

State	Statute	Immunity
Alabama	26-2A-108	Guardian not liable for ward's or third party acts
Alaska	13.26.305	None, conservator is immune unless "personally at fault"
Arkansas	28-65-109, 318	None, Statute allows for action by ward against guardian; guardian liable if their actions in a claim injures estate
Arizona	14-5312, 14-5429	Not liable for acts of ward against third party; conservator is liable if personally at fault
California	1800	None
Colorado	15-14-316	Guardian not liable for third party acts, doesn't have to pay out of personal funds
Connecticut	45a-683	Limited Guardians immune when acting in good faith, not including gross negligence
Delaware	3922	Guardian not liable for third party acts, doesn't have to pay out of personal funds
Florida	744.358, 359	Guardian not liable for ward's acts; Guardian shall not abuse neglect or exploit a ward
Georgia	29-5-93	None, statute specifically allows for actions against conservator by ward or interested person
Hawaii	560:5-316	Guardian not liable for ward's or third party acts, doesn't have to pay out of personal funds
Idaho	15-5-312	Guardian not liable for third party acts, doesn't have to pay out of personal funds
Illinois	Sec. 11a-17	Guardian has no liability for third party acts
Indiana	IC 29-3-11-4	Immune except for gross misconduct
Iowa	633.633A, B	Guardians and conservators not liable unless breach of fiduciary duty or willful or wanton misconduct
Kansas	59-3075	Guardian not liable for third party acts
Kentucky	387.66	None
Louisiana	4566	None
Maine	5-120	Guardian and Conservator are not liable for acts of ward
Maryland	13-708, 710	Guardian not liable for ward's acts, immunity in court proceedings such as reports or judicial proceedings
Massachusetts	5-309	Guardian is not personally liable expenses nor to third persons for acts of the incapacitated person.
Michigan	700.5314	Guardian not liable to third party for ward's acts, in powers and duties section
Minnesota	524.5-313, 315	No personal or monetary liability for failure of care and maintenance, not liable for third party acts or acts of ward
Mississippi	93-20-120	Guardian not personally liable for act or omission of the ward
Missouri	475.120, 132	Doesn't have to pay out of personal funds, Conservator is liable only when personally at fault
Montana	72-5-321, 324	Guardian not liable to third party for ward's acts, termination does not affect guardian's liability
Nebraska	30-2628	Guardian not liable to third party for ward's acts, in powers and duties section
New Hampshire	464-A:39	None, resignation does not release guardian from any act or omission occurring during appointment
New Jersey	3B:12-56, 52:27G-33	Guardian need not pay from personal funds, not liable for third party acts or acts of ward; Requires professional guardians to have insurance
New Mexico	45-5-108	Guardian or conservator is not personally liable for act or omission of ward
Nevada	159.085	None, Conservator can be liable for neglect
New York	81.22	None
North Carolina	35A-1241	A guardian acting within the limits of this section is not liable for damages by reason of third party act or medical treatment if acting in good faith and was not negligent
North Dakota	30.1-28-06	None, Termination does not affect liability
Ohio	2111.151	Guardian is not liable for contract of ward unless their negligence resulted in the debt
Oklahoma	30-4-901, 30-3-118	Guardian who willfully violates or misuses powers and causes injury is liable for damages; No liability for third party acts unless parent would have been liable
Oregon	125.685, 125.315	Except for intentional misconduct or grossly negligent, volunteer public guardians are immune when acting in good faith; Guardian not liable for third party acts or negligence
Pennsylvania	5521	In the absence of gross negligence, recklessness or intentional misconduct, a unit of local government, nonprofit corporation or guardianship support agency shall not be criminally liable or civilly liable
Rhode Island	33-154.4	Good Samaritan guardians immune except acts or omissions constituting gross negligence or willful or wanton conduct
South Carolina	62-5-309	Guardian not liable for ward's acts or third party acts given reasonable care in choosing provider
South Dakota	29A-5-414	Guardian not liable for acts of protected person unless guardian is personally negligent, not required to use personal funds
Tennessee	Title 34	None
Texas	1151.105	None, Conservator is liable if willful neglect to use ordinary diligence
Utah	75-5-312	Guardian is not liable to third party for ward's acts
Vermont	14 V.S.A. § 3071	None
Virginia	64.2-2019	Guardian not liable for acts of incapacitated person unless personally negligent; not required use personal funds
Washington	11.130.115	Guardian or conservator is not personally liable for act or omission of individual subject to guardianship or conservatorship
West Virginia	44A-3-13	May be held personally liable for breach of duty, not liable for acts of protected persons unless personally negligent, not required to use personal funds
Wisconsin	54.18 (4)	Guardian is immune if acts in good faith, in best interests of the ward and diligence and prudence that an ordinary person exercises in own affairs
Wyoming	3-2-201	No liability for third party acts unless parent would have been liable

Key

Potentially creates cause of action against guardian

No immunity or minimal liability protections

No third party liability, limited liability protections

Qualified Immunity

Blanket Immunity