

<b>DIVISION OF GUARDIANSHIP</b> <b>Securing Successor Guardianship</b>	<b>DAIL-GField-8</b>
<b>Effective Date: March 29, 2010</b> <b>Revised: April 27, 2021</b> Revision History: Nov 26, 2012, June 1, 2016	<b>Page 1 of 2</b>

**Policy Statement:**

Guardianship Services may assist a potential successor guardian when it is in the best interest of the individual for the interested person or agency to become successor guardian.

**Legal Authority:**

- [KRS 387.600 Appointment -- Consideration of preference of respondent](#)
- [KRS 387.605 Qualifications for court to consider when appointing a guardian or conservator](#)
- [KRS 387.620 Petition for relief -- Hearing on petition -- Judgment or modification](#)
- [KRS 387.710 Filing of inventory by limited conservator or conservator -- Biennial report -- Final report and account](#)
- [910 KAR 2:040 : Restoration, Modification of Rights, or Successor Guardian or Conservator](#)

**Procedure:**

- (1) The Guardianship Social Service Worker (GSSW) may advise or assist anyone interested in becoming a successor guardian. (See GField-TS-6, Tip Sheet for Individuals Appointed as Successor Guardian).
- (2) The GSSW assists the interested party with the completion and filing of (See Tip Sheet for Successor Guardians):
  - (a) The [Petition for Relief, Modification or Termination \(AOC-795\)](#), issued by the Administrative Office of the Courts and available at <http://courts.ky.gov> or at the court; and,
  - (b) An [Application for Appointment for Fiduciary \(AOC-745\)](#), issued by the Administrative Office of the Courts and available at <http://courts.ky.gov> with the Court having jurisdiction.
- (3) The GSSW shall attend the renewal hearing and may testify if needed.
- (4) If a successor is appointed and the Cabinet retains no responsibility, the GSSW shall:
  - (a) Obtain a copy of the Court order showing change in Guardianship
  - (b) Enter an event in KYGFIS and attach copies of the new orders as Appointment Papers showing change in Guardianship;
  - (c) Change status history to "Resigned" in KYGFIS, enter status date and resignation type;
  - (d) Change the appointment history to "Terminated";
  - (e) Enter the name and address of successor guardian on the face sheet;
  - (f) Direct the successor guardian to the Fiduciary Services Branch regarding additional questions; and
  - (g) Document the information as an event in KYGFIS.

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- (5) If the successor guardian and/or conservator is appointed in some capacity and the Cabinet retains some level of responsibility, The GSSW shall:
- (a) Obtain a copy of the Court order showing the change in Guardianship;
  - (b) Enter an appointment event on behalf of the individual in KYGFIS and attach copies of the new orders as an event in KYGFIS;
  - (c) Change status history to the Cabinet's appropriate appointment in KY GFIS and enter status date;
  - (d) Enter an updated appointment history in KYGFIS;
  - (e) Enter name and address of appointee on face sheet; and,
  - (f) Direct the successor appointee to Fiduciary Service Branch regarding financial questions; and
- (6) Document all information and action taken as an event in KYGFIS.