



NEW YORK STATE UNIFIED COURT SYSTEM
GUARDIAN ASSISTANCE OFFICE



Mental Hygiene Law Article 81 Guardian

Your roles. Their well-being.

Duties of the guardian



Property Management Guardian

You are responsible for managing the person's finances and property. You must act in their best interests, keep accurate records, and follow all Court orders and reporting requirements.



Personal Needs Guardian

You are responsible for making decisions about the person's personal care, health, and daily well-being. You must act in their best interests and promote the greatest possible independence and quality of life.

Your responsibilities may include:



1. ASSETS & INCOME

- Identify and safeguard all assets and property.
- Take control and secure assets from loss, waste, or theft.
- Receive all income and pay bills on time.



2. BANKING & RECORDS

- Open and manage a guardianship bank account; never combine their funds with your own.
- Keep liquid assets in an interest bearing account.
- Keep accurate and complete financial records and receipts.
- For more significant funds and complex financial situations, you may work with a financial advisor at a reputable financial institution with the permission of the Court.



3. PROPERTY & TAXES

- Maintain real and personal property.
- Pay taxes, insurance, and other obligations.
- Protect property from loss or damage.



4. COURT REPORTING

- File all required reports with the Court on time.



1. HEALTH CARE

- Coordinate medical, dental, vision, and mental health care.
- Monitor providers and treatment.
- Make health care decisions authorized by the Court when needed.



2. HOUSING & DAILY NEEDS

- Ensure safe, clean, and suitable housing.
- Provide food, clothing, and other necessities.
- Arrange for home modifications or services if needed.
- Ensure access to transportation.



3. SOCIAL & COMMUNITY SUPPORT

- Encourage and support participation in community, cultural, or recreational activities.
- Help maintain relationships with family and friends.



4. ADVOCACY & SAFETY

- Respect the person's dignity, rights, and preferences, so long as it's in their best interest.
- Advocate for their rights and best interests.
- Protect from abuse, neglect, and exploitation.
- Report concerns to the appropriate authorities.



REMEMBER

- ✓ Act in the person's best interests.
- ✓ Respect their dignity, rights, and preferences.
- ✓ Keep the person informed and involved.
- ✓ Encourage independence whenever possible.
- ✓ Document your actions and decisions.



REPORTING REQUIREMENTS



Initial Report

Must be filed within 90 days of issuance of the Guardian's Commission.



Annual Report

Must be filed by May 31 of each year until the guardianship ends.



Final Report

Must be filed when the guardianship ends.



NEED ASSISTANCE?



Guardian Assistance Office

☎ 347-296-1948

✉ GAO@nycourts.gov

Providing guidance and resources
to help guardians meet their
responsibilities.



A GUARDIAN MAY NOT:



Use the person's funds
for your own benefit
or personal expenses.



Borrow from the person
or combine their funds
or property with your own.



Exceed the authority
granted by
the Court.



Ignore the person's
wishes or preferences, unless
doing so is in the person's
best interest.



Force medication
or medical treatment
over the person's
objections.