



IN THE MATTER OF
JERRY MCCOY

IN THE CIRCUIT COURT OF CLARK
COUNTY

CASE NO.: 0001-0001-01

ORDER APPOINTING GUARDIAN AND CONSERVATOR¹

This Court finds by clear and convincing evidence that Jerry McCoy, a male aged 73, meet the statutory requirements for disabled persons in need of a **guardian and conservator**.

See Clark County Code Ann., Estates & Trusts, §§4501.01 – 4512.07. After consideration of the Petition filed on August 2, 2022, and review of testimony and exhibits presented at a hearing on November 15, 2022, the court finds that Mr. McCoy lacks the capacity to make or communicate decisions concerning his **person and property** due to a disability as defined by law.

Furthermore, there is no less restrictive alternative than a guardian that would meet his needs. As demonstrated by the petitioner, current substituted decision-making options are insufficient to ensure Mr. McCoy’s wishes will be respected to make decisions regarding admission to skilled nursing facilities, financial management, and medical care. See Clark County Code Ann., Estates & Trusts, §§4501.01 – 4512.07.

Jerry McCoy was not able to participate by teleconference nor request or waive a jury trial.² **The Court appoints the following person(s) as Guardian(s) (hereafter “Guardian”):**

1. Guardian:

Erica McCoy
222 Main Street
Clark County
555-555-5555

¹ In many jurisdictions a court would issue two court orders, one for each of the McCoy's. This joint order is for training purposes only.

² Some jurisdictions provide the right to request a jury trial in guardianship cases.

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2. Conservator:

Ike McCoy
333 Pleasant Valley Road
Clark County
555-666-6666

The powers and duties of the Guardian include all powers authorized by Clark County Code Ann., Estates & Trusts, §§4501.01 – 4512.07. The powers and duties of the Guardian shall further include:

- 1) Authorization to admit Mr. McCoy to a nursing facility if twenty-four-hour in-home services and supports are not available.
- 2) Authorization to consent to any medical procedure that involves a substantial risk to the life of the person and the withholding or withdrawal of any medical procedure that involves a substantial risk to the life of the person because: Mr. McCoy has executed an advance directive, naming the Guardian of the Person as agent.
- 3) Authorization to consent to medical or other professional care, counsel, treatment, or services for Mr. McCoy.
- 4) Authorization to consent to necessary protective services.

The powers and duties of the Conservator include all powers authorized by Clark County Code Ann., Estates & Trusts, §§4501.01 – 4512.07. The powers and duties of the Conservator shall further include:

- 1) Authorization to obtain copies of statements or any other records from banks, insurance companies or other financial institutions for accounts in the name of Jerry McCoy.
- 2) Authorization to use Mr. McCoy's funds to pay for goods and services that directly benefit his health, safety, and well-being.

The Court orders the following:

- 1) The Conservator shall be excused from giving bond.
- 2) The Conservator shall apply the funds held only for the benefit of the person.

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- 3) Neither Conservator or Guardian shall borrow money from the Guardianship account, lend money to others from the Guardianship Account, make gifts to others, or use funds in the Guardianship account for the benefit of anyone other than the person.
- 4) The Conservator shall file with the Trust Clerk an inventory of all assets of the person of which the Conservator has knowledge within sixty days of today's date, and thereafter shall file an annual accounting within sixty days of the anniversary date set forth above. The annual accounting shall be based on the calendar year. Documentation of all assets, including but not limited to bank statement(s), brokerage statement(s), and a copy of all deeds shall be submitted.
- 5) The Guardian shall file an annual report with the Trust Clerk within sixty days following December 15 of each year, indicating the present place of residence of both the Guardian and Mr. McCoy, the health and mental status of Mr. McCoy, whether there is a need for continuation of the guardianship for Mr. McCoy, any reason to change the Guardian's powers, or if the guardianship should be ended.
- 6) The Guardian and the Conservator shall complete the training program for the Court-Appointed Guardians of the Person and Property within sixty days of this Order and file a Certificate of Completion as proof that the Guardian completed the training within sixty days of the date of this Order.

ALL SUBJECT TO FURTHER ORDER OF THE COURT

Sofia Sanchez, Judge
Clark County
November 15, 2022