

# ADULT GUARDIANSHIP AND CONSERVATORSHIP

## BILINGUAL FORMS

### PURPOSE

Bilingual Adult Guardianship and Conservatorship forms  
available to the public

#### Background

- Adult Guardianship and Conservatorship cases involve adults who have been adjudicated by a district court judge as incapacitated and unable to manage their personal, health or financial affairs. The incapacitated person is also known as a “protected person”.
- Often, family members are appointed to serve as a Guardian or Conservator for the protected person. Professionals or companies can also be appointed to serve as a Guardian or a Conservator for a protected person.
- All Guardians and Conservators are required by law to submit reports to the court with information regarding the protected person’s health, living situation and finances.
- Guardians and Conservators with limited English proficiency (LEP) need to understand their legal and fiduciary responsibilities and need the ability to provide the court with information about the protected person in their own language.
- In an effort to improve access for LEP Guardians and Conservator to mandatory required forms, NMAOC Language Access Services has made the following forms available in bilingual format:
  - 4-996 Guardian’s Report
  - 4-997 Conservator’s Inventory
  - 4-998 Conservator’s Report
  - 4-999.1 Grievance About Guardian or Conservator

Further, Guardians and Conservators can now fill out the above mentioned forms in Spanish. In addition, any Self-Represented Litigant, including the protected person, can now fill out a grievance about the court appointed Guardian and/or Conservator in Spanish.

- This measure will facilitate LEP Guardian and Conservator’s ability to communicate and comply with their legal obligations.

## HOW?

The following forms are now available in bilingual format:

- 4-996 Guardian's Report
- 4-997 Conservator's Inventory
- 4-998 Conservator's Report
- 4-999.1 Grievance About Guardian or Conservator

- The forms can be found at:
  - <https://languageaccess.nmcourts.gov/bilingual-forms/>
  - <https://adultguardianship.nmcourts.gov/formularios/>
- If Courts currently host Adult Guardianship and Conservatorship documents on their own webpage, the bilingual forms link must be added to the court's webpage.
- Spanish Bilingual forms must be made available to the public in the courthouses and on courts' websites.
- English-only Guardian and Conservator forms will remain available in the courthouses and on courts' websites.
- Courts are not permitted to customize the bilingual forms in any way other than adding their court's header.
- **Forms submitted by SRLs in Spanish must be accepted.** This practice will accommodate the need of LEPs at the first point of contact.
- Guardian and Conservatorship forms submitted in Spanish must be treated the same as those submitted in English
- "Treating the same" means accepting the document for filing and giving it the same legal weight
- **Courts must reasonably accommodate all languages per Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), Executive Order 13166 and Department of Justice regulation (this item will be included in the training). Courts must contact AOC Language Access Services for guidance on providing such accommodations;**
- The above does not apply to evidentiary materials. It is the responsibility of the parties and their counsel to secure translation of materials that are to be used as evidence during a proceeding. For evidentiary materials guidelines, see: <https://www.nmcenterforlanguageaccess.org/cms/en/courts-agencies/judges-portal>

## Procedure for Processing Guardian and Conservator Forms

### Procedure for Initiating Requests

- Stamp "received"/File the form in non-English language.

- o Scan and upload the document to:

Website: <https://zohomarco5941.zohocreatorportal.com/>

Username: [translations-grp@nmcourts.gov](mailto:translations-grp@nmcourts.gov)

Password: AOCLAS2020!

- AOC will return the translation to the court within fourteen (14) days, which must be kept together with the original document at all times. This includes in the court case file, Odyssey file, and when provided to the judge/hearing officer, parties and their counsel.

### **Other Languages:**

Although the forms are only provided in Spanish, courts must reasonably accommodate all languages per Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), Executive Order 13166 and Department of Justice regulation. Courts must contact AOC Language Access Services for guidance on providing such accommodations.

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