

Rule 202. Trustees, conservators, guardians, guardians ad litem, and other fiduciaries.

(a) To report conflicting interest.

Whenever a trustee, conservator, guardian, guardian ad litem, or other fiduciary has occasion to sue or defend in behalf of an infant or incompetent person concerning a matter in which he has a possible conflicting interest, he shall report the facts in writing to the Court so that it may take appropriate action.

(b) Guardians ad litem: Members of bar to be appointed.

Except for special cause shown no person other than a member of the bar of this Court shall be appointed guardian ad litem.

(c) Application for the appointment of a successor, substitute or additional trustee shall be by petition with notice to parties, if any, and affected persons, who shall include only all then serving trustees, present income beneficiaries and then living remaindermen who would receive trust assets if all income beneficiaries had died on the date of filing of the petition raising the matter at issue. The Court may modify the foregoing in accordance with Probate Rule 4(b). A guardian ad litem shall not be required for such an appointment.

(d) Except for good cause shown, only a person residing within the area of the subpoena power of the Court or any bank or trust institution authorized to serve in a fiduciary capacity, or a member of the bar authorized to practice law before this Court, shall be appointed by the Court as conservator, committee, or trustee of another.

(e) No fiduciary appointed by this Court shall, without prior Court approval, remove or maintain outside the District of Columbia any personal assets held in a fiduciary capacity, except securities held in book entry form or in the custody of an institution mentioned in Probate Rule 204(d)(4).

(f) A fiduciary appointed by this Court who is or becomes a nonresident of the District of Columbia or is continuously absent therefrom for more than sixty days, shall within ten days after qualifying as fiduciary or becoming such nonresident or absentee, file with the Register of Wills a like power of attorney to that provided by *D.C. Code § 20-303(b)(7)*. Failure to file the power of attorney within the time provided shall be cause for removal of the fiduciary from office.