

Rule 4.4.11 Compensation of Conservator from Trust

If a conservatee is also the beneficiary of a trust and the compensation of a conservator of the person or estate, or their attorney, is sought from the trust in part or in whole, the conservator shall first seek approval of the compensation in the conservatorship matter. The petition shall include a declaration by the trustee as to whether there are sufficient funds in the trust to allow for the compensation sought. If the conservatorship of the estate has sufficient funds to pay for the requested compensation, the conservator shall explain why compensation is sought from the trust and not the estate. A trustee shall not pay a conservator's compensation without a court order approving said compensation by the judge assigned to hear the conservatorship matter. This rule shall apply only to court supervised trusts.

(Eff. 7/1/19) (Rev. 1/1/24) (Rev. 1/1/25)
(Renumbered 1/1/27)