

# IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

## INSTRUCTIONS FOR GUARDIAN(S) AND CONSERVATOR(S)

### Obtain Letters of Guardianship or Letters of Conservatorship

- Your appointment as a guardian or conservator becomes effective upon the entry of an order appointing you, the administration of the statutory oath, and the posting of any required bond. The only effective evidence of your appointment is Letters of Guardianship or Letters of Conservatorship duly issued by the Clerk and Master. *See* Tenn. Code Ann. § 34-1-109.
- **Remember**, no guardian or conservator may act regarding the property of the minor or person with a disability (Respondent) without such Letters being issued.

### Set Up Guardian or Conservatorship Account(s)

- **All guardianship and conservatorship funds should always be kept separate from your own.**
- Assets are to be moved in accordance with the property management plan approved by the Court.
- Letters of Guardianship and Letters of Conservatorship may be used to establish financial accounts such as checking accounts, saving accounts, and certificates of deposits.

### File a Sworn Inventory

If the guardian or conservator is to manage the property of the Respondent, they shall file a sworn inventory within sixty (60) days after appointment. **The inventory must contain:**

- ✓ A detailed listing of all property (assets) and the fair market value of each asset.
- ✓ A list of all items of income (pension, social security, disability, etc.) along with the amount and frequency (weekly, monthly, annually) of each item of income.

### File Accountings Timely

- Unless waived by written order of the Court, guardians and conservators must file a detailed accounting with the Court annually that complies with Tenn. Code Ann. § 34-1-111.
- Accountings must include an annual statement, an oath of accounting, tax returns, and all supporting financial documentation. Refer to Knox County Chancery Court's [Accounting Checklist](#).
- **Interim Accountings** (first accounting) are due within thirty (30) days after the six (6) month anniversary of the guardian or conservator's date of appointment. **Annual Accountings** should thereafter be filed within sixty (60) days from the Interim Accounting anniversary date pursuant to Tenn. Code Ann. § 34-1-111(a) & (b).
- Tennessee law requires guardians and conservators to file annually with the Court a statement concerning the physical or mental condition of Respondent, without disclosing medical information required to be kept confidential. **This statement is required even if the Court waived the annual accounting.** *See* Tenn. Code Ann. § 34-1-111(i)(2).

### Please Remember

**All Court personnel are forbidden from interpreting any rules of procedure or giving any legal advice.**