

Planning for your medical decisions

Nomination of Guardian & Conservator

A Nomination of Guardian & Conservator can give you added peace of mind.

You can sign a Nomination of Guardian & Conservator to nominate a trustworthy person to act as your guardian and conservator if you ever need a guardian or conservator in the future. This form would not actually cause someone to be appointed as your guardian or conservator when you sign it. However, the court would consider this document if you needed a guardian or conservator in the future. This document is important because it allows you to choose the person you would trust to be your guardian or conservator if they are ever needed.

Even if a guardian or conservator is appointed for you in the future, you still have important rights, including the right to hire your own attorney, to have access to your medical records, and to be heard by a judge if you disagree with decisions being made for you. Guardians and conservators are required to support your independence to the maximum extent possible.

A conservator is court-appointed to manage finances.

A “conservator” is a person who is appointed by the court to manage your assets if you lose the ability to manage your assets yourself. A conservator can do things like pay your bills, manage the money in your bank accounts, manage any investment accounts you might own, such as an IRA or 401k, and manage any property you own, such as your home, by paying property taxes or selling the property. Signing a Power of Attorney while you are healthy can often help you avoid the need for a conservatorship.

A guardian is court-appointed to handle health care decisions.

A “guardian” is a person who is appointed by the court to make medical treatment and care decisions for you. Making treatment decisions means speaking to your doctors about your medical treatment and making decisions about the type of treatment you receive if you are unable to make or communicate those decisions yourself. Care decisions include choosing whether you can safely continue living in your home or whether you should live in a care facility. Signing an Advance Directive while you are healthy can help you avoid the need for a guardianship.

Get started.

If you want to sign a Nomination of Guardian & Conservator, the best option is to find an estate planning or elder law attorney. You may also be able to find a good form online because this form is simpler than some of the other important legal documents discussed on this webpage.