

FEE SCHEDULE FOR ADULT CONSERVATORSHIPS
Effective July 1, 2020

PAYMENT IS DUE AT THE TIME YOU FILE AN INVENTORY OR ACCOUNT.
ALL CHECKS SHOULD BE MADE PAYABLE TO: COMMISSIONER OF ACCOUNTS.
Credit card payments are not accepted.

Inventory Fee for Adult Conservatorships

Fee Based on Total Asset Value (Parts 1, 2, 5 and 8 of Form CC-1671)

Value	Fee
\$0 to \$50,000	\$110
\$50,001 to \$200,000	\$165
\$200,001 to \$500,000	\$220
\$500,001 and above	\$275

Amended Inventory – FOLLOW THE ABOVE FEE SCHEDULE, plus Clerk’s recording fee*

First Account Fees for Adult Conservatorships

Fee Based on Beginning Assets from Inventory, plus Receipts, Gains on Asset Sales and Positive Adjustments (Lines 1, 2, 3 and 4 of the Account Summary Form CC-1682)

Value	Fee
\$0 to \$50,000	\$220, plus Clerk’s recording fee*
\$50,001 to \$100,000	\$330, plus Clerk’s recording fee*
\$100,001 to \$200,000	\$440, plus Clerk’s recording fee*
\$200,001 to \$300,000	\$550, plus Clerk’s recording fee*
\$300,001 to \$500,000	\$660, plus Clerk’s recording fee*
\$500,001 to \$700,000	\$770, plus Clerk’s recording fee*
\$700,001 to \$1,000,000	\$880, plus Clerk’s recording fee*
\$1,000,001 and above	\$880, plus .0005 in excess of \$1,000,000.00, not to exceed a total fee of \$11,000 except as may be approved by the Court, plus Clerk’s recording fee*

Note: “Assets from Inventory” for a Conservatorship includes real property over which the Conservator has the power of sale and real or personal property in which the incapacitated person has an interest but will pass to another at the incapacitated person’s death (Part 1,2 and 5 of the Inventory). “Additions” are receipts, gains on asset sales, and positive adjustments (Lines 2, 3, and 4 of the Account)

Second and Subsequent Accounts (FORM-1682)

The fee shall be determined by applying the above fee schedule to the assets brought forward (at market value) plus additions (receipts, gains on assets sales and positive adjustments) during the accounting period. The maximum fee shall not exceed \$8,250.00 except as approved by the Court.

NOTE: If the ward is a Medicaid recipient, the maximum account filing fee is \$25, plus the Clerk’s recording fee* (VA Code §64.2-1305)

***Clerk's Recording Fees** *(based on the number of pages to be recorded – account summary form and itemized lists)*

Ten (10) or fewer pages	\$18
Eleven (11) to Thirty (30) pages	\$32
Thirty-One (31) or more pages	\$52

Postage and Miscellaneous Charges

Return Postage for Supporting Documentation	\$3 or postage rate (whichever is greater)
Photocopies	.50 cents per copy
Long Distance Phone Charges	Actual charges incurred
FAX Charges	.50 cents per page & actual charges incurred

Exceptional Time Involved in Auditing an Inventory or Account

When the audit of an inventory or account requires exceptional time, an hourly fee will be charged based on the quality, completeness, and accuracy of the Inventory or Account taking into consideration the following factors:

1. Time spent by the Commissioner and/or his or her staff in auditing an inventory or account and reviewing the supporting documentation;
2. Time spent making corrections to or assisting in the preparation of a proper inventory or account, or obtaining the necessary supporting documentation;
3. The dollar value, number, and nature of assets in the estate, and the assets outside of the estate which impact on the distribution of the probate estate;
4. Time spent on research and rendering decisions on questions of law;
5. Necessity for the Commissioner and/or his or her staff to review tax returns or other documents;
6. Time spent addressing complaints of beneficiaries concerning the inventory and/or account;
7. Necessity for the Commissioner to conduct hearings, confer or correspond with personal representatives, beneficiaries, and/or creditors on matters not normally required to be addressed during the administration of an estate;
8. Time spent reviewing a complex estate distribution scheme, including the apportionment of taxes, funding bypass trusts and marital shares or trusts and computations of beneficiary shares, including elective shares, allowances and exemptions; and
9. Any other matters deemed relevant by the Commissioner.

The hourly rates are:

\$275 per hour for Commissioner

\$100 per hour for Auditor

Assessments for Failure to Timely File a Proper Inventory or Account

The following are assessments that may be made against the fiduciary personally** for failure to file a proper Inventory or Settlement of Account together with all necessary supporting documentation.

Notice of failure to timely file proper inventory or account	\$30
Notice of failure to timely file proper inventory, account or requested documentation	\$30
Summons	\$85
Report to Court for failure to comply with summons	\$165
Commissioner's appearance in Court	\$220
Commissioner's report to Court of compliance, request for extension, etc.	Hourly rate

****Fees cannot be paid with Conservatorship funds**

Additionally, the Personal Representative is subject to:

- 1) Personal liability pursuant to *Virginia Code § 64.2-1218*;
- 2) Court fines of up to \$500.00 pursuant to *Virginia Code § 64.2-1215*;
- 3) Being held in contempt of Court for non-compliance pursuant to *Virginia Code § 64.2-1215*; and,
- 4) Forfeiture of commission pursuant to *Virginia Code § 64.2-1217*.

In accordance with *Virginia Code § 64.2-1216*, any Personal Representative who is a practicing attorney at law that fails to respond to a summons within the time allowed must be reported to the Virginia State Bar.

Please mail your completed Inventory and/or Account and supporting documentation to:

Melinda Dickerson Hetzel
Commissioner of Accounts
4 Cornwall Street, NE
Leesburg, VA 20176

Please be sure to include a check for the appropriate fees, payable to:
Commissioner of Accounts (credit card payments are not accepted)

Should you have any questions, please contact the Commissioner of Accounts office at 703-777-5300 or via email at coa@coaloudoun.com.