Guardianship only) (GAC 11-G);
- *Bill of Rights* (GAC100); and
- *Affidavit of Service (Annual Reporting – Guardianship)* (GAC 11.2)

NOTE: If you want to fill out the forms electronically, you can use the MyMNGuardian (MMG) application. For more information or to set up an MMG account, see <http://mncourts.gov/Help-Topics/MyMNGuardian.aspx>.

Overview of Steps for Annual Reporting for Guardians

1. Complete the *Personal Well-Being Report* (GAC 11-U), following all of the steps in these instructions.
2. Serve a copy of the report, the *Annual Notice of Right to Petition for Termination or Modification of Guardianship or Other Relief* (GAC 11-G), and the *Bill of Rights* (GAC100) on the person subject to guardianship, and on interested persons of record with the court (if any).
3. Complete the *Affidavit of Service (Annual Reporting - Guardianship)* (GAC 11.2)
4. File the original forms with the Court electronically or at the courthouse.

Important Notices and Resources

The Minnesota Judicial Branch has forms and instructions, for some types of cases, as a general guide to the court process. These instructions explain the steps in more detail and answer common questions, but are not a full guide to the law. Court employees may be able to give general information on court rules and procedures, but they cannot give legal advice.

Have a question about court forms or instructions?

- Visit www.MNCourts.gov/SelfHelp
- Call the MN Courts Self Help Center at (651) 435-6535

Not sure what to do about a legal issue or need advice?

- Talk with a lawyer
- Visit www.MNCourts.gov/Find-a-Lawyer.aspx

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp>. For more information, contact your court administrator or call the Minnesota State Law Library at 651-297-7651.

About Annual Reporting for Guardians

Information You Will Need to Complete the Forms:

- The dates of the reporting period.
- Whether there are any *interested persons of record with the court*.
- The court file number of guardianship case.
- Your name, contact information, and amount you charge for your services.
- All addresses where the person subject to guardianship has lived in the past year.
- Information about the person subject to guardianship's current conditions.
- Information about any services the person subject to guardianship has received in the past year.
- Information about the guardianship:
 - How often you have had contact with the person subject to guardianship (and the method of contact).
 - Whether you restricted the person subject to guardianship from communicating or visiting with anyone.
 - Whether you received payment for services that you provided to the person subject to guardianship in the last year.
- The address and phone number for the courthouse in the county where the case is located. You can find this information online at <http://mncourts.gov/Find-Courts.aspx>.

Who Are Interested Persons?

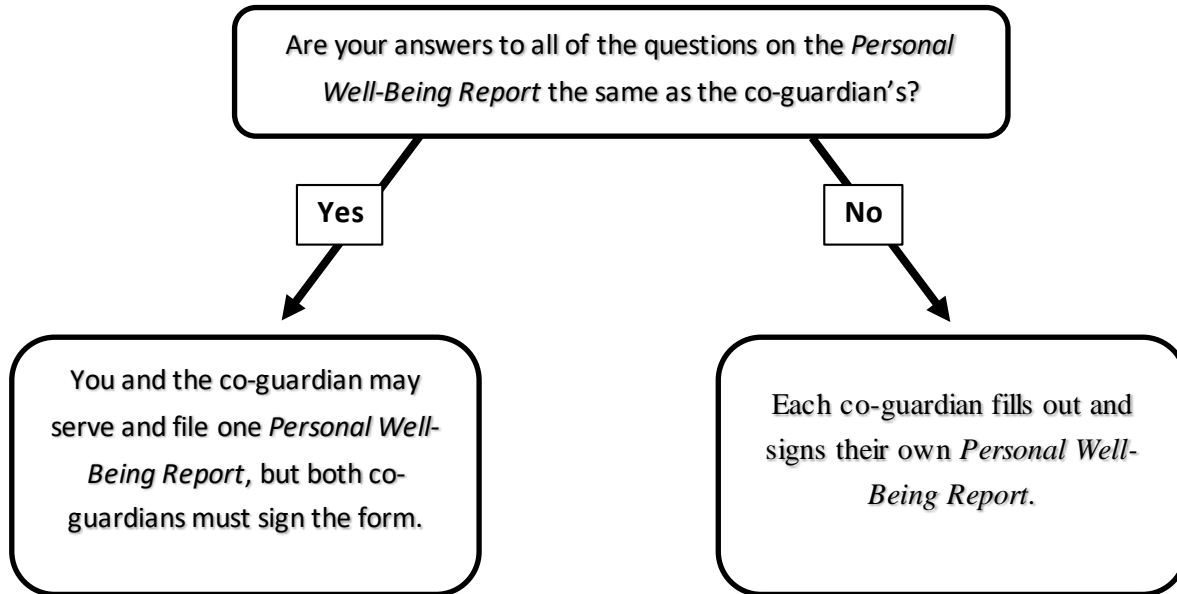
Minn. Stat. § 524.5-102, subd. 7, lists who should be included as *interested persons*. See <https://www.revisor.mn.gov/statutes/cite/524.5-102#stat.524.5-102.7>. The Petition that was filed at the beginning of this guardianship case should have listed *interested persons*, if there were any. Other individuals could be *interested persons* as well, so be sure to read the statute to learn who to include.

Online: Guardianship and Conservatorship Help Topic

The Guardianship and Conservatorship Help Topic is found online at <http://mncourts.gov/Help-Topics/Guardianship-and-Conservatorship.aspx>.

(continued on next page)

FOR CO-GUARDIANS:



Step 1
Fill Out the *Personal Well-Being Report* (GAC 11-U)

The Caption and Reporting Period

<p>State of Minnesota</p> <p>County A</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>In Re: the Guardianship of</p> <p style="text-align: center;">D</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	<p style="text-align: right;">District Court Probate Division</p> <p>Judicial District: B _____</p> <p>Court File No.: _____</p> <p>Case Type: _____ C <small>Guardianship/Conservatorship</small></p> <p style="text-align: center;">Personal Well-Being Report (Annual Report of Guardian)</p> <p style="text-align: center;">Minn. Stat. § 524.5-316</p>
---	---

You will find the information you need to fill out the caption on a court document from the existing guardianship case. If you do not have any documents from the court file, and if you do not know the information, you will need to look in your court file.

- Some limited case records can be viewed online at www.mncourts.gov/publicaccess.
- If you cannot view your case online, you may need to go to the courthouse in the county where your case is located to view your court file.

At the top of the page, print or type the following information:

- The **county** where the case is located;
- The **judicial district** number (each county is located in one of ten judicial districts: <http://www.mncourts.gov/Find-Courts.aspx>); and
- Your **court file number** (this usually starts with a two-digit number, followed by letters and numbers. For example, *15-PR-GC-17-0001*).
- Fill in in the name of the person subject to guardianship.
- Fill in the dates of the **reporting period**.



This annual Personal Well-Being Report is for the reporting period from _____ to _____.

Reporting periods are one-year periods that start each year on the anniversary of the date found in the *Letters of Guardianship*. After looking at the *Letters of Guardianship*, if you are still not sure of the dates to list in the form, please call court administration.

Your Information

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">The Guardian (You)</td> </tr> </table> <p>Your name, and the address and phone number where you can be contacted:</p> <p style="margin-left: 40px;">Name: _____</p> <p style="margin-left: 40px;">Street Address: _____</p> <p style="margin-left: 40px;">City, State and Zip Code: _____</p> <p style="margin-left: 40px;">Phone: _____ Type: _____</p> <p style="margin-left: 40px;">Email: _____</p>	The Guardian (You)
The Guardian (You)	

List your name and contact information in this section. Include what type of phone number you are listing (for example, cell).

Information about the Person Subject to Guardianship

The Person Subject to Guardianship	
1.	Current Address. The current address and living arrangement of the person subject to guardianship: Street Address: _____ City, State and Zip Code: _____ Living Arrangement: _____
2.	Previous Addresses. Has the person subject to guardianship lived at any other address during this reporting period? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: Street Address: _____ City, State and Zip Code: _____ Living Arrangement: _____ Date Range Person Subject to Guardianship Lived Here: _____
<i>If there is more than one previous address, add another sheet.</i>	

1. Give the current address and *living arrangement* of the person subject to guardianship. Examples of living arrangements include:
 - Alone within the community,
 - Group home,
 - Independent living facility,
 - Nursing home or rehabilitation center,
 - With you in your home,
 - With someone else (in a private home),
 - Homeless,
 - Other.

If your answer is “other,” please explain the living arrangement.

2. During the reporting period, has the person subject to guardianship lived at another address (besides the address listed at #1)?

If **YES**, fill in the rest of # 2 (add more paper if there is more than one previous address).

If **NO**, skip to # 3.

Current Mental, Physical, and Social Conditions

For questions 3-5, you will rate the current mental, physical, and social conditions of the person subject to guardianship using a scale of 1 to 5 (1 = very poor, and 5 = excellent). Then use your own words to add information that describes your rating. Please do not answer “same as last year”.

3. How do you rate their current **mental** condition?

3

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Very poor			Excellent	

The reason you gave this rating: _____

4. How do you rate their current **physical** condition?

4

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Very poor			Excellent	

The reason you gave this rating: _____

5. How do you rate their current **social** condition?

5

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Very poor			Excellent	

The reason you gave this rating: _____

Contact

The Guardianship

6

6. **Contact.**

a. In the last year, how often have you had contact with the person subject to guardianship?

a

Daily
 Weekly
 Monthly
 Other: _____

b. How do you usually contact the person subject to guardianship?

b

In person
 By telephone
 By text
 By email
 Other: _____

6. This is about your contact with the person subject to guardianship during the last year.

a. Tell how often (on average) you have contacted the person subject to guardianship. Mark only one box for “a.”

b. Tell *how* you usually contact the person subject to guardianship. There could be more than one answer for “b.”

Services

Questions 7-10 ask about any **medical, educational, vocational** (example: job training), or **other services** the person subject to guardianship has received in the last year.

- A) Check the yes or no about whether the person received the service
- B) If you check yes, use your own words to add information that describes what kind of service the person received.
- C) Check the yes or no box about whether the services were adequate (acceptable).
- D) If you check no, use your own words to add information that describes why the services were not adequate (acceptable).

Follow the instructions A-D, for questions 7-10.

A	7. Did the person receive any medical services in the past year?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If Yes: B Describe: _____
	Were the medical services adequate? <input type="checkbox"/> Yes <input type="checkbox"/> No, because: D _____

Restrictions

11. Did you restrict or put limits on the person's right to communicate, visit, or interact with anyone?

NOTE: The person subject to guardianship has the right to communicate, visit, or interact with others. This can include having visitors, making or receiving telephone calls, personal mail, or electronic communications, or participating in social activities. **The guardian can restrict the person subject to guardianship from any of these activities if there is good cause to believe the restriction is necessary to protect the person subject to guardianship from significant physical, psychological, or financial harm, and there is no other way to avoid the significant harm.**

If you restrict the person subject to guardianship, you must give written notice to the:

- Court,
- Person subject to guardianship, and
- Person subject to the restrictions.

See Minn. Stat. 524.5-120 (10), <https://www.revisor.mn.gov/statutes/cite/524.5-120>.

There is a *Notice of Restrictions* form (GAC116) online at www.mncourts.gov/forms (choose the "Guardianship/Conservatorship" category).

If the answer is **Yes**, then tell whether you gave written notice to the court, the person subject to guardianship, and the person subject to restriction.

12. Payment for Services.

- a. During the reporting period, have you been paid for services provided to the person subject to guardianship? If yes, list the amount you were paid, and tell whether any of the payment was made by county contract.
 - b. List the current rate you charge for your services. NOTE: you can enter \$0 if you are not charging for your services.
-

13. Continuation or Changes to the Guardianship

This question is here so that you can give the court your opinion about the guardianship. Your answers here will not result in any change (there are forms for asking for changes to the guardianship online at <http://mncourts.gov/GetForms.aspx?c=21>.)

14. Are you a Professional Guardian

Tell the court whether you are a professional guardian, which means you are acting as a guardian for three or more people who are not related to you by blood, adoption, or marriage.

The Signature Block

Everything I have stated in this report is true and correct.	
_____	Signature of Guardian
Dated	Name: _____
	Address: _____
	City/State/Zip: _____
	Telephone: _____
	Email: _____

Date, sign, and give your contact information.

If there is more than one guardian, each co-guardian must also sign the form as long as the co-guardian's answers are the same as yours. The co-guardian's signature can be at the end of the form in the same section where your signature goes. **If the co-guardian has a different answer to any of the questions in this form, then the co-guardian should fill out their own form.**

Step 2
Fill Out the *Annual Notice of Right to Petition for Termination or Modification of Guardianship or Other Relief* (GAC 11-G)
Include a *Bill of Rights* Form (GAC100) with GAC 11-G

Court File Number: _____ **1**

**Annual Notice of Right to Petition for Termination or Modification of
Guardianship or Other Relief**
Minn. Stat. §§ 524.5-310(i) and 524.5-316

To: _____ **2**, Person Subject to Guardianship

1. Fill in the Court File Number.
2. Fill in name of the person subject to guardianship.

will appoint one for you. Contact information for court administration:

Telephone number: _____ **3**

Street Address: _____

City/State/Zip: _____

3. You can find court administration’s phone number and address online starting at <http://mncourts.gov/Find-Courts.aspx> (choose your county from the drop-down menu and click “Go”).

Date and sign the bottom of the page.

You must include the *Bill of Rights* (GAC100) with the *Annual Notice of Right* (GAC 11-G). The *Bill of Rights* is available online at www.mncourts.gov/forms (choose the “Guardianship/Conservatorship” category).

Step 3
Makes Copies

For the person subject to guardianship:

You will need to make one set of copies of the completed

- *Personal Well-Being Report* (GAC 11-U),
- *Annual Notice of Right* (GAC 11-G), and

- *Bill of Rights* (GAC100)

For interested persons of record with the court:

You will need to make a set of copies for each interested party of the completed

- *Personal Well-Being Report* (GAC 11-U),
- *Annual Notice of Right* (GAC 11-G), and
- *Bill of Rights* (GAC100)

Make a copy for yourself (and any co-guardians) if you would like to keep a copy for your records.

Step 4
Serve the Person subject to Guardianship
and
Interested Persons of Record with the Court

Next, you have to see to it that the person subject to guardianship, and any interested persons of record with the court, get a copy of the the documents listed in above in Step 3. This is called **service of process**.

NOTE: Check the court record to see if any interested person has filed a waiver saying they do not want to receive notices or reports. There could also be a court order saying who should not receive notices and reports.

You, or any person age 18 or over can serve the papers (either in person or by mail). For more information about Service of Process, visit the Help Topic online at <http://mncourts.gov/Help-Topics/Service-of-Process.aspx>.

If there is more than one *Personal Well-Being Report* (because a co-guardian's answers are different than yours), then each report needs to be served along with the other forms.

Step 5
Fill Out the Affidavit of Service (Annual Reporting - Guardianship) (GAC 11.2)

After the papers have been served on the person subject to guardianship (and any interested persons on record with the court), the person who served the papers must fill out the *Affidavit of Service* (GAC 11.2), which is available online at www.mncourts.gov/forms (choose the "Guardianship/Conservatorship" category).

The top of the *Affidavit of Service* should be filled out like the other forms.

Next, the person who served the papers puts their name on the line in the first sentence.

My name is _____, and I am at least 18 years old. I served papers for guardianship case as follows:

Proof of Service for the **Person Subject To Guardianship**

Person Subject to Guardianship: Name: _____ A Served at _____ (location): _____ Date Of Service: _____ C	Forms Served (<i>check all that apply</i>): <input type="checkbox"/> <i>Personal Well-Being Report</i> B <input type="checkbox"/> <i>Annual Notice of Right to Petition for Termination or Modification of Guardianship or Other Relief</i> <input type="checkbox"/> <i>Bill of Rights</i> <input type="checkbox"/> Other:
D How Served: <input type="checkbox"/> By Mail (United States Mail) <input type="checkbox"/> By Personal Service (hand-delivered)	

A. The server should fill out the name and address of the **person subject to guardianship**.

B. The **person subject to guardianship** needs to receive at least 3 forms:

- *Personal Well-Being Report*;
- *Annual Notice of Right to Petition for Termination or Modification or Other Relief*; and
- *Bill of Rights*.

Check the box showing which forms the person subject to guardianship received. You should check the first 3 boxes. If you are giving the person subject to guardianship another document, check "Other" and include the name of the document.

C. List the date the papers were mailed or handed to the person subject to guardianship.

D. Check the box showing how the papers were served (by mail or personal service).

Proof of Service for the **Person of Interest Court**

Person of Interest: Name: _____ E Served at _____ (location): _____ Date Of Service: _____	Forms Served (<i>check all that apply</i>): <input type="checkbox"/> <i>Personal Well-Being Report</i> <input type="checkbox"/> <i>Annual Notice of Right to Petition for Termination or Modification of Guardianship or Other Relief</i> <input type="checkbox"/> <i>Bill of Rights</i> <input type="checkbox"/> Other:
How Served: <input type="checkbox"/> By Mail (United States Mail) <input type="checkbox"/> By Personal Service (hand-delivered)	

E. The server fills out this section for any *person of interest* that they served papers to.

Finally, the server should sign the *Affidavit of Service* under penalty of perjury. By signing the affidavit under penalty of perjury, the server is stating that the information in the affidavit is true to the best of their knowledge. Perjury is the crime of intentionally lying or misrepresenting the truth, punishable by jail or other sanctions.

After it has been signed, you can make one copy of the *Affidavit of Service* for your records. You must file the *Affidavit of Service* with the court as part of Step 6.

Step 6 File Forms with the Court

File the following forms with the court (there is no filing fee):

- *Personal Well-Being Report(s); and*
- *Affidavit of Service (Annual Reporting).*

You can file the forms with the court in the following ways:

- In person at the courthouse;
- By mail; or
- Electronically through the eFS System (NOTE: once a party files electronically, they are required to use the eFS System throughout the entire case; this means they cannot go back to paper filing in that case). For more information about electronic filing and the eFS System, see <https://minnesota.tylerhost.net/>.

The *Annual Notice of Right* and *Bill of Rights* forms **are not** filed with the court. You only have to file the report and the proof of service.