

FILED
REBECCA PADILLA
CLERK OF SUPERIOR COURT

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

BY _____ DEPUTY **MG**
IN AND FOR THE COUNTY OF PINAL

IN THE MATTER OF PROBATE POST-)
APPOINTMENT GUARDIANSHIP)
VISITATION AND MONITORING BY)
VULNERABLE PERSONS UNIT)
INVESTIGATORS AND CASE)
MANAGERS)

ADMINISTRATIVE ORDER

No. 2021-00 021

Whereas, the Presiding Judge of the Superior Court of Arizona in and for Pinal County has general administrative authority over the Judicial Branch in Pinal County pursuant to Article VI of the Arizona Constitution and Arizona Supreme Court Administrative Order No. 2017-79; and

Whereas, pursuant to Title 14, Arizona Revised Statutes, a court investigator must interview prospective guardians and wards in adult guardianship cases, and submit a written report to the Court prior to appointment addressing the need for a guardianship and the suitability of the proposed appointee to serve in that fiduciary capacity; and

Whereas, pursuant to Rule 48 of the Rules of Probate Procedure, the Court may order a person to investigate the reasons for a guardian's or conservator's non-compliance with the requirements of Title 14, court rules, or a court order; and

Whereas, Title 14 provides for annual reports of guardians so that the welfare of adult wards can be monitored. While there is no statutory provision that requires court investigators or case managers to conduct periodic in-person visits with wards after a guardian has been appointed for an adult or a minor, the Court concludes that periodic in-person visits may be conducted under the Court's broad and inherent oversight authority to evaluate the welfare and living conditions of all wards who are under the Court's protection to ensure that they are not subjected to abuse or neglect and that the guardianship remains necessary and appropriate; and

Whereas, to carry out such post-appointment guardianship monitoring and oversight duties, court investigators and case managers must have full access to wards and their guardians, and to records pertaining to the wards' healthcare, medical treatment, residential placement and living conditions.

Based on the forgoing, and good cause appearing,

IT IS ORDERED that, in any proceeding in which the Court appoints a guardian pursuant to Title 14, after issuance of this Administrative Order, the guardian(s) shall be

Administrative Order
Post- Appointment Guardianship

formally notified that the ward or protected person may be subject to post-appointment visitation by a court investigator or case manager.

IT IS FURTHER ORDERED that the Vulnerable Persons Unit is authorized to conduct post-appointment guardianship visits and investigations. In conjunction with the post-appointment visitation or investigation, the court investigator or case manager may also interview the guardian, caregiver, facility operator or such other persons who have frequent direct contact with the ward. The investigator or case manager shall submit a report to the Court summarizing the observations made during the visit.

Dated this 1st day of ^{March} February, 2021



Honorable Stephen F. McCarville
Presiding Judge

Original: Filed with the Clerk
Copies To: Superior Court Judges
Public Defender, Kate Milewski
County Attorney, Kent Volkmer
Office of Indigent Defense Services, Cathryn Whalen
Court Administrator, Todd D. Zweig
Vulnerable Persons Unit, Natalie Jones