

IN THE CHANCERY (PROBATE) COURT FOR SUMNER COUNTY, TENNESSEE
AT GALLATIN

IN RE: _____
Respondent

Docket # _____

CONSENT TO SERVE AS CONSERVATOR

I, _____ hereby acknowledge and consent to my nomination to serve as Conservator of _____. I further agree that if I am appointed by the court, I will comply with all rules of the court pertaining to conservators, including but not limited to filing of periodic reports.

I acknowledge that the extent of the duties and obligations required of me in the event an appointment, have been explained to me and that I willingly agree to undertake such responsibility and I am not disqualified from serving because of having been sentenced to imprisonment in a penitentiary as set forth in T.C.A. § 40-20-115 or otherwise.

A statement of any felony or misdemeanor convictions of the Proposed Conservator, if any:

I certify under penalty of perjury that the foregoing is true and correct.

DATE: _____

SIGNATURE
PROPOSED CONSERVATOR

ATTACHMENTS REQUIRED: T.C.A. § 34-3-104 effective 1/1/2022

(A) A Search of the Tennessee Department of Health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons, established by title 68, chapter 11, part 10 at <https://apps.health.tn.gov/AbuseRegistry/default.aspx>

(B) A Search of the National Sex Offender registry maintained by the United States Department of Justice at www.nsopw.gov

Proposed Conservator's Information:

Mailing Address: _____

Age: _____

Relationship to Respondent: _____

Phone Contact and Email Address: _____

Tenn. Code Ann. § 34-3-104

Copy Citation

Current through the 2021 Regular and First, Second, and Third Extraordinary Sessions of the 112th General Assembly.

TN - Tennessee Code Annotated > Title 34 Guardianship > Chapter 3 Conservatorship Generally

34-3-104. Petition for appointment — Sworn — Contents. [Effective on January 1, 2022. See the version effective until January 1, 2022.]

The petition for the appointment of a conservator, which shall be sworn, should contain the following:

- (1) The name, date of birth, residence and mailing address of the respondent;
- (2) A description of the nature of the alleged disability of the respondent;
- (3) The name, age, residence and mailing address of the petitioner, a statement of the relationship of the petitioner to the respondent, and a statement of any felony or misdemeanor convictions of the petitioner, if any;
- (4) The name, age, mailing address, relationship of the proposed conservator, statement of any felony or misdemeanor conviction of the proposed conservator, and, if the proposed conservator is not the petitioner, a statement signed by the proposed conservator acknowledging awareness of the petition and a willingness to serve. The petition must also include current copies of the following reports on the proposed conservator:
 - (A) A search of the department of health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons, established by title 68, chapter 11, part 10; and
 - (B) A search of the national sex offender registry maintained by the United States department of justice;
- (5) The name, mailing address and relationship of the closest relative or relatives of the respondent and the name and mailing address of the person or institution, if any, having care and custody of the respondent or with whom the respondent is living. If the respondent has no then living spouse, child, parent or sibling, the petition shall so state and more remote relatives are not to be listed;
- (6) A summary of the facts supporting the petitioner's allegation that a conservator is needed;

(7) The name of the respondent's physician or, where appropriate, respondent's psychologist or senior psychological examiner and either:

(A) A sworn examination report described in § 34-3-105(c);

(B) A statement that the respondent has been examined but the sworn examination report has not been received but will be filed before the hearing; or

(C) A statement that the respondent refuses to be examined voluntarily, with a request that the court direct the respondent to submit to medical examination;

(8) The rights of the respondent to be removed from the respondent and transferred to the conservator.

The rights the court may remove may include, but are not limited to, the right to vote, dispose of property, execute instruments, make purchases, enter into contractual relationships, hold a valid Tennessee driver license, give or refuse consent to medical and mental examinations and treatment or hospitalization, or do any other act of legal significance the court deems necessary or advisable;

(9) If the petition requests the conservator to manage the property of the respondent, the petition also shall contain:

(A) If the financial information about the respondent is known to the petitioner:

(i) A list of the property of the respondent, together with the approximate fair market value of each item and a statement whether the property listed is all of the respondent's property;

(ii) A list of the source, amount and frequency of each item of income, pension, social security benefit or other revenue received by the respondent;

(iii) A list of the usual monthly expenses of the respondent and an explanation of how these expenditures were met prior to the filing of the petition;

(iv) A description of the proposed plan for the management of the respondent's property if a conservator is appointed; or

(B) If the financial information about the respondent is unknown to the petitioner, a request that the court enter an order authorizing the petitioner to investigate the respondent's property; and

(10) A request for a guardian ad litem, conservator or co-conservator, or attorney ad litem with specific experience or expertise in matters like those faced by the respondent, if warranted under the circumstances.

History

Acts 1992, ch. 794, § 44; 1994, ch. 855, § 14; T.C.A. § 34-13-104; Acts 2003, ch. 124, § 1; 2012, ch. 807, § 1; 2012, ch. 917, § 2; 2013, ch. 435, §§ 25, 26; 2021, ch. 84, § 1.

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