

Instructions For **GUARDIAN AD LITEM**

WHEN TO USE THIS PACKET

Use this packet if you are under 18 and have not been emancipated and are the parent of a child and you want to file paper work to establish paternity and/or to get orders for custody, visitation and support for your child.

STEPS IN PREPARING THE GUARDIAN AD LITEM:

The forms in this packet can be used if you are a minor and are the parent of child. If you are a minor you cannot represent yourself in a court action and need to have the court appoint you a Guardian Ad Litem. You can chose one of your parents or another adult to be your Guardian Ad Litem for the purpose of getting an order for custody, visitation and support of your child. This packet is completed along with a Petition to Establish Parental Relationship or to respond to a Governmental Summons and Complaint.

1. **COMPLETE THE FORMS IN THIS PACKET**
2. **HAVE THE FRESNO SUPERIOR COURT SELF-HELP CENTER REIVEW YOUR COMPLETED DOCUMENTS**

**THE FRESNO SUPERIOR COURT SELF-HELP CENTER
WILL GIVE YOU FURTHER INSTRUCTIONS**

FORMS NEEDED ARE AS FOLLOWS:

1. APPLICATION AND ORDER FOR APPOINTMENT OF
OF GUARDIAN AD LITEM OF MINOR

FL-935

SAMPLE

FORMS

How to fill out

APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR – FAMILY LAW (FL-935)

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known leave it blank.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) or GOVERNMENTAL AGENCY:		FOR COURT USE ONLY
1		
TELEPHONE NO. (Optional):	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
CHILD'S NAME:		
PETITIONER:		
RESPONDENT:		
OTHER PARENT:		
5 APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW EX PARTE		CASE NUMBER:
NOTE: This form is for use in family law proceedings with the exception of dissolution proceedings. For appointment of a guardian ad litem in civil proceedings, use form 982(a)(27). For appointment of a guardian ad litem in probate proceedings, use form DE-350/GC-108.		
1. I (name) 6 am the		
a. <input type="checkbox"/> attorney for:		
(1) <input type="checkbox"/> minor.		
(2) <input type="checkbox"/> parent of the minor.		
(3) <input type="checkbox"/> other interested person (specify name and relationship):		
7 b. <input type="checkbox"/> parent of the minor.		
c. <input type="checkbox"/> other interested person.		
d. <input type="checkbox"/> minor (answer all that apply to you):		
(1) My date of birth is (specify):		
(2) I live with my <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> legal guardian <input type="checkbox"/> other (specify name and relationship):		
(3) My mother's name is (specify): , and her address is:		
(4) My father's name is (specify): , and his address is:		
(5) <input type="checkbox"/> I have a legal guardian. My legal guardian's name is (specify): , and his or her address is:		
The guardianship was established in: County, case no. (if known):		
2. I ask the court to appoint the following persons guardian ad litem for the minor (state name, address, and telephone no.):		
8		
3. The relationship of the person listed in item 2 to the minor is		
a. <input type="checkbox"/> parent		
b. <input type="checkbox"/> other (specify): 9		
4. Appointment of a guardian ad litem is necessary because (specify):		
10		
11 <input type="checkbox"/> Continued on Attachment 4 (describe in detail, attach additional pages if necessary).		

Form Approved for Optional Use
Judicial Council of California
FL-935 (New January 1, 2004)

Page 1 of 2
Code of Civil Procedure § 372
Family Code § 7630

- 1 Write your name, address, phone, and fax number (if you have one).
- 2 If not filled in for you, write "Fresno" after COUNTY OF. The address is: 1100 Van Ness Ave., Fresno CA 93724-0002. The Branch Name is: Central Division.
- 3 Fill in the name of the minor parent child in this case.
- 4 Fill in the names of the Petitioner and Respondent. (The Petitioner is the person that starts a case against a person, the Respondent.) Fill in the name of any other person in this case, if it applies.
- 5 *Ex parte* means one side of the case is not present or not represented. Check the box if this applies.
- 6 Fill in your name after I (name of the minor parent).
- 7 Check the Box 1(a) and Box d. Write in the minor parent's date of birth, check the box to show who you live with, write in your mother's name and address and your father's name and address.
- 8 Fill in the name of the person who is applying to be the minor parent's guardian. Include an address and phone number.
- 9 Check the box that describes the proposed guardian's relationship to the minor parent: parent (a) or other person (b). If other person, explain the relationship (example: minor parent's grandparent).
- 10 Explain why a guardian for the child is needed. Example: "I am a minor and cannot represent myself in court."
- 11 If you need more space to write the reason why a guardian is needed, check this box. Attach additional pages and write Attachment 4 at the top of each page used.

APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR – FAMILY LAW (FL-935)

- page two -

DIRECTIONS:

- ▶ Find a number on the sample form
Example: 12
- ▶ Go to the same number below to find out how to fill out the form
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known leave it blank.

CHILD'S NAME: PETITIONER: RESPONDENT: OTHER PARENT:	12	CASE NUMBERS:
--	-----------	---------------

5. The proposed guardian ad litem is fully competent to understand and protect the rights of the minor and has no interests conflicting with those of the minor.

Date: **13**

14 CONSENT TO ACT AS GUARDIAN AD LITEM

I consent to the appointment as guardian ad litem and agree to assume the responsibilities.

Date: _____

15 CONSENT TO GUARDIAN BY MINOR 14 YEARS OF AGE OR OLDER

I, (name): _____, am (specify age): _____ years of age and hereby nominate (name): _____ to be my guardian ad litem to represent my interests for the reasons set forth in items 4 and 5 of this application.

Date: _____

16 ORDER EX PARTE

THE COURT FINDS
It is reasonable and necessary to appoint a guardian ad litem for the person named in the application, as requested above.

THE COURT ORDERS that (name): _____ is hereby appointed guardian ad litem of (name): _____ for the purposes hereinabove set forth in item 4 of the petition.

Application for Appointment of Guardian ad Litem filed (date): _____

a. is denied.

b. is granted.

c. is set for hearing on (date): _____ at (time): _____

Date: _____

JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT

FL-935 (New January 1, 2004) APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW Page 2 of 2

- 12** Fill in the minor parent's name, the name of the Petitioner and Respondent, and the name of the Other Parent (if it applies).
- 13** Fill in the date and type or print the proposed guardian's name on the left. The proposed guardian signs his/her name on the right
- 14** Fill in the date and type or print the proposed guardian's name on the left. The proposed guardian signs his/her name on the right.
- 15** If you are a minor age 14 or older, write in your name and age, and the name of the person you want to be your guardian. Print and sign your name, and write in today's date.
- 16** STOP! Do not fill out this section.

BLANK

FORMS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) or GOVERNMENTAL AGENCY: TELEPHONE NO. (Optional): _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO STREET ADDRESS: 1100 Van Ness Avenue MAILING ADDRESS: CITY AND ZIP CODE: Fresno, California 93724-0002 BRANCH NAME: Central Branch	
CHILD'S NAME:	
PETITIONER: RESPONDENT: OTHER PARENT:	
APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW <input type="checkbox"/> EX PARTE	CASE NUMBERS:
NOTE: This form is for use in family law proceedings with the exception of dissolution proceedings. For appointment of a guardian ad litem in civil proceedings, use form CIV-010. For appointment of a guardian ad litem in probate proceedings, use form DE-350/GC-100.	

1. I (name): _____ am the
- a. attorney for
- (1) minor.
- (2) parent of the minor.
- (3) other interested person (specify name and relationship):
- b. parent of the minor.
- c. other interested person.
- d. minor (answer all that apply to you):
- (1) My date of birth is (specify): _____
- (2) I live with my mother father legal guardian other (specify name and relationship): _____
- (3) My mother's name is (specify): _____, and her address is: _____
- (4) My father's name is (specify): _____, and his address is: _____
- (5) I have a legal guardian. My legal guardian's name is (specify): _____, and his or her address is: _____
- The guardianship was established in: _____ County, case no. (if known): _____
2. I ask the court to appoint the following personas guardian ad litem for the minor (state name, address, and telephone no.):
3. The relationship of the person listed in item 2 to the minor is
- a. parent
- b. other (specify): _____
4. Appointment of a guardian ad litem is necessary because (specify):

Continued on Attachment 4 (describe in detail, attach additional pages if necessary).

CHILD'S NAME: PETITIONER: RESPONDENT: OTHER PARENT:	CASE NUMBERS:
--	---------------

5. The proposed guardian ad litem is fully competent to understand and protect the rights of the minor and has no interests conflicting with those of the minor.

Date: _____

_____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF APPLICANT)

CONSENT TO ACT AS GUARDIAN AD LITEM

I consent to the appointment as guardian ad litem and agree to assume the responsibilities.

Date: _____

_____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF PROPOSED GUARDIAN)

CONSENT TO GUARDIAN BY MINOR 14 YEARS OF AGE OR OLDER

I, *(name)*: _____, am *(specify age)*: _____ years of age and hereby nominate
(name): _____ to be my guardian ad litem to represent my interests for the
 reasons set forth in items 4 and 5 of this application.

Date: _____

_____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF PETITIONER)

ORDER **EX PARTE**

THE COURT FINDS
 It is reasonable and necessary to appoint a guardian ad litem for the person named in the application, as requested above.

THE COURT ORDERS that *(name)*: _____ is hereby appointed guardian ad
 litem of *(name)*: _____ for the purposes set
 forth in item 4 of the application.

Application for Appointment of Guardian ad Litem filed *(date)*: _____

a. is denied.
 b. is granted.
 c. is set for hearing on *(date)*: _____ at *(time)*: _____

Date: _____

 JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT