



1 SECTION 2. AMENDATORY 30 O.S. 2011, Section 4-307, is  
2 amended to read as follows:

3 Section 4-307. A. 1. Upon the filing of an annual report the  
4 court shall immediately cause a copy of the report to be mailed by  
5 first-class mail to:

6 a. the persons entitled to notice pursuant to Section 2-  
7 101 of this title for minors, or

8 b. those persons entitled to notice pursuant to  
9 paragraphs 1, 2, 3 and 7 of subsection A of Section 3-  
10 110 of this title for adults, and

11 c. the attorney of the ward, if any.

12 2. Attached to the copy of the report shall be a statement  
13 notifying the person receiving copies of said reports that any  
14 objection to the report must be filed within fifteen (15) days after  
15 the date of the filing of the annual report with the court.

16 3. Any person entitled to receive a copy of the annual report  
17 may file an objection to said report within fifteen (15) days after  
18 the filing of the annual report with the court.

19 B. 1. After notice, the court may on its own motion hold a  
20 hearing on an annual report and shall hold a hearing:

21 a. upon the filing of an objection to the annual report;  
22 or

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1           b.    when the court is considering issuing an order other  
2                    than an order accepting the report and granting the  
3                    relief requested.

4           2.    Notice for a hearing on an annual report shall be given, by  
5 mail, to the persons entitled to notice pursuant to Section 2-101 of  
6 this title for minors or paragraphs 1, 2, 3 and 7 of subsection A of  
7 Section 3-110 of this title for adults at least ten (10) days prior  
8 to the date set for the hearing. Notice shall be in such form as  
9 the court may direct and shall be sent by regular first-class mail.

10          C.    The court may enter an order granting the relief requested  
11 in the report without notice if the court determines that such  
12 relief should be granted immediately. In that event, the court  
13 shall grant such relief on a temporary basis pending a hearing on  
14 the report or the expiration of the fifteen (15) days within which  
15 an objection to the report may be filed.

16          D.    When no objection to an annual report is filed and no  
17 hearing on the annual report is held as otherwise provided by this  
18 section, the court shall issue an order accepting the annual report,  
19 ~~and~~ granting the relief requested and renewing the letters of  
20 guardianship.

21          E.    The compensation for the guardian, the guardian's attorney,  
22 and any other person entitled to compensation from the property of  
23 the ward shall be determined by the court in the manner required by  
24 the provisions of the Oklahoma Guardianship and Conservatorship Act.

1 Such order, whether issued at the expiration of the fifteen (15)  
2 days within which an objection to the annual report may be filed or  
3 after a hearing on the report, shall be final with respect to all  
4 persons given copies of the annual report or notice of such hearing,  
5 except with regard to any such person who may be determined to have  
6 been subject to a legal disability at the time such notice was  
7 given. Such order also shall be final with respect to the guardian  
8 except with respect to challenge by the ward upon the removal of the  
9 ward's legal disability.

10 F. With regard to an annual report of a guardian of the  
11 property of a ward, the court shall examine the changes, if any, to  
12 the property of the ward as set forth in the report. If the  
13 guardian was required to submit a bond, and if the total value of  
14 the ward's property which is subject to the proceeding differs  
15 significantly from the total value of the ward's property as last  
16 disclosed to the court:

17 1. The court shall direct such guardian to obtain a new bond of  
18 such lesser or greater penal amount as will adequately protect the  
19 ward's property which is subject to the proceeding;

20 2. Such new bond shall be filed with the district court clerk  
21 within thirty (30) days following the date of the order; and

22 3. If the court requires a new bond of a greater penal amount  
23 than the bond previously submitted, failure of the guardian to  
24 submit such new bond within the thirty-day period set forth in this

1 subsection shall constitute grounds for removal of such guardian or  
2 limited guardian.

3 G. At any hearing held upon an annual report:

4 1. If required by the court, the guardian or limited guardian  
5 shall be present;

6 2. The court shall review the annual report and consider any  
7 objection made thereto, and thereupon enter such order as the court  
8 deems appropriate including, but not limited to, renewing the  
9 letters of guardianship; and

10 3. The court may make any order which the court deems to be in  
11 the best interest of the ward or the estate of the ward. The court  
12 may also set for further hearing, with prior notice to be given as  
13 provided in this section, any other matter which the court deems  
14 should be considered in the best interest of the ward or the estate  
15 of the ward. Subject to appeal or vacation within the time  
16 permitted, an order entered after the hearing of an annual report  
17 after notice adjudicates as to liabilities concerning the matters  
18 considered in connection with said hearing.

19 H. At a hearing upon an annual report the court may appoint an  
20 attorney to represent the ward who is an incapacitated or partially  
21 incapacitated person, in the same manner and with the same  
22 compensation as provided in this act for appointment of an attorney  
23 for the subject of the proceeding following the filing of a petition  
24 for appointment of a guardian or limited guardian of the person or

1 property of an alleged incapacitated or partially incapacitated  
2 person. The appointment of such attorney shall cease:

3 1. Upon the entry by the court of an order pertaining to the  
4 matters considered at such hearing, unless the court otherwise  
5 directs, either in the order appointing such attorney or in the  
6 order pertaining to the matters considered at such hearing;

7 2. Unless an appeal is taken from the order of the court  
8 pertaining to the matters considered at such hearing, in which event  
9 such attorney shall continue to represent the ward until final  
10 disposition of the appeal or as otherwise ordered by the court; or

11 3. Upon application of said attorney, the court may allow the  
12 attorney to withdraw from the case and shall appoint another  
13 attorney to represent the subject of the proceeding in any appeal  
14 proceeding.

15 SECTION 3. This act shall become effective November 1, 2013.

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17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03/27/2013 - DO  
18 PASS, As Amended.

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