

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 64.2-2020 of the Code of Virginia, relating to court-appointed guardians*  
3 *of incapacitated persons; annual report to local department of social services.*

4 [H 2191]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 64.2-2020 of the Code of Virginia is amended and reenacted as follows:**8 **§ 64.2-2020. Annual reports by guardians.**

9 A. A guardian shall file an annual report in compliance with the filing deadlines in § 64.2-1305 with  
10 the local department of social services for the jurisdiction in which he was appointed. It shall be the  
11 duty of that local department to forward the report to the local department of the jurisdiction where the  
12 incapacitated person then resides. The report shall be on a form prepared by the Office of the Executive  
13 Secretary of the Supreme Court and shall be accompanied by a filing fee of \$5. The local department  
14 shall retain the fee in the jurisdiction where the fee is collected for use in the provision of services to  
15 adults in need of protection. Within 60 days of receipt of the annual report, the local department shall  
16 file a copy of the report with the clerk of the circuit court that appointed the guardian, to be placed with  
17 the court papers pertaining to the guardianship case. Twice each year the local department shall file with  
18 the clerk of the circuit court a list of all guardians who are more than 90 days delinquent in filing an  
19 annual report as required by this section. If the guardian is also a conservator, a settlement of accounts  
20 shall also be filed with the commissioner of accounts as provided in § 64.2-1305.

21 B. The report to the local department of social services shall include:

- 22 1. A description of the current mental, physical, and social condition of the incapacitated person;  
23 2. A description of the person's living arrangements during the reported period;  
24 3. The medical, educational, vocational, and other professional services provided to the person and  
25 the guardian's opinion as to the adequacy of the person's care;  
26 4. A statement of the frequency and nature of the guardian's visits with and activities on behalf of  
27 the person;  
28 5. A statement of whether the guardian agrees with the current treatment or habilitation plan;  
29 6. A recommendation as to the need for continued guardianship, any recommended changes in the  
30 scope of the guardianship, and any other information useful in the opinion of the guardian; and  
31 7. The compensation requested and the reasonable and necessary expenses incurred by the guardian.  
32 The guardian shall certify that the information contained in the report is true and correct to the best  
33 of his knowledge.