

**PROPOSED CHANGES TO K.S.A. 59-3083**

1 **59-3083. Reports and accountings.** (a) The guardian or conservator appointed by the court pursuant  
2 to either K.S.A. 2004 Supp. 59-3067 or 59-3057, and amendments thereto, annually, and at other  
3 times as the court may specify, shall file with the court, in such form as the supreme court may  
4 require by rule, or in the absence of such rule or in supplement thereto, as the court may require,  
5 reports and accountings concerning the status of the ward or conservatee, the estate of the ward or  
6 conservatee, and the actions of the guardian or conservator.

7 (b) The guardian or conservator, or both, shall file a special report or accounting with the court upon  
8 the occurrence of any of the following:

9 (1) A change of address of the guardian or conservator;

10 (2) a change of residence or placement of the ward or conservatee;

11 (3) a significant change in the health or impairment of the ward or conservatee;

12 (4) the acquisition by the ward of any real property, or the receipt or accumulation of other  
13 property or income by the ward or by the guardian on behalf of the ward, which causes the  
14 total value of the ward's estate to equal or exceed \$10,000; or

15 (5) the death of the ward or conservatee.

16 (c) Upon the death of the guardian or conservator, or upon the guardian or conservator being  
17 adjudged in this state to be an adult with an impairment in need of a guardian or a conservator, or  
18 both, or being similarly adjudged in any other state, a representative on behalf of the guardian or  
19 conservator, as the court may allow, shall file a final report or accounting on behalf of that guardian  
20 or conservator.

21 (d) If the guardian or conservator is under contract with the Kansas guardianship program, the court  
22 shall order that the guardian or conservator file with the Kansas guardianship program a copy of  
23 each report or accounting filed with the court.

24 (e) At the termination of the guardianship, or upon the resignation, impairment, death or removal

1 of the guardian, the guardian or a representative on behalf of the guardian, as the court may allow,  
2 shall file with the court a final report concerning the status of the ward and of the actions and  
3 recommendations of the guardian.

4 (f) At the termination of the conservatorship, or upon the resignation, impairment, death or removal  
5 of the conservator, the conservator or a representative on behalf of the conservator, as the court may  
6 allow, shall file with the court a final report and accounting concerning the status of the conservatee,  
7 of the conservatee's estate, and of the actions and recommendations of the conservator. The  
8 conservator, the conservator's estate and the conservator's surety shall not be finally discharged until  
9 such final report and accounting is filed, and the accounting allowed and settled as provided for in  
10 K.S.A. 2004 Supp. 59-3086, and amendments thereto. The conservator's surety, in the surety's  
11 discretion, may file any report or accounting it deems appropriate, or perform the duties of the  
12 conservator upon the resignation, death, impairment or removal of the conservator, subject to the  
13 authority of the standby conservator, if a standby conservator has been appointed by the court  
14 pursuant to K.S.A. 2004 Supp. 59-3074, and amendments thereto.

#### 15 **Comment**

16 **This amendment corrects an omission in the act for**  
17 **obtaining a guardian or conservator. With these additions to**  
18 **K.S.A. 59-3083, the act provides that voluntary conservators are**  
19 **subject to the duty to file annual reports and accountings.**