

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

PB 2007-002245  
CV 2007-005974

09/19/2007

COMMISSIONER RICHARD L. NOTHWEHR

CLERK OF THE COURT  
M. Corriveau/R. Aguilera  
Deputy

IN THE MATTER OF THE GUARDIANSHIP  
OF AND CONSERVATORSHIP FOR:

ETHEL PIERCE

RICK B KILFOY

AN ADULT.

PAUL B CHRISTIAN  
ANDREW MAKES KVESIC  
DIANE PIERCE  
4121 W MCDOWELL #248  
PHOENIX AZ 85009

CERTIFICATION DESK-CSC  
COMM. ELLIS  
MVD MAIL DROP 818Z  
PUBLIC FIDUCIARY

APPOINTMENT OF GUARDIAN  
CONSERVATOR FOR AN ADULT

Courtroom: OCH 207

10:03 a.m. This is the time set for hearing on the Petition for Appointment of Guardian and Conservator. Deputy County Attorney, Paul Christian is present, appearing on behalf of the Petitioner, the Maricopa County Public Fiduciary. Tom Mazzillo and Richard T. Vanderheiden from Maricopa County Public Fiduciary are also present. Court-appointed counsel, Rick B. Kilfoy is present on behalf of the protected party. Counsel Andrew M. Kvesic is present on behalf of Brookdale Senior Living, Inc.

A record of the proceedings is made by CD (FTR) in lieu of a court reporter.

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Discussion is held regarding case status, court investigator's report and pending civil matter.

THE COURT FINDS that Ethel Pierce is in need of a guardianship, that she is impaired by a mental disorder to the extent that she lacks sufficient understanding or capacity to make responsible decisions concerning her person and is therefore an incapacitated person as defined by A.R.S. §14-5101(1). The appointment of a guardian is necessary to provide for the demonstrated needs of the incapacitated person.

THE COURT FURTHER FINDS that Ethel Pierce is unable to manage her property and affairs effectively for the reason that she suffers from a mental deficiency. Therefore,

IT IS ORDERED appointing Maricopa County Public Fiduciary as guardian and conservator, to serve without bond, as set forth in the formal written order signed by the Court on September 19, 2007 and filed this date; a copy for certification is returned to counsel for issuance of letters.

In addition to all other guardianship powers, the guardian has the authority to consent for the ward to receive outpatient mental health care and treatment. The ward's right to obtain or retain a driver's license is suspended. The ward's date of birth is February 4, 1926.

IT IS ORDERED that if the protected person owns any interest in real property, the conservator is to record his/her letters in the county where the real property is located and attach proof of doing so to the filed inventory.

IT IS FURTHER ORDERED that within 90 days of appointment, the conservator is to file with the Court an inventory and appraisal of all conservatorship assets.

IT IS FURTHER ORDERED setting this matter for internal review by Court Administration on **January 3, 2008**, to determine compliance.

IT IS FURTHER ORDERED that on or before **December 31, 2008**, the Guardian\Conservator shall file with the Probate Registrar the required Annual Accounting and Annual Guardian Report for the period of **September 19, 2007** through **September 30, 2008**. A copy of the above shall also be provided to Probate Court Administration at the time of filing.

IT IS FURTHER ORDERED setting this matter for internal review by Court Administration on **January 15, 2009**, to determine compliance.

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IT IS FURTHER ORDERED that the conservator shall determine if a written answer to the complaint filed in CV 2007-005974 is appropriate and if deemed appropriate conservator shall submit a written answer on or before **October 19, 2007**.

LET THE RECORD REFLECT that civil matter CV 2007-005974 shall be heard by this Court.

10:08 a.m. Matter concludes.

DIVISION STAFF REVIEW: **October 24, 2007**.

LATER:

The Court sets Telephonic Conference for clarification of the ward's position on guardianship and conservatorship on **October 24, 2007 at 2:30 p.m.** in this division. Guardian/Conservator's counsel shall initiate telephone conference call between parties and Court and telephone this division at (602) 372-0270.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>