

CHAPTER 6 – SELF-TEST – ANSWER SHEET

1. If you move from West Virginia after being appointed as a guardian or conservator, what action must you take?

Answer: 3. You must file a designation of an agent who does reside in WV to accept service of process.

2. If you want to resign as a guardian or conservator how much notice must you give when filing your petition request to resign with the court.

Answer: 3. 60 Days.

3. You can nominate a successor guardian or conservator in your will.

Answer: 1. True. This is a good idea in the event unexpected death happens to you when acting as guardian or conservator for another.

4. What must you file with the court if the protected person dies?

Answer: 3. Both the certified death certificate and the final guardian report and/or conservator accounting.

5. If a preneed burial or cremation contract exists for the protected person, the guardian has no authority to make decisions after the death of the protected person regarding funeral arrangements.

Answer: 1. True. The authority of the guardian to make these decisions extends after death only if no advance directive or preneed burial or cremation contract exists to handle the funeral arrangement.

6. If an autopsy is needed and there is no advance directive regarding the same, the guardian has authority to make decisions after the death of the protected person for autopsy.

Answer: 1. True.

7. If there is no guardian, who has authority to make funeral arrangements and decisions for autopsy after the death of the protected person?

Answer: 1. The conservator, provided there is no advance directive or preneed burial or cremation contract.

8. If it is in the best interests of the protected person, a guardianship or conservatorship case can be transferred to another court in West Virginia.

Answer: 1. True, and you will need to bring the request back to the court to have this done.

9. If a protected person who is a missing person is found, your responsibilities as a guardian or conservator immediately end.

Answer: 2. False, the court must still prepare a termination order dismissing the case, discharging any bond, and you must file your final guardian report or conservator accounting.

10. Any interested person can ask the court to remove you from your position as guardian or conservator if grounds for removal exist or are alleged.

Answer: 1. True.