

*D.C. SUPERIOR COURT  
WASHINGTON, D.C.*

*PROBATE DIVISION*



*TRUST  
Record Keeping and Filing Duties*

As conservator, guardian or personal representative in a supervised estate, you will be required to file with the Court inventories and accounts. Good recordkeeping will enable you to complete the required forms quickly and easily.

## **FORMS**

The inventory and accounting forms you will need as conservator or guardian are available at the Probate Division of the Court. The inventory and accounting forms you need as personal representative are downloadable from this site by [clicking here](#).

## **INVENTORIES**

An inventory is a complete listing of the assets that will come under your control. It is your job to identify the assets, place a value upon them, and report these assets and values on the form. The inventory form is comprised of schedules, and each type of asset is reported on a different schedule. For example, real estate is reported on one schedule, stocks and bonds on another, and so on. If there is tangible personal property, such as household furnishings, jewelry, vehicles, etc., valued at more than \$1,000.00, you will need to contact the appraisers' office in the Probate Division of the Court to have an official appraisal made. After you have determined the value of all assets, the original inventory is to be filed with the Duty Auditor in the Probate Division, who can be reached at (202) 879-1493. Depending upon the type of estate that you are administering, it may be necessary to serve a copy of the inventory upon certain parties. The inventory is an important document. The value of the assets reported in the inventory will be the beginning balance of the accounting that is required to be filed approximately one year after the date of your appointment.

## **CONSERVATORSHIP PLAN**

If you have been appointed conservator, you must also file a conservatorship plan at the same time that you file your inventory. In the conservatorship plan, you must describe the services necessary to manage the assets, and how other individuals, such as relatives, will share in the decision-making authority.

## **MARSHALLING ASSETS**

Marshalling assets is the term used to describe your taking control of all of the assets of the estate. This involves registering assets, such as bank accounts, real estate, automobiles, etc., in your name as guardian, conservator, or personal representative. You must keep the estate assets totally separate and apart from your own. Do not intermingle estate assets with your personal assets, or use them for your own purpose. To ensure the safety of the assets, be sure that cash is deposited in accounts insured by the FDIC or FSLIC, or invested in government-backed securities such as treasury bills, treasury bonds or treasury notes.

## **KEEPING ACCURATE RECORDS**

Make all payments by check and note the date and purpose of any payments. Cash payments or checks written to cash can make recordkeeping difficult. Keeping a notebook can also be very helpful. For example, when you receive checks from Social Security or other sources, you should record in the notebook when you received and deposited them. Keep an envelope with the notebook, and store in it receipts for purchases and services. If you intend to request payment for your services out of the estate assets, it is also important for you to record the amount of time you spend managing the estate.

## **ACCOUNTING**

Approximately one year after your appointment you will need to file an accounting with the Court. The accounting is a listing of all assets that you have collected, including income, and all of the payments you have made.

**Accounting Forms:** The accounting forms consist of individual schedules to report different kinds of receipts and disbursements. Completing the accounting forms can be simple if you have kept good records. For example, one of the conservatorship schedules is used to report annuity income. If you look to your notebook, you will find information as to when you received Social Security checks, in what amounts, etc. After you have completed each of the accounting schedules you will carry the individual subtotals to the summary page of the accounting.

**Accounting Guide:** Although the forms are fairly easy to follow, an accounting guide containing samples and more comprehensive instruction is available [Inventory and Accounting Guide](#) .

## **THE COMPLETED ACCOUNT**

When the accounting is complete, the original, along with supporting documentation is filed with the Duty Auditor (telephone number (202) 879-1493). Generally, supporting documentation consists of copies of all bank statements, cancelled checks or other documentation in support of the assets and disbursements shown. Depending upon whether you are conservator, guardian or personal representative, you may be required to serve a copy of the accounting on interested persons.

## **AUDIT OF THE ACCOUNT**

When the accounting is filed in the Probate Division, it will be assigned to an auditor for the requisite audit. For information as to the particular auditor assigned to the case, please call (202)

879-7817. If you mismanage the assets, or fail to file an account, you may be subject to removal, be personally liable, or subject to other court action.

## **REPORT OF GUARDIAN**

If you are appointed as a limited or general guardian in an intervention proceeding, you must file a guardian's report, at a minimum on a semi-annual basis. This report outlines the condition of the ward and the ward's estate that has been subject to your possession or control. You can file your report with the Intervention and Trust Section of the Probate Division (telephone number (202) 879-1461).

Good recordkeeping will help you with your accounting responsibilities. As time goes on, you will find that the process of record keeping becomes easier. If you utilized the services of an attorney early in the process, you may find that you can take over many of the accounting responsibilities yourself and save time and money.

For further questions, you may contact the Probate Division's Duty Auditor at (202) 879-1493.