

Section 37 - Forms - Final Settlement or Closing in Conservatorship Estates

Following is a checklist of forms and documents required for finalizing or closing the various types of conservatorship estates. Specific requirements are listed under the appropriate headings.

37.10 Conservator Resigned - Removed - Successor Appointed

- 1) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks prior to filing final settlement)
- 2) Final settlement (Form 10559)
- 3) All receipts or canceled checks (vouchers)
- 4) Acceptance or waiver of notice by successor (adapt Form 10330 for waiver)
- 5) Order of distribution to successor (Form 10593)
- 6) Receipt of successor (adapt form 10575) *
- 7) Order of Discharge (Form 10333) *

NOTE: Letters to the successor must issue prior to approval of the settlement and distribution. The Court will not audit the final settlement of a removed/resigned conservator until the successor conservator has had an opportunity to object to the final settlement. The successor conservator will be notified in writing by the Court of the right to file objections and the time in which to do so. If no objections are filed by the successor, the Court will audit the settlement. If objections are filed, they must be resolved before the settlement will be audited. See Section 35.270 for a checklist of requirements to be satisfied prior to filing the final settlement.

*To be filed after the Order of Distribution has been entered.

37.20 Conservator - Deceased

- 1) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks prior to filing final settlement) (Form 10407)
- 2) Final settlement (Form 10559)
- 3) All receipts or canceled checks (vouchers)
- 4) Acceptance or waiver of notice by successor (adapt Form 10330 for waiver)
- 5) Order of distribution to successor (adapt Form 10574)
- 6) All receipts or canceled checks (vouchers)

7) Receipt of successor (adapt Form 10575) *

8) Order of Discharge (adapt Form 10333) *

* To be filed after the Order of Distribution has been entered.

37.30 Minor Reaching Majority - Estate With Assets; Disabled Person Restored - Estate With Assets

- 1) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks before final settlement) (Form 10407)
- 2) Final Settlement (Form 10559)
- 3) All receipts or canceled checks (vouchers)
- 4) Proof of notice or waiver by former protectee (Form 10330)
- 5) Petition for Approval of Final Settlement and For Order to Deliver Assets (Form 10339)
- 6) Order of distribution (Form 10331)
- 7) Receipt of Protectee (Form 10332) ***
- 8) Order of Discharge (Form 10333) ***

*** May be filed with the final settlement.

37.40 All Exhausted Estates Protectee Reaching Majority, Restored or Deceased**

- 1) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks prior to filing final settlement) (Form 10407)
- 2) Final settlement (Form 10559)
- 3) All receipts or canceled checks (vouchers)
- 4) Acceptance or waiver of notice by former protectee (adapt Form 10330) ****

** Publication and mailed notice is not required. Discharge is entered on the settlement by the Court.

**** This form is only necessary where the protectee is restored or has reached majority.

37.50 Death of Protectee - With Assets - § 475.320.2.

- 1) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks prior to filing final settlement) (Form 10407)
- 2) Final settlement (Form 10559)
- 3) All receipts or canceled checks (vouchers)
- 4) Petition for approval of final settlement (Form 10573)
- 5) Order of distribution (Form 10331)
- 6) Acceptance or waiver or notice by personal representative (adapt Form 10330)
- 7) Receipt of personal representative (adapt Form 10332) ***
- 8) Order of Discharge (Form 10333) ***

*** May be filed with the final settlement.

37.60 Intestate Protectee Without Debts - Close Without Administration Pursuant to § 475.320.1

- 1) Suggestion of death and petition to close estate without administration (Form 10190)
- 2) Order to proceed without administration (Form 10191)
- 3) Request for Final Court Costs Estimate (obtain from and submit to cost clerk at least two weeks prior to filing final settlement) (Form 10407)
- 4) Final settlement (Form 10559)
- 5) All receipts or canceled checks (vouchers)
- 6) Petition for approval of final settlement (Form 10573)
- 7) Mailed notice and proof of mailed notice (Forms 10197 and 10197a) or waiver of notice
- 8) Order of Distribution (Form 10214)
- 9) Receipt of Distributee (Form 10575) *
- 10) Order discharging guardian/conservator (Form 10594) *

*To be filed after the Order of Distribution has been entered.