
guardian & conservatorship question

Posted by C. Lochen - 2011/01/14 00:38

I am trying to help a client who is filing for involuntary guardianship/conservatorship on behalf of his mother. The client is actually the son and owns a few bank accounts with his mother as joints tenants with rights of survivorship. When i filed for guardianship, the probate court request an inventory of assets which i provided. Turns out that the probate court stated that we need to include all joint assets on the inventory enough though the mother never contributed any money to the bank account and never used the bank account. We would prefer not to have to declare that the joint bank accounts be included as part of the mother's estate and by excluding it from the inventory, the surety bond will be lower and the son's assets will remain private.

If the probate court demand the sons financial information is there any way to block that demand?

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Re:guardian & conservatorship question

Posted by Kash - 2011/01/18 23:49

unfortunately joint assets of a "protected person", regardless of the mother's contribution to the bank accounts is usually subject to probate court supervision. Since you didnt state it in your post, i'll assume that the state probate court you are dealing with follows the Uniform Probate Code, like most of the other states.

Try applying for a blanket order to seal the bank information from the public so to protect the son who is not a "protected person".

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