

CHAPTER 91

AN ACT

[H. B. 97]

To amend Sections 62-1-5, 62-2-1, 62-2-3, and 62-2-14, Alaska Compiled Laws Annotated, 1949, relating to guardians and wards.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 62-1-5, Alaska Compiled Laws Annotated, 1949, is hereby amended to read as follows:

Bond by
Guardian.

Sec. 62-1-5. BOND. Every such guardian shall give bond, with surety or sureties, to the United States, in such sum as the commissioner may order, with conditions as follows:

Inventory.

First. To make a true inventory of all the real estate, and of all goods, chattels, rights, and credits of the ward that shall come to his possession or knowledge, and to return the same to the commissioner at such time as the latter may order;

Disposal
and
management.

Second. To dispose of and manage all such estate and effects according to law and for the best interest of the ward, and faithfully to discharge his trust in relation thereto, and in relation to the custody, education, and maintenance of the ward;

Accounting.

Third. To render, on oath, an account of the property in his hands, including the proceeds of all real estate sold by him, and of the management and disposition of all such property, within a year after his appointment, and annually thereafter, and at such other times as the Commissioner shall direct;

Fourth. At the expiration of his trust, to settle his accounts with the commissioner or with the ward or his legal representative, and to pay and deliver over all the estate and effects remaining in his hands, or due from him on such settlement, to the person or persons who shall be legally entitled thereto.

Expiration
of trust.

Section 2. That Sec. 62-2-1, Alaska Compiled Laws Annotated, 1949, is hereby amended to read as follows:

Sec. 62-2-1. POWERS AND DUTIES OF GUARDIANS: VETERANS ADMINISTRATION A PARTY IN INTEREST: NOTICE TO BE GIVEN. Every guardian appointed under the provisions of this Chapter shall pay all just debts due from his ward out of his personal estate, if sufficient, and if not, out of his real estate, upon obtaining a license for the sale thereof, as provided by law. He shall also settle all accounts of the ward and demand, sue for, and receive all debts due to him, or may, with the approbation of the commissioner, compound for the same and give a discharge to the debtor upon receiving a fair and just dividend of his estate and effects, and he shall appear for and represent his ward in all legal actions and proceedings, unless when another person is appointed for that purpose as guardian or next friend; Provided that whenever it may appear, in any proceeding affecting the administration by any guardian of an estate of any ward, that the estate of such ward includes or may include assets derived in whole or in part from benefits paid or to be paid by the Veterans Administration, the Administrator of Veterans Affairs shall be a party in interest in such proceeding and not less than 30 days prior to any hearing

Payment
of debts.

Veterans
assets.

or proceeding in such matter notice in writing of the time and place thereof shall be given by mail (unless waived in writing) to the office of the Veterans Administration having jurisdiction over the area in which such hearing or proceeding is pending.

Section 3. That Sec. 62-2-3 Alaska Compiled Laws Annotated, 1949, is hereby amended to read as follows:

Sec. 62-2-3. INVENTORY AND APPRAISEMENT OF ESTATE: ACCOUNTING AND DISPOSITION OF PERSONAL ESTATE: NOTICE TO VETERANS ADMINISTRATION WHEN A PARTY IN INTEREST. Upon the taking of any inventory, as required by this chapter, the estate and effects comprised therein shall be appraised by three suitable persons, to be appointed and sworn in like manner as is required with respect to the inventory of a deceased testator or intestate; and every guardian shall, within one year from the notice of his appointment, and annually thereafter until the guardianship is completed and he is discharged from his trust, render an account verified by his oath, and file the same with the commissioner, showing the amount of money received and expended by him, from whom received and to whom paid, with the proper vouchers for such payment, an inventory of property of the ward including investments and securities and balance of cash on hand and on deposit and any other matter necessary to show the condition of the ward's estate and shall dispose of the personal estate of his ward in like manner as is directed with respect to executors and administrators; Provided that at the time of filing any account, every guardian who has received for the benefit

Appraisal.

Annual
Accounting.

Notice to
Veterans
Administration.

of his ward any money or thing of value from the Veterans Administration or earnings, interest or profits derived therefrom, shall not less than 30 days prior to any hearing thereon mail a copy thereof to the office of the Veterans Administration having jurisdiction over the area in which the court is located, and mail to said office a certified copy of each accounting as settled and of the order of court approving same.

Section 4. That Sec. 62-2-14 Alaska Compiled Laws Annotated, 1949, is hereby amended to read as follows:

Sec. 62-2-14. EXPENSES AND COMPENSATION OF GUARDIANS. Every guardian shall be allowed the amount of all his reasonable expenses incurred in the execution of his trust, and shall also have such compensation for his services as the commissioner before whom his accounts are settled shall consider just and reasonable; Provided that the compensation of any guardian computed upon the estate of any ward derived from benefits paid by the Veterans Administration shall not exceed five percent of such estate except that in the event of extraordinary services by any guardian, the court may authorize reasonable additional compensation therefor.

Expenses
of guardians.

Approved March 23, 1951.