

RULE 73.1 Guardian's Compensation

1. Compensation for services as guardian of person and estate shall be allowed not more frequently than annually, upon application and entry, and shall be supported by calculations and documentation. The following schedule shall apply as a guideline, unless extraordinary compensation is requested:

- a. 3% of the total income; and 3% of the total expenditures where total expenditures are less than \$200,000, and 2% of the total expenditures that are equal to or greater than \$200,000.
- b. An annual fee of \$2.00 per \$1,000 of the fair market value of the principal.
- c. A guardian shall be permitted a minimum fee of \$500.
- d. Compensation computed on income will not be allowed on balances carried forward from one accounting period to another; nor will an investment of funds of the final distribution of unexpended balances to a ward at the close of a guardianship be considered as expenditures.

2. For purposes of computing a guardian's compensation as herein provided, the fair market value of the principal shall be determined by the guardian as of the last day of the month the guardian is appointed and annually thereafter, or such other date the Court may approve upon application. The compensation so determined may be charged during the ensuing year. The annual principal valuation shall be adjusted from time to time to reflect additions to and withdrawals from the principal of the estate, and the compensation for the remaining portion of the annual period shall be similarly adjusted to reflect such revised valuation.

3. Additional compensation, reimbursement for expenses incurred by a guardian, as well as, for compensation of a guardian of the person only may be fixed by the Court upon application. The Court may require that any application for compensation be set for hearing and that notice of the hearing be given to interested parties as ordered by the Court.

4. The compensation of co-guardians, including when separate parties are appointed as guardian of person and guardian of the estate shall not exceed the compensation that would be allowed to one guardian. In the event that the co-guardians cannot agree on the division of the compensation, the Court shall determine an equitable allocation of any guardian compensation awarded.

5. Compensation for services as guardian of an indigent ward may be paid from the Indigent Guardianship Fund in accordance with the Court's then standing procedural order.

6. Except for good cause shown, neither compensation for a guardian, nor fees to the attorney representing such guardian, will be allowed while such guardian is delinquent in filing an inventory, account, or Guardian's Report. The Court may deny or reduce compensation if there is such a delinquency or failure to faithfully discharge the duties of fiduciary.