



The Honorable
 C. Jean Stewart, Presiding



The Uniform Guardianship and Protective Proceedings Jurisdiction Act

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The Uniform Guardianship and Protective Proceedings Jurisdiction Act, more commonly referred to as the “Jurisdiction Act”, went into effect in Colorado on May 14, 2008. The Jurisdiction Act provides for the transfer of *adult* guardianships, conservatorships and protective orders from Colorado to another state *or* from another state to Colorado. Please note, however, that not all of the 49 remaining states have similar or reciprocal laws and Colorado’s Jurisdiction Act does *not* apply to protective proceedings involving minors.

Under Colorado’s Jurisdiction Act, persons may also *register* another state’s guardianships, conservatorships or protective orders with the Colorado courts and even a foreign country may be considered as another state. *Registrations* should be brought to the attention of the Protective Proceedings Facilitator in the Denver Probate Court.

Here’s how *transfer* under Colorado’s Jurisdiction Act works: A guardian, conservator or person holding a protective order from another state may file a Petition to Accept from the other state (JDF 783). The certified Petition to Accept is filed with the Colorado Court, requires a filing fee and should be accompanied by a certified Provisional Order to Transfer issued by the other state. Please note that forms and orders may be titled differently in other states.

Next, the Colorado Court issues a Provisional Order re: the Petition to Accept (JDF 784), a certified copy of which must be filed with the Court in the sending state. Once the Colorado Court determines that it has jurisdiction and the required supporting documents have been filed, the Court can issue a Final Order to Accept (JDF 785). The Petitioner files a certified Final Order to Accept with the sending state and obtains and files a certified Final Order to Transfer the matter to Colorado.

The Final Order to Transfer and other Petitions to Transfer *from* Colorado to a receiving state do not require a filing fee because we already have a case open here. The Final Order to Transfer to a receiving state will not issue without termination of the Guardianship or Conservatorship in Colorado.

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Famous Quote

“Justice without wisdom is impossible” ~ Froude

This newsletter is intended to provide general reference material in summary form and does not constitute binding authority on this or any other Court in a particular case. Moreover, this information is in no way an adequate substitute for qualified legal representation.

Employee Spotlight

Caroline Cammack

Caroline Cammack is a Judicial Assistant here at The Denver Probate Court and handles the records research request desk. Responsibilities include fulfilling both U.S. mail, web-site and LexisNexis requests for copy work (i.e., uncertified, certified and exemplifications). Caroline also handles the commercial research requests and shares the responsibility of processing the incoming daily mail. Caroline's other role in the court includes guardianship case management. She posts the guardian reports as submitted and maintains the guardianship ticklers ensuring that our guardianship cases are monitored and kept on track. Caroline just passed her two-year anniversary here as we originally welcomed Caroline on board in September of 2006. That's the work side of Caroline, let's see what's on the other side:



Job Title: Court Judicial Assistant

What do you do? I make sure that the Judge's robe is ironed

Family: German Shepherd, who thinks she is a lap dog, a Papillion, who thinks he is a Doberman and a rescue cat that has never liked me

What is your idea of happiness? Chocolate, red wine and the spa

When I'm not working, I'm.....at Yoga, meditating

What is the quality you most like in a person? Loyalty and, of course, a house in the mountains helps

Best gift you ever received? My Son

What's the most useless thing you ever bought? That gadget that one uses to aerate the lawn---I figured out that I could accomplish that task with my black stiletto pumps

Not many people know that I: Am a published author and a Blackbelt in Tae Kwon Do

Toughest thing about your job? I can never resolve the printer issues, I always have to call Natalie or Sam

Best memory at Denver Probate? If my memory serves me, correctly, it was that wild night at the conference ---oh, never mind

What would you do if won the lottery? I would do good works, and then I would send a nice little note to those that I have removed from my Christmas card list

What did you want to be when you grew up? A writer, a dancer, an actress, a designer, a musician, a painter---now I work

What is your greatest luxury? Driving in my convertible, acting 16 and getting away with it

What is the craziest thing you would do for a million dollars? A million would not cut it

Describe your perfect day: Breakfast in Paris, Lunch in Paris, Dinner in Paris

What three objects would you rescue from a burning house? I have a lot of insurance

What do you like most about Denver Probate? All that I have learned

What do you like least about Denver Probate? All of those silly people that have too many dollars and no sense



Did you know...

When the Denver City & County Building is decorated with 40,000 floodlights each holiday season, it's regarded as the largest outdoor lighting display in the nation.



Conservatorship Training

The Denver Probate Court offers free training classes for conservators. All conservators are welcome.

Conservators who attend the training will receive a certificate of attendance, a copy of which will be kept in their case file.

- **Conservatorship Training:**
Monday, February 2, 2009
- **Time:**
1:30pm to 2:30pm, followed by an optional question and answer session from 2:30pm to 3:00pm
- **Location:**
1437 Bannock St., Room 232
Denver, CO 80202

If you would like to attend, please notify Lucy Murray at lucy.murray@judicial.state.co.us or 720-865-8338.

Conservatorship Training is also scheduled for Monday, March 9, 2009 from 1:30pm to 2:30pm, followed by an optional question and answer session from 2:30pm to 3:00pm.

The Court anticipates offering future training classes in ***May, July, September and November of 2009.**

Lucy Murray, a Certified Public Accountant and Court Volunteer, will conduct the training. Lucy and other Denver Probate Court staff will be available after the training to answer questions.

The goal of the training is to help conservators set up a system to manage the finances of a protected person and perform the required annual reporting in an efficient and effective manner. Not only will the training be informative and helpful to conservators, it will also offer conservators a unique opportunity to meet other conservators and exchange ideas.

The training class covers the following topics:

- The advisability to pay for all expenses for the conservatorship through a central checking account

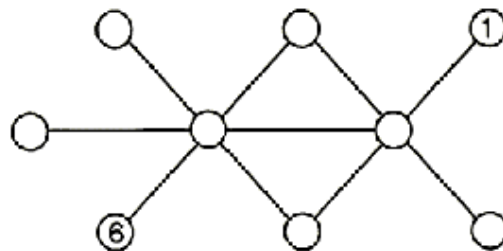
- The need to maintain all records for the duration of the conservatorship because the Court and Interested Persons can request documentation at any time
- How to prepare the Conservator's Inventory and Financial Plan (JDF 882), and when an amended Financial Plan should be filed with the Court
- How to determine if the remaining assets in the estate are sufficient to provide for the present and future care of the Protected Person
- Common questions and issues when completing the annual Conservator's Report (JDF 885)
- When a conservator must file the IRS Form 1099-MISC to report payments made for services provided to the estate
- How to determine if the amounts paid for professional services are reasonable

We strongly encourage new conservators to attend, as well as conservators who have an upcoming report due.

If you plan to attend, please notify Lucy at lucy.murray@judicial.state.co.us or 720-865-8338.

*Please check our website to confirm future training dates at www.denverprobatecourt.org

Can you arrange the numbers 1 to 9 in the circles so that each straight line of three numbers totals 18?



Answer on page 5

Jurisdiction Act

Continued from page 1

Seven new forms (JDF 783-785, JDF 787-789 and JDF891) and two new sets of instructions (covering transfer to and from another state, JDF 782 and JDF 786) have been adopted for use with Colorado's Jurisdiction Act. The forms required for Colorado to Accept from sending state are located at: http://www.courts.state.co.us/Self_Help/Forms/Index.cfm/Form_Type_ID/165. The forms required to transfer from Colorado to a receiving state are located at: http://www.courts.state.co.us/Self_Help/Forms/Index.cfm/Form_Type_ID/166.

In order to transfer a guardianship or conservatorship the NOTICE requirements for both states must be met. This information may or may not be contained in the Provisional Order to Transfer from the other state. Nonetheless, before issuance of a Final Order to Accept a transfer, notice of the Petition to Accept must be given on the non-appearance docket which means 10 calendar days notice to all interested parties as defined in both states AND an Acceptance of Office must be filed by each transfer guardian/conservator.

Terminology for protective proceedings may vary from state to state. In Colorado, except for Uniform Veterans Guardianship Act (UVGA) cases, guardianship is "of the person" and conservatorship is "of the estate" or assets. In some states a guardian is appointed as a "guardian of the person" or a "guardian of the estate" (conservator) or both. In California and Connecticut the term "guardian" is used when the ward or protected person is a minor. The term "conservator" is used when the ward or protected person is an adult.

Lastly, while the benefit of transferring or registering a guardianship or conservatorship in Colorado is that there is no requirement for hearing, please note that the Court from either state may request that a hearing be held prior to transfer.

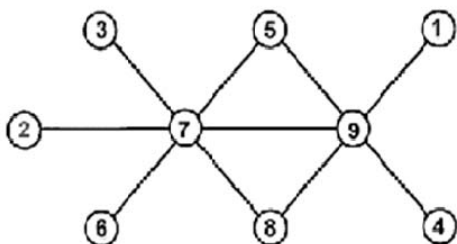
*Written by ~
Magistrate Michael Gallegos & Susie Anders*

Breckenridge Judicial & Employee Conferences

Several Denver Probate Court employees attended the Colorado Court Employee Conference while the Judges attended the Judicial Conference; both were held in Breckenridge, Colorado. Breckenridge is currently known for great skiing and expensive shopping, but historically was known for mining gold, saloons and brothels.



Interaction with attendees, vendors and speakers provide judicial employees insight to the everyday issues and challenges that occur. Educational classes provide new ideas and encourage motivation. It is always interesting to listen to experiences of other employees firsthand. Networking allows us to share new ideas and exchange business cards for support that we might need. This is an event we look forward to every year and we are always thankful to have the opportunity to attend.



Answer from page 2

The following are the legal holidays for **calendar year 2008/2009**:

Thursday, December 25, 2008	Christmas Day
Thursday, January 1, 2009	New Year's Day
Monday, January 19, 2009	Martin Luther King Day
Monday, February 16, 2009	President's Day
Monday, May 25 th , 2009	Memorial Day
Friday, July 3 rd , 2009	Independence Day
Monday, September 7 th , 2009	Labor Day
Monday, October 12 th , 2009	Columbus Day
Wednesday, November 11 th , 2009	Veteran's Day
Thursday, November 26 th , 2009	Thanksgiving
Friday, December 25 th , 2009	Christmas Day

Denver Probate Court
Contact Information

Judge's Division	x8311
Magistrate's Division	x8313
General Information	x8310
Clerk of Court	x8389
Registrar	x8312

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 Elise Herding at 720-982-8395 or elise.herding@lexisnexis.com

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