



SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE

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GUARDIANSHIP OF THE PERSON

Forms included in this packet:		
COMPLETE & FILE	PRO-004	Confidential Guardianship Questionnaire
	GC-210(P)	Petition for Appointment of Guardian of the Person
	GC-210(CA)	Child Information Attachment to <i>Probate Guardianship Petition</i>
	ICWA-010(A)	Indian Child Inquiry Attachment
	GC-020	Notice of Hearing
	GC-020(P)	Proof of Personal Service of <i>Notice of Hearing</i>
	FL-105 / GC-120	Declaration Under <i>UCCJEA</i>
	GC-248	Duties of Guardian
	GC-211	Consent of Proposed Guardian, Nomination, and Waiver of Notice
	GC-212	Confidential Guardian Screening Form
	GC-240	Order Appointing Guardian or Extending Guardianship of the Person
	GC-250	Letters of Guardianship
COMPLETE & FILE <i>(Temporary Guardianship)</i>	GC-110(P)	Petition for Appointment of Temporary Guardian of the Person
	GC-140	Order Appointing Temporary Guardian
	GC-150	Letters of Temporary Guardianship or Conservatorship
FILE TO EXCUSE SERVICE	PRO-008	Declaration of Due Diligence
	GC-021	Order Dispensing with Notice
SERVE ON PARENTS	ICWA-020	Parental Notification of Indian Status
SERVE WITH NOTICE OF HEARING	GC-207-INFO / JV-352-INFO	Comparison of Guardians with Other Nonparent Caregivers

Guardianship of the Person

Completing Forms:

- California Court forms: Fillable, printable PDF versions of the forms referenced in this packet are available at the California Court website. For details, visit:
<https://courts.ca.gov/rules-forms/find-your-court-forms>
- LawHelp Interactive: A free resource that assists litigants with completing legal forms through a series of guided interview questions. For details, visit:
<https://lawhelpinteractive.org/Interview/GenerateInterview/5057/engine>
- Legal packets and samples: The Tulare County Superior Court's website offers many packets and samples. For a current list, scan the QR code below, or visit:
<https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions>



Self-Help Resource Center:

If you do not have an attorney representing you, free assistance is available. Contact the Self-Help Resource Center (SHRC), also known as the Office of the Family Law Facilitator. SHRC staff will provide instructions on how to complete forms, how to serve the other party, and can answer procedural questions. However, SHRC staff **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The SHRC can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

County Civic Center
221 S. Mooney Blvd., Room 203
Visalia, CA 93291

South County Justice Center
300 E. Olive Ave.
Porterville, CA 93257

Other Resources:

If you have further questions or concerns, consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct research on your legal issue and find additional information at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
 - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available at the South County Justice Center in the Self-Help Resource Center lobby.
- Sacramento County Public Law Library: <https://saclaw.org/>

INSTRUCTIONS

A guardianship is when an adult, who is not the child's parent, is legally responsible for the child's care because the child's parents are unable to care for them. There are two types of probate guardianships (*this packet is only for guardianship of the person*):

- **Guardianship of the person:** The guardian makes the legal decisions in a child's life and has responsibility for the child's care. For example, the guardian will make decisions about the child's medical care and where the child goes to school. The guardian must also provide the child with housing, food, clothing, and is responsible for the child's safety, protection, as well as their physical and emotional growth.
- **Guardianship of the estate:** The guardian manages the child's finances. For example, if the child inherited a large sum of money from a parent who has passed away. For more information, read form **GC-206-INFO, Information on Probate Guardianship of the Estate**.

To start a guardianship case, the proposed guardian must complete the forms in this packet. Before filling out the forms, visit the website below and read the following forms. Forms referenced but not included in this packet are available on the California Court website (*see URL listed on page 2*):

- <https://selfhelp.courts.ca.gov/guardianship>
- **GC-205-INFO, Information on Probate Guardianship of the Person**
- **GC-505, Forms You Need to Ask the Court to Appoint a Guardian of the Person**

STEP 1: COMPLETE THE FORMS

Complete the following forms:

- **PRO-004, Confidential Guardianship Questionnaire**
 - Enter information about the minor children, the parents of the minor children, and the proposed guardian(s).
- **GC-210(P), Petition for Appointment of Guardian of the Person**
 - If there is more than one proposed guardian, each must sign.
- **GC-210(CA), Child Information Attachment to Probate Guardianship Petition**
 - Complete a separate **GC-210(CA)** for each child, and attach to form **GC-210(P)**.
- **ICWA-010(A), Indian Child Inquiry Attachment**
 - Complete a separate **ICWA-010(A)** for each child, and attach to form **GC-210(P)**.

- **GC-020, Notice of Hearing**
 - On *page 1*, only complete *Item 1*.
 - On *page 2*, enter the names and addresses of persons who can be served by mail (*see Step 5 below*).
- **GC-020(P), Proof of Personal Service of Notice of Hearing**
 - Enter the names and addresses of persons who must be personally served (*see Step 5 below*).
- **FL-105 / GC-120, Declaration Under UCCJEA**
- **GC-248, Duties of Guardian**
 - Each proposed guardian must sign.
- **GC-211, Consent of Proposed Guardian, Nomination, and Waiver of Notice**
 - Each proposed guardian must complete their own form **GC-211**.
- **GC-212, Confidential Guardian Screening Form**
 - Each proposed guardian must complete their own form **GC-212**.
- **GC-240, Order Appointing Guardian or Extending Guardianship of the Person**
 - Only complete the caption.
- **GC-250, Letters of Guardianship**
 - On *page 1*, complete the caption.
 - On *page 2*, under “*Affirmation*”, date, print your name, and sign.

Temporary Guardianship

The process to obtain a general guardianship may take several months. If there is a need to act as a guardian before permanent orders are made, complete each of the forms listed above, plus the following:

- **GC-110(P), Petition for Appointment of Temporary Guardian of the Person**
- **GC-140, Order Appointing Temporary Guardian**
- **GC-150, Letters of Temporary Guardianship or Conservatorship**

STEP 2: FILE YOUR FORMS

Now that you’ve completed your forms, make at least three copies of each form and bring to the Clerk of Court, located at Room 201 of the Visalia Courthouse, or the filing windows at the South County Justice Center in Porterville. The Court Clerk will give you a case number and set a hearing date (*in general, the hearing will be set within approximately three weeks*). The court will keep the originals and give you back filed copies. One copy is for your records and other copies are to be served on the parents and Family Court Services.

Family Court Services copy:

- On the same day that you file your forms, deliver one copy to Family Court Services, located at Room 204 of the Visalia Courthouse, or the first floor of the South County Justice Center in Porterville.
- Ask them for the Live Scan Fingerprinting forms (see Step 4).

Fees:

- There are fees for filing the forms, and there may be a fee for the investigation.
- If the child who needs a guardian cannot afford the fees, you can request a fee waiver.
 - Eligibility is based on the child’s income, not the guardian’s income.
 - A separate fee waiver request must be made for each child.
 - Complete the following forms, make one copy, and submit at the time of filing (forms available on the California Court website; see URL on page 2):
 - **FW-001-GC, Request to Waive Court Fees**
 - **FW-003-GC, Order of Court Fee Waiver**

STEP 3: COMPLETE ONLINE ORIENTATION

Each proposed guardian is required to complete the online Guardianship Orientation, which has two parts: 1) A PowerPoint presentation that covers the general orientation for all guardians, and 2) A video, entitled “*Becoming a Guardian.*” Information for these orientation materials are located at: <https://www.tulare.courts.ca.gov/divisions/probate/guardianship-orientation>. Once you have reviewed both parts, complete the “*Declaration of Completion of Video Orientation for Guardians*” (available at the link above). Make two copies and bring to the Clerk of Court for filing at least five days before your hearing. One copy is for your records. Bring the other copy to Family Court Services.

STEP 4: LIVE SCAN FINGERPRINTING

Each proposed guardian and each adult age 18 or older in the household where the child will live must submit to a background check, which includes Live Scan fingerprinting. Obtain the Live Scan Fingerprinting Instructions and forms at Family Court Services. The Live Scan fingerprinting must be done within California. After the fingerprinting, the Live Scan technician will complete your forms. Provide the completed form to Family Court Services so they know that you’ve completed this step.

Live Scan Fees: Live Scan operators charge a fee for fingerprinting. If you qualified for a court fee waiver, it will *NOT* apply to Live Scan fees.

STEP 5: PROVIDE NOTICE

The next step is to notify the child's family members and concerned governmental agencies about the guardianship case and the upcoming court date. You may also need to let the child and other adults in the child's life know about the case. The server, someone at least 18 years old and not a proposed guardian (*or anyone who must be served*), must either hand-deliver or mail copies of the following forms at least 15 days before the hearing:

- **GC-210(P), Petition for Appointment of Guardian of the Person**
- **GC-020, Notice of Hearing**
- **GC-207-INFO/JV-352-INFO, Comparison of Guardians With Other Nonparent Caregivers**
- **GC-110(P), Petition for Appointment of Temporary Guardian of the Person** (*if filed*)
- **ICWA-020, Parental Notification of Indian Status** (*leave blank*)
 - Only the child's parents need to be served this form.

Persons that must be personally served:

- The child, if they are age 12 or older
- The child's parents.
- Anyone who has legal custody of the child.
- Any court-appointed guardian of the child's estate (*if there is one*).
- Anyone nominated to be the child's guardian.

Persons/Entities that may be served by mail:

- The child's grandparents on both sides.
- The child's siblings who are at least 12 years old (*including half-siblings*).
- The parents, guardians, or person who has custody of any sibling under 12 years old.
- Anyone who has the child in their care (*if different than the person who has legal custody*).
- Child Welfare Services (*3500 W. Mineral King, Suite A, Visalia CA 93291*).
- California Department of Social Services, Director of Social Services (*744 P Street, Sacramento, CA 95814*).

If you cannot locate a relative you are required to serve, complete and file the following:

- **PRO-008, Declaration of Due Diligence:** Enter information about the ways you have tried to locate the person. A separate form **PRO-008** must be completed for each person you are unable to serve.
- **GC-021, Order Dispensing with Notice:** Complete the caption only. If the Judge decides that you do not need to notify a particular person based on the information in your **Declaration**, the **Order** will be signed and filed.

STEP 6: FILE THE NOTICE OF HEARING

After the server personally serves or mails the documents to the persons/entities listed in *Step 5*, the server must complete a **Proof of Service**, stating what documents were served, and when, where, and how the service took place.

- **After personal service:** The server must complete form **GC-020(P), Proof of Personal Service of Notice of Hearing**, and date, print, and sign at the bottom.
 - Attach this to your copy of form **GC-020, Notice of Hearing**.
 - A separate **GC-020(P)** must be completed for each person who was personally served.
- **After mail service:** The *Proof of Service by Mail* is located on *page 2* of form **GC-020, Notice of Hearing**. The server will complete this page, and date, print, and sign.

You will now have form **GC-020, Notice of Hearing** with completed *page 2*, and form **GC-020(P)** attached. Make one copy of all pages and bring to the Clerk of Court for filing. The Clerk will keep the original and give you back a filed copy for your records. A filed **GC-020** tells the court that all interested parties received the forms and had notice of the court hearing.

You must file form **GC-020, Notice of Hearing** (with all *Proof of Service attachments*) at least five days before the hearing.

STEP 7: INITIAL COURT HEARING

You must attend your court hearing, which is listed at *Item 4* on form **GC-020, Notice of Hearing**. At the hearing, the court will ask you why the child needs a guardian, and why you should be appointed as their guardian. If the child's parents are present, they can tell the judge whether they agree with the guardianship. Unless the court finds a good reason not to, the court will order an investigation before making general orders. If so, the court will set a further hearing to review the investigator's report and recommendation. Family Court Services will conduct the investigation if the proposed guardian is a relative of the child, while Child Welfare Services will conduct the investigation if the proposed guardian is a non-relative of the child. If you requested a Temporary Guardianship, the court may make orders that will be in effect until the next hearing.

STEP 8: INVESTIGATION

If the court ordered an investigation, the investigator will interview the proposed guardian, parents, other people in the child's life, and the child (*if the child is old enough and mature enough*). The investigator will also review documents about the child (*such as school records and medical records*), and will do a background check on each proposed guardian and all adults living in the home where the child will live, to determine whether any of you have a record of neglect, abuse, or a criminal record. The background check will include information regarding criminal records, civil records, Social Security number verification, driver's license record/status, and Child Welfare Services information. This is necessary for the court to evaluate your fitness as a guardian. The investigator will consider issues such as where the child would go to school, your family situation, and any healthcare issues (*including mental health*).

After the investigation is complete, the investigator will prepare and file a report detailing their findings, which will include a recommendation to the court whether there are grounds to establish a guardianship, and whether the proposed guardian is fit to fulfill the duties and obligations of a legal guardian. The report may also include a recommendation whether the parents should have visitation with the child if the judge appoints a guardian. A copy of the report will be mailed to the parties of record at least three court days prior to the continued hearing.

STEP 9: RETURN TO COURT

At the continued hearing, the court will consider the investigator's report, and will either grant or deny the petition for guardianship. If the judge appoints you as guardian, the court will prepare and sign the following forms, which can be picked up at the Clerk of Court after the hearing:

- **GC-240, Order Appointing Guardian or Extending Guardianship of the Person**
- **GC-250, Letters of Guardianship**

Certified Copy: When you pick up these forms, ask the Clerk of Court for a *certified* copy of form **GC-250, Letters of Guardianship**, which you may need to provide to certain institutions, such as the child's school, doctor, or bank.

AFTER A GUARDIANSHIP IS GRANTED

Copies:

- Make a few copies of your certified **Letters of Guardianship**, and keep them in a safe place. They are the evidence that the court has appointed you as the child's guardian.

Annual Status Report:

- Each year, Family Court Services will send you form **GC-251 Confidential Guardianship Status Report**. Complete this to tell the court how the child is doing, if the guardianship is still necessary, and if there have been any changes in the guardian's home.
 - A separate form **GC-251** must be submitted for each child.
- A due date will be listed on *page 1*. If you don't return a completed report by that date, the judge may order you to meet with the investigator or go back to court to explain why you should not be removed as guardian.

Visitation Rights:

- The rights of the parents are completely suspended—not terminated—while the guardianship remains in effect.
- Because the guardian has full legal and physical custody of the child, it is the guardian who decides who visits the child, how often, and for how long. This includes whether to allow the child's parents to visit their child.
- If the child's parent has an order for visitation but the arrangement is not working, you can file papers asking the judge to change the schedule. Contact the SHRC for information about which forms are needed to obtain a hearing.

Moving with the Child:

- If you are moving within California, you must give written notice both before and after the move.
- If you are moving outside of California, you must get the court's permission first.
- Contact the SHRC for information about which forms are needed.

Terminating the Guardianship:

- A guardianship will terminate automatically when the child reaches age 18, so no paperwork is needed to terminate at that time.
- If you are seeking to terminate the guardianship while the child is still a minor, the court must approve. Contact the SHRC for information about which forms are needed to obtain a hearing.

Attorney or Party Without Attorney (Name and Address): Telephone No: Email Address: (Optional) Attorney for (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TULARE <input type="checkbox"/> Visalia Division– 221 S Mooney Blvd, Room 203 Visalia, CA 93291 <input type="checkbox"/> South County Justice Center - 300 E. Olive Ave., Porterville, CA 93257	
Guardianship of:	Case Number:
CONFIDENTIAL GUARDIANSHIP QUESTIONNAIRE	(Probate Code §1513)

When a guardianship case is filed, the Investigator’s office will open an investigation by order of the Court. The person filing for guardianship will be responsible for the \$550 investigation fee after Family Court Services completes this investigation, unless that fee is waived or reduced by the court, or payments are arranged by the Court in cases of extreme hardship.

Investigations are done by a Court Investigator for Family Court Services (FCS) or County of Tulare Health and Human Services Agency (HHSA) as follows:

Guardianship of:	Proposed Guardian(s):	Agency:
1. Person or Person/Estate	Relative	FCS
2. Person or Person/Estate	Non-Relative	HHSA
3. Person or Person/Estate	Relative & Non-relative	FCS/HHSA Rotation

Per Probate Code 1513, Family Court Services is to prepare an investigative report to include the social history of the proposed guardians, parents and child(ren) as required by state law, unless waived by the Court. Please complete this entire Guardianship Questionnaire (FCS-303). Information provided in this questionnaire, during interview(s), in other submitted paperwork and from investigative sources will be used to prepare a family social history, evaluation, and recommendation for the court. This report will then be placed in a sealed court file. Copies will be mailed to the proposed guardians, parents, and their respective attorneys.

*** “Relative” is defined in Prob. Code § 1513(g) as a person who is a spouse, parent, step-parent, brother, sister, step-brother, step-sister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix “grand” or “great” or the spouse of any of these persons even after the marriage has been terminated by death or dissolution.**

If you are not one of the relations noted above, then you are considered a non-relative for the purposes of this investigation. If you have questions regarding the Family Court Services investigation process, you can call Family Court Services at 559-730-5000 option 6.

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

I. MINOR CHILD(REN) LISTED ON GUARDIANSHIP PETITION:

	Full Legal Name	Birth Date	Age	Person with whom Residing	Related or Not Related to Petitioner(s) *	Primary Language
#1						
#2						
#3						
#4						

Check here if you have additional children to list. Attach a separate sheet of paper titled ATTACHMENT 1 - ADDITIONAL MINOR CHILDREN to the back of this questionnaire.

II. (PROPOSED) GUARDIAN(S):

Check here if you have more than two proposed guardians. For each additional guardian, please photocopy this section and attach it to the end of this Questionnaire – titled ATTACHMENT 2 - ADDITIONAL PROPOSED GUARDIANS.

	Full Legal Name	Birth Date	Age	Primary Language
#1				
#2				

Attorney for Proposed Guardian(s):

Name: _____ Tel. No.: (____) _____

Address: _____
Street Ste. City State Zip Code

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

III. MINOR CHILD(REN): ADDITIONAL INFORMATION

MINOR CHILD #1:

Is this child a member of, or eligible for membership in, an Indian tribe recognized by the federal government?

No Not sure Yes (*specify tribe*): _____

School Information (if school age):

<u>School Name</u>	<u>Address</u>	<u>Telephone #</u>	<u>School Days/Hours</u>	<u>Teacher Name</u>	<u>Child Special Needs:</u>

Please attach current and prior school year attendance & grade reports and copy of any educational plan if available.

Child Care Information:

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>	<u>Days/Hours</u>	<u>Relationship to Child</u>

Who transports the child to/from school and/or child care? Name: _____ Relationship: _____

How will the child be transported if you are granted guardianship? _____

Health Information:

Health insurance Plan: Medi-Cal Other: _____

Present Health Status: Good Fair Poor

If minor's health is fair or poor, please explain and include any special health problems:

Is minor taking any medication? Yes No If yes, what kind and for what reason(s)?

Has the minor child ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is the child's current condition regarding this problem? _____

Professional Practitioners: (*Medical doctors, dentists, eye doctor, counselors, regional center workers etc.*)

<u>Name and Title</u>	<u>Date of Last Contact</u>	<u>Address</u>	<u>Telephone Number</u>

Financial Information:

Type of Income Received for Minor #1: TANF Cash Aid Food stamps SSI SSDI Parental Assistance None Other: _____

If income received, what is the amount? _____

Who will manage the minor's income? _____

Does the Minor have a trust? Yes No If yes, what amount and who manages the trust?

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

MINOR CHILD #2:

Is this child a member of, or eligible for membership in, an Indian tribe recognized by the federal government?

No Not sure Yes (specify tribe): _____

School Information (if school age):

<u>School Name</u>	<u>Address</u>	<u>Telephone #</u>	<u>School Days/Hours</u>	<u>Teacher Name</u>	<u>Child Special Needs:</u>

Please attach current and prior school year attendance & grade reports and copy of any educational plan if available.

Child Care Information:

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>	<u>Days/Hours</u>	<u>Relationship to Child</u>

Who transports the child to/from school and/or child care? Name: _____ Relationship: _____
How will the child be transported if you are granted guardianship? _____

Health Information:

Health insurance Plan: Medi-Cal Other: _____

Present Health Status: Good Fair Poor

If minor's health is fair or poor, please explain and include any special health problems:

Is minor taking any medication? Yes No If yes, what kind and for what reason(s)?

Has the minor child ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is the child's current condition regarding this problem? _____

Professional Practitioners: (Medical doctors, dentists, eye doctor, counselors, regional center workers etc.)

<u>Name and Title</u>	<u>Date of Last Contact</u>	<u>Address</u>	<u>Telephone Number</u>

Financial Information:

Type of Income Received for Minor #2: TANF Cash Aid Food stamps SSI SSDI Parental Assistance None Other: _____

If income received, what is the amount? _____

Who will manage the minor's income? _____

Does the Minor have a trust? Yes No If yes, what amount and who manages the trust?

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

MINOR CHILD #3:

Is this child a member of, or eligible for membership in, an Indian tribe recognized by the federal government?

No Not sure Yes (*specify tribe*): _____

School Information (if school age):

<u>School Name</u>	<u>Address</u>	<u>Telephone #</u>	<u>School Days/Hours</u>	<u>Teacher Name</u>	<u>Child Special Needs:</u>

Please attach current and prior school year attendance & grade reports and copy of any educational plan if available.

Child Care Information:

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>	<u>Days/Hours</u>	<u>Relationship to Child</u>

Who transports the child to/from school and/or child care? Name: _____ Relationship: _____

How will the child be transported if you are granted guardianship? _____

Health Information:

Health insurance Plan: Medi-Cal Other: _____

Present Health Status: Good Fair Poor

If minor's health is fair or poor, please explain and include any special health problems:

Is minor taking any medication? Yes No If yes, what kind and for what reason(s)?

Has the minor child ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is the child's current condition regarding this problem? _____

Professional Practitioners: (*Medical doctors, dentists, eye doctor, counselors, regional center workers etc.*)

<u>Name and Title</u>	<u>Date of Last Contact</u>	<u>Address</u>	<u>Telephone Number</u>

Financial Information:

Type of Income Received for Minor #3: TANF Cash Aid Food stamps SSI SSDI Parental Assistance None Other: _____

If income received, what is the amount? _____

Who will manage the minor's income? _____

Does the Minor have a trust? Yes No If yes, what amount and who manages the trust?

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

MINOR CHILD #4:

Is this child a member of, or eligible for membership in, an Indian tribe recognized by the federal government?

No Not sure Yes (*specify tribe*): _____

School Information (if school age):

<u>School Name</u>	<u>Address</u>	<u>Telephone #</u>	<u>School Days/Hours</u>	<u>Teacher Name</u>	<u>Child Special Needs:</u>

Please attach current and prior school year attendance & grade reports and copy of any educational plan if available.

Child Care Information:

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>	<u>Days/Hours</u>	<u>Relationship to Child</u>

Who transports the child to/from school and/or child care? Name: _____ Relationship: _____

How will the child be transported if you are granted guardianship? _____

Health Information:

Health insurance Plan: Medi-Cal Other: _____

Present Health Status: Good Fair Poor

If minor's health is fair or poor, please explain and include any special health problems:

Is minor taking any medication? Yes No If yes, what kind and for what reason(s)?

Has the minor child ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is the child's current condition regarding this problem? _____

Professional Practitioners: (*Medical doctors, dentists, eye doctor, counselors, regional center workers etc.*)

<u>Name and Title</u>	<u>Date of Last Contact</u>	<u>Address</u>	<u>Telephone Number</u>

Financial Information:

Type of Income Received for Minor #4: TANF Cash Aid Food stamps SSI SSDI Parental Assistance None Other: _____

If income received, what is the amount? _____

Who will manage the minor's income? _____

Does the Minor have a trust? Yes No If yes, what amount and who manages the trust?

Check here if you have additional children to list. Attach a separate sheet of paper titled ATTACHMENT 3- ADDITIONAL MINOR CHILDREN INFORMATION to the back of this questionnaire.

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

IV. PARENTS OF MINOR(S): (Full legal names) If one of the natural parents has died, please mark "deceased" for that person's address and add the date of death, if known.

1. Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____ Deceased? Yes No _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Minor 1: Mother Father

Relationship to Minor 2: Mother Father

Relationship to Minor 3: Mother Father

Relationship to Minor 4: Mother Father

List other child(ren) of the Legal Parent not listed in this petition.

Name	Birth Date	Location

2. Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____ Deceased? Yes No _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Minor 1: Mother Father

Relationship to Minor 2: Mother Father

Relationship to Minor 3: Mother Father

Relationship to Minor 4: Mother Father

List other child(ren) of the Legal Parent not listed in this petition.

Name	Birth Date	Location

3. Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____ Deceased? Yes No _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

- Relationship to Minor 1: Mother Father
Relationship to Minor 2: Mother Father
Relationship to Minor 3: Mother Father
Relationship to Minor 4: Mother Father

List other child(ren) of the Legal Parent not listed in this petition.

Name	Birth Date	Location

4. Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____ Deceased? Yes No

Driver License Number: _____ State: _____ Currently Valid: Yes No

- Relationship to Minor 1: Mother Father
Relationship to Minor 2: Mother Father
Relationship to Minor 3: Mother Father
Relationship to Minor 4: Mother Father

List other child(ren) of the Legal Parent not listed in this petition.

Name	Birth Date	Location

Check here if you have additional Legal Parents to list. Attach a separate sheet of paper titled ATTACHMENT 4 - ADDITIONAL LEGAL PARENTS to the back of this questionnaire.

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

V. PROPOSED GUARDIAN #1 ADDITIONAL INFORMATION:

Check here if you have more than two proposed guardians. For each additional guardian, please photocopy this section and attach it to the end of this Questionnaire – titled ATTACHMENT 5 - PROPOSED GUARDIAN ADDITIONAL INFORMATION.

Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Minor 1: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 2: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 3: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 4: _____ Maternal (on mother's side) Paternal (on father's side)

List other child(ren) of the Proposed Guardian whom reside outside of the residence:

Name	Birth Date	Location

HOUSEHOLD COMPOSITION: List other adults age 18 or older residing in your home.

1. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

2. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

3. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

4. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

List other child(ren) **under age 18** living in your household:

Name	Birth Date	School	Relationship to Child(ren) Location

LAW ENFORCEMENT INFORMATION:

If you have ever been convicted of a crime other than minor traffic citations, please provide the following information: :
Charge City/State Date

- 1) _____
- 2) _____
- 3) _____

If you are on Parole or Probation, please provide your Officer's Name: _____ Tel. No.: (____) _____

Has anyone in your household ever applied for a domestic violence restraining order or had one issued against them?
 Yes No; If yes, please explain: _____

YOUR EDUCATION:

Highest Grade Completed: _____ Graduated High School? Yes No Year: _____

License(s) or Credential(s) Received: _____

College Degree(s) Received: _____

YOUR EMPLOYMENT: If you are not employed, please indicate the source of income..

Employer: _____ Capacity/Job Title: _____

Length of Employment: _____ Salary: _____

Supervisor's Name, Address and Telephone Number: _____

YOUR HEALTH:

Name of Your Health Insurance Plan: _____

Present Health Status: Good Fair Poor

If your health is fair or poor, please explain: _____

Are you taking any medication? Yes No; If yes, what kind and for what reason(s)? _____

Special Health Problems: _____

Have you ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is your current condition regarding this problem? _____

Professional Practitioners: (Medical doctors, counselors, or providers who may have treated you within the past two years.)

Name and Title	Date of Last Contact	Address	Telephone Number

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

PROPOSED GUARDIAN #2 ADDITIONAL INFORMATION:

Full Legal Name: _____ AKA or Maiden Name: _____

Address: _____
Street Apt. City State Zip Code

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Place of Birth: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Minor 1: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 2: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 3: _____ Maternal (on mother's side) Paternal (on father's side)

Relationship to Minor 4: _____ Maternal (on mother's side) Paternal (on father's side)

List other child(ren) of the Proposed Guardian whom reside outside of the residence (if different than Guardian #1):

Name	Birth Date	Location

HOUSEHOLD COMPOSITION: List other adults age **18 or older** residing in your home (If different than Guardian #1).

1. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

2. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

3. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

4. Full Legal Name: _____ AKA or Maiden Name: _____

Telephone Numbers: Home (____) _____ Work (____) _____

Birth Date: ____/____/____ Birth Place: _____ Sex: _____

Driver License Number: _____ State: _____ Currently Valid: Yes No

Relationship to Petitioner(s): _____ Relationship to Child(ren): _____

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

List other child(ren) **under age 18** living in your household (If different than Guardian #1)

Name	Birth Date	School	Relationship to Child(ren) Location

LAW ENFORCEMENT INFORMATION:

If you have ever been convicted of a crime other than minor traffic citations, please provide the following information:

	Charge	City/State	Date
1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____

If you are on Parole or Probation, please provide your Officer's Name: _____ Tel. No.: (____) _____

Has anyone in your household ever applied for a domestic violence restraining order or had one issued against them?

Yes No; If yes, please explain: _____

YOUR EDUCATION:

Highest Grade Completed: _____ Graduated High School? Yes No Year: _____

License(s) or Credential(s) Received: _____

College Degree(s) Received: _____

YOUR EMPLOYMENT: If you are not employed, please indicate the source of income.

Employer: _____ Capacity/Job Title: _____

Length of Employment: _____ Salary: _____

Supervisor's Name, Address and Telephone Number: _____

YOUR HEALTH:

Name of Your Health Insurance Plan: _____

Present Health Status: Good Fair Poor

If your health is fair or poor, please explain: _____

Are you taking any medication? Yes No; If yes, what kind and for what reason(s)? _____

Special Health Problems: _____

Have you ever had any problem with the following?

Alcohol: Yes No Drugs: Yes No Mental/Emotional Problems: Yes No

If yes, what is your current condition regarding this problem? _____

Professional Practitioners: (Medical doctors, counselors, or providers who may have treated you within the past two years.)

Name and Title	Date of Last Contact	Address	Telephone Number

PROBATE CASE NUMBER: _____ PROBATE CASE NAME: _____

VI. FAMILY FINANCES OF PROPOSED GUARDIAN(S):

If proposed guardians are not living together, please photocopy this sheet and attach a separate sheet for each additional proposed guardian titled – ATTACHMENT 5 – FAMILY FINANCES OF PROPOSED GUARDIAN(S).

Residence:

The home you live in is: owned rented.

How long have you lived there? _____ Monthly Cost: \$ _____ Value: \$ _____

Number of Bedrooms: _____ Number of Bathrooms: _____ Approximate Size: _____ sq.ft.

Please describe the sleeping arrangements for each household member including the proposed guardians and minor children: _____

Income: Please list source(s) of income and amount(s).

	<u>Income Source</u>	<u>Amount</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____

Other Assets: Please list other major assets or real property.

	<u>Asset</u>	<u>Value</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____

Within the past 5 years, have you been served a Three Day Notice to Pay or Quit? Yes No;

If yes, please explain: _____

GC-210(P)

Petition for Appointment of Guardian of the Person

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.**



Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in information below when form is filed.

Case Number:

Hearing Date and Time:

Dept.:

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> :	Case Number:

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

GC-210(CA)**Child Information Attachment to Probate Guardianship Petition**

Case Number: _____

Guardianship of *(all children's names)*: _____**This child's name:** _____Fill out a separate copy of this form for **each child** for whom your petition asks the court to appoint a guardian.**This form is attached to the Petition,** **form GC-210, item 2,** or **form GC-210(P), item 8.**The petition asks the court to appoint 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 mm/dd/yyyy*b. Child's current address: _____
_____c. Indian child inquiry *(Complete only if your petition asks the court to appoint a guardian of this child's person or person and estate. If your petition asks the court to appoint a guardian of this child's estate only, skip this item and go to item 1d.)* I have asked whether the child is or may be a member of one or more Indian tribes recognized by the federal government, or eligible for membership in such a tribe and the biological child of a tribal member, and whether the child or parents live or are domiciled on a reservation or rancheria or in an Alaskan Native village. Form ICWA-010(A), *Indian Child Inquiry Attachment*, is attached to this form. I have not asked about the child's Indian heritage because the parents are unavailable or deceased.*(For more information about your duties under the federal Indian Child Welfare Act (ICWA) (25 U.S.C. §§ 1901–1963) and California law, including making the inquiry and completing form ICWA-010(A) if the child is or may be an Indian child, see Information Sheet on Indian Child Inquiry Attachment 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 married in the past 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.)*e. Is this child receiving public benefits? Yes No I don't know *(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 <i>(explain)</i> :	\$ _____
<input type="checkbox"/> Social Security	\$ _____	<input type="checkbox"/> Other <i>(explain)</i> :	\$ _____
<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 in f. with legal custody.)*Name and address of the person this child lives with (who takes care of the child): _____
_____

Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

1 Tell the court about this child (continued)

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

Type of Case	Court District or County and State or Tribe	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 State Hospitals.) Write the name of the institution here:

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

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

(Check here if this child has additional relatives, including parents, grandparents, siblings, or half-siblings, 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 Relatives" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

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

Relationship	Name	Home Address (Street, City, State, Zi)
Spouse <i>(Guardianship of the estate only)</i>	_____	_____
Person nominated as guardian of this child <i>(if someone other than a proposed guardian listed in 3)</i>	_____	_____
Indian custodian <i>(if any)</i>	_____	_____
Child's tribe <i>(if any and if known)</i>	_____	_____

(Check here if there is more than one tribe that the child may be eligible for membership in, and list the names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of the child, and "Attachment 2: Child's tribes" at the top of the paper and attach it to this form.)

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 relationship(s) to the child of each proposed relative guardian): _____
 Not a relative (explain interest in or connection to this child): _____

- c. Did the child's parent(s) nominate the proposed guardian(s)? Yes No I don't know
(If you checked "Yes," attach the written nomination as Attachment 3c.)
- d. Does this child currently live with the proposed guardian(s)? Yes No I don't know
If "Yes," how long has the child lived with the proposed guardian(s)? (years, months): _____
- e. If the court approves the guardianship, will this child live with the proposed guardian(s)? Yes No
- f. Does/do the proposed guardian(s) currently plan to adopt this child? Yes No I don't know

4 Explain why appointing a guardian for the child named in 1 would be in the child's best interest:

(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: Guardianship—Best Interest of Child" at the top of the paper and attach it to this form.)

Guardianship of *(all children's names)*: _____

Case Number: _____

This child's name: _____

5 Explain why appointing the person named in 3 to be this child's guardian would be in the child's best interest:

(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 5: Proposed Guardian—Best Interest of Child" at the top of the paper and attach it to this form.)

6 a. Does one or do both of this child's parents agree:
(1) That the court needs to appoint a guardian for the child?
Parent (name): _____ Yes No I don't know
Parent (name): _____ Yes No I don't know
(2) That the person named in 3 should be the child's guardian?
Parent (name): _____ Yes No I don't know
Parent (name): _____ Yes No I don't know

b. If the child is an Indian child and in the care and custody of an Indian custodian, does the Indian custodian agree:
(1) That the court needs to appoint a guardian for the child?
Custodian (name): _____ Yes No I don't know
(2) That the person named in 3 should be the child's guardian?
Custodian (name): _____ Yes No I don't know

7 Check this box if you (the petitioner) are not the person named in 3, and fill in below.
Your relationship to this child:
 Relative (specify relationship): _____

 Not a relative (explain your interest in or connection to this child):

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

CHILD'S NAME:	CASE NUMBER:
---------------	--------------

1. Name of child:

2. (Check one)

I have not yet been able to complete the inquiry about the child's Indian status because:

I understand that I have an affirmative and continuing duty to complete this inquiry. I will do it as soon as possible and advise the court of my efforts.

I have asked or I am advised by _____ and on information and belief confirm that this person has completed inquiry by asking the child, the child's parents, and other required and available persons about the child's Indian status. Each of these persons was asked whether they had any information that the child is or may be an Indian child; whether the parents or child are or were domiciled or lived on a reservation, rancheria, Alaska Native village, or other tribal trust land, or had ancestors who were members of an Indian tribe. The person(s) questioned are:

Name:

Name:

Address:

Address:

City, state, zip:

City, state, zip:

Telephone:

Telephone:

Date questioned:

Date questioned:

Relationship to child:

Relationship to child:

Additional persons questioned and their information is attached. *(Form MC-020 may be used for this purpose.)*

3. This inquiry *(check one)*:

gave me reason to believe the child is or may be an Indian child. *(If checked, continue to 4.)*

gave me no reason to believe the child is or may be an Indian child. *(If checked, continue to signature page at end of form.)*

4. I contacted the tribe(s) that the child may be affiliated with and worked with them to establish whether the child is a member or citizen or eligible for membership or citizenship in the tribe(s). Information detailing the tribes contacted, the names of the individuals contacted, and the manner of the contacts is attached.

5. Based on inquiry and tribal contacts *(check all that apply)*:

a. the child is or may be a member or citizen of or eligible for membership or citizenship in a tribe.

Name of tribe(s):

Location of tribe(s):

b. the child's parents, grandparents, or great-grandparents are or were members or citizens of a tribe.

Name of tribe(s):

Location of tribe(s):

c. the residence or domicile of the child, child's parents, or Indian custodian is on a reservation, rancheria, Alaska Native village or other tribal trust land.

d. 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).

e. the child is or has been a ward of a tribal court.

Name of tribe(s):

Location of tribe(s):

f. either parent or the child possesses an Indian Identification card indicating membership or citizenship in an Indian tribe.

Name of tribe(s):

Location of tribe(s):

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>): <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	
NOTICE OF HEARING - GUARDIANSHIP OR CONSERVATORSHIP	

**This notice is required by law.
This notice does not require you to appear in court, but you may attend the hearing if you wish.**

1. NOTICE is given that (*name*) :
(*representative capacity, if any*) :
has filed (*specify*) :

2. You may refer to documents on file in this proceeding for more information. (*Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.*)
3. The petition includes an application for the independent exercise of powers by a guardian or conservator under
 Probate Code section 2108 Probate Code section 2590.
 Powers requested are specified below specified in Attachment 3.

4. A HEARING on the matter will be held as follows:

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Room:
----------	-------	---------------------------------	--------------------------------

b. Address of court same as noted above is (*specify*) :

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):	CASE NUMBER:
<input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	

NOTE:*

A copy of this *Notice of Hearing-Guardianship or Conservatorship* ("Notice") must be "served" on-delivered to each person who has a right under the law to be notified of the date, time, place and purpose of a court hearing in a guardianship or conservatorship. Copies of this Notice may be served by mail in most situations. In a guardianship, however, copies of this Notice must sometimes be personally served on certain persons; and copies of this Notice may be personally served instead of served by mail in both guardianships and conservatorships. The petitioner (the person who requested the court hearing) **may not personally perform either service by mail or personal service**, but must show the court that copies of this Notice have been served in a way the law allows. The petitioner does this by arranging for someone else to perform the service and complete and sign a proof of service, which the petitioner then files with the original Notice.

This page contains a proof of service that may be used only to show service by mail. To show personal service, each person who performs the service must complete and sign a proof of personal service, and each signed copy of that proof of service must be attached to this Notice when it is filed with the court. You may use form GC-020(P) to show personal service of this Notice.

** (This Note replaces the clerk's certificate of posting on prior versions of this form. If notice by posting is desired, attach a copy of form GC-020(C), Clerk's Certificate of Posting Notice of Hearing-Guardianship or Conservatorship. (See Prob. Code, § 2543(c).)*

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*) :
3. I served the foregoing *Notice of Hearing-Guardianship or Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - a. **depositing** the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
 - b. **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: _____ b. Place mailed (*city, state*) : _____
5. I served with the *Notice of Hearing-Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.

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 PERSON COMPLETING THIS FORM) (SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Name of person served

Address (number, street, city, state, and zip code)

1.		
2.		
3.		
4.		

Continued on an attachment. (*You may use form DE-120(MA)/GC-020(MA) to show additional persons served.*)

<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name) : <div style="text-align: right; padding-right: 20px;"> <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE </div>	CASE NUMBER:
---	--------------

PROOF OF PERSONAL SERVICE OF NOTICE OF HEARING - GUARDIANSHIP OR CONSERVATORSHIP

(Attach a separate completed and signed copy of this form or other proof of personal service to Notice of Hearing - Guardianship or Conservatorship for each person who personally served a copy of the Notice.)

1. I am over the age of 18 and not a party to this cause.
2. I served the attached *Notice of Hearing - Guardianship or Conservatorship* by personally delivering a copy to each person listed below at the address and on the date and time indicated below.
3. I served with the attached *Notice of Hearing - Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.
4. I served with the attached *Notice of Hearing - Guardianship or Conservatorship* copies of the following documents (*specify*) :

 Continued on Attachment 4.
5. I am (*check all that apply*) :
 - a. not a registered California process server.
 - b. a California sheriff or marshal.
 - c. a registered California process server.
 - d. an employee or independent contractor of a registered California process server.
 - e. exempt from registration (Bus. & Prof. Code, § 22350(b)).
6. My name, address, telephone number, and, if applicable, county of registration and number, are (*specify*) :

NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE

	<u>Name</u>	<u>Address where served (number, street, city, and state)</u>	<u>Date and time service made</u>
1.			Date: _____ Time: _____
2.			Date: _____ Time: _____
3.			Date: _____ Time: _____
4.			Date: _____ Time: _____

List of names and addresses of persons personally served by the undersigned continued on an attachment.
(You may use Attachment to Notice of Hearing Proof of Personal Service, form DE-120(PA)/GC-020(PA), for this purpose.)

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

Date:

(SIGNATURE)

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct

Date:

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<i>(This section applies to cases other than probate guardianships.)</i>	
PETITIONER: RESPONDENT: OTHER PARTY: CHILD'S NAME (Juvenile cases only):	
<i>(This section applies only to probate guardianship cases.)</i>	
GUARDIANSHIP OF (name): Minor	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	
CASE NUMBER:	

1. I am (check one): a party to this proceeding to determine custody of a child the authorized representative of the agency, which is a party to this proceeding to determine custody of a child.

2. There are (specify number): _____ minor children who are subject to this proceeding, as follows (list oldest child first):

Full name	Date of birth	Place of birth (city and state)
a.		
b.		
c.		
d.		

Check this box if you need to list more children. (On form MC-020 or a separate piece of paper, write "FL-105, Attachment 2, Additional Children" at the top, provide all requested information for each additional child, and attach to this form.)

3. a. Check this box if there is only one child or if all of the children listed in item 2 have lived together for the past five years. (Provide the current address of the child listed in item 2a and their residence history for the past five years. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)

Dates of residence (Month/Year)		Residence (City/State)	Person child lived with and complete current address	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			

Additional addresses are listed on Attachment 3a. (Form MC-020 may be used for this purpose.)

b. Check this box if there is more than one child and all the children have not lived together for the past five years. (Attach form FL-105(A)/GC-120(A) and list each other child's current address and their residence history for the past five years.)

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

Proceeding	Case Number	Court <i>(name, state, location)</i>
d. <input type="checkbox"/> Juvenile		
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 or Tribe	Case number <i>(if known)</i>	Orders expire <i>(date)</i>
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody of or claims to have rights to 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:

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child:

b. Name and address of person:

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child:

c. Name and address of person:

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child:

7. Number of pages attached: _____

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

Date:

_____ _____

(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

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.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name) : _____ MINOR	
DUTIES OF GUARDIAN and Acknowledgment of Receipt	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 **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)

GUARDIAN OF (Name):	CASE NUMBER:
MINOR	

- 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)

GUARDIAN OF (Name):

MINOR

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 (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>):	
<input type="checkbox"/> CONSENT OF PROPOSED GUARDIAN <input type="checkbox"/> NOMINATION OF GUARDIAN <input type="checkbox"/> CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE	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.

CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-212

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) :		<i>FOR COURT USE ONLY</i>	
TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____			
GUARDIANSHIP OF _____ (Name) :		CASE NUMBER: _____	
MINOR			
CONFIDENTIAL GUARDIAN SCREENING FORM 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

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

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):
- Judge (name) :
 - Hearing date: Time: Dept.: Room:
 - Petitioner (name) :
 - Attorney for Petitioner (name) :
 - Attorney for (proposed) ward (name, address, e-mail, and telephone):

THE COURT FINDS

- All notices required by law have been given.
 - Notice of hearing to the following persons has been should be dispensed with (names):
- 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.)
- Extension of the guardianship of the person past the ward's 18th birthday is necessary or convenient.
- 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.
- Attorney (name) : has been appointed by the court as legal counsel to represent the (proposed) ward in these proceedings. The cost for representation is: \$
- 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

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):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF (name):	
LETTERS OF GUARDIANSHIP <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. 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).

A *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

GC-110(P)

Petition for Appointment of Temporary Guardian of the Person

Clerk stamps date here when form is filed.

Temporary guardianship of (all children's names): _____

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 _____

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: _____

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 (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
TEMPORARY GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>): _____ MINOR	
ORDER APPOINTING TEMPORARY GUARDIAN	CASE NUMBER: _____
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.	

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):	CASE NUMBER:
MINOR	

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

GC-150

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*): _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____
 STREET ADDRESS: _____
 MAILING ADDRESS: _____
 CITY AND ZIP CODE: _____
 BRANCH NAME: _____

FOR RECORDER'S USE ONLY

TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 OF (*name*): _____
 MINOR CONSERVATEE

CASE NUMBER: _____

LETTERS OF TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 Person Estate

FOR COURT USE ONLY

LETTERS

1. (*Name*): _____
 is appointed temporary guardian conservator of the person
 estate of (*name*): _____
2. 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
 - a. on (*date*): _____ or upon earlier issuance of Letters to a general guardian or conservator.
 - b. 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):	CASE NUMBER:
<input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE	

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/. 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 AND ADDRESS) NO.:	TELEPHONE	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TULARE STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE:		
<input type="checkbox"/> Guardianship <input type="checkbox"/> Conservatorship <input type="checkbox"/> Estate of		
DECLARATION OF DUE DILIGENCE		CASE NUMBER:

Note: Please use one form for each person you are unable to serve/locate.

I, the undersigned, declare:

1. I made a reasonable search and cannot locate and serve the following person:

Name	Relationship to Minor/Conservator/Decedent

2. I do not know the name of the person I am to serve and I am unable to find out that information because:

3. The last known address of the person named in item 1 is: _____

4. I spoke with the following relatives and friends of the person named in item 1, or others having knowledge of the person's whereabouts: (MANDATORY)

Name	Date of Contact	Relationship to Person in item1	Result

(Complete at least three of items 5 through 9)

5. I searched the telephone directory for _____ County (where the person was last known to live) and this was the result: _____

6. I contacted the California Prisoner Locator System at (916) 445-6713 and this was the result [complete only if there is reason to believe the person is incarcerated in California]: _____

<i>Insert Case Name:</i>	Case #
--------------------------	--------

7. I searched the internet to locate the person and this was the result: _____

8. I checked with the following persons who may have knowledge concerning the whereabouts of the person named in item 1:

Last known employer:	Date of contact:	Result:

Last known landlord:	Date of contact:	Result:

9. I have checked public records in _____ County with the following results:

Tax Assessor's Name:	
Voter Registration Records:	
Other:	

10. The last contact I had with the person named in item 1 was or the last information concerning his/her whereabouts is as follows: (MANDATORY) _____

11. If requesting Notice by Publication, the newspaper most likely to give notice is: _____ because _____
_____.

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

Executed on (date) _____, at (city) _____, California.

Type or print name _____ Signature _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>):	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (<i>Name</i>):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (<i>Name</i>):		
<input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE		
ORDER DISPENSING WITH NOTICE		CASE NUMBER:

1. **THE COURT FINDS** that a petition for (*specify*):
has been filed and
- a. (*for guardianship only*) the following persons cannot with reasonable diligence be given notice (*names*):
- b. (*for guardianship only*) the giving of notice to the following persons is contrary to the interest of justice (*names*):
- c. good cause exists for dispensing with notice to the following persons referred to in Probate Code section 1460(b) (*names*):
- d. other (*specify*):
2. **THE COURT ORDERS** that notice of hearing on the petition for (*specify*):
- a. is not required except to persons requesting special notice under Probate Code section 2700.
- b. is dispensed with to the following persons (*names*):

Date:

 JUDGE OF THE SUPERIOR COURT

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):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
PARENTAL NOTIFICATION OF INDIAN STATUS	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 other 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 or citizen of, or eligible for membership or citizenship 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 or citizen of, or eligible for membership or citizenship in, a federally recognized Indian tribe because (state why you think the child is or may be a member or citizen or eligible for membership or citizenship in the tribe):
 Name of tribe(s) (name each):

 Location of tribe(s):
- c. One or more of the child's parents, grandparents, or other lineal ancestors is or was a member or citizen 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, live, or have lived on a reservation, rancheria, Alaska Native village, or other tribal trust land.
- e. The child is a resident of or is domiciled, lives, or has lived on a reservation, rancheria, Alaska Native village, or other tribal trust land.



CHILD'S NAME:	CASE NUMBER:
---------------	--------------

3. f. The child is or has been a ward of a tribal court of the: _____ tribe.
- 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. Additional inquiry may be required by the Indian Child Welfare Act and state law.

GC-207-INFO/JV-352-INFO Comparison of Guardians With Other Nonparent Caregivers

Notice of the hearing on a petition for appointment of a probate guardian must include a copy of this form.

A California court can order care, custody, and control of a child transferred from a parent to another caregiver in a variety of cases. This form compares juvenile court and probate guardianship cases. In juvenile court, a foster parent, sometimes called a resource family, is a temporary caregiver. A guardian is a “permanent” caregiver. A probate court can also appoint a guardian, using different procedures and standards. The three charts in this form compare the rights and duties, available services and supports, and court processes in juvenile court and probate guardianship cases.

Charts in this form

- 1. The Rights and Duties of Different Types of Caregivers, at pages 2–4**
Compares foster parents/resource families with probate guardians and juvenile court guardians
- 2. The Services and Financial Support Available to Different Types of Caregivers, at pages 5–8**
Compares foster parents/resource families, probate guardians, and juvenile court guardians
- 3. How a Guardian Is Appointed and What Happens Afterward, at pages 9–11**
Compares probate guardians with juvenile court guardians

For more information on probate guardianship of the person, see *Information on Probate Guardianship of the Person* (form GC-205-INFO). For information on probate guardianship of the estate, see *Information on Probate Guardianship of the Estate* (form GC-206-INFO). For more information on juvenile court guardianship, see *Information on Juvenile Court Guardianship* (form JV-350-INFO).

CAUTION: This form does not replace legal advice from a lawyer. Parents, potential caregivers, and potential guardians should consult a lawyer for answers to questions or concerns about their specific situation. Click this link, www.courts.ca.gov/selfhelp-findlawyer.htm, for help finding a lawyer.

Starting a case in probate court or juvenile court

A probate guardianship case begins when a private person files a petition to appoint a guardian. A juvenile dependency case begins only if the child welfare agency files a petition. However, a private person can ask the agency to file a petition. If the agency does not, that person can ask the juvenile court to order the agency to file a petition. Even if the agency files a petition, the juvenile court can deny it if the child doesn’t meet the legal standard. If the probate court thinks a juvenile dependency case might be appropriate after a guardianship case begins but before a guardian is appointed, the court can ask the agency to file a dependency petition and, if the agency does not, can ask the juvenile court to order the agency to file a petition.

Families can also arrange for care and a place to live for a child without going to court. These arrangements are usually temporary and often involve documents such as a Caregiver’s Authorization Affidavit (see www.courts.ca.gov/documents/caregiver.pdf) or a Voluntary Placement Agreement with a child welfare agency (see www.cdss.ca.gov/cdssweb/entres/forms/english/soc155.pdf). *Information on the Probate Guardianship of the Person* (form GC-205-INFO) gives information about these arrangements.

Foster parents/resource families

If a juvenile court finds that a child cannot continue living safely at home, the court will order the child placed out of the home in the care and custody of the county child welfare agency (sometimes called *child protective services* or CPS). The agency can then place the child in the home of an approved foster parent. If a foster parent has been approved through the resource family approval (RFA) process, the foster parent is sometimes called a *resource family*, so this form uses the term “foster parent/resource family.” Approval as a foster parent/resource family is difficult and takes time. Some families will not be approved because they do not meet the strict standards.

Guardians

A guardian is an adult appointed by either the probate court or the juvenile court to take long-term care, custody, and control of a child when the child’s parents are unavailable or unable to care for the child. A relative or nonrelative can be appointed as guardian if the court finds the appointment is in the child’s best interest. In general, probate guardians have the same rights and duties as juvenile court guardians. However, probate guardians have access to different, and often fewer, financial supports, services, and resources.



1. The *Rights and Duties* of Different Types of Caregivers

Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
<i>Caregiver’s Fundamental Responsibilities and General Duties</i>	
<p>A foster parent/resource family works with child welfare agency social workers to provide care, supervision, and housing for the child.</p> <p>A foster parent/resource family receives foster care funds for the child’s needs, such as food and clothing, and works with the social worker to make sure the child receives available resources and services if the child has special needs.</p>	<p>A guardian, whether appointed by a probate court or juvenile court, has the same general rights and duties toward the child as a parent. In other words, a guardian has care, custody, and control of the child. However, the court that appoints the guardian can order the guardian to do or not to do certain things.</p> <p>The guardian is responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child.</p> <p>The guardian must provide for the safety, protection, and physical and emotional growth of the child. Like a parent, a guardian should maintain close contact with the child’s school and doctor.</p> <p>If the child has special needs, the guardian must strive to meet those needs and 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 help these children.</p>
<i>Custody and Visitation</i>	
<p>Physical custody of the child—that is, the right to decide where the child lives—is with the child welfare agency unless the court orders a specific placement.</p> <p>Parents retain legal custody subject to limitations set by the court.</p> <p>A foster parent/resource family must make sure the child takes part in visits and phone calls with parents and others authorized by the social worker or ordered by the court.</p> <p>A foster parent/resource family cannot, on their own, ask the court to terminate parental rights and adopt the child. They can, however, tell the social worker they would like to adopt the child.</p>	<p>The guardian has legal and physical custody of the child.</p> <p>Parents can no longer make decisions for the child while there is a guardianship. The rights of the parents are completely suspended—but not terminated—as long as the guardianship remains in effect.</p> <p>If a guardian is appointed, a parent or other person can ask the court to order the guardian to let them visit or spend time with the child. (In juvenile court, the court must allow the parent to visit the child unless it would be <i>detrimental</i> to the child.) If the court does not make an order, the guardian can decide who visits the child.</p> <p>After the child has been in the guardian’s custody for a minimum time, varying from six months to three years depending on the circumstances, the guardian may petition to terminate parental rights and adopt the child.</p>
<i>Residence</i>	
<p>The social worker and the court decide who the child will live with.</p>	<p>A guardian decides where the child lives. The child normally will live with the guardian, but the guardian can make other arrangements if they are in the best interest of the child.</p> <p>A guardian must give proper notice to the court and others of any address change of either the child or the guardian.</p> <p>A guardian must get court permission before changing the child’s residence to a place outside California.</p>



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Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
Health Care	
<p>The social worker arranges care and treatment for the child’s medical, dental, and mental health needs, but the foster parent/resource family might be responsible for scheduling and transporting the child to these appointments.</p> <p>Parents keep their rights to make health-care decisions for the child except in an emergency or if the court orders otherwise.</p>	<p>The guardian must make sure that the child’s health-care needs are met. In most cases, the guardian has the authority to consent to the child’s medical treatment. However, if the child is 14 years of age or older, surgery may not be performed on the child unless (1) both the child and the guardian consent, (2) a court order specifically authorizes the surgery, or (3) an emergency exists.</p> <p>A guardian may not place a child in a mental health treatment facility against the child’s wishes. A separate legal process is required for such a placement. However, the guardian must obtain any counseling or other necessary mental health services needed by the child.</p> <p>The law also allows children to consent to certain types of treatment—including outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug or alcohol treatment—without the consent of a parent or guardian.</p>
Education	
<p>When a child is in foster care, parents retain the rights to make educational and developmental-services decisions for the child unless the court limits these rights and assigns them to another person.</p> <p>If the court limits parental rights to make educational and developmental-services decisions, it may assign those rights to a foster parent/resource family. Otherwise, a foster parent/resource family cannot make those decisions or attend Individualized Education Program (IEP) meetings for the child unless invited by the person holding educational rights.</p> <p>A foster parent/resource family is responsible for making sure that the child attends school. If the child is receiving special education services, the foster parent/resource family works with the school district and service providers to ensure that the child receives all the services and supports in the child’s IEP. (See page 8 for information about financial support for children with special needs.)</p>	<p>A guardian is responsible for the child’s education and holds the child’s educational and developmental-services decisionmaking rights, unless the court appoints someone else to hold them. If a child needs special education and related services, the guardian must advocate for the child with the school district and make the appropriate arrangements. (See page 8 for information about financial support for children with special needs.)</p>



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Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
<i>Consent to Changes to the Child's Status</i>	
<p>A foster parent/resource family cannot consent to the child's marriage, military enlistment, or driver's license application, but the juvenile court can consent.</p>	<p>A guardian <i>and the court</i> must give permission for a minor child to get married.</p> <p>A guardian may consent to a minor child's enlistment in the armed services or application for a driver's license.</p> <p>A guardian may apply for a passport for a minor child.</p>
<i>Financial Obligations</i>	
<p>A foster parent/resource family receives foster care funds to pay for the child's needs.</p>	<p>The guardian is responsible for the day-to-day financial support of the child, even though the parents are still obligated to support the child. The guardian may take legal action or contact the local child support agency to obtain child support from a parent.</p> <p>The child may also be eligible for Aid to Families with Dependent Children—Foster Care (AFDC-FC), Social Security benefits, Veterans Administration benefits, Indian child welfare benefits, and support from other public or private sources. (See Chart 2.)</p>
<i>Legal Liability</i>	
<p>Except in limited circumstances, a foster parent/resource family is immune from liability in a civil action to recover damages for injury, death, or loss to person or property caused by an act or omission of a child or nonminor dependent while the child or nonminor dependent is placed in the home of the foster parent/resource family. (See Welfare and Institutions Code section 362.06(b)(2).)</p>	<p>A guardian, like a parent, is liable for the harm and damage caused by the willful misconduct of a child. (See Civil Code, § 1714.1(a).) There is usually a limit on how much a guardian may be required to pay. There are special rules concerning harm caused by the use of a firearm.</p>
If you are concerned about your liability for a child's conduct, you should contact an attorney.	
<i>Other Rights or Duties</i>	
<p>Foster parents/resource families are entitled to notice of statutory review hearings and permanency hearings. They may attend the hearings and give information about the child to the court. Caregivers who wish to submit information in writing may use <i>Caregiver Information Form</i> (form JV-290).</p> <p>Foster parents/resource families must be included in a child's Child and Family Team (CFT) and must be notified of every CFT meeting. They may be invited to participate in or support a child's services, such as counseling or other types of treatment.</p>	<p>The court may require the guardian to perform other duties, such as completing a parenting class or attend counseling sessions with the child. The guardian must follow all court orders and cooperate with court investigators.</p> <p>Court visitors and status reports: Some counties have programs in which "court visitors" track and review guardianships. If your county has such a program, you will be expected to cooperate with all the court visitor's requests. In addition, a guardian may have to fill out and file status reports.</p>



2. The Services and Financial Support Available to Different Types of Caregivers

The payment amounts discussed below are updated annually based on the cost of living. Payments are made retroactively. For example, a child placed with a caregiver in January would receive funds for the month of January in February. The payment amounts given below are in effect from July 1, 2022, to June 30, 2023. For updated amounts, see www.cdss.ca.gov/inforesources/letters-regulations/letters-and-notice/all-county-letters

Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
Cash Payments per Child—Relatives		
<p>Before a relative is approved as a foster parent/resource family, Emergency Caregiver (EC) funding is available at the foster care basic rate starting from the date the child is placed with the relative. EC funding is limited to the foster care basic rate, \$1,129 per month.</p> <p>After approval, the foster parent/resource family will receive foster care payments through federal Aid for Families with Dependent Children—Foster Care (AFDC-FC). These payments are set at the foster care basic rate, \$1,129 per month.</p> <p>There are different eligibility requirements for federal and state AFDC-FC. The child welfare agency will determine eligibility. For a child in relative foster care who is not eligible for federal AFDC-FC or EC, Approved Relative Caregiver (ARC) payments are available. These payments are set at the foster care basic rate, \$1,129 per month.</p> <p>California foster youth who are placed with a relative out of state are eligible for funds at the foster care rate in the state where they are placed.</p>	<p>Child-only California Work Opportunity and Responsibility to Kids Program (CalWORKs) payments are available for a child living with a relative guardian. The income of the family is considered in calculating the amount of cash aid the family receives.</p> <p>Payments are approximately one-half of the foster care basic rate paid to nonrelatives. A relative caregiver can receive this assistance before appointment as guardian if the child lives with the relative. Payments can drop below one-half of the foster care basic rate if there are multiple children in the home.</p> <p>CalWORKs Maximum Aid Payment (MAP) levels depend on variables such as geographic region and exempt/nonexempt status and are hard to calculate. From October 1, 2022, to September 30, 2024, MAP amounts for one child in California are expected to range from \$669 to \$779 per month. A social worker who specializes in benefits would be the best person to ask about MAP levels for cash aid.</p> <p>Payments end when the child turns 18 years old, but it is possible to extend payments to age 19 if the child is completing high school.</p>	<p>Kinship Guardianship Assistance Payment (Kin-GAP) payments are available to children who have lived with an approved relative guardian for at least six months. Kin-GAP families sign a written agreement with the county. The Kin-GAP payments begin once the agreement is signed and the juvenile court terminates the dependency case.</p> <p>Payments cannot exceed the amount the child was receiving in foster care, but they can include the foster care basic rate and any special needs supplements the child was receiving. The income of the child’s parents, Kin-GAP guardian, or any other relative living in the household is <i>not</i> used to determine the child’s Kin-GAP eligibility.</p> <p>Kin-GAP payments generally end when a child turns 18 but can continue until age 19 if the child is completing high school or until age 21 if the Kin-GAP payments started after the child turned 16 or if the child has an ongoing disability.</p> <p>If the court keeps the juvenile case open after appointing a relative guardian, the guardian can receive Approved Relative Caregiver (ARC) or foster care payments instead of Kin-GAP.</p> <p>In very rare situations, a relative guardian may not qualify for Kin-GAP, foster care, or ARC payments, but may still qualify for California Work Opportunity and Responsibility to Kids Program (CalWORKs) payments.</p>



Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
Cash Payments per Child—Nonrelatives		
<p>Before approval as a resource family, a nonrelative foster parent/resource family may receive Emergency Caregiver (EC) funding at the foster care basic rate, \$1,129 per month, starting from the date the child is placed with the nonrelative.</p> <p>After approval, the foster parent/resource family will receive foster care payments. Nonrelative resource families receive Aid to Families with Dependent Children—Foster Care (AFDC-FC) funds. There are federal and state AFDC-FC funding programs, and they have different eligibility requirements. The foster care basic rate is \$1,129 per month.</p>	<p>No cash payments are available until a guardian is appointed and the child begins living with the guardian.</p> <p>An eligible child living with a <i>nonrelative</i> probate guardian may receive state Aid to Families with Dependent Children—Foster Care (AFDC-FC) payments equivalent to the foster care basic rate, \$1,129 per month, after the court establishes a temporary guardianship.</p> <p>Payments usually end when the child turns 18 years old but may continue to age 19 if the child is completing high school or to age 21 if the child has a disability.</p>	<p>State Aid to Families with Dependent Children—Foster Care (AFDC-FC) is available to children who live with a nonrelative guardian. This rate may change depending on where you live, so before you move, ask if there will be a rate change. The foster care basic rate is \$1,129 per month.</p> <p>A youth who continues living with a former nonrelative guardian after reaching age 18 can continue to receive AFDC-FC payments until they turn 21 if they meet certain participation criteria related to work, school, or activities designed to remove barriers to employment.</p>
Medical Insurance		
<p>Children who qualify for the cash payments described above are also eligible for full-scope Medi-Cal services. Youth are eligible for Former Foster Youth Medi-Cal up to age 26.</p>	<p>A child who qualifies for CalWORKs (relative guardian) or AFDC-FC (nonrelative guardian) payments is eligible for Medi-Cal. After turning 18, a youth is <i>not</i> eligible for Former Foster Youth Medi-Cal but may qualify for Medi-Cal based on income.</p>	<p>Children who qualify for Kin-GAP, ARC, or CalWORKs payments also receive full-scope Medi-Cal health care services.</p>
Extended Foster Care and Other Transition Age Supports		
<p>Extended Foster Care benefits are available for youth living in foster care when they turn 18. These <i>nonminor dependents</i> can receive ongoing case management and EFC payments until they turn 21; they may also qualify for transitional housing and independent living placements.</p>	<p>A youth who turns 18 in a probate guardianship is <i>not</i> eligible for Extended Foster Care, Independent Living Program services, or Chafee Education and Training Vouchers.</p>	<p>Extended Foster Care benefits are <i>not</i> available for a youth who is under juvenile court guardianship when the youth turns 18 years old. But if the former guardian dies or no longer provides ongoing support to the youth, the youth can ask the juvenile court to open the dependency case again. If the court does, the youth may qualify for EFC payments if they complete the requirements.</p>



Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
<i>Extended Foster Care and Other Transition Age Supports</i>		
<p>Payment amounts vary by the type of living arrangement. They range from the foster care basic rate of \$1,129 per month to \$5,720 per month for a parenting youth living in transitional housing in a high-cost county.</p> <p>Independent Living Program funding is available for current and former foster youth up to age 21, if they were in foster care on or after they reached age 16. This funding can help youth learn household and money management and help them with education, housing, and employment.</p> <p>Chafee Education and Training Vouchers for postsecondary education are available for youth who were in foster care on or after age 16. Vouchers are worth up to \$5,000 per year.</p>	<p>However, a youth living with a former guardian and receiving CalWORKs (relative) or AFDC-FC (nonrelative) payments may continue receiving payments until age 19 if the youth is completing high school or another eligible education program or until age 21 if the youth has a disability.</p>	<p>Independent Living Program funding is available for current and former foster youth up to age 21, if they were in foster care on or after age 16, they entered into a Kin-GAP guardianship after age 16, or they entered into a nonrelated legal guardianship through juvenile court after age 8. This funding can help youth learn to manage their household and money and help them with education, housing, and employment.</p> <p>Chafee Education and Training Vouchers may be available. See the Foster Parent/Resource Family column for details.</p>
<i>Childcare Assistance</i>		
<p>The Emergency Child Care Bridge program provides childcare vouchers and navigation support to caregivers of children in foster care and to foster youth who have children of their own. Eligibility depends on available funding and county policy.</p>	<p>Income-based childcare assistance may be available to children in probate guardianships.</p>	<p>Emergency Child Care Bridge program benefits are not available after a guardianship is established, but income-based childcare assistance may be available.</p>
<p>California offers a variety of publicly funded childcare programs to eligible families. <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO) and <i>Information on Juvenile Court Guardianship</i> (form JV-350-INFO) give more information on these programs. Local childcare resource and referral agencies help families find childcare and determine whether they qualify for publicly funded childcare. Parents and guardians can find a local resource and referral agency here: https://rrnetwork.org/family-services/find-child-care.</p>		



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Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
Special Needs Supplemental Payments		
<p>Special needs supplemental payments may be available. These payments are in addition to the basic rate, and can include:</p> <p>Level of Care based on the physical, behavioral, emotional, educational, health, and permanency care provided to a child. Payments range from \$1,129 to \$1,510 per month.</p> <p>Intensive Services Foster Care for children with intensive medical, behavioral, developmental, or emotional needs. The payment is \$2,946 per month.</p> <p>Specialized Care Increments for children with special medical, behavioral, developmental, or emotional needs. The amounts of these payments are set by the county. For more information, see www.cdss.ca.gov/inforesources/foster-care/specialized-care or speak to a social worker.</p> <p>Dual Agency Rate for children in foster care who also qualify for regional center services. These rates are \$1,323 per month for a child up to 3 years old and \$2,955 per month for a child over 3.</p> <p>Whole Family Foster Home and Infant Supplement payments are available to support youth living in foster care with their nondependent children. This rate is \$900 per month.</p> <p>An Expectant Parent Payment is available to support a youth in foster care for the last three months of pregnancy. This payment is \$2,700.</p> <p>A Clothing Allowance is available for foster children in some counties. The payment amount varies by county.</p> <p>Education Travel Reimbursement is available to caregivers who transport a child to the child’s school of origin (the school the child was attending before being placed in the resource family home). This rate is set by the state based on two round trips per day between the foster/resource family home and the school.</p>	<p>No special needs supplemental payments are available to a child with living with a <i>relative</i> probate guardian.</p> <p>A child living with a nonrelative probate guardian and receiving state AFDC-FC payments may also, if eligible, receive a specialized care increment, a clothing allowance, or the teen parent part of a Whole Family Foster Home payment.</p> <p>See the Foster Parent/Resource Family column for details about these payments.</p>	<p>Special needs supplemental payments may be available. These include:</p> <ul style="list-style-type: none"> • Level of Care • Intensive Services Foster Care • Specialized Care Increments • Dual Agency Rate • Whole Family Foster Home and Infant Supplement • Clothing Allowance <p>See the Foster Parent/Resource Family column for details about these payments.</p>



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3. How a Guardian Is Appointed and What Happens Afterward

STAGE	Probate Guardian	Juvenile Court Guardian
<i>Petition</i>	A person who wants to be appointed guardian of a child must file a petition with the probate court. The child’s parent or the child, if at least 12 years old, can also file the petition. (See <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO).)	To start a juvenile court case, a county social worker or prosecuting attorney must file a petition in juvenile court.
<i>Investigation</i>	Before the court decides to appoint a guardian, an investigation is usually required. If the proposed guardian is a relative, a court investigator conducts the investigation. If the proposed guardian is not a relative, a county social worker conducts the investigation. The investigator prepares a report, makes a recommendation whether the petition should be granted, and files the report with the court, which makes it available to all persons served in the proceeding and their attorneys. The parent and the proposed guardian are responsible for the costs of the investigation unless payment would be a hardship.	The social worker or probation officer conducts an investigation to determine, among other things, whether to detain the child temporarily out of the parent’s home and whether to recommend that the court remove the child from the parent’s home. A person who wants to serve as guardian of a child in juvenile court should contact the child’s social worker or probation officer early in the case to ask if the child can live with them.
<i>Appointment of Counsel</i>	The probate court has the authority to appoint an attorney to represent the child. The court may also appoint an attorney for the Indian custodian or biological parent of an Indian child but does not otherwise have the authority to appoint counsel for a parent.	In a dependency case, the juvenile court must appoint counsel for the child unless it finds that the child would not benefit from the appointment. And in almost every case, the court appoints counsel for a parent who cannot afford counsel. In a juvenile justice case, the court must appoint counsel for the child if the child appears without counsel. The court may also appoint separate counsel for a parent in specific circumstances.
<i>Hearing</i>	The court holds a hearing to decide whether to appoint a guardian. A parent or other interested person may go to the hearing and object, orally or in writing, to the appointment of a guardian for the child or to the appointment of the person proposed as guardian in the petition. The court will decide whether appointing a guardian is necessary and in the child’s best interest.	The court holds a hearing to decide if the petition is true and whether to order the child placed out of the parent’s home. If it decides the child cannot live safely at home, the court will not appoint a guardian right away unless the parents and child agree. Instead, it will order the child placed first with a foster parent/resource family and order the social worker or probation officer to provide reunification services (see below).
<i>Reunification Services</i>	The probate court cannot order family reunification services but can order supportive services for the guardian and child, if needed.	The juvenile court can order services to help the parents and child reunify (live together safely) <i>before</i> it chooses a permanent plan (e.g., guardianship) but not afterward.



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STAGE	Probate Guardian	Juvenile Court Guardian
<p><i>Decision to Appoint a Guardian</i></p>	<p>If the probate court finds that appointment of a guardian is necessary and in the child’s best interest, the court may appoint a guardian.</p>	<p>The juvenile court may appoint a guardian at different times during the case, after making the required findings. In a dependency case, if the court finds that the petition is true, it can appoint a guardian for the child at the dispositional hearing, if the parents and the child agree and the court finds that appointing the guardian is in the child’s best interest. In a juvenile justice case, the court can appoint a guardian for the child at any time after the dispositional hearing if the probation officer recommends it or the child’s attorney requests it. In either a dependency or juvenile justice case, if the court has ordered out-of-home placement and denied or terminated reunification services, the court can appoint a guardian as the child’s permanent plan at a separate hearing. The court decides whom to appoint as guardian. The person who has been caring for the child is almost always appointed.</p> <p>The procedures for appointing a guardian are generally the same in dependency and juvenile justice, but there are some differences. For more information, see <i>Information on Juvenile Court Guardianship</i> (form JV-350-INFO), and check with the social worker or probation officer.</p>
<p><i>Court Oversight</i></p>	<p>After a guardian is appointed, there are no regular court hearings, although the probate court has the authority to regulate and control the guardian’s actions. The court can order the guardian to allow visitation of the child with parents or other persons.</p> <p>The court may order the guardian to submit an annual status report to the court and, depending on the county, the court may hold a hearing. (See <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO).)</p> <p>On receipt of a request, the court may order the guardian to take action. The court may also order the guardian to appear and explain actions they have taken; the court may approve or rescind those actions.</p>	<p>The juvenile court keeps jurisdiction over the guardianship. When the court appoints a guardian, it must also issue parental visitation orders unless it finds that visitation would be detrimental to the child.</p> <p>In many cases after the guardianship is granted, especially if the guardian is related to the child, the court will terminate dependency or juvenile justice jurisdiction and will not hold any more regularly scheduled court hearings. In other cases, the court will grant the guardianship, keep dependency or juvenile justice jurisdiction, and continue to hold regular review hearings. After it terminates juvenile jurisdiction, the juvenile court keeps jurisdiction over the guardianship and can give orders to the guardian.</p> <p>Any request to change a court order, including a visitation order, or to end the guardianship must be filed in the juvenile court using <i>Request to Change Court Order</i> (form JV-180).</p>



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STAGE	Probate Guardian	Juvenile Court Guardian
<i>Role of Social Worker or Probation Officer</i>	<p>A county social worker is responsible for screening any proposed guardian and for conducting the guardianship investigation if the proposed guardian is not related to the child.</p> <p>If the probate court thinks a child who is the subject of a guardianship petition may be abused or neglected, it can ask a social worker to investigate and file a dependency petition in the juvenile court before it decides whether to appoint a guardian. If the social worker files a dependency petition, then the juvenile court will have authority over the child’s custody and placement. The probate court case will be put on hold until the juvenile court case is over.</p> <p>After a probate guardian is appointed, no social worker is involved unless the child or guardian receives public financial support or services.</p>	<p>If the dependency or juvenile justice case is kept open after guardianship is granted, the social worker or probation officer will provide support to the guardian and child and prepare reports for scheduled juvenile court hearings.</p> <p>If the juvenile dependency or juvenile justice case is closed after guardianship is granted, the juvenile court will continue to oversee the guardianship. Continued involvement by the social worker or probation officer will depend on any services and financial support the child continues to receive.</p>
<i>Terminating Guardianship</i>	<p>The guardianship automatically terminates (ends) when the child turns 18 or if, before turning 18, the child dies, is emancipated by court order, gets married, joins the armed services, or is adopted.</p> <p>If the guardian, a parent, the child, an Indian custodian, or the child’s tribe shows that it is in the child’s best interest, the court can end the guardianship before the child turns 18. The longer the child has lived with the guardian, the harder it is to show that termination is in the child’s best interest.</p> <p>If the child consents, the court can extend a guardianship up to the child’s 21st birthday to let the child complete a federal application for Special Immigrant Juvenile status.</p>	<p>The guardianship automatically terminates when the child turns 18 or if, before reaching age 18, the child dies, is emancipated by court order, gets married, joins the armed services, or is adopted.</p> <p>The court can terminate the guardianship if it finds that another permanent plan, such as adoption, is in the child’s best interest. A social worker or probation officer, the guardian, a parent, the child, an Indian custodian, or the child’s tribe can file a request with the juvenile court to terminate the guardianship.</p>
<i>Terminating Parental Rights</i>	<p>Appointment of a probate guardian suspends parental rights, but does not terminate them.</p> <p>However, under the Probate Code, if a child has been living with the guardian for at least two years, the guardian can file a petition to terminate parental rights so that the guardian can adopt the child. Parents are entitled to appointed counsel if this happens. In some situations, specified in the Family Code, the guardian can ask to adopt the child after as few as six months have passed or may need to wait up to three years.</p> <p>If the child is an Indian child, the Indian Child Welfare Act requires different procedures.</p>	<p>Appointment of a juvenile court guardian suspends parental rights, but does not terminate them. A social worker or probation officer, the guardian, or the child can file a request with the juvenile court to terminate parental rights and change the permanent plan to adoption. The court will hold a hearing to decide whether to grant the request. Each parent is entitled to notice of the hearing, to participate, and to have an attorney appointed for them.</p> <p>If the child is an Indian child, the Indian Child Welfare Act requires different procedures.</p>