

**MADERA COUNTY SUPERIOR COURT  
STATE OF CALIFORNIA**

**Guardianship of the Person Only – PACKET**

Guardianship is when a court orders someone other than the child's parent to have custody of the child. The information in this section is about probate guardianships. These cases are brought by the person seeking to be appointed guardian or by someone else in the family asking the court to appoint a guardian. If custody of the minor was awarded to a non-parent through the juvenile dependency court, this does NOT apply. If Child Protective Services (CPS) is involved in your case, you probably have to go to the juvenile court to find out what you can do.

If you are in need of temporary guardianship before your hearing on your general petition for guardianship, you may also complete and fill out the *Petition for Appointment of Temporary Guardian of the Person (Form GC-110(P))*. The court may grant Letters of Temporary Guardianship if there is an immediate and compelling need. The hearing for the temporary petition will generally be set in five to ten court days. **Pursuant to Probate code section 2250(e)(1), unless the court for good cause otherwise orders, not less than five (5) court days before the hearing on the petition for temporary, notice of the hearing shall be personally given to the parents, the proposed ward if he or she is 12 years of age or older, and any person having a valid visitation order.** If you are unable to provide notice the court may waive (excuse) or change the requirement if you can show the court good cause why an exception should be made. Complete item #9b on page 3 of the *Petition for Appointment of Temporary Guardian of the Person*. If you are requesting for notice to be waived, all ex-parte Guardianships must be turned in by **10:00 a.m. the day BEFORE** you plan on having your hearing. All ex-parte hearings are heard at **8:15 a.m.** in the department told to you by the clerk.

If you are seeking to become a guardian, you must read the *Guardianship Pamphlet (Form GC-205)*. You can use *Forms You Need to Ask the Court to Appoint a Guardian of the Person (Form GC-505)* for further information on the process of filing for guardianship.

**1. Fill out your forms:**

- *Petition for Appointment of Guardian of the Person (Form GC-210(P))* if you are asking for guardianship of the person only.
- *Petition for Appointment of Temporary Guardian of the Person (Form GC-110(P))* only if you are asking for temporary orders.
- *Guardianship Petition--Child Information Attachment (Form GC-210(CA))* fill one out per child.
- *Notice of Hearing--Guardianship or Conservatorship (Form GC-020)*
- *Consent of Proposed Guardian, Nomination of Guardian, Consent to Appointment of Guardian and Waiver of Notice (Form GC-211)*
- *Duties of Guardian (Form GC-248)*
- *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (Form FL-105/GC-120)*
- *Confidential Guardian Screening Form (Form GC-212)* fill one out per guardian.
- *Parental Notification of Indian Status (Form ICWA-020)* for each parent of the child and the people asking to be appointed guardian. You do not need this form to start your case, but you will need it early on. If the parents are going to consent to the appointment of you as a guardian, have them each sign this form too.
- *Letters of Temporary Guardianship (Form GC-150)*
- *Order Appointing Temporary Guardian (Form GC-140)*
- *Letters of Guardianship (Form GC-250)*
- *Order Appointing Guardian or Extending Guardianship of the Person (Form GC-240)*
- *Court Order Appointing Superior Court Investigator in Probate Guardianship (Local Form MAD-FCS-001)* used if guardian is a relative.
- *Court Order Appointing Child Protective Services in Probate Guardianship (Local Form MAD-FCS-002)* used if guardian is a non relative.
- *Petitioner(s) Screening Form (Local Form MAD-FCS-013)*

**2. Have your forms reviewed.** Ask the court's [family law facilitator/self-help center](#) (located on the 1<sup>st</sup> Floor) to review your paperwork. You can also hire your own lawyer to review your papers or to get legal advice.

**3. You will need copies.** You will need a minimum of 2 copies. The original is for the court, one copy for you, the other will be for the people who will have get served. You may need to make more copies.

**4. File your forms with the court clerk.** Take your forms to the Civil Division (located on the 4<sup>th</sup> Floor). The clerk will keep the original and return the copies to you file stamped. You will have to pay a filing fee. If you cannot afford the fee, you can ask for [fee waiver](#).

# GET STARTED ON YOUR DOCUMENTS NOW!

You can begin the process from your phone, your computer at home, or one of the computers in the Self Help Center.



## This option is available for these case types:

- Divorce
- Request for and Response to Domestic Violence Restraining Order
- Guardianship
- Name Change
- Parentage
- Small Claims
- Civil Harassment Restraining Order and Response
- Elder Abuse Restraining Order Petition and Response

## To get started:

- 1** Go to [www.sharpcourts.org](http://www.sharpcourts.org) and click on the “Online Resources” tab.
- 2** Select the case type with which you need help.
- 3** We strongly recommend that you create an account so that you do not lose your work. You can note your username and password below. Keep this in a safe place!

**Username:** \_\_\_\_\_ **Password:** \_\_\_\_\_

- 4** Fill out the prompts.
- 5** When finished, have the Self Help Center review your paperwork. Their information is below.

---

### Madera Family Law Facilitator / Self Help Center

200 South “G” Street, Madera, CA 93637

Mon-Fri: 8 AM-4 PM

[www.madera.courts.ca.gov/MaderaSelfHelp.htm](http://www.madera.courts.ca.gov/MaderaSelfHelp.htm)

(559) 416-5520

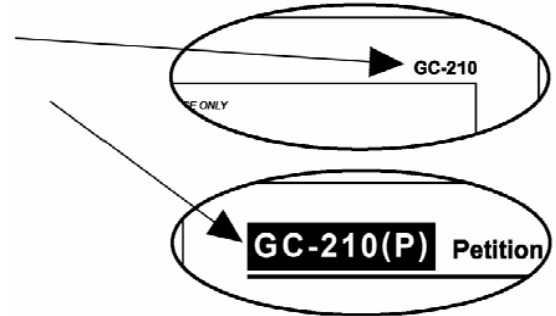
[facilitator@madera.courts.ca.gov](mailto:facilitator@madera.courts.ca.gov)



Look at the numbers at the top of a form to match them with the form numbers listed below. You can use this form as a checklist.

\* Appointment of a guardian for a Native American child is subject to special requirements that are not discussed in these instructions. See item 14 on the next page.

OR



### I want to become a guardian of a child. What forms do I need to file with the court?

- 1 **Fill out, sign, and file with the court** *either* of the following form petitions ("your petition"):
  - Form GC-210(P), *Petition for Appointment of Guardian of the Person*** (recommended if you won't have an attorney to help you); **or**
  - Form GC-210, *Petition for Appointment of Guardian of Minor*.**
- 2 **Fill out** the following forms and attach them to or file them separately with your petition:
  - Attach to your petition a separate copy of Form GC-210(CA), *Guardianship Petition-Child Information Attachment***, for **each** child you think needs a guardian.
  - Sign and attach to your petition one copy of Form FL-105/GC-120, *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)***, for all children you think need a guardian.
  - Sign and file separately with your petition Form GC-212, *Confidential Guardian Screening Form*.** This form is confidential, under the direct control of the court, and not available to the general public.
  - If required by your court, sign and file separately with your petition, Form GC-211, *Consent of Proposed Guardian*** (item 1 of that multi-purpose form, at the top of the page). Many courts don't require that form if you are asking for your own appointment as guardian, so check with your court before you file it.
  - File separately with your petition** any local forms your court wants you to file with your petition (check your court's local rules and guidelines for information and instructions about these forms).

### What must I do if I want the court to appoint someone other than myself as guardian?

- 3  **Instead of filling out and signing Form GC-212**, listed above in Step 2, ask the person you want the court to appoint as guardian to fill out and sign that form.
- 4  **Instead of signing item 1 of Form GC-211**, listed above in Step 2, ask the person you want the court to appoint as guardian to sign item 1 of that form. Many courts don't require that form if the person you want as guardian signs your petition (as an additional petitioner), so check with the court on the need to file that form if that person signed your petition. See page 2 of this form to learn about use of another part of **Form GC-211**.

### What can I do if I can't afford to pay the court's filing fees?

- 5  **Fill out, sign, and file Form FW-001, *Application for Waiver of Court Fees and Costs***, and fill out and give the court clerk **Form FW-003, *Order on Application for Waiver of Court Fees and Costs***, for the judge to sign.

### What happens when I file my petition and the other forms listed above?

The court clerk will give you a case number, a date and time when, and a courtroom or department of the court where the judge will hear your request to appoint a guardian. Take an extra copy of your petition and the other papers you must file to the court when you file the originals and ask the clerk to stamp the filing date and case number on your copies and note the hearing date and place on your copy of the petition. Some courts will require you to give the clerk one or more extra copies of your papers, so check with your court before you go to the court to file the papers.

### What forms do I need after I file my petition and have a hearing date?

- 6  If either or both of the child's parents or any other person you must notify of the hearing on your petition will agree with your request for appointment of a guardian, fill out and have each of them date and sign item 4 at the bottom of **Form GC-211, *Consent to Appointment of Guardian and Waiver of Notice***. File the form with the court when you file the *Notice of Hearing*, discussed below.

### What must I do before the court hearing on my petition?

You must arrange for **someone other than yourself** to notify certain people about your petition and the court hearing and show the court that he or she has done so. Read **Form GC-510, *What is "Proof of Service" in a Guardianship***, and:

- 7  Fill out the first page of **Form GC-020, *Notice of Hearing-Guardianship or Conservatorship***.
- 8  Follow the instructions in **Form GC-510** for personal delivery ("**personal service**") of copies of your petition and the *Notice of Hearing* and showing the court that personal service has been made ("**proving service**").
- 9  Follow the instructions in **Form GC-510** for mailing ("**service by mail**") copies of your petition and the *Notice of Hearing* and showing the court that service by mail has been made ("**proving service**").
- 10  File with the court at least 5 days before the hearing, the original **Form GC-020**, with attached original filled-in proofs of personal and mailed service, signed by the person(s) who delivered and mailed the papers.
- 11 Fill out and deliver the following forms to the court at or before the hearing on your petition (check your court's local rules for the deadlines for delivery of these forms to the court):
- Form GC-240, *Order Appointing Guardian of Minor*** (the judge will sign this Order at or shortly after the hearing on your petition if he or she grants your request for appointment of a guardian);
  - Form GC-248, *Duties of Guardian and Acknowledgment of Receipt*** (you or any other person the court has appointed as guardian must sign this form and the form must be filed with the court before the clerk will sign and file the *Letters of Guardianship* (see below)); and
  - Form GC-250, *Letters of Guardianship*** (the court clerk will sign and file the original of this form, often called "*Letters*," and will give you (for a fee) **certified copies** that you, or any other person the court has appointed as guardian, must have to show legal authority to act as the child's guardian.
- 12  Fill out and file any local forms your court requires at or before the hearing on your petition (check your court's local rules for information about these forms, deadlines for filing them, and requirements for service of copies to other persons interested in the case).

### Need help?

- 13 Your court may have a self-help center or a volunteer assistance program that can help you with a guardianship, or the court may be able to refer you to other organizations in your area that can help you.
- 14 If you can get on the Internet, you can go to the California Courts Self-Help Center Web site, at [www.courtinfo.ca.gov/selfhelp/family/guardianship](http://www.courtinfo.ca.gov/selfhelp/family/guardianship) (English) or [www.courtinfo.ca.gov/selfhelp/espanol/familia/tutela](http://www.courtinfo.ca.gov/selfhelp/espanol/familia/tutela) (Spanish). This Web site provides information about the guardianship process, including information about what you need to do if the child in your case is a Native American or has a Native American ancestor, and information about other resources available to you. You can also download a copy of **Form GC-205, *Guardianship Pamphlet*** and all the forms mentioned above. The pamphlet has a basic explanation of a guardianship. It is available in Spanish and several other languages. You can even fill out the necessary forms on your computer while visiting this site and print them out ready for signing and filing, free of charge.
- 15 You can also go to [www.courtinfo.ca.gov/courts/trial/courtlist.htm](http://www.courtinfo.ca.gov/courts/trial/courtlist.htm) to access your court's Web site. This site can tell you where to file your forms and go for court hearings and can advise you about the court's rules and practices you need to know during the progress of your case. You can also download copies of the court's local forms.

**Legal advice** - An attorney can advise you and help you prepare your inventories, accountings, and petitions to the court. If you have any questions, you should consult with an attorney.

#### **OTHER GENERAL INFORMATION**

**Removal of a guardian** - A guardian may be removed for specific reasons or when it is in the child's best interest. A guardian may be removed either on the court's own motion or by a petition filed by the child, a relative of the child, or any other interested person. If necessary, the court may appoint a successor guardian, or the court may return the child to a parent if that is found to be in the child's best interest.

**Legal documents** - For your appointment as guardian to be valid, the *Order Appointing Guardian of Minor* must be signed. Once the court signs the order, the guardian must take prepared *Letters of Guardianship* to the clerk's office where the clerk will issue the letters. *Letters of Guardianship* is a legal document that provides proof that you have been appointed and are serving as the guardian for a minor. You should obtain several certified copies of the *Letters* from the clerk. These legal documents will be of assistance to you in the performance of your duties, such as enrolling the child in school, obtaining medical care, and taking care of estate business.

**Attorneys and legal resources** - If you have an attorney, the attorney will advise you on your duties and responsibilities, the limits of your authority, the rights of the child, and your dealings with the court. **If you have legal questions, you should consult with your attorney.** Please remember that the court staff cannot give you legal advice.

If you are not represented by an attorney, you may obtain answers to your questions by contacting community resources, private publications, or your local law library.

# GUARDIANSHIP PAMPHLET

(FOR GUARDIANSHIPS OF CHILDREN  
IN THE PROBATE COURT)

---

*This pamphlet provides basic information about probate guardianships for children. It includes general information about court procedures, the duties and responsibilities of probate guardians, and other helpful material to assist you in fulfilling the obligations of a guardian. (For information about becoming a guardian of a dependent or ward of the Juvenile Court, you should consult the separate pamphlet on that subject.) Further information about probate guardianships may be obtained from an attorney, the Probate Code, and private publications and resources. You should also consult the court or the court clerk's office regarding special procedures or rules in your county.*

---

## What is Guardianship?

Guardianship is a court process by which a person other than a parent is given custody of a child or authority over a child's property. Appointment as guardian requires the filing of a petition and approval by the court. This pamphlet will provide you with some basic information about guardianships. If the court establishes a probate guardianship, the guardianship may be:

- A guardianship of the person of the child (custody);
- A guardianship of the child's "estate" (property); or
- Both.

If the court appoints you as a guardian for a child, you will assume important duties and obligations. You will become responsible to the court. It is essential that you clearly understand your duties and responsibilities as guardian. If you have any questions, you should consult with an attorney who is qualified to advise you in these matters.

## What is a Legal Guardian?

A legal guardian is an adult to whom the court has given authority and responsibility to provide care for a child, or to manage the child's assets, or both.

## Who May Be Legal Guardians?

Relatives, friends of the family, or other interested persons may be considered as potential legal guardians.

## Before You File the Petition

Before you file a petition for guardianship, you should consider the following:

- Is a guardianship really necessary?
- Have you considered the alternatives?
- Do the parents consent to the guardianship?
- Without parental consent, is there enough evidence for you to prove the need for a guardianship?
- Do you need legal advice or assistance?

## INSURANCE

**Insurance coverage** - As guardian of the estate, you should make sure that there is appropriate and sufficient insurance covering the assets and risks of the estate. You should maintain the insurance in force throughout the entire period of the guardianship or until the insured asset is sold.

## RECORD KEEPING AND ACCOUNTING

**Records** - As guardian of the estate, you must keep complete, accurate records of each financial transaction affecting the estate. The checkbook for the guardianship checking account is your indispensable tool for keeping records of income and expenditures. You should also keep receipts for all purchases.

Record keeping is critical because you will have to prepare an accounting of all money and property you have received, what you have spent, the date of each transaction, and its purpose. You will also have to be able to describe in detail what is left after you have paid the estate's expenses.

**Accountings** - As guardian of the estate, you must file a petition requesting that the court review and approve your accounting one year after your appointment and at least every two years after that. The court may ask that you justify some or all expenditures. You should have receipts and other documents available for the court's review, if requested.

If you do not file your accounting as required, the court will order you to do so. You may be removed as guardian for failure to file an accounting.

**Format** - As guardian of the estate, you must comply with all state and local rules when filing your accounting. A particular format is specified in the Probate Code, which you must follow when you present your account to the court. You should check local rules for any special local requirements.

If the child of whose estate you are the guardian has a living parent or if that child receives assets or is entitled to support from another source, you must obtain court approval before using guardianship assets for the child's support, maintenance, or education. You must file a petition or include a request for approval in the original petition, and set forth which exceptional circumstances justify any use of guardianship assets for the child's support. The court ordinarily will grant such a petition for only a limited period of time, usually not more than one year, and only for specific and limited purposes.

### **INVENTORY OF ESTATE PROPERTY**

**Locate the estate's property** - As guardian of the estate, you must locate, take possession of, and protect the child's income and assets that will be administered in the estate. You must change the ownership of all assets into the guardianship estate's name. For real estate, you should record a copy of your *Letters of Guardianship* with the county recorder in each county where the child owns real property.

**Determine the value of the property** - As guardian of the estate, you must arrange to have a court-appointed referee determine the value of the estate property unless the appointment is waived by the court. You, rather than the referee, must determine the value of certain "cash items." An attorney can advise you about how to do this.

**File an inventory and appraisal** - As guardian of the estate, you must file an inventory and appraisal within 90 days after your appointment. You may be required to return to court 90 days after your appointment as guardian of the estate, to ensure that you have properly filed the inventory and appraisal.

### **Some Alternatives to Guardianship**

**Private agreements** - You can make a private agreement with the child's parents to provide care for the child. A written agreement can be made showing that you have "custody" of the child with the parents' consent. Normally it is also beneficial to secure a medical release for emergencies, especially if a parent is not readily available. *Note: The parents may revoke this type of agreement at any time.*

**Caregiver's Authorization Affidavit** - The California Family Code allows a person who is related to a child to fill out a *Caregiver's Authorization Affidavit*. The affidavit normally allows that person, as a caregiver, to enroll the child in school and secure medical treatment for the child.

You may read Family Code section 6550 for details about this law. The caregiver form may be available through your local county clerk's office, through private legal publications, or from a private attorney. *Note: The parents may revoke your authority or override your decision under this type of agreement at any time.*

**Other financial arrangements** - The law allows parents to make other financial arrangements for property inherited by or given to their children. For instance, a blocked account and other protective measures can be used without the appointment of a guardian of the estate. Consultation with an attorney for these types of matters is highly recommended. *Note: Some financial institutions, insurance companies, and courts require the appointment of a guardian of the estate before they will release funds on behalf of a minor.*

### **THE PROCESS – BRIEFLY**

If you decide that a child needs a probate guardianship, the first step in the process of establishing guardianship is to fill out and file the petition and other required documents with the clerk of the court. Some counties have additional "local forms" that need to be filed along with the standard forms.

Any interested party or the child, if 12 years or older, may file the petition. Specific persons must be given notice of the petition, unless excused by the court, before the court can hear the case.

The court may order that an investigation be completed before it makes its decision. If this occurs, you, the child, and any other persons deemed essential will probably be contacted about the case. The investigator will give the court a report and make a recommendation on what should occur. At that stage, the case may go to trial. The court may grant the petition or may find that there are insufficient grounds to establish a guardianship.

There is a fee for filing a guardianship petition. In addition, you may be charged a fee for a guardianship investigation. If neither you nor the child's estate can afford to pay the fees, you may request that the court waive the fee requirement. The court clerk can provide you with a fee waiver form.

### **GUARDIANSHIP OF THE PERSON**

The probate court may appoint a *guardian of the person* for a child when no parent is available to meet the needs of the child because of the parents' death, incapacity, abandonment, military obligations, or other reasons.

**Fundamental Responsibilities** - The guardian of the person of a child has the care, custody, and control of the child. As guardian, you are responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child. You must provide for the safety, protection, and physical and emotional growth of the child. Like a parent, you should maintain close contact with the child's school and physician.

Raising children is not always easy. You should become familiar with community resources that can assist both you and the child. You may get help and information from a support group for guardians.

**Custody** - As guardian of the person of the child, you have full legal and physical custody of the child and are responsible for all decisions relating to the child. The child's parents can no longer make decisions for the child while there is a guardianship. The parents' rights are suspended-not terminated-as long as a guardian is appointed for a minor. If you wish, you may ask the parents for their opinions about matters relating to the child.

You should use the child's social security number when opening estate accounts. You should never deposit estate funds in your personal account or otherwise mix them with your own funds or anyone else's funds, even for brief periods. Securities in the estate must be held in a name that shows that they are estate property and not your personal property.

**Interest-bearing accounts and other investments** - Except for checking accounts intended for ordinary expenses, you should place estate funds in interest-bearing accounts. You may deposit estate funds in insured accounts in federally insured financial institutions, but you should not put more than \$100,000 in any single institution. You should consult with an attorney before making other kinds of investments.

**Blocked accounts** - A *blocked account* is an account with a financial institution in which money or securities are placed. No person may withdraw funds from a blocked account without the court's permission.

Depending on the amount and character of the child's property, the guardian may elect **or the court may require** that estate assets be placed in a blocked account. As guardian of the estate, you must follow the direction of the court and the procedures required to deposit funds in this type of account. The use of a blocked account is a safeguard and may save the estate the cost of a bond.

**Other restrictions** - As guardian of the estate, you will have other restrictions on your authority to deal with estate assets. Without prior court order of the court, you may not pay fees to yourself or your attorney. You may not make a gift of estate assets to anyone. You may not borrow money from the estate. You may not use estate funds to purchase real property without prior court order.

If you do not obtain the court's permission to spend estate funds, you may be compelled to reimburse the estate from your own personal funds and may be removed as guardian. You should consult with an attorney concerning the legal requirements relating to sales, leases, mortgages, and investment of estate property.



services for the child, or to follow a scheduled visitation plan between the child and the child's parents or relatives. As guardian, you must follow all court orders.

**Termination of guardianship of the person** - A guardianship of the person automatically ends when the child reaches the age of 18, is adopted, marries, is emancipated by court order, enters military service, or dies. If none of these events has occurred, the child, a parent, or the guardian may petition the court for termination of guardianship. But it must be shown that the guardianship is no longer necessary or that termination of the guardianship is in the child's best interest.

## GUARDIANSHIP OF THE ESTATE

If the court appoints you as guardian of the child's estate, you will have additional duties and obligations. The money and other assets of the child are called the child's "estate." Appointment as guardian of a child's estate is a solemn matter. It is taken very seriously by the court. The guardian of the estate is required to manage the child's funds, collect and make an inventory of the assets, keep accurate financial records, and regularly file financial accountings with the court. The use of an attorney for legal advice in managing the estate is recommended.

## MANAGING THE ESTATE

**Prudent investments** - As guardian of the estate, you must manage the child's assets with the care of a prudent person dealing with someone else's property. This means that you must be cautious and may not make speculative or risky investments.

**Keeping estate assets separate** - As guardian of the estate, you must keep the money and property of the child's estate separate from everyone else's, including your own. When you open a bank account for the estate, the account name must indicate that it is a **guardianship** account and not your personal account.

**Education** - As guardian of the person of the child, you are responsible for the child's education. You determine where the child should attend school. As the child's advocate within the school system, you should attend conferences and play an active role in the child's education. For younger children, you may want to consider enrolling the child in Head Start or other similar programs. For older children, you should consider their future educational needs such as college or a specialized school. You must assist the child in obtaining services if the child has special educational needs. You should help the child in setting and attaining his or her educational goals.

**Residence** - As guardian, you have the right to determine where the child lives. The child normally will live with you, but when it is necessary, you are allowed to make other arrangements if they are in the best interest of the child. You should obtain court approval before placing the child back with his or her parents.

As guardian, you **do not** have the right to change the child's residence to a place outside California unless you first receive the court's permission. If the court grants permission, California law requires that you establish legal guardianship in the state where the child will be living. Individual states have different rules regarding guardianships. You should seek additional information about guardianships in the state where you want the child to live.

**Medical treatment** - As guardian, you are responsible for meeting the medical needs of the child. In most cases, you have the authority to consent to the child's medical treatment. However, if the child is 14 years or older, surgery may not be performed on the child unless either (1) both the child and the guardian consent or (2) a court order is obtained that specifically authorizes the surgery. This holds true except in emergencies.

A guardian may not place a child involuntarily in a mental health treatment facility under a probate guardianship. A mental health conservatorship proceeding is required for such an involuntary commitment. However, the guardian may secure counseling and other necessary mental health services for the child. A variety of counseling services is available to

help children. As guardian, you are expected to secure necessary services, cooperate with counselors, and maintain regular contacts with the child's treatment providers.

The law allows older and more mature children to consent to their own treatment in certain situations, such as outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug and alcohol treatment.

**Community resources** - There are agencies in each county that may be helpful in meeting the specific needs of children who come from conflicted, troubled, or deprived environments. If the child has special needs, you must strive to meet those needs or secure appropriate services. Some children may have physical or learning disabilities. Other children come from abusive homes or have been victims of abuse. Counseling and other services may be necessary to assist a child who has special needs or has had unpleasant life experiences. If you need assistance, you should check with the court or with your local child protective services agency for a referral to agencies that can help you and the child.

**Financial support** - Even when the child has a guardian, the parents are still obligated to support the child financially. The guardian may take action to obtain child support. You may contact the local child support agency in your county to collect support from a parent. The child may also be eligible for Temporary Aid for Needy Families, TANF, formerly known as AFDC, social security benefits, Veterans Administration benefits, Indian child welfare benefits, and other public or private funds.

**Visitation** - The court may require that you allow visitation or contact between the child and his or her parents. The child's needs often require that the parent-child relationship be maintained, within reason. However, the court may place restrictions on the visits, such as the requirement of supervision. The court may also impose other conditions in the child's best interest.

Under most circumstances, it is best for you to have a working relationship with the parents if possible. However, in every case, you must follow all orders of the court, including those that may restrict contacts and visitation.

**Driver's license** - As guardian of the person, you have the authority to consent to the minor's application for a driver's license. If you consent, you will become liable for any civil damages that may result if the minor causes an accident. The law requires that anyone signing the DMV application obtain insurance to cover the minor.

**Enlistment in the armed services** - The guardian may consent to a minor's enlistment in the armed services. If the minor enters into active duty with the armed forces, the minor becomes emancipated under California law.

**Marriage** - For the minor to marry, the guardian **and the court** must give permission. If the minor enters a valid marriage, the minor becomes emancipated under California law.

**Change of address** - A guardian must notify the court in writing of any change in the address of either the child or the guardian. This includes any changes that result from the child's leaving the guardian's home or returning to the parent's home. You **must** always obtain **court permission** before you move the child to another state or country.

**Court visitors and status reports** - Some counties have a program which "court visitors" track and review guardianships. If your county has such a program, you will be expected to cooperate with all requests of the court visitor. Also, as guardian, you may be required to fill out and file status reports. In all counties, you must cooperate with the court and court investigators.

**Misconduct of the child** - A guardian, like a parent, is liable for the harm and damages caused by the willful misconduct of a child. There are special rules concerning harm caused the use of a firearm. If you are concerned about your possible liability, you should consult an attorney.

**Additional responsibilities** - The court may place other conditions on the guardianship or additional duties upon you, as guardian. For example, the court may require the guardian to complete counseling or parenting classes, to obtain specific

# GC-210(P)

## Petition for Appointment of Guardian of the Person

Clerk stamps date here when form is filed.

Guardianship of the person of (all children's names):

You may use this form or the Petition for Appointment of Guardian of Minor (form GC-210) to petition, or ask, the court to appoint a guardian of the person. (You must use form GC-210 to ask the court to appoint a guardian of the estate or of both the person and the estate.)

1 Your name (include the names of all persons who are requesting the court to appoint them or the person named in 4 as guardian for the child\* or children\* named above and in 8. All must sign this form.):

- a.
b.
c.

2 Your address and telephone number:

Street: Apt.:
City:
State: Zip: Phone:

3 Your Lawyer (if you have one):

Name: Bar No.:
Firm name, if any:
Street: Suite:
City: State: Zip:
Phone: Fax: E-mail:

4 I/We want to be guardian of the child or children named in 8 (Go to 5.)

I/We want the person or persons named here to be the guardian of the child or children named in 8. Tell the court about the proposed guardian(s) below.

Name(s):

Street: Apt.:
City: State: Zip:
Phone: E-mail:

I am the child or one of the children named in 8 and a person named in 1. I am at least 12 years old. I want the person or persons named here to be my guardian.

My date of birth is (month/day/year): Tell the court about the proposed guardian(s) below.

Name(s):

Street: Apt.:
City: State: Zip:
Phone: E-mail:

\*Under section 1510.1(d) of the Probate Code, the terms child, minor, and ward include a youth 18 to 20 years of age.



Guardianship of the person of <i>(all children's names)</i> :	Case Number:

- 5 The proposed guardian named in ① or ④ is (check all that apply):
- a.  Related to the child or children named in ⑧, as shown in item 3 of the child's or children's attached *Guardianship Petition - Child Information Attachment* (form(s) GC-210(CA)).
  - b.  Not related to the child or children named in ⑧.
  - c.  A nominee of a parent of one or more of the children named in ⑧, as shown in item 5 of the child's or children's attached *Guardianship Petition - Child Information Attachment* (form(s) GC-210(CA)).

- 6  **Check this box if you checked the box in item 5b (guardian unrelated to child or children).** Answer the question in item a and check the box in item b or c. If you check the box in c, provide the signed statement of the proposed guardian on a separate sheet of paper. Write "*Form GC-210(P) - Attachment 6: Statement of Unrelated Guardian*" at the top of the paper and attach it to this form.
- a. Does the proposed guardian run a licensed foster family home?  Yes  No
  - b.  I am the proposed guardian. I will promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services.
  - c.  I am **not** the proposed guardian. The signed statement of the proposed guardian agreeing to promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services is attached to this form as Attachment 6.

- 7  **A person other than the proposed guardian(s) named in ① or ④ has been nominated in a will or other writing as guardian of the child or children named in ⑧. A copy of the written nomination is attached.** Write "*Form GC-210(P) - Attachment 7: Nomination of Another Person as Guardian*" at the top of the writing and attach it to this form. Fill in the nominated person's name and address in item 2 of the *Guardianship Petition - Child Information Attachment* (form GC-210(CA)) for each child for whom the person was nominated as guardian.

8 **Tell the court about the child or children who need a guardian.**  
Fill out and attach to this form a separate copy of *Guardianship Petition - Child Information Attachment* (form GC-210(CA)) for each child named below. Show all children's names at the top of all pages of this form. Fill out and attach to this form a Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105/GC-120) concerning all children under 18 years of age listed below.

The full legal name and date of birth of each child who needs a guardian is (specify):

- a. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last Month/Day/Year*
- b. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last Month/Day/Year*
- c. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last Month/Day/Year*
- d. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last Month/Day/Year*
- e. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last Month/Day/Year*

Check here if there are additional children. Continue this list on a separate sheet of paper. Write "*Form GC-210(P) - Attachment 8: Additional Children*" at the top of the paper and attach it to this form.



Guardianship of the person of <i>(all children's names)</i> :	Case Number:

**9 The guardianship is necessary or convenient for the reasons given below.**

*(Explain why each child listed in 8 needs a guardian.)*

---

---

---

---

---

---

---

---

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(P) - Attachment 9: Need for Guardian" at the top of the paper and attach it to this form.

**10 I/We ask the court to** *(check all that apply):*

- a. Appoint the person named in 1 or 4 guardian of the person of the child or children named in 8 and issue Letters of Guardianship.
- b.  Excuse me/us from having to give notice of the hearing on this petition to one or more relatives or other persons listed in item 2 of the attached *Guardianship Petition - Child Information Attachment* (form GC-210(CA)) for the reasons given below *(Specify (1) the name of each child, (2) the name and relationship to the child of each of the persons to whom you want the court to excuse you from giving notice, and (3) the reasons for your request, including the steps, if any, you have taken to find each person.):*

---

---

---

---

---

---

---

---

---

---

---

---

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(P) - Attachment 10b: Request for Waiver of Notice" at the top of the paper and attach it to this form.

**The relatives and other persons listed in item 2 of each child's Guardianship Petition - Child Information Attachment (form GC-210(CA)) must be given notice of the hearing on your petition for appointment of a guardian for that child unless the court excuses you from giving notice. The court may waive (excuse) this requirement if you can show the court that you do not know where the relative or other person is located after making reasonable efforts to find him or her or if giving notice to that person may harm the child or otherwise be contrary to the interests of justice. See rule 7.52 of the California Rules of Court for information on making reasonable efforts to find a person.**



Guardianship of the person of <i>(all children's names)</i> :	<b>Case Number:</b>

10 c.  Make the following additional orders *(specify)*:

---

---

---

---

---

---

---

---

---

---

Check here if you need more space. Continue your request for additional orders on a separate sheet of paper. Write "Form GC-210(P) - Attachment 10c: Additional Orders" at the top of the paper and attach it to this form.

11 **Filed with this petition are the following** *(check all that apply)*:

- Consent of Proposed Guardian (form GC-211, item 1)
- Nomination of Guardian (form GC-211, items 2 and 3)
- Consent to Appointment of Guardian and Waiver of Notice (form GC-211, item 4)
- Petition for Appointment of Temporary Guardian or Conservator (form GC-110)
- Petition for Appointment of Temporary Guardian of the Person (form GC-110(P))
- Confidential Guardian Screening Form (form GC-212)
- Petition for Special Immigrant Juvenile Findings (form GC-220)
- Other *(specify)*:

---

---

---

12 All attachments are made part of this form as though included here. There are \_\_\_\_\_ pages attached to this form.

Date: \_\_\_\_\_ Petitioner's attorney types or prints name here ▶ Petitioner's attorney signs here

**All petitioners and the proposed ward—if he or she is at least 18 but not yet 21 years of age and not a petitioner—must read and sign below.**

I declare under penalty of perjury under the laws of the State of California that the information stated above is true and correct.

Date: \_\_\_\_\_ Petitioner types or prints name here ▶ Petitioner signs here

Date: \_\_\_\_\_ Petitioner types or prints name here ▶ Petitioner signs here

I consent to the appointment of the person named in 1 or 4 as guardian of my person and to his or her performance of the duties of a guardian on my behalf.

Date: \_\_\_\_\_ Proposed ward types or prints name here ▶ Proposed ward signs here

Guardianship of (*all children's names*): \_\_\_\_\_**This child's name:** \_\_\_\_\_Fill out a separate copy of this form for **each** child for whom you want the court to appoint a guardian.**This form is attached to the Petition,**  **item 2 of form GC-210,** or  **item 8 of form GC-210(P).**The Petition asks for the appointment of a guardian of this child's (*specify*):  person  estate  person and estate**1 Tell the court about this child**a. Child's full legal name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First* *Middle* *Last* *Month/Day/Year*b. Child's current address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_c. *(If the Petition to which this form is attached asks for the appointment of a guardian of this child's estate only, skip this item 1c, select item 8 a on page 5, and answer the rest of the items in this form. If the Petition asks for the appointment of a guardian of this child's person or this child's person and estate, complete the steps described here. Ask the child, if he or she is old enough, and the child's parents or any other legal guardian, and any Indian custodian, whether the child is or may be an Indian (Native American) child. You may not rely merely on your own knowledge and belief about the child. If possible, ask these persons before you file your petition, including this form, so you can use the information you receive to answer questions (1) and (2) below. Answer those questions, item 8 on page 5, and the rest of the items in this form.)**(For more information about your duties concerning a child who is or may be an Indian child involved in a guardianship of the person under the Indian Child Welfare Act ("ICWA") (25 U.S.C. § 1901 et seq.) and California law, including making the inquiry described above and completing this form, see the Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding For Indian Child (form ICWA-005-INFO).)*(1) Is this child a member of, or eligible for membership in, one or more Indian tribe recognized by the federal government?  No  Not sure  Yes, (*specify tribe or tribes*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_*(If you checked "Yes" to item (1), this guardianship case is subject to ICWA. If you checked "Not sure" or "No" to item (1), answer item (2).)*(2) Do you know or have reason to know (within the meaning of Prob. Code, §§ 1460.2(a), Welf. & Inst. Code, § 224.3(b), and Cal. Rules of Court, rule 7.1015), whether this child is or may be an Indian child?  No  Yes (*If you checked "Yes" to either item (1) or (2), you must file and serve a Notice of Child Custody Proceeding for Indian Child (form ICWA-030), in addition to service of any other notices required in this case. For information about what is "reason to know whether the child is or may be an Indian child" and the notice requirement, including who must be served, how to serve them, and how to prove to the court that you have done so, and how to fill out and file the Notice, see the Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding For Indian Child (form ICWA-005-INFO).*)d. Is this child married?  Yes  No  Never married If you checked "No," was this child formerly married but the marriage was dissolved or ended in divorce?  Yes  No*(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)*

Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

**1 Tell the court about this child (continued)**

e. Is this child receiving public assistance?  Yes  No  Unknown (If you checked "Yes," fill out below.)

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
<input type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ _____	<input type="checkbox"/> Other (explain):	\$ _____
<input type="checkbox"/> Social Security	\$ _____	<input type="checkbox"/> Other (explain):	\$ _____
<input type="checkbox"/> Dept. Veterans Affairs Benefits	\$ _____		

f. Name and address of the person with legal custody of this child: \_\_\_\_\_

g.  (Check this box and fill out below if the person the child lives with is not the person with legal custody.)  
Name and address of the person this child lives with (has the care of the child): \_\_\_\_\_

h.  (Check this box if this child has been involved in an adoption, juvenile court, marriage dissolution (divorce), domestic relations, custody, or other similar court case.) Describe the court case below:

Type of Case	Court District or County and State	Case Number (if known)

i.  (Check this box if this child is in or on leave from an institution supervised by the California Department of Developmental Services or the California Department of Mental Health.) Write the name of the institution here: \_\_\_\_\_

**2 List the names and addresses of this child's relatives and other persons shown below:**

Relationship	Name	Home Address (Street, City, State, Zip)
Father	_____	_____
Mother	_____	_____
Grandfather (Father's father)	_____	_____
Grandmother (Father's mother)	_____	_____
Grandfather (Mother's father)	_____	_____
Grandmother (Mother's mother)	_____	_____



Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

**2 Names and addresses of this child's relatives and other persons (continued):**

Relationship	Name	Home Address (Street, City, State, Zip)
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____
Brother/Sister	_____	_____

(Check here if this child has additional brothers or sisters, including half-brothers and half-sisters, and list their names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Item 2: - Other Siblings" at the top of the paper and attach it to this form.)

Spouse \_\_\_\_\_  
*(Guardianship of the estate only)*

Person nominated as guardian of this child \_\_\_\_\_  
*(Other than a proposed guardian listed in 3)*

**3 Information about the proposed guardian:**

- a. Name (name all proposed guardians if more than one): \_\_\_\_\_
- b. Relationship(s) to the child named in 1 (check all that apply):
  - Relative (specify relationships of all proposed guardians to the child): \_\_\_\_\_
  - Not a relative (explain interest in or connection to this child): \_\_\_\_\_

Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

4 Explain why appointing the person in 3 guardian would be best for this child: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 4: - Best Interest of Child" at the top of the paper and attach it to this form.)

5 Do one or both of this child's parents agree that the person in 3 can be the child's guardian?  
a. Father:  Yes  No  Not known at this time.  
b. Mother:  Yes  No  Not known at this time.  
(You may file a filled-out Consent to Appointment of Guardian and Waiver of Notice (form GC-211, item 4) signed by the child's parent or parents (or any adult relative listed in 2) who agree. The court may excuse you from having to give notice of the court hearing on your request for appointment of a guardian to a parent or other relative who signs that form.)

6 Suitability for guardianship of this child  
a. Does this child live with the person in 3 now?  Yes  No  
b. If the court approves the guardianship, will this child live with the person in 3?  Yes  No  
c. Does the person in 3 plan to adopt this child now?  Yes  No

7  Check this box if you (the petitioner) are not the person in 3, and fill in below.  
Your relationship to this child:  
 Relative (specify): \_\_\_\_\_  
 Not a relative (explain your interest in or connection to this child): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

8 An Indian child inquiry concerning the child named above:

- a.  is not required; this is a guardianship of the estate only. (If you check this box, skip the rest of item 8.)
- b.  has not been made or completed for the following reasons (check all that apply):
  - (1)  Petitioner knows the child is an Indian child and has identified the child's tribe or tribes in item 1.
  - (2)  Petitioner (or the proposed guardian if he or she is not the petitioner) is the child's Indian custodian.
  - (3)  Petitioner has been unable to communicate with the child's parents, other legal guardian, or Indian custodian for the following reasons and despite the following efforts to do so (describe):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 8b(3):—Indian Child Inquiry" at the top of the paper and attach it to this form.)

- c.  has been made and the following information was obtained (check all that apply):
  - (1) The names, relationships to the child named above, addresses, and telephone numbers, of the persons interviewed by Petitioner to collect or confirm the information given below, and the date or dates the interviews took place, are provided on one or more separate sheets of paper attached to this form. (Write "Form GC-210(CA)," the name of this child, and "Attachment 8c(1):—Indian Child Inquiry" at the top of each page of paper you attach to this form to complete this item.)
  - (2)  The child is or may be a member of or eligible for membership in a tribe.  
Tribe or tribes: \_\_\_\_\_  
Band (if applicable): \_\_\_\_\_
  - (3)  The child's parents, grandparents, or great-grandparents are or were members of a tribe or tribes.  
Tribe or tribes: \_\_\_\_\_  
Band (if applicable): \_\_\_\_\_
  - (4)  The residence or domicile of the child, the child's parents, or the child's Indian custodian is in a predominantly Indian community.
  - (5)  The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).
  - (6)  The child may have Indian ancestry.
  - (7)  Other reason or reasons to know the child is or may be an Indian child: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - (8)  The child has no known Indian ancestry.

9 Except as otherwise stated in this form, the statements made in the Petition to which this form is attached fully apply to this child.

# GC-110(P)

## Petition for Appointment of Temporary Guardian of the Person

Temporary guardianship of (all children's names): \_\_\_\_\_

Clerk stamps date here when form is filed.

You may use this form or Petition for Appointment of Temporary Guardian or Conservator (form GC-110) to ask the court to appoint a temporary guardian of the person for a minor child. (You must use form GC-110 to ask for appointment of a temporary guardian of a minor child's estate or person and estate.) You may use this form to request appointment of a temporary guardian for one or more than one child. A petition for appointment of a (general) guardian concerning this child or these children (form GC-210 or form GC-210(P)) must have already been filed in this case or filed with this petition.

Fill in court name and street address:

Superior Court of California,  
County of **MADERA**

200 South G Street  
Madera, CA 93637

Civil Division

Clerk fills in case number when form is filed.

Case Number: \_\_\_\_\_

**1** Your name (include the names of all persons who are requesting the court to appoint them or the person named in **4** as temporary guardian of the child or children named above and in **6**. All must sign this form.):

- a. \_\_\_\_\_
- b. \_\_\_\_\_

**2** Your address and telephone number:

Street: \_\_\_\_\_ Apt.: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**3**  Your lawyer (if you have one):

Name: \_\_\_\_\_ Bar No.: \_\_\_\_\_

Firm name, if any: \_\_\_\_\_

Street: \_\_\_\_\_ Suite: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax (optional): \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

**4**  I/We want to be the temporary guardian of the child or children named in **6**. (Go to **5**.)

I/We want the person or persons named here to be the temporary guardian of the child or children named above. Tell the court about the proposed guardian(s) below.

Name(s): \_\_\_\_\_

Street: \_\_\_\_\_ Apt.: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

I am the child or one of the children named in **6** and one of the persons named in **1**.

I am at least 12 years old. I want the person named here to be my temporary guardian.

My date of birth is (month/day/year): \_\_\_\_\_



Temporary guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

**5 The relationship of the proposed temporary guardian named in 1 or 4 to the child or children named in 6 is (check all that apply):**

- Grandmother (father's mother)  Aunt
- Grandfather (father's father)  Uncle
- Grandmother (mother's mother)  Brother (adult)
- Grandfather (mother's father)  Sister (adult)
- Other Relative (explain relationship to child or children): \_\_\_\_\_

Not related to the child or children (explain proposed guardian's interest in or connection to the child):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6 The child or children who need a temporary guardian are:**

a. Child's full legal name: \_\_\_\_\_  
Child's current address: \_\_\_\_\_  
Child's current phone number: \_\_\_\_\_

b. Child's full legal name: \_\_\_\_\_  
Child's current address: \_\_\_\_\_  
Child's current phone number: \_\_\_\_\_

Check here if you want a temporary guardian for additional children. Give the information asked above for each additional child on a separate sheet of paper. Write "Form GC-110(P)-Attachment 6: Additional Children" at the top of the paper and attach it to this form.

**7 Why do the child or children in 6 need a temporary guardian right now?**

The child or children need temporary care, maintenance, and support right now because (explain):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "GC-110(P)-Item 7: Reasons for Appointment of Temporary Guardian" at the top of the paper and attach it to this form.

Temporary guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

**8** Do I/we believe the child or children in **6** will go to the court hearing?  Yes  No

**9** I/We ask the court to:

- a. Appoint the person named in **1** or **4** temporary guardian of the person of the child or children named in **6** and issue Letters of Temporary Guardianship of the Person.
- b.  Order that I am/we are excused from having to give notice of the hearing on this petition for appointment of temporary guardian to (**review the information given on the next page and check all items that apply below**):
  - (1)  The child or children in **6**.
  - (2)  The child's father (name): \_\_\_\_\_
  - (3)  The child's mother (name): \_\_\_\_\_
  - (4)  A person other than a parent who has a court order for visitation with the child  
(name): \_\_\_\_\_

Good cause exists for this request for the following reasons (*explain, and include in your explanation efforts to find a person who could not be found*): \_\_\_\_\_

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-110(P) - Attachment 9: Request for a Good Cause Exception to Giving Notice" at the top of the paper and attach it to this form.

Temporary guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

**INFORMATION ABOUT GIVING NOTICE OF THE HEARING ON YOUR PETITION AND REQUESTING A GOOD CAUSE EXCEPTION TO GIVING NOTICE**

You must give at least five days advance written notice of the court hearing on your petition for appointment of a temporary guardian. The written notice must be personally delivered to (1) the child if he or she is at least 12 years old, (2) the child's parents, and (3) any person who has a valid and effective visitation order with the child. Written notice is given by delivering a filled-in copy of this petition and a filled-in copy of a *Notice of Hearing-Guardianship or Conservatorship* (form GC-020), showing the date, time, and place of the hearing and the title of this petition. See *What Is "Proof of Service" in a Guardianship?* (form GC-510) for more information on how to give notice in a guardianship and how to prove that you have given notice. The instructions in that form for personal service apply here, but the time limits for giving notice mentioned in that form do not apply to a temporary guardianship. There is much less time to complete this task when a petition for appointment of a temporary guardian is involved.

The court may waive (excuse) or change the requirement of giving notice if you can show the court good cause why an exception should be made to the requirement of giving notice. This showing may be made by completing item 9b on page 3 of this form.

If you want the court to waive notice to someone because he or she cannot be found, you must show the court that you have made reasonable efforts to find that person. See rules 7.52 and 7.1012 of the California Rules of Court for information on making reasonable efforts to find a person and on the good cause exception to notice of the hearing on a petition for appointment of a temporary guardian.

10 All attachments are made part of this form as though placed here.

There are \_\_\_\_\_ pages attached to this form. (If none, write "0.")

**All persons named in 1 (petitioners) and their attorney (if they have one) must read and sign below.**

Date: \_\_\_\_\_ *Petitioner's Attorney types or prints name here* *Petitioner's Attorney signs here*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_ *Petitioner types or prints name here* *Petitioner signs here*

Date: \_\_\_\_\_ *Petitioner types or prints name here* *Petitioner signs here*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name) :	
<input type="checkbox"/> <b>CONSENT OF PROPOSED GUARDIAN</b> <input type="checkbox"/> <b>NOMINATION OF GUARDIAN</b> <input type="checkbox"/> <b>CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE</b>	CASE NUMBER:

**CONSENT OF PROPOSED GUARDIAN**

1. I consent to serve as guardian of the  person  estate of the minor.

Date:

\_\_\_\_\_ (TYPE OR PRINT NAME)      ▶      \_\_\_\_\_ (SIGNATURE OF PROPOSED GUARDIAN)

**NOMINATION OF GUARDIAN**

2. I am  a parent of the minor  a donor of a gift to the minor. I nominate (name and address):

as guardian of the  person  estate of the minor.

3. I am  a parent of the minor  a donor of a gift to the minor. I nominate (name and address):

as guardian of the  person  estate of the minor.

Date:

\_\_\_\_\_ (TYPE OR PRINT NAME)      ▶      \_\_\_\_\_ (SIGNATURE)

**NOTICE: The guardian of the person of a minor child has full legal and physical custody until the child becomes an adult or is adopted, the court changes guardians, or the court terminates the guardianship. Parents or other interested persons must petition the court to terminate the guardianship. The court will not do so unless the judge decides that termination would be in the child's best interest.**

**CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE**

4. I consent to appointment of the guardian as requested in the *Petition for Appointment of Guardian of Minor*, filed on (date): \_\_\_\_\_ . I am entitled to notice in this proceeding, but I waive notice of hearing of the petition, including notice of any request for independent powers contained in it. I waive timely receipt of a copy of the petition.

DATE	(TYPE OR PRINT NAME)	(SIGNATURE)	RELATIONSHIP TO MINOR
DATE	(TYPE OR PRINT NAME)	(SIGNATURE)	RELATIONSHIP TO MINOR
DATE	(TYPE OR PRINT NAME)	(SIGNATURE)	RELATIONSHIP TO MINOR

Continued on Attachment 4.

**CONSENT OF PROPOSED GUARDIAN, NOMINATION OF GUARDIAN, AND CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE**



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):    TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name) : _____ MINOR	
<b>DUTIES OF GUARDIAN and Acknowledgment of Receipt</b>	CASE NUMBER: _____

### DUTIES OF GUARDIAN

When you are appointed by the court as a guardian of a minor, you become an officer of the court and assume certain duties and obligations. An attorney is best qualified to advise you about these matters. You should clearly understand the information on this form. You will find additional information in the *Guardianship Pamphlet (for Guardianships of Children in the Probate Court)* (Form GC-205), which is available from the court.

#### 1. GUARDIANSHIP OF THE PERSON

If the probate court appoints you as a *guardian of the person* for a child, you will be required to assume important duties and obligations.

- a. Fundamental responsibilities** - The guardian of the person of a child has the care, custody, and control of the child. As guardian, you are responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child. You must provide for the safety, protection, and physical and emotional growth of the child.
- b. Custody** - As guardian of the person of the child, you have full legal and physical custody of the child and are responsible for **all** decisions relating to the child. The child's parents can no longer make decisions for the child while there is a guardianship. The parents' rights are suspended-not terminated-as long as a guardian is appointed for a minor.
- c. Education** - As guardian of the person of the child, you are responsible for the child's education. You determine where the child should attend school. As the child's advocate within the school system, you should attend conferences and play an active role in the child's education. For younger children, you may want to consider enrolling the child in Head Start or other similar programs. For older children, you should consider their future educational needs such as college or a specialized school. You must assist the child in obtaining services if the child has special educational needs. You should help the child in setting and attaining his or her educational goals.
- d. Residence** - As guardian, you have the right to determine where the child lives. The child will normally live with you, but when it is necessary, you are allowed to make other arrangements if it is in the best interest of the child. You should obtain court approval before placing the child back with his or her parents.

As guardian, you **do not** have the right to change the child's residence to a place outside of California unless you first receive the court's permission. If the court grants permission, California law requires that you establish legal guardianship in the state where the child will be living. Individual states have different rules regarding guardianships. You should seek additional information about guardianships in the state where you want the child to live.

(Continued on reverse)

GUARDIAN OF (Name):

MINOR

CASE NUMBER:

- e. Medical treatment** - As guardian, you are responsible for meeting the medical needs of the child. In most cases, you have the authority to consent to the child's medical treatment. However, if the child is 14 years or older, surgery may not be performed on the child unless either (1) both the child and the guardian consent or (2) a court order is obtained that specifically authorizes the surgery. This holds true except in emergencies. A guardian may not place a child involuntarily in a mental health treatment facility under a probate guardianship. A mental health conservatorship proceeding is required for such an involuntary commitment. However, the guardian may secure counseling and other necessary mental health services for the child. The law also allows older and more mature children to consent to their own treatment in certain situations such as outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug and alcohol treatment.
- f. Community resources** - There are agencies in each county that may be helpful in meeting the specific needs of children who come from conflicted, troubled, or deprived environments. If the child has special needs, you must strive to meet those needs or secure appropriate services.
- g. Financial support** - Even when the child has a guardian, the parents are still obligated to financially support the child. The guardian may take action to obtain child support. The child may also be eligible for Temporary Aid for Needy Families, TANF (formerly known as AFDC), social security benefits, Veterans Administration benefits, Indian child welfare benefits, and other public or private funds.
- h. Visitation** - The court may require that you allow visitation or contact between the child and his or her parents. The child's needs often require that the parent-child relationship be maintained, within reason. However, the court may place restrictions on the visits, such as the requirement of supervision. The court may also impose other conditions in the child's best interest.
- i. Driver's license** - As guardian of the person, you have the authority to consent to the minor's application for a driver's license. If you consent, you will become liable for any civil damages that may result if the minor causes an accident. The law requires that anyone signing the DMV application obtain insurance to cover the minor.
- j. Enlistment in the armed services** - The guardian may consent to a minor's enlistment in the armed services. If the minor enters into active duty with the armed forces, the minor becomes emancipated under California law.
- k. Marriage** - For the minor to marry, the guardian **and the court** must give permission. If the minor enters a valid marriage, the minor becomes emancipated under California law.
- l. Change of address** - A guardian must notify the court in writing of any change in the address of either the child or the guardian. This includes any changes that result from the child's leaving the guardian's home or returning to the parent's home. You **must** always obtain **court permission** before you move the child to another state or country.
- m. Court visitors and status reports** - Some counties have a program in which "court visitors" track and review guardianships. If your county has such a program, you will be expected to cooperate with all requests of the court visitor. As guardian, you may also be required to fill out and file status reports. In all counties, you must cooperate with the court and court investigators.
- n. Misconduct of the child** - A guardian, like a parent, is liable for the harm and damages caused by the willful misconduct of a child. There are special rules concerning harm caused by the use of a firearm. If you are concerned about your possible liability, you should consult an attorney.
- o. Additional responsibilities** - The court may place other conditions on the guardianship or additional duties upon you, as guardian. For example, the court may require the guardian to complete counseling or parenting classes, to obtain specific services for the child, or to follow a scheduled visitation plan between the child and the child's parents or relatives. As guardian, you must follow all court orders.

(Continued on page three)

**DUTIES OF GUARDIAN  
(Probate)**

GUARDIAN OF (Name):

MINOR

CASE NUMBER:

- p. **Termination of guardianship of the person** - A guardianship of the person automatically ends when the child reaches the age of 18, is adopted, marries, is emancipated by court order, enters into active military duty, or dies. If none of these events has occurred, the child, a parent, or the guardian may petition the court for termination of guardianship. But it must be shown that the guardianship is no longer necessary or that termination of the guardianship is in the child's best interest.

## 2. GUARDIANSHIP OF THE ESTATE

If the court appoints you as *guardian of the child's estate*, you will have additional duties and obligations. The money and other assets of the child are called the child's "estate." Appointment as guardian of a child's estate is taken very seriously by the court. The guardian of the estate is required to manage the child's funds, collect and make an inventory of the assets, keep accurate financial records, and regularly file financial accountings with the court.

### MANAGING THE ESTATE

- a. **Prudent investments** - As guardian of the estate, you must manage the child's assets with the care of a prudent person dealing with someone else's property. This means that you must be cautious and may not make speculative or risky investments.
- b. **Keeping estate assets separate** - As guardian of the estate, you must keep the money and property of the child's estate separate from everyone else's, including your own. When you open a bank account for the estate, the account name must indicate that it is a *guardianship* account and not your personal account. You should use the child's social security number when opening estate accounts. You should never deposit estate funds in your personal account or otherwise mix them with your own funds or anyone else's funds, even for brief periods. Securities in the estate must be held in a name that shows that they are estate property and not your personal property.
- c. **Interest-bearing accounts and other investments** - Except for checking accounts intended for ordinary expenses, you should place estate funds in interest-bearing accounts. You may deposit estate funds in insured accounts in federally insured financial institutions, but you should not put more than \$100,000 in any single institution. You should consult with an attorney before making other kinds of investments.
- d. **Blocked accounts** - A *blocked account* is an account with a financial institution in which money is placed. No person may withdraw funds from a blocked account without the court's permission. Depending on the amount and character of the child's property, the guardian may elect or **the court may require** that estate assets be placed in a blocked account. As guardian of the estate, you must follow the directions of the court and the procedures required to deposit funds in this type of account. The use of a blocked account is a safeguard and may save the estate the cost of a bond.
- e. **Other restrictions** - As guardian of the estate, you will have many other restrictions on your authority to deal with estate assets. Without prior court order, you **may not** pay fees to yourself or your attorney. You may not make a gift of estate assets to anyone. You may not borrow money from the estate. As guardian, you may not use estate funds to purchase real property without a prior court order. If you do not obtain the court's permission to spend estate funds, you may be compelled to reimburse the estate from your own personal funds and may be removed as guardian. You should consult with an attorney concerning the legal requirements relating to sales, leases, mortgages, and investment of estate property. If the child of whose estate you are the guardian has a living parent or if that child receives assets or is entitled to support from another source, you must obtain court approval before using guardianship assets for the child's support, maintenance, or education. You must file a petition or include a request for approval in the original petition, and set forth which exceptional circumstances justify any use of guardianship assets for the child's support. The court will ordinarily grant such a petition for only a limited period of time, usually not to exceed one year, and only for specific and limited purposes,

### INVENTORY OF ESTATE PROPERTY

- f. **Locate the estate's property** - As guardian of the estate, you must locate, take possession of, and protect the child's income and assets that will be administered in the estate. You must change the ownership of all assets into the guardianship estate's name. For real estate, you should record a copy of your *Letters of Guardianship* with the county recorder in each county where the child owns real property.

(Continued on reverse)

### DUTIES OF GUARDIAN (Probate)

GUARDIAN OF (Name):

MINOR

CASE NUMBER:

- g. Determine the value of the property** - As guardian of the estate, you must arrange to have a court-appointed referee determine the value of the estate property unless the appointment is waived by the court. You-not the referee-must determine the value of certain "cash items." An attorney can advise you about how to do this.
- h. File an inventory and appraisal** - As guardian of the estate, you must file an inventory and appraisal within 90 days after your appointment. You may be required to return to court 90 days after your appointment as guardian of the estate to ensure that you have properly filed the inventory and appraisal.

### INSURANCE

- i. Insurance coverage** - As guardian of the estate, you should make sure that there is appropriate and sufficient insurance covering the assets and risks of the estate. You should maintain the insurance in force throughout the entire period of the guardianship or until the insured asset is sold.

### RECORD KEEPING AND ACCOUNTING

- j. Records** - As guardian of the estate, you must keep complete, accurate records of each financial transaction affecting the estate. The checkbook for the guardianship checking account is essential for keeping records of income and expenditures. You should also keep receipts for all purchases. Record keeping is critical because you will have to prepare an accounting of all money and property that you have received, what you have spent, the date of each transaction, and its purpose. You will also have to be able to describe in detail what is left after you have paid the estate's expenses.
- k. Accountings** - As guardian of the estate, you must file a petition requesting that the court review and approve your accounting one year after your appointment and at least every two years after that. The court may ask that you justify some or all expenditures. You should have receipts and other documents available for the court's review, if requested. If you do not file your accounting as required, the court will order you to do so. You may be removed as guardian for failure to file an accounting.
- l. Format** - As guardian of the estate, you must comply with all state and local rules when filing your accounting. A particular format is specified in the Probate Code, which you must follow when you present your account to the court. You should check local rules for any special local requirements.
- m. Legal advice** - An attorney can advise you and help you prepare your inventories, accountings, and petitions to the court. If you have questions, you should consult with an attorney.

### 3. OTHER GENERAL INFORMATION

- a. Removal of guardian** - A guardian may be removed for specific reasons or when it is in the child's best interest. A guardian may be removed either on the court's own motion or by a petition filed by the child, a relative of the child, or any other interested person. If necessary, the court may appoint a successor guardian, or the court may return the child to a parent if that is found to be in the child's best interest.
- b. Legal documents** - For your appointment as guardian to be valid, the *Order Appointing Guardian of Minor* must be signed. Once the court signs the order, the guardian **must** go to the clerk's office, where *Letters of Guardianship* will be issued. *Letters of Guardianship* is a legal document that provides proof that you have been appointed and are serving as the guardian of a minor. You should obtain several certified copies of the *Letters* from the clerk. These legal documents will be of assistance to you in the performance of your duties, such as enrolling the child in school, obtaining medical care, and taking care of estate business.
- c. Attorney and legal resources** - If you have an attorney, the attorney will advise you on your duties and responsibilities, the limits of your authority, the rights of the child, and your dealings with the court. **If you have legal questions, you should consult with your attorney.** Please remember that the court staff cannot give you legal advice.

(Continued on page five)

### DUTIES OF GUARDIAN (Probate)

GUARDIAN OF (Name):  <div style="text-align: right;">MINOR</div>	CASE NUMBER:
--	--------------

If you are not represented by an attorney, you may obtain answers to your questions by contacting community resources, private publications, or your local law library.

**NOTICE: This statement of duties is a summary and is not a complete statement of the law. Your conduct as a probate guardian is governed by the law itself and not by this summary.**

**ACKNOWLEDGMENT OF RECEIPT**

1. I have petitioned the court to be appointed as a guardian.
2. I acknowledge that I have received a copy of this statement of the duties of the position of guardian.

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PETITIONER)
----------------------	---	---------------------------

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PETITIONER)
----------------------	---	---------------------------

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PETITIONER)
----------------------	---	---------------------------

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):     TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
(This section applies only to family law cases.) PETITIONER: RESPONDENT: OTHER PARTY:	
(This section applies only to guardianship cases.) GUARDIANSHIP OF (Name): _____ Minor	CASE NUMBER: _____
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	

1. **I am a party** to this proceeding to determine custody of a child.
2.  My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): \_\_\_\_\_ minor children who are subject to this proceeding, as follows:  
**(Insert the information requested below. The residence information must be given for the last FIVE years.)**

a. Child's name	Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d.  Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.) Page 1 of 2

SHORT TITLE:  	CASE NUMBER:  
----------------------	----------------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

a. Name and address of person   <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person   <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person   <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
---	---	---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_ \_\_\_\_\_

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

# CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-212

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) :		<b>FOR COURT USE ONLY</b>	
TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>			
GUARDIANSHIP OF (Name) : _____		CASE NUMBER: _____	
MINOR			
<b>CONFIDENTIAL GUARDIAN SCREENING FORM</b> Guardianship of <input type="checkbox"/> Person <input type="checkbox"/> Estate		HEARING DATE AND TIME: _____	DEPT.: _____

**The proposed guardian must complete and sign this form. The person requesting appointment of a guardian must submit the completed and signed form to the court with the guardianship petition. This form must remain confidential.**

### How This Form Will Be Used

This form is **confidential** and will not be a part of the public file in this case. Each proposed guardian must complete and sign a separate copy of this form under rule 7.1001 of the California Rules of Court. The information provided will be used by the court and by persons and agencies designated by the court to assist the court in determining whether to appoint the proposed guardian as guardian. The proposed guardian **must** respond to each item.

1. a. **Proposed guardian (name):**  
b. Date of birth: \_\_\_\_\_  
c. Social security number: \_\_\_\_\_ d. Driver's license number: \_\_\_\_\_ State: \_\_\_\_\_  
e. Telephone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_ Other: \_\_\_\_\_
2.  I am  I am not required to register as a sex offender under California Penal Code section 290. (If you checked "I am," explain in Attachment 2.)
3.  I have  I have not been charged with, arrested for, or convicted of a crime deemed to be a felony or a misdemeanor. (If you checked "I have," explain in Attachment 3.)  
 (Check here if you have been arrested for drug or alcohol-related offenses.)
4.  I have  I have not had a restraining order or protective order filed against me in the last 10 years. (If you checked "I have," explain in Attachment 4.)
5.  I am  I am not receiving services from a psychiatrist, psychologist, or therapist for a mental health-related issue. (If you checked "I am," explain in Attachment 5.)
6. Do you, or does any other person living in your home, have a social worker or parole or probation officer assigned to him or her?  
 Yes  No (If you checked "Yes," explain in Attachment 6 and provide the name and address of each social worker, parole officer, or probation officer.)
7. Have you, or has any other person living in your home, been charged with, arrested for, or convicted of any form of child abuse, neglect, or molestation?  Yes  No (If you checked "Yes," explain in Attachment 7.)
8.  I am  I am not aware of any reports alleging any form of child abuse, neglect, or molestation made to any agency charged with protecting children (e.g., Child Protective Services) or any other law enforcement agency regarding me or any other person living in my home. (If you checked "I am," explain in Attachment 8 and provide the name and address of each agency.)
9. Have you, or has any other person living in your home, habitually used any illegal substances or abused alcohol?  
 Yes  No (If you checked "Yes," explain in Attachment 9.)

Page 1 of 2



GUARDIANSHIP OF (Name):  <div style="text-align: right;">MINOR</div>	CASE NUMBER:  
--	----------------------

10. Have you, or has any other person living in your home, been charged with, arrested for, or convicted of a crime involving illegal substances or alcohol?  
 Yes  No *(If you checked "Yes," explain in Attachment 10.)*
11. Do you or does any other person living in your home suffer from mental illness?  
 Yes  No *(If you checked "Yes," explain in Attachment 11.)*
12. Do you suffer from any physical disability that would impair your ability to perform the duties of guardian?  
 Yes  No *(If you checked "Yes," explain in Attachment 12.)*
13.  I have or may have  I do not have an adverse interest that the court may consider to be a risk to, or to have an effect on, my ability to faithfully perform the duties of guardian.  
*(If you checked "I have or may have," explain in Attachment 13.)*
14.  I have  I have not previously been appointed guardian, conservator, executor, or fiduciary in another proceeding.  
*(If you checked "I have," explain in Attachment 14.)*
15.  I have  I have not been removed as guardian, conservator, executor, or fiduciary in any other proceeding.  
*(If you checked "I have," explain in Attachment 15.)*
16.  I am  I am not a private professional fiduciary, as defined in Business and Professions Code section 6501(f).  
*(If you checked "I am," respond to item 17. If you checked "I am not," go to item 18.)*
17.  I am  I am not currently licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. My license status and information is stated in item 1 on page 1 of the Professional Fiduciary Attachment signed by me and attached to the petition that proposes my appointment as guardian in this matter. *(Complete and sign the Professional Fiduciary Attachment and attach it to the petition, or deliver it to the petitioner for attachment, before the petition is filed. See item 4d of the petition. Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)*
18.  I am  I am not a responsible corporate officer authorized to act for *(name of corporation):*  
  
a California nonprofit charitable corporation that meets the requirements for appointment as guardian of the proposed ward under Probate Code section 2104. I certify that the corporation's articles of incorporation specifically authorize it to accept appointments as guardian. *(If you checked "I am," explain the circumstances of the corporation's care of, counseling of, or financial assistance to the proposed ward in Attachment 18.)*
19.  I have  I have not filed for bankruptcy protection within the last 10 years.  
*(If you checked "I have," explain in Attachment 19.)*

MINORS' CONTACT INFORMATION		
20. Minor's name: Home telephone:	School (name): School telephone:	Other telephone:
21. Minor's name: Home telephone:	School (name): School telephone:	Other telephone:
22. Minor's name: Home telephone:	School (name): School telephone:	Other telephone:
<input type="checkbox"/> Information on additional minors is attached.		

**DECLARATION**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_ ▶ \_\_\_\_\_

(TYPE OR PRINT NAME OF PROPOSED GUARDIAN) (SIGNATURE OF PROPOSED GUARDIAN)\*

\*Each proposed guardian must fill out and file a separate screening form.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
CHILD'S NAME:	
<b>PARENTAL NOTIFICATION OF INDIAN STATUS</b>	CASE NUMBER:

**To the parent, Indian custodian, or guardian of the above-named child: You must provide all the requested information about the child's Indian status by completing this form. If you get new information that would change your answers, you must let your attorney, all the attorneys on the case, and the social worker or probation officer, or the court investigator know immediately and an updated form must be filed with the court.**

1. Name:
2. Relationship to child:  Parent  Indian custodian  Guardian  Other:

**Indian Status**

3. a.  I am or may be a member of, or eligible for membership in, a federally recognized Indian tribe.  
 Name of tribe(s) (name each): \_\_\_\_\_  
 Location of tribe(s): \_\_\_\_\_
  - b.  The child is or may be a member of, or eligible for membership in, a federally recognized Indian tribe.  
 Name of tribe(s) (name each): \_\_\_\_\_  
 Location of tribe(s): \_\_\_\_\_
  - c.  One or more of my parents, grandparents, or other lineal ancestors is or was a member of a federally recognized tribe.  
 Name of tribe(s) (name each): \_\_\_\_\_  
 Location of tribe(s): \_\_\_\_\_  
 Name and relationship of ancestor(s): \_\_\_\_\_
  - d.  I am a resident of or am domiciled on a reservation, rancheria, Alaska Native village, or other tribal trust land.
  - e.  The child is a resident of or is domiciled on a reservation, rancheria, Alaska Native village, or other tribal trust land.
  - f.  The child is or has been a ward of a tribal court.
  - g.  Either parent or the child possesses an Indian identification card indicating membership or citizenship in an Indian tribe.  
 Name of tribe(s) (name each): \_\_\_\_\_  
 Membership or citizenship number (if any): \_\_\_\_\_
  - h.  None of the above apply.
4. A previous form ICWA-020  has  has not been filed with the court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_ \_\_\_\_\_  
 (TYPE OR PRINT NAME) (SIGNATURE)

**Note: This form is not intended to constitute a complete inquiry into Indian heritage. Further inquiry may be required by the Indian Child Welfare Act.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):  
 After recording, return to:

TEL NO.: \_\_\_\_\_ FAX NO. (optional): \_\_\_\_\_  
 E-MAIL ADDRESS (optional): \_\_\_\_\_  
 ATTORNEY FOR (name): **In Pro Per**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **MADERA**  
 STREET ADDRESS: **200 South G Street**  
 MAILING ADDRESS: **same**  
 CITY AND ZIP CODE: **Madera, CA 93637**  
 BRANCH NAME: **Civil Division**

TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP  
 OF (name): \_\_\_\_\_

MINOR  CONSERVATEE

FOR RECORDER'S USE ONLY  
 CASE NUMBER: \_\_\_\_\_

LETTERS OF TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP  
 Person  Estate

FOR COURT USE ONLY

LETTERS

- (Name): \_\_\_\_\_ is appointed temporary  guardian  conservator of the  person  estate of (name): \_\_\_\_\_
- Other powers that have been granted or restrictions imposed on the temporary  guardian  conservator are  specified in Attachment 2.  specified below:

3. These Letters shall expire

- on (date): \_\_\_\_\_ or upon earlier issuance of Letters to a general guardian or conservator.
- on other date (specify): \_\_\_\_\_

4.  The temporary  guardian  conservator is not authorized to take possession of money or any other property without a specific court order.

5. Number of pages attached:

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date: \_\_\_\_\_  
 Clerk, by \_\_\_\_\_, Deputy

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (name):  <div style="text-align: right; padding-right: 50px;"> <input type="checkbox"/> MINOR    <input type="checkbox"/> CONSERVATEE         </div>	CASE NUMBER:
---	--------------

**NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS**  
**(Probate Code sections 2890-2893)**

When these *Letters of Temporary Guardianship* or *Letters of Temporary Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the temporary guardian or temporary conservator of the estate (1) to take possession or control of an asset of the minor or conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship or conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The temporary guardian or temporary conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is [www.courts.ca.gov/forms/](http://www.courts.ca.gov/forms/). Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter, or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe deposit box held by the financial institution. A single form may be filed for all affected accounts or safe deposit boxes held by the financial institution.

**LETTERS OF TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP**

**AFFIRMATION**

I solemnly affirm that I will perform according to law the duties of temporary  guardian.  conservator.

Executed on (date): \_\_\_\_\_, at (place): \_\_\_\_\_

_____ (TYPE OR PRINT NAME)		_____ (SIGNATURE OF APPOINTEE)
-------------------------------	--	-----------------------------------

**CERTIFICATION**

I certify that this document, including any attachments, is a correct copy of the original on file in my office and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

(SEAL)	Date: _____  Clerk, by _____, Deputy
--------	--

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):      TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
TEMPORARY GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): _____ MINOR	
<b>ORDER APPOINTING TEMPORARY GUARDIAN</b>	CASE NUMBER: _____
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>	

1. The petition for appointment of temporary guardian came on for hearing as follows (check boxes c-l to indicate personal presence):

- a. Judicial officer (name): \_\_\_\_\_
- b. Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_  Dept.: \_\_\_\_\_  Room: \_\_\_\_\_
- c.  Petitioner (name): \_\_\_\_\_
- d.  Attorney for petitioner (name): \_\_\_\_\_
- e.  Minor (name): \_\_\_\_\_
- f.  Attorney for minor (name): \_\_\_\_\_
- g.  Minor's parents (names): \_\_\_\_\_
- h.  Attorney for minor's parents (names): \_\_\_\_\_
- i.  Person with valid visitation order (name): \_\_\_\_\_
- j.  Attorney for person with valid visitation order (name): \_\_\_\_\_
- k.  Public Guardian (name): \_\_\_\_\_
- l.  Attorney for Public Guardian (name): \_\_\_\_\_

**THE COURT FINDS**

- 2. a.  Notice of the time and place of hearing has been given as required by law.
- b.  Notice of the time and place of hearing  has been  should be \_\_\_\_\_ dispensed with for (names): \_\_\_\_\_

- 3. It is necessary that a temporary guardian be appointed to  provide for temporary care, maintenance, and support  protect property from loss or injury  pending the hearing on the petition for appointment of a general guardian.  pending an appeal under Probate Code section 1301.  during the suspension of powers of the guardian.

**THE COURT ORDERS**

- 4. a.  (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_

is appointed temporary guardian of the PERSON of (name): \_\_\_\_\_  
 and Letters shall issue upon qualification.

- b.  (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_

is appointed temporary guardian of the ESTATE of (name): \_\_\_\_\_  
 and Letters shall issue upon qualification.

TEMPORARY GUARDIANSHIP OF (Name):   MINOR	CASE NUMBER:
---	--------------

5.  Notice of hearing to the persons named in item 2b is dispensed with.
6. a.  Bond is not required.  
 b.  Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.  
 c.  Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (*specify institution and location*): \_\_\_\_\_
- and receipts shall be filed. No withdrawals shall be made without a court order.  Additional orders in attachment 6c.
- d.  The temporary guardian is not authorized to take possession of money or any other property without a specific court order.
7.  In addition to the powers granted by law, the temporary guardian is granted other powers. These powers are specified  in attachment 7.  below (*specify*): \_\_\_\_\_

8.  Other orders as specified in attachment 8 are granted.
9.  Unless modified by further order of the court, this order expires on (*date*): \_\_\_\_\_
10. Number of boxes checked in items 4-9: \_\_\_\_\_
11. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
 JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <b>In Pro Per</b>	<i>FOR COURT USE ONLY</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
GUARDIANSHIP OF (name):	
<b>LETTERS OF GUARDIANSHIP</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate	CASE NUMBER:

**LETTERS**

1.  (Name): \_\_\_\_\_ is appointed guardian of the  person  estate  
of (name): \_\_\_\_\_
  
2.  The appointment of (name): \_\_\_\_\_ as guardian of the person of  
(name): \_\_\_\_\_  
is extended past the ward's 18th birthday as of (date): \_\_\_\_\_
  
3.  Other powers have been granted and conditions have been imposed as follows:
  - a.  Powers to be exercised independently under Probate Code section 2590 are specified in attachment 3a (specify powers, restrictions, conditions, and limitations).
  - b.  Conditions relating to the care and custody of the property under Probate Code section 2402 are specified in attachment 3b.
  - c.  Conditions relating to the care, treatment, education, and welfare of the ward under Probate Code section 2358 are specified in attachment 3c.
  - d.  Other powers granted or conditions imposed are  specified on attachment 3d  specified below.
  
4.  The guardian is not authorized to take possession of money or any other property without a specific court order.
5. The guardianship of the person terminates by operation of law on (date): \_\_\_\_\_
6. Number of pages attached: \_\_\_\_\_

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

GUARDIANSHIP OF (name):	CASE NUMBER:
----------------------------	--------------

**NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS  
 (Probate Code sections 2890-2893)**

When these *Letters of Guardianship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the guardian of the estate (1) to take possession or control of an asset of the minor named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The guardian should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public website free of charge. The Internet address (URL) is [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm). Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter (nonfillable form) or may be filled out online and printed out ready for signature and filing (fillable form).

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe-deposit box held by the financial institution. A single form may be filed for all affected accounts or safe-deposit boxes held by the financial institution.

**LETTERS OF GUARDIANSHIP**

**AFFIRMATION**

I solemnly affirm that I will perform according to law the duties of guardian.

Executed on (date): \_\_\_\_\_, at (place): \_\_\_\_\_

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF APPOINTEE)
-------------------------------	-----------------------------------

**CERTIFICATION**

I certify that this document, including any attachments, is a correct copy of the original on file in my office, and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)	Date: _____  Clerk, by _____, Deputy
--------	--



ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>same</b> CITY AND ZIP CODE: <b>Madera, CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):	
<b>ORDER APPOINTING GUARDIAN OR EXTENDING GUARDIANSHIP OF THE PERSON</b>	CASE NUMBER:
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>	

1. The petition for appointment of a guardian or extension of a guardianship of the person came on for hearing as follows (check boxes c, d, and e to indicate personal presence):
  - a. Judge (name) :
  - b. Hearing date: \_\_\_\_\_ Time:  Dept.:  Room: \_\_\_\_\_
  - c.  Petitioner (name) :
  - d.  Attorney for Petitioner (name) :
  - e.  Attorney for (proposed) ward (name, address, e-mail, and telephone):

**THE COURT FINDS**

2. a.  All notices required by law have been given.  
 b.  Notice of hearing to the following persons  has been  should be \_\_\_\_\_ dispensed with (names):
3.  Appointment of a guardian of the  person  estate of the proposed ward is necessary or convenient. (NOTE: The Probate Code does not authorize the appointment of a guardian of the estate for a proposed ward 18 years of age or older.)
4.  Extension of the guardianship of the person past the ward's 18th birthday is necessary or convenient.
5.  Granting the guardian powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and is in the best interest of the guardianship estate.
6.  Attorney (name) : \_\_\_\_\_ has been appointed by the court as legal counsel to represent the (proposed) ward in these proceedings. The cost for representation is: \$ \_\_\_\_\_
7.  The appointed court investigator, probation officer, or domestic relations investigator is (name, title, address, and telephone):

Do NOT use this form for a temporary guardianship.

GUARDIANSHIP OF THE  PERSON  ESTATE OF  
(name):

CASE NUMBER:

### THE COURT ORDERS

8. a.  (name):

(address):

(telephone):

is appointed guardian of the PERSON of (name):  
and *Letters* shall issue upon qualification.

b. (Not applicable to a proposed ward 18 years of age or older.)

(name):

(address):

(telephone):

is appointed guardian of the ESTATE of (name):  
and *Letters* shall issue upon qualification.

c.  The appointment of

(name):

(address):

(telephone):

as guardian of the PERSON of (name):  
is extended past the ward's 18th birthday and new *Letters* shall issue forthwith.

9.  Notice of hearing to the persons named in item 2b is dispensed with.

10. a.  Bond is not required.

b.  Bond is fixed at: \$

to be furnished by an authorized surety company or as otherwise provided by law.

c.  Deposits of: \$

are ordered to be placed in a blocked account at (specify institution and location):

and receipts shall be filed. No withdrawals shall be made without a court order.

Additional orders in Attachment 10c.

d.  The guardian is not authorized to take possession of money or any other property without a specific court order.

11.  For legal services rendered on behalf of the (proposed) ward,  the parents of the (proposed) ward

the (proposed) ward's estate shall pay to (name):

the sum of: \$

forthwith  as follows (specify terms, including any combination of payors):

12.  The guardian of the estate is granted authorization under Probate Code section 2590 to exercise independently the powers specified in Attachment 12  subject to the conditions provided.

13.  Orders are granted relating to the powers and duties of the guardian of the person under Probate Code sections 2351-2358 as specified in Attachment 13.

GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF <i>(name):</i>	CASE NUMBER:
--	--------------

- 14.  Orders are granted relating to the conditions imposed under Probate Code section 2402 upon the guardian of the estate as specified in Attachment 14.
- 15.  Other orders as specified in Attachment 15 are granted.
- 16.  The probate referee appointed is *(name and address):*

17. Number of boxes checked in items 9-16: \_\_\_\_\_

18. Number of pages attached: \_\_\_\_\_

Date:

---

JUDGE OF THE SUPERIOR COURT

SIGNATURE FOLLOWS LAST ATTACHMENT

<p style="text-align: center;"><b>SUPERIOR COURT OF CALIFORNIA • COUNTY OF MADERA</b>  <b>Civil Division</b>  200 South G Street  Madera, CA 93637  (559) 416-5525</p>	<i>FOR COURT USE ONLY</i>
IN RE: GUARDIANSHIP OF (NAME):  MINOR(S)	
<b>COURT ORDER APPOINTING SUPERIOR COURT INVESTIGATOR IN  PROBATE GUARDIANSHIP (Pursuant to Probate Code § 1513)</b>	CASE NUMBER:

**IT IS ORDERED** that the Superior Court Investigator of the Office of Family Court Services of the Madera County Superior Court, located at 200 South “G” Street, Madera CA 93637; be appointed Court Investigator in the above-entitled Probate matter pursuant to Probate Code §1513. The Court Appointed Investigator shall be granted authority to receive/access to all education information and grade reports, all law enforcement reports, all Parole or Probation information, all financial/banking documents, all child support information and information/records through the Department of Child Support Services, all Social Services (CPS and APS) reports, and access to medical, mental health, and drug treatment and /or drug testing records in accordance with HIPAA regulations.

The Court Investigator shall file his/her report with the court and provide copies to counsel for the petitioner, or to petitioner if in pro per, to counsel for the minor, if any, and to any objector of record. The Court Investigator’s report shall be deemed a confidential court document and copies shall not be provided except on order of the court.

**IT IS SO ORDERED:**

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

<p style="text-align: center;"><b>SUPERIOR COURT OF CALIFORNIA • COUNTY OF MADERA</b>  <b>Civil Division</b>  200 South G Street  Madera, CA 93637  (559) 416-5525</p>	<i>FOR COURT USE ONLY</i>
IN RE: GUARDIANSHIP OF (NAME):  MINOR(S):	
<b>COURT ORDER APPOINTING CHILD PROTECTIVE SERVICES IN PROBATE  GUARDIANSHIP (Pursuant to Probate Code § 1513)</b>	CASE NUMBER:

**IT IS ORDERED** that the Department of Child Protective Services of Madera County, located at 629 E. Yosemite Ave., Madera CA 93637; be appointed Court Investigator in the above-entitled Probate matter pursuant to Probate Code §1513. The Court Appointed Investigator shall be granted authority to receive/access to all education information and grade reports, all law enforcement reports, all Parole or Probation information, all financial/banking documents, all child support information and information/records through the Department of Child Support Services, all Social Services (CPS and APS) reports, and access to medical, mental health, and drug treatment and /or drug testing records in accordance with HIPAA regulations.

The Court Investigator shall file his/her report with the court and provide copies to counsel for the petitioner, or to petitioner if in pro per, to counsel for the minor, if any, and to any objector of record. The Court Investigator's report shall be deemed a confidential court document and copies shall not be provided except on order of the court.

**IT IS SO ORDERED:**

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT



**MADERA COUNTY SUPERIOR COURT  
PETITIONER (S) SCREENING FORM - GUARDIANSHIP**

**PETITIONER(S)/NAME:** \_\_\_\_\_

**CASE NUMBER:** \_\_\_\_\_ **FCS File No.** \_\_\_\_\_

**COURT DATE:** \_\_\_\_\_ **DEPT:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**PETITIONERS RELATIONSHIP TO MINOR:** \_\_\_\_\_

**CHILD/CHILDREN AT ISSUE:** \_\_\_\_\_ **DOB** \_\_\_\_\_  
\_\_\_\_\_ **DOB** \_\_\_\_\_  
\_\_\_\_\_ **DOB** \_\_\_\_\_

**NATURAL PARENTS:** **Mother** \_\_\_\_\_ **DOB** \_\_\_\_\_  
**Father** \_\_\_\_\_ **DOB** \_\_\_\_\_

**Where is the minor residing at this time?**  With Petitioner  With Parents  Other:  
**Mark the box that applies to the allegations in this petition:**

- Domestic violence       Substance abuse       Child abuse  
 Overall neglect       Care taker absence       Other:

**In the following questions, do not reveal the names of the reporting party who contacted CWS/CPS. That information shall be kept CONFIDENTIAL.**

Are you aware of any Child Welfare Service (CPS) complaints made against the parents?  Yes  No

If so, are you aware of the outcome of such complaints?  Yes  No

Are you aware of the names of the social workers?  Yes  No

Were you referred to the Probate Court by a social worker?  Yes  No

If Yes, what were the reasons given to you for such referral? \_\_\_\_\_

Were you offered a Temporary voluntary case management plan through CWS to have custodial care of the minor at issue and told to file a Probate Guardianship by a certain date?  Yes  No  
If yes, please provide the court with a copy of the plan.

\_\_\_\_\_  
Petitioner (s)/Attorney's Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number