

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

PETITIONER

Vs.

CAUSE NO.: _____

RESPONDENT

**CERTIFICATE OF FIDUCIARY
FOR THE GUARDIANSHIP OF A MINOR**

I, _____, fiduciary in this cause, have hereby read, understand, and agree to the following:

1. I understand that I, as fiduciary of the minor herein, have the duties and responsibilities of a parent regarding the minor's support, care, education, health, safety, and welfare and that I must act in the minor's best interest and exercise reasonable care, diligence, and prudence. *Miss. Code Ann. § 93-20-208(1) (2020).*

2. I understand that I, as fiduciary of the minor herein, must:

(a) Become personally acquainted with the minor and maintain sufficient contact with the minor to know and report to the court the minor's abilities, limitations, needs, opportunities, and physical and mental health;

(b) Take reasonable care of the minor's personal effects and bring a proceeding for a conservatorship if necessary to protect other property of the minor;

(c) Expend funds of the minor that have been received by the guardian for the minor's current needs for support, care, education, health, safety, and welfare;

(d) Conserve any funds of the minor not expended under paragraph (c) for the minor's future needs, but if a conservator is appointed for the minor, pay the funds as directed by the court to the conservator to be conserved for the minor's future needs;

(e) Report the condition of the minor and account for funds and other property of the minor in the guardian's possession or subject to the guardian's control, as required by court rule or ordered by the court on application of a person interested in the minor's welfare;

(f) Inform the court of any change in the minor's dwelling or address; and,

(g) In determining what is in the minor's best interest, take into account the minor's preferences to the extent actually known or reasonably ascertainable by the guardian.

Miss. Code Ann. § 93-20-208(2) (2020).

3. I understand that I, as fiduciary of the minor herein, except as otherwise limited by court order, may:

- (a) Apply for and receive funds up to the amount of \$25,000 and benefits otherwise payable for the support of the minor to the minor's parent, guardian, or custodian under a statutory system of benefits or insurance or any private contract, devise, trust, conservatorship, or custodianship;
- (b) Unless inconsistent with a court order entitled to recognition in this state, take custody of the minor and establish the minor's place of dwelling and, on authorization of the court, establish or move the minor's dwelling outside this state;
- (c) If the minor is not subject to a conservatorship, commence a proceeding, including an administrative proceeding, or take other appropriate action to compel a person to support the minor or make a payment for the benefit of the minor;
- (d) Consent to health or other care, treatment, or service for the minor; or
- (e) To the extent reasonable, delegate to the minor responsibility for a decision affecting the minor's well-being.

Miss. Code Ann. §93-20-209(2) (2019).

4. I understand that the Court can and will find me in contempt if it is proven that I have violated any of this Court's order(s) and that appropriate sanctions will be levied by the Court for any violations.

5. My current address and phone numbers are as follows, and I understand that in the event this information changes, I must provide that information to the Clerk of this Court in writing.

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE NO.: _____

EMAIL ADDRESS: _____

6. I understand my duties and obligations as guardian as set forth in this document, and I hereby agree to be bound by them.

Respectfully Submitted,

FIDUCIARY

SWORN ACKNOWLEDGMENT

STATE OF MISSISSIPPI

COUNTY OF _____

This day personally appeared before me, the undersigned authority at law in and for the jurisdiction aforesaid, the within named _____, who having been by me first duly sworn, states on oath that the matters and facts set forth in the above Certificate of Fiduciary are true and correct as therein stated.

FIDUCIARY

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 2020.

NOTARY PUBLIC

MY COMMISSION EXPIRES: