

## Guardianship Petition Packet with Instructions

The forms in this packet may be used to request or petition the Court for guardianship of a child when the parents are unable to care for the child.

### To Petition for Guardianship of the Person:

- Complete this packet.
- Review for completeness. You may make an appointment for the Court to assist you in reviewing for completeness if you attended a Guardianship Clinic and have attempted to complete the packet.
- Once you have completed and reviewed the packet, make two (2) complete photocopies of all completed documents in the packet. Place the copies of each document in order behind the original of the document.
- Bring the completed originals and two (2) photocopies to the Probate Clerk's Office (B.F. Sisk Courthouse, 3<sup>rd</sup> Floor).
- The Probate Clerk will file your original packet, provide one copy to the Court Investigator, and return to you one file-stamped copy of the documents in your packet.

Once filed, your copy will have the case number and hearing date filled in.

- Someone over 18 and not party to the case (not you) must personally serve or hand-deliver a copy of the Notice of Hearing and a copy of the Petition and its attachments to the parents and to the child if he or she is age 12 or older.

You will also need to have all grandparents and any siblings of the child that are age 12 or older served with copies. They can be served by mail.

Service must be completed at least 15 days before your hearing date.

The person who serves the documents for you must fill out and sign the proof of service on the Notice of Hearing. Then bring the Notice of Hearing back to the Probate Clerk's Office with the proof(s) filled out and file it before your hearing date.

### Mandatory Forms Checklist:

- Court Guardianship Questionnaire
- GC-210P** Petition for Appointment of Guardian of the Person
- GC-210(CA)** Guardianship Petition–Child Information Attachment (one for each child)
- GC-211** Consent of Proposed Guardian, Nomination of Guardian, and Consent to Appointment of Guardian and Waiver of Notice (copy as needed)
- GC-212** Confidential Guardian Screening Form
- FL-105/GC-120** Declaration Under Uniform Child Custody and Jurisdiction Enforcement Act (UCCJEA)
- FL-105(A)/GC-120(A)** Attachment to Declaration under UCCJEA
- GC-020** Notice of Hearing – Guardianship or Conservatorship
- GC-240** Order Appointing Guardian of Minor
- GC-248** Duties of Guardian
- GC-250** Letters of Guardianship

### Additional Optional Forms:

- GC-510** What is "Proof of Service" in a Guardianship
- MC-025** Attachment to Judicial Council Form (copy as needed)
- MC-030** Blank Declaration Form (copy as needed)

### Additional Forms if the child has Indian (Native American) Ancestry:

- ICWA-005-INFO** Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding for Indian Child
- ICWA-030** Notice of Child Custody Proceeding for Indian Child
- ICWA-030(A)** Attachment to Notice of Child Custody Proceeding for Indian Child