

**\*\*\*\*\*IMPORTANT INFORMATION\*\*\*\*\***  
**GUARDIAN AND CONSERVATOR ACTIONS**

**Proposed Guardian/Conservator Background and Credit Screenings**

§475.050, et seq. – See Also Senate Bill 806

**Effective August 28, 2018, Missouri law changed to require certain background screenings and credit history be on file and in evidence any all proposed guardians and conservators with only some exceptions:**

- Any proposed guardian/conservator is required to file a Background Screening, including a Criminal Records, disqualification lists of the Departments of Mental Health, Social Services, Health and Senior Services, abuse and neglect registries, and sex offender registry.
- The following persons are exempt from this new requirement: the Public Administrator, the ward's spouse, parent (grandparent), or adult child. Sec. 475.050.4-6 RSMo.
- The Missouri State Highway Patrol (MSHP) compiles and disseminates criminal history records. Fingerprinting is required for such background screening. The web site for the MSHP's fingerprinting vendor is [machs.mo.gov](http://machs.mo.gov) where it is referred to as a Personal Review Application. The Fingerprint online code number is 9999. Other background screenings can be obtained via DMH. Petitioner is also responsible for preparing and submitting a "Caregiver Background Screening Form". This Form and is located on the DMH website of <https://dmh.mo.gov/hr/careback>. The contact number for the MSHP CJIS Division for information regarding background checks and fingerprinting is (573) 526-6153.
- If appointment of a conservator or fiduciary is sought, the Petitioner must obtain and file a credit history investigation report on the proposed conservator from a private agency at their own expense.
- The Petitioner is responsible for obtaining required background screening reports and/or credit histories. Such reports must be certified either by affidavit or by obtaining a certified copy of the report. All required reports must be filed with the Court no later than 10 days prior to the final hearing or trial in the case. **The Court cannot enter an Order appointing a guardian or conservator until such reports are filed and reviewed. Sec. 475.050.6 RSMo.**

To avoid delays, make arrangements as soon as possible, to allow for the background checks to be processed and returned to the Court before you schedule a court date on an Application for Guardian or Conservator appointment.

**CAUTION:** This Notice is not a comprehensive summary of all the legal changes to Chapter 475 which have become effective as of August 28, 2018. **Please review Chapter 475 in full.**