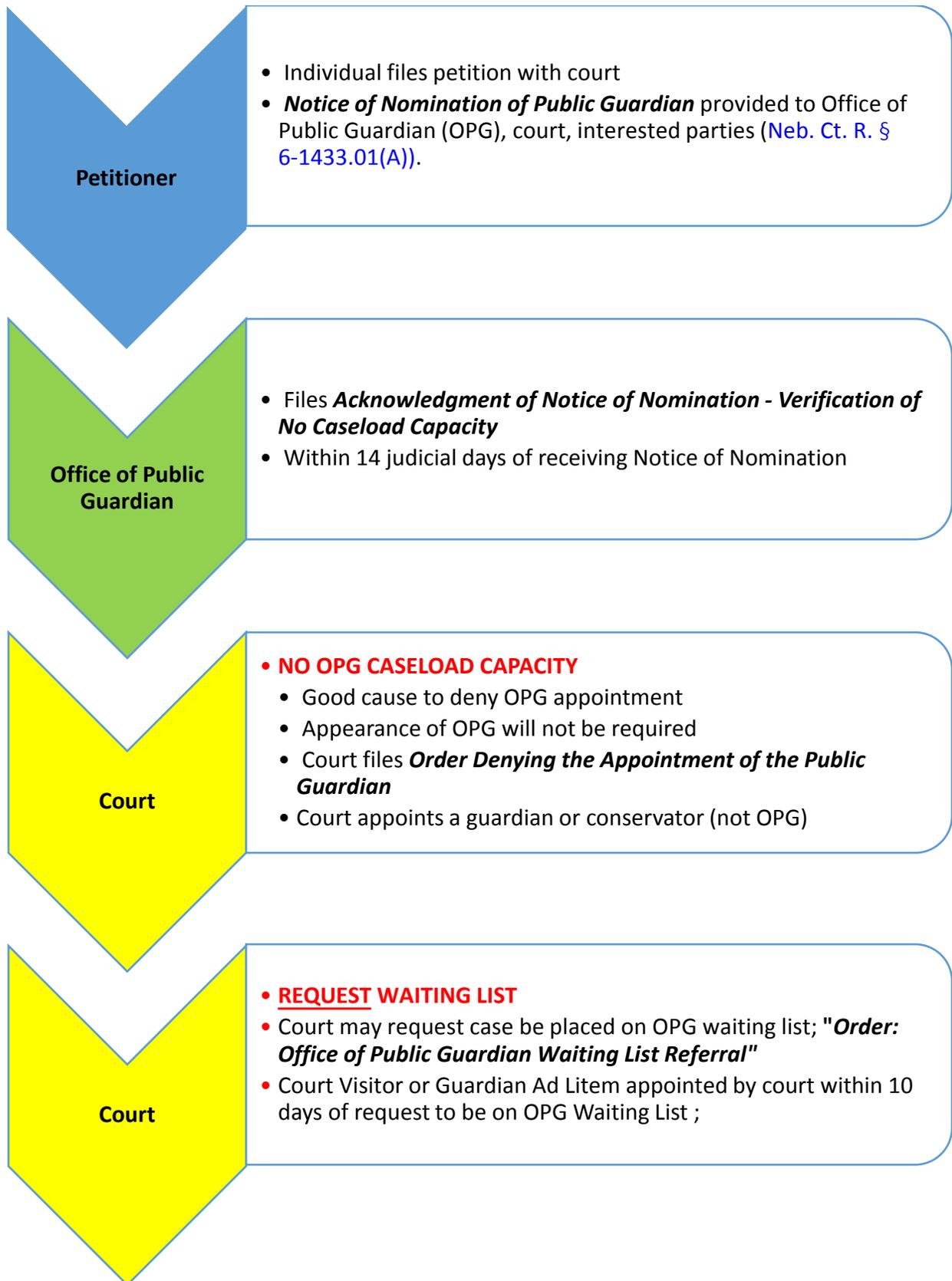


## Nebraska Public Guardian WAITING LIST Process



## Nebraska Public Guardian WAITING LIST Process

### Court Visitor or Limited Guardian Ad Litem

- Appointed by court within 10 days of receiving request to be on OPG Waiting List ;
- Interview potential incapacitated person (PIP), petitioner, providers, interested parties and complete screening tool for gathering independent information
- Submits confidential "Court Visitor or Guardian Ad Litem Report", on form developed by AOC, to court and OPG within 60 days of Petition and Request for Waiting List Assignment
- Provide a "**Notice of Availability of the Court Visitor or Guardian Ad Litem Report**" to the petitioner, GAL (if appointed for potential incapacitated person (PIP) in case), PIP attorney and PIP.

### Office of Public Guardian

- **OPG REVIEW REPORT; ACCEPT OR DENY CASE PLACEMENT ON WAITING LIST:**
- Review Visitor/Limited Guardian Ad Litem Report report for criteria for Waiting List, within 10 judicial days of receipt of Visitor or Limited Guardian Ad Litem Report.
- OPG file "**Office of Public Guardian 90 Day Waiting List Determination**" specifying denial or acceptance on waiting list.

### Court

- **OPG DENY REQUEST FOR CASE ON WAITING LIST:**
  - No further action
  - OPG is dismissed as an interested party
- **OPG ACCEPT CASE ON WAITING LIST:**
- Court make findings, in accordance with Neb. Ct. R. §1433.01(J)
  - Proper notice was given to the OPG;
  - The petitioner has acted in good faith and due diligence to identify a guardian or conservator who would serve in the best interest of the alleged incapacitated person;
  - The appointment of the OPG would be necessary, but that no current caseload capacity exists to serve the individual by the OPG as set forth by statute; and
  - The Visitor or Guardian ad Litem report has been completed and supports the appointment of the OPG but for the lack of capacity by the OPG, all options available to support the individual in the least restrictive manner possible has been explored and the guardianship is a last resort.
- **COURT ORDERS CASE PLACED ON WAITING LIST FOR 90 DAYS**

## Nebraska Public Guardian WAITING LIST Process

