

OBLIGATIONS OF CURATOR OF THE PERSON

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The curator of the person has to use reasonable care, diligence, and prudence when acting as curator of the person.

The curator of the person decides where the interdict lives, social activities, and medical care.

The obligations of the Curator can be summed up in one word: **COMMUNICATION:**

- A. Communication with the interdict;**
- B. Communication with the undercurator;**
- C. Communication with the court;**

A. COMMUNICATION WITH THE INTERDICT.

Once appointed and in receipt of the Letters of Curatorship, the first duty of the curator is to communicate with the interdict as much as possible considering their medical situation.

Some questions for the interdict:

- 1. Where does the interdict want to live?*
- 2. Where can the interdict afford to live?*
- 3. What social activities does the interdict enjoy?*
- 4. Who are the friends and family of the interdict that might want to visit or communicate with the interdict?*

COMMUNICATE WITH THE CURATOR OF THE Property regarding finances, living expenses, and life style.

Determine if the interdict can maintain the same living arrangement and lifestyle that existed before the Interdiction.

Visit with the interdict at least once a month or more often if necessary. Discuss any medical changes with the interdict as they occur throughout the curatorship.

COMMUNICATE WITH THE DOCTOR/S, DENTISTS, MEDICAL PROFESSIONALS. Visit the medical professionals with the interdict to

introduce yourself, provide a copy of the Letters of Curatorship to the medical professionals, and your contact information. Visit pharmacies for same reason.

Keep a list of all prescriptions, with amounts, doctors & phone numbers.

Keep in mind all of the options today to assist with the care of the interdict such as banking app, grocery app, and facetime for virtual visitation with family and/or friends.

Collect all of the documents belonging to the interdict, such as all powers of attorney, living wills, DNR orders, and Last Wills and Testaments,

A curator has to allow communication, visitation, and interaction between an interdict who is over the age of eighteen years and a relative of the interdict by blood, adoption, or affinity within the third degree, or another individual who has a relationship with the interdict based on or productive of strong affection if it would serve the best interest of the interdict.

If there are family or friends who the interdict wants to see, but the curator of the person has concerns regarding that relationship, consider supervised visits, visits in public places, or a restaurant. Telephone contact should be allowed

WARNING: A curator can be removed for good cause, which can include not allowing communication, visitation, or interaction when in the best interest of interdict.

DEVELOP A PLAN OF CARE FOR INTERDICT as soon as possible, reflecting interdict's goals and share with undercurator and curator of property.

Include in the Plan of Care:

1. *Where the interdict will live;*
2. *List the interdict's medical condition/s;*
3. *What social or educational programs will benefit interdict;*
4. *What is visitation plan and with whom.*

Review of the care of plan every six months or more often if crisis occurs.

B. COMMUNICATION WITH THE UNDERCURATOR;

A curator must inform the undercurator reasonably in advance of any material changes in living arrangements of the interdict and any transactions materially affecting interdict's person.

Undercurator has to review any court documents before filing and given an opportunity to object or concur, including annual reports.

Undercurator should be your ally. Keep undercurator in loop always.

Undercurator has free access to the interdict and all records of the interdict.

C. COMMUNICATION WITH THE COURT:

A curator can't move the interdict outside this state without prior court authorization.

A curator can't consent to an abortion or sterilization of the interdict without prior court authorization.

Neither a curator nor a court shall admit or commit an interdict to a mental health treatment facility except in accordance with the provisions of R.S. 28:50 through 64.

Curator of person has to file an annual report to the court or more often if requested or ordered by the court. Report also has to be filed at the termination of the interdiction.

ANNUAL REPORT has to include where the interdict lives, if there are any changes in the interdict's residence, the interdict's medical status and any changes to that; socialization of interdict including activities of the interdict; and visitation by family and friends as well as curators. **Form is available at goea.la.gov, legal self-help, interdiction checklist...**

Finally, communicate all of your activities in a journal, including all dates, your activities, who you spoke to, and outcome.

Keep copies of all documents that you reviewed and received

throughout the entire interdiction. This will protect you and be accessible to remind you of what you have done for the interdict.

For more information, go to [GOEA.La.gov](https://www.goea.la.gov) legal self-help and click on INTERDICTION Q & A and INTERDICTION CHECKLIST.

Website link: <https://www.goea.la.gov/resources/legal-self-help-page/>