

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

OTHER GENERAL INFORMATION

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

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

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

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

GUARDIANSHIP PAMPHLET

(FOR GUARDIANSHIPS OF CHILDREN
IN THE PROBATE COURT)

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

What is Guardianship?

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

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

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

What is a Legal Guardian?

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

Who May Be Legal Guardians?

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

Before You File the Petition

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

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

INSURANCE

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

RECORD KEEPING AND ACCOUNTING

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

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

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

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

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

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

INVENTORY OF ESTATE PROPERTY

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

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

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

Some Alternatives to Guardianship

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

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

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

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

THE PROCESS – BRIEFLY

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

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

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

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

GUARDIANSHIP OF THE PERSON

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

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

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

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

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

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

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

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

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

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

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

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

GUARDIANSHIP OF THE ESTATE

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

MANAGING THE ESTATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**VENTURA SUPERIOR COURT
GUARDIANSHIP FILING INFORMATION**

The filing fee for Guardianship of the Person only is \$200. You may qualify for a financial hardship. An Application for Waiver of Court Fees and Costs must be filled out and submitted at the time you file your petition for guardianship. Forms are available from the clerk, self-help centers, and online at: <http://www.ventura.courts.ca.gov/>.

Pursuant to Probate Code Section 1513 an investigation is to be completed prior to the appointment of a guardian. There is an assessment fee of \$600 for the Court Investigators report. The court may assess the parents, other persons charged with the support of the (proposed) ward, the (proposed) guardian or the estate of the (proposed) ward. The Court may waive assessments due to hardship.

All forms must be typed or legibly handwritten.

One original and two copies of all documents submitted for filing must be provided so that there are sufficient copies for the parties and the court investigator.

The release of School and Medical Information must be completed and submitted at the time of the filing of the petition, if you are petitioning for guardianship of the person.

One copy of the birth certificate for each (proposed) ward must be submitted.

Criminal and child abuse background checks will be done on the proposed guardian(s).

A petition for temporary guardianship cannot be filed unless a petition for General Guardianship has been filed. For emergency/temporary guardianship, an ex parte hearing must be set with the Judge's secretary. The court has the discretion to decline a request to set an ex parte hearing if the reasons for seeking a temporary order are not considered an emergency. **Do not fill out temporary guardianship papers until an ex parte hearing has been scheduled.**

The Order and the Letters of Guardianship must be completed before the hearing. You must have your Orders and Letters reviewed by the staff in the Self Help Center located in Room 400 of the Hall of Justice or the JC Family Resource Center located in Room 206 of the Juvenile Courthouse at least 5 days prior to the hearing.

Guardians are required, by law, to file a status report with the court each year after being appointed. If you are appointed, the court will send you a notice and form to fill out each year, which you must return to the court immediately. If you fail to do so, you may be required to appear in court. As a guardian, you must let the court know your new address if you move after guardianship is granted.

A list of Low Cost/Free Legal Clinics and Services is available from the forms clerk.

**VENTURA SUPERIOR COURT
GUARDIANSHIP FILING INFORMATION**

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. <i>(Optional):</i></p> <p>E-MAIL ADDRESS <i>(Optional):</i></p> <p>ATTORNEY FOR <i>(Name):</i></p>	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
TEMPORARY GUARDIANSHIP OF <i>(Name):</i>	CASE NUMBER:
MINOR	HEARING DATE:
PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN <input type="checkbox"/> Person* <input type="checkbox"/> Estate* <input type="checkbox"/> Person and Estate*	DEPT.: TIME:

1. **Petitioner** *(name each):*

requests that

- a. *(Name):*
(Address and telephone number):
be appointed temporary guardian of the PERSON of the minor and Letters issue upon qualification.
- b. *(Name):*
(Address and telephone number):
be appointed temporary guardian of the ESTATE of the minor and Letters issue upon qualification.
- c. (1) bond not be required because petition is for a temporary guardianship of the person only.
 (2) bond not be required for the reasons stated in attachment 1c.
 (3) \$ _____ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.
(Specify reasons in Attachment 1c if the amount is different from maximum required by Probate Code section 2320 and Cal. Rules of Court, rule 7.207(c).)
 (4) \$ _____ in deposits in a blocked account be allowed. Receipts will be filed.
(Specify institution and location):
- d. a request for an exception to notice of the hearing on this petition for good cause is filed with this petition.
- e. the powers specified in attachment 1e be granted in addition to the powers provided by law.
- f. other orders be granted *(specify in attachment 1f)*.

2. **The minor is** *(name):*

Current address: _____ Current telephone no.: _____

3. **The minor requires a temporary guardian** to provide for temporary care, maintenance, and support
 protect property from loss or injury because *(facts are* *specified in attachment 3* *as follows):*

***You MAY use this form or form GC-110(P) for a temporary guardianship of the person. You MUST use this form for a temporary guardianship of the estate or the person and estate.**

TEMPORARY GUARDIANSHIP OF (Name):	CASE NUMBER:
MINOR	

3. (Facts supporting appointment of a temporary guardian (continued)):

4. **Temporary guardianship is required**

- a. pending the hearing on the petition for appointment of a general guardian.
- b. pending the appeal under Probate Code section 1301.
- c. during the suspension of powers of the guardian.

5. **Character and estimated value of the property of the estate** (complete if a temporary guardianship of the estate or person and estate is requested):

- a. Personal property: \$ _____
- b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$ _____
- c. Additional amount for cost of recovery on the bond, calculated as required under Cal. Rules of Court, rule 7.207(c): \$ _____
- d. **Total:** \$ _____

6. Petitioner believes the minor will will not attend the hearing.

7. All attachments to this form are incorporated by this reference as though placed here in this form. There are _____ pages attached to this form.

Date:



(SIGNATURE OF ATTORNEY*)

* (Signature of all petitioners also required (Prob. Code, § 1020).)

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

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PETITIONER)

(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:	
TEMPORARY GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF <i>(Name):</i> _____	
ORDER APPOINTING TEMPORARY GUARDIAN	CASE NUMBER: _____

WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.

1. The petition for appointment of a 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):* _____
(Address): _____ *(Telephone):* _____
- is appointed temporary guardian of the PERSON of *(name):* _____
 and Letters shall issue upon qualification.
- b. *(Name):* _____
(Address): _____ *(Telephone):* _____
- 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

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

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:

TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 OF (Name): MINOR CONSERVATEE

FOR RECORDER'S USE ONLY

CASE NUMBER:

LETTERS OF TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 Person Estate

FOR COURT USE ONLY

LETTERS

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

This form may be recorded as notice of the establishment of a temporary conservatorship of the estate as provided in Probate Code section 1875.

**LETTERS OF TEMPORARY GUARDIANSHIP OR
 CONSERVATORSHIP**
 (Probate—Guardianships and Conservatorships)

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF _____ (Name): <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE </div>	CASE NUMBER:
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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.courtinfo.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 (nonfillable form), or may be filled out online and printed out ready for signature and filing (fillable form).

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

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

LETTERS OF 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)
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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 OF PARTY WITHOUT ATTORNEY (Name and Address)	Telephone Number	FOR COURT USE ONLY
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA <input type="checkbox"/> 800 SOUTH VICTORIA AVE. VENTURA, CA 93009 <input type="checkbox"/> 3855 - F ALAMO ST. SIMI VALLEY, CA 93063-2110 <input type="checkbox"/> 4353 VINEYARD AVE., OXNARD, CA 93036		Limited Civil Case
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:		
DECLARATION RE EX PARTE NOTICE <input type="checkbox"/> Dom. Violence Restraining Order <input type="checkbox"/> Civil Harassment Restraining order <input type="checkbox"/> Other Family Law / Custody <input type="checkbox"/> Other Civil/Probate		CASE NUMBER:

Instructions: The person giving the notice must state how notice was given, where the hearing is to be held, and what orders are requested. If notice is not being given, please advance to page two of this form.

I, _____, declare:

1. I informed the other party in this action that an emergency order would be sought as follows:

Person informed: (Name) _____ Date and time informed: _____

How Informed:

- By telephone to the party attorney at (Telephone Number) _____
- By leaving a message with (Name) _____ at (Telephone Number) _____
relationship to party: _____
- By leaving a message on voicemail of the party at (Telephone Number) _____
- By personally informing:
 - the party
 - another person (name) _____ Relationship to party: _____
 - Other: _____

2. I informed the person listed above that an order would be sought in the Superior Court of Ventura County at

800 South Victoria Ave., Ventura **3855-F Alamo St., Simi Valley** **4353 Vineyard Ave., Oxnard**

on: Date: _____ **Time:** _____ **Courtroom:** _____

3. I told him/her that the orders requested included, but were not limited to:

- Domestic Violence Restraining Orders with move-out orders custody orders
- Civil Harassment Restraining Orders
- Custody / visitation Family Law orders, specifically: _____
- Other Civil/Probate orders, specifically: _____

and that he/she should appear at the above time and place if he/she wished to be heard by the court.

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

Dated: _____ Signature of Declarant

DECLARATION RE: EXPARTE NOTICE - NO NOTICE GIVEN

Dom. Violence Restraining Order

Civil Harassment Restraining order

Other Family Law / Custody

Other Civil / Probate

Instructions: Notice must be given for all Ex Parte requests unless the person requesting the order can establish exceptional circumstances to excuse notice.

1. I, _____, am requesting Ex Parte orders as stated below. I am requesting that notice be excused in this matter.

2. Ex Parte hearing is set at **800 South Victoria Ave., Ventura**

3855-F Alamo St., Simi Valley

4353 Vineyard Ave., Oxnard

on: Date: _____ **Time:** _____ **Courtroom:** _____

3. I am requesting the following orders:

Domestic Violence Restraining Orders with move-out orders custody orders

Civil Harassment Restraining Orders

Custody / visitation Family Law orders, specifically: _____

Other Civil/Probate orders, specifically: _____

4. Notice should be excused because (provide details as to why the other party should not be told, in advance, of your request for emergency orders)

I do not have any way to give notice to the other party because: _____

If notice is given, I, or the children, will suffer immediate harm, specifically: _____

Giving notice would frustrate the purpose of this order because: _____

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

Dated: _____

Signature of Declarant

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 (<i>Name</i>): _____ <div style="text-align: right;">MINOR</div>	CASE NUMBER: _____
PETITION FOR APPOINTMENT OF GUARDIAN OF <input type="checkbox"/> MINOR <input type="checkbox"/> MINORS <div style="text-align: center;"> <input type="checkbox"/> Person* <input type="checkbox"/> Estate* </div>	HEARING DATE AND TIME: _____ DEPT.: _____

1. **Petitioner** (*name each*):

requests that

a. (*Name*):
 (*Address and telephone*):

be appointed guardian of the PERSON of the minor or minors named in item 2 and Letters issue upon qualification.

b. (*Name*):
 (*Address and telephone*):

be appointed guardian of the ESTATE of the minor or minors named in item 2 and Letters issue upon qualification.

- c. (1) bond not be required because the petition is for guardian of the person only because the proposed guardian is a corporate fiduciary or an exempt government agency for the reasons stated in Attachment 1c.
- (2) \$ _____ bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law. (*Specify reasons in Attachment 1c if the amount is different from the minimum required by Prob. Code, § 8482.*)
- (3) \$ _____ in deposits in a blocked account be allowed. Receipts will be filed. (*Specify institution and location*):

- d. authorization be granted under Probate Code section 2590 to exercise the powers specified in Attachment 9.
- e. orders relating to the powers and duties of the proposed guardian of the person under Probate Code sections 2351–2358 be granted (*specify orders, facts, and reasons in Attachment 1e*).
- f. an order dispensing with notice to the persons named in Attachment 10 be granted.
- g. other orders be granted (*specify in Attachment 1g*).

2. Attached is a copy of *Guardianship Petition—Child Information Attachment* (form GC-210(CA)) for **each** minor for whom this petition requests the appointment of a guardian. The full legal name and date of birth of each minor is :

- | | |
|----------|--|
| a. Name: | Date of Birth (<i>month/day/year</i>): |
| b. Name: | Date of Birth (<i>month/day/year</i>): |
| c. Name: | Date of Birth (<i>month/day/year</i>): |
| d. Name: | Date of Birth (<i>month/day/year</i>): |

The names and dates of birth of additional minors are specified on Attachment 2 to this petition.

*** You MAY use this form or form GC-210(P) for a guardianship of the person. You MUST use this form for a guardianship of the estate or the person and estate. Do NOT use this form for a temporary guardianship.**

GUARDIANSHIP OF (Name):	CASE NUMBER:
MINOR	

11. (Complete this item if this petition is filed by a person who is not related to a minor named in item 2 and is not a petition for appointment of a guardian of the estate only.)
- a. Petitioner is the proposed guardian and will promptly furnish all information requested by any agency referred to in Probate Code section 1543.
- b. Petitioner is not the proposed guardian. A statement by the proposed guardian that he or she will promptly furnish all information requested by any agency referred to in Probate Code section 1543 is affixed as Attachment 11b.
- c. The proposed guardian's home is is not a licensed foster family home.
- d. The proposed guardian has never filed a petition for adoption of the minor except as specified in Attachment 11d.
12. Attached to this petition is a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) concerning all children listed in item 2. (*Guardianship of the person or the person and estate.*)
13. 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* (form GC-110)
 - Petition for Appointment of Temporary Guardian of the Person* (form GC-110(P))
 - Confidential Guardianship Screening Form* (form GC-212)
- Other (specify):

14. All attachments to this form are incorporated by this reference as though placed here in this form. There are _____ pages attached to this form.

Date: _____
(SIGNATURE OF ATTORNEY*)

*** (All petitioners must also sign (Prob. Code, § 1020).)**

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

Date: _____

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)

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:		
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>):	MINOR	
ORDER APPOINTING GUARDIAN OF <input type="checkbox"/> MINOR <input type="checkbox"/> MINORS	CASE NUMBER:	
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.		

1. The petition for appointment of guardian came on for hearing as follows (*check boxes c, d, and e to indicate personal presence*):

- a. Judge (*name*):
- b. Hearing date: _____ Time: _____ Dept.: _____ Room:
- c. Petitioner (*name*):
- d. Attorney for Petitioner (*name*):
- e. Attorney for minor (*name, address, and telephone*):

THE COURT FINDS

2. a. All notices required by law have been given.
- b. Notice of hearing to the following persons has been should be dispensed with (*names*):
3. Appointment of a guardian of the person estate of the minor is necessary and convenient.
4. 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.
5. Attorney (*name*): _____ has been appointed by the court as legal counsel to represent the minor in these proceedings. The cost for representation is: \$ _____
6. The appointed court investigator, probation officer, or domestic relations investigator is (*name, title, address, and telephone*):

THE COURT ORDERS

7. a. (*Name*): _____
(*Address*): _____ (Telephone): _____

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

Do NOT use this form for a temporary guardianship.

(Continued on reverse)

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 <i>(Name):</i> _____	MINOR
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. 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 2a *(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 2b.
 - c. Conditions relating to the care, treatment, education, and welfare of the minor under Probate Code section 2358 are specified in attachment 2c.
 - d. Other powers granted or conditions imposed are specified on attachment 2d. specified below.

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

4. Number of pages attached: _____

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

(SEAL)

Date: _____
 Clerk, by _____, Deputy

GUARDIANSHIP OF _____ (Name): MINOR	CASE NUMBER:
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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 Web site free of charge. The Internet address (URL) is www.courtinfo.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 (nonfillable form) or may be filled out online and printed out ready for signature and filing (fillable form).

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

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

LETTERS OF GUARDIANSHIP
AFFIRMATION

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

Executed on (date): _____, at (place): _____

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

CERTIFICATION

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

(SEAL)

Date:

Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> <hr/> 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:	
PETITIONER: <i>(This section applies only to family law cases.)</i> RESPONDENT: OTHER PARTY:	
GUARDIANSHIP OF <i>(Name):</i> _____ <i>(This section applies only to guardianship cases.)</i> Minor	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	
CASE NUMBER: _____	

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

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

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

SHORT TITLE: _____	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, 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"/> Guardianship						
c. <input type="checkbox"/> Other						

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

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

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

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

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

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

Date: _____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

7. Number of pages attached: _____

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <hr/> 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):	CASE NUMBER:
MINOR	

- 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)

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

2. GUARDIANSHIP OF THE ESTATE

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

MANAGING THE ESTATE

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

INVENTORY OF ESTATE PROPERTY

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

(Continued on reverse)

GUARDIAN OF (Name): MINOR	CASE NUMBER:
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- 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 a guardian** - A guardian may be removed for specific reasons or when it is in the child's best interest. A guardian may be removed either on the court's own motion or by a petition filed by the child, a relative of the child, or any other interested person. If necessary, the court may appoint a successor guardian, or the court may return the child to a parent if that is found to be in the child's best interest.
- 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. **Attorneys and legal resources** - If you have an attorney, the attorney will advise you on your duties and responsibilities, the limits of your authority, the rights of the child, and your dealings with the court. **If you have legal questions, you should consult with your attorney.** Please remember that the court staff cannot give you legal advice.

(Continued on page five)

GUARDIAN OF (Name):	MINOR	CASE NUMBER:
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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)

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

This child's name: _____

Fill out a separate copy of this form for **each** child for whom you want the court to appoint a guardian.

This form is attached to the Petition, item 2 of form GC-210, or item 8 of form GC-210(P).

The Petition asks for the appointment of a guardian of this child's (*specify*): person estate person and estate

1 Tell the court about this child

a. Child's full legal name: _____ Date of birth: _____
First Middle Last Month/Day/Year

b. Child's current address: _____

c. (*Answer the questions in item c only if the Petition to which this form is attached asks for the appointment of a guardian of this child's person or this child's person and estate.*)

(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*): _____

(If you checked "Yes" to item (1), this guardianship case is subject to the Indian Child Welfare Act ("ICWA") (25 U.S.C. § 1901, et seq.). If you checked "Not sure" or "No" to item 1, answer item (2)).

(2) Do you know or have reason to know (within the meaning of Prob. Code, § 1460.2, Welf. & Inst. Code, § 224.3, and rule 7.1015 of the Cal. Rules of Court), that this child may be an Indian child?

No Yes (*If you checked "Yes" to either item (1) or item (2), you must fill out a Notice of Child Custody Proceeding for Indian Child (Form ICWA-030) ("Notice"). Your attorney must serve copies of the Notice, together with copies of your petition and all attachments, including this form, on the child's parents; any Indian custodian (as defined in ICWA, at 25 U.S.C. § 1903, and Probate Code section 1449); any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs; and possibly the U. S. Secretary of the Interior, by certified or registered U. S. Mail, return receipt requested. If you are not represented by an attorney in this case, the court will serve copies of these papers, but you must first fill out the original Notice and deliver it to the court. After service, the original Notice and all return receipts must be filed with the court. Service of the Notice is in addition to service of any other notices required in this case.*)

d. Is this child married? Yes No Never married If you checked "No," was this child formerly married but the marriage was dissolved or ended in divorce? Yes No

(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)

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

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
<input type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ _____	<input type="checkbox"/> Other (<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: _____



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

Case Number:

This child's name: _____

1 Tell the court about this child (continued)

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

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

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

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

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

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



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

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

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

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

Spouse (Guardianship of the estate only)	_____	_____
Person nominated as guardian of this child (Other than a proposed guardian listed in 3)	_____	_____

3 Information about the proposed guardian:

a. Name (name all proposed guardians if more than one): _____

b. Relationship(s) to the child named in 1 (check all that apply):

Relative (specify relationships of all proposed guardians to the child): _____

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

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

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



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

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

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

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

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.

CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-212

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 _____ (Name): _____ MINOR		CASE NUMBER: _____	
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

Superior Court of California, County of Ventura

FAMILY COURT SERVICES
HALL OF JUSTICE
800 South Victoria Avenue
Ventura, California 93009
(805) 662-6694
Fax: (805) 654-2240

INFORMATION RELEASE AUTHORIZATION

I/We, _____ / _____,
specifically authorize any public agency, private person or medical doctor, psychologist, treating
therapist, or hospital possessing information about me or my minor children, confidential or
otherwise, to release same (including copies) to the Superior Court through its duly appointed
court investigator. Such information to be used as the court may deem fit and proper for
determination of guardianship. This release includes but is not limited to, treatment for drug
and/or alcohol abuse and/or psychiatric treatment, employment records and bank records.

Date

Signature of Proposed Guardian

Date

Signature of Proposed Co-Guardian

This authorization is effective for one year from the date of signature.

CONFIDENTIAL

CONFIDENTIAL

SUPERIOR COURT
COUNTY OF VENTURA
STATE OF CALIFORNIA

GUARDIANSHIP QUESTIONNAIRE
(Probate Code Section 1513)

This information is Confidential and is for the purpose of determining Guardianship only.

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE PETITION

MINOR'S NAME _____ CASE NUMBER _____
RELATIVE NON-RELATIVE

SECTION 1 – SOCIAL HISTORY

PROPOSED GUARDIAN'S FULL NAME _____

FORMER/OTHER NAME(S) USED _____

ADDRESS _____

OWN RENT OTHER HOW LONG AT PRESENT ADDRESS _____

PREVIOUS ADDRESSES FOR PAST 3 YEARS _____

TELEPHONE # () _____

AGE _____ **DATE OF BIRTH** _____ **PLACE OF BIRTH** _____

DRIVER'S LICENSE # _____ **STATE LICENSE ISSUED** _____

LAST GRADE COMPLETED & SPECIAL TRAINING _____

HAVE YOU EVER BEEN ARRESTED FOR AN OFFENSE OTHER THAN A MINOR TRAFFIC VIOLATION?

YES NO

IF YES, PLEASE GIVE DATE, PLACE AND DETAILS _____

DESCRIBE ANY MEDICAL PROBLEMS _____

SPOUSE'S FULL NAME _____

FORMER/OTHER NAMES(S) USED _____

AGE _____ **DATE OF BIRTH** _____ **PLACE OF BIRTH** _____

DRIVER'S LICENSE # _____ **STATE LICENSE ISSUED** _____

Minors Name:	Case Number:
--------------	--------------

EDUCATION, LAST GRADE COMPLETED & SPECIAL TRAINING _____

HAS SPOUSE EVER BEEN ARRESTED FOR AN OFFENSE OTHER THAN A MINOR TRAFFIC VIOLATION?

YES NO

IF YES, PLEASE GIVE DATE, PLACE AND DETAILS _____

DESCRIBE ANY MEDICAL PROBLEMS _____

SECTION II – MARRIAGES

PROPOSED GUARDIAN NEVER MARRIED MARRIED DIVORCED SEPARATED WIDOWED

DATE AND PLACE OF PRESENT MARRIAGE _____

NAMES AND AGES OF CHILDREN _____

PREVIOUS MARRIAGE(S) (List all prior marriages. Use additional paper if necessary.)

NAME OF FORMER SPOUSE _____

DATE AND PLACE OF MARRIAGE _____

DATE AND PLACE OF DIVORCE/DEATH _____

NAMES AND AGES OF CHILDREN FROM FORMER MARRIAGE _____

SPOUSE'S PREVIOUS MARRIAGE(S) (List all prior marriages. Use additional paper if necessary.)

NAME OF FORMER SPOUSE _____

DATE AND PLACE OF MARRIAGE _____

DATE AND PLACE OF DIVORCE/DEATH _____

NAMES AND AGES OF CHILDREN FROM FORMER MARRIAGE _____

SECTION III- EMPLOYMENT

PROPOSED GUARDIAN – NAME AND ADDRESS OF EMPLOYER _____

TELEPHONE # () _____ LENGTH OF SERVICE _____

POSITION _____ SUPERVISOR _____

DAYS AND HOURS OF WORK _____ INCOME _____

Minors Name:	Case Number:
--------------	--------------

OTHER SOURCE OF INCOME _____ AMOUNT _____

SPOUSE – NAME AND ADDRESS OF EMPLOYER _____

TELEPHONE # () _____ LENGTH OF SERVICE _____

POSITION _____ SUPERVISOR _____

DAYS AND HOURS OF WORK _____ INCOME _____

SECTION IV - OTHER MEMBERS OF HOUSEHOLD

NAME	DATE OF BIRTH	RELATIONSHIP	SCHOOL/OCCUPATION
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECTION V - CHILD(REN) BEING PLACED UNDER GUARDIANSHIP

NAME _____ AGE _____ DOB _____

RELATIONSHIP _____ HOW AND WHEN DID PROPOSED GUARDIAN GET PHYSICAL CUSTODY OF CHILD? _____

SCHOOL _____ TEACHER _____ GRADE _____

DOCTOR _____ TELEPHONE # () _____

MEDICAL PROBLEMS/SPECIAL NEEDS _____

NAME _____ AGE _____ DOB _____

RELATIONSHIP _____ HOW AND WHEN DID PROPOSED GUARDIAN GET PHYSICAL CUSTODY OF CHILD? _____

SCHOOL _____ TEACHER _____ GRADE _____

DOCTOR _____ TELEPHONE # () _____

MEDICAL PROBLEMS/SPECIAL NEEDS _____

NAME _____ AGE _____ DOB _____

RELATIONSHIP _____ HOW AND WHEN DID PROPOSED GUARDIAN GET PHYSICAL CUSTODY OF CHILD ? _____

Minors Name: _____	Case Number: _____
--------------------	--------------------

SCHOOL _____ TEACHER _____ GRADE _____

DOCTOR _____ TELEPHONE # () _____

MEDICAL PROBLEMS/SPECIAL NEEDS _____

CHILD CARE PROVIDER _____ TELEPHONE # () _____

ADDRESS _____ DAYS/TIME _____

WHY IS GUARDIANSHIP NECESSARY? _____

HOW LONG WILL GUARDIANSHIP BE NECESSARY ? _____

WHAT ARE YOUR FUTURE PLANS FOR THE CHILD(REN) ? _____

SECTION VI – ESTATE

PLEASE INDICATE THE SOURCE OF THE MONEY OR PROPERTY (I.E., INHERITANCE, GIFT, ETC.)
(INCLUDE COPY OF WILL) _____

MONEY VALUE _____ PERSONAL PROPERTY VALUE _____

WHERE WILL MONIES BE PLACED AND HOW HANDLED? (I.E. BLOCKED BANK ACCOUNT) _____

DOES CHILD (REN) HAVE MONEY IN THEIR OWN ACCOUNT? YES NO OR HELD JOINTLY? YES NO

INDICATE AMOUNT AND NAMES ON JOINT ACCOUNTS _____

IS MINOR(S)'S NAME ON DEED TO REAL PROPERTY, STOCKS, BONDS? YES NO VALUE _____

SECTION VII – BIRTH PARENTS

MOTHER'S NAME _____ DATE OF BIRTH _____

ADDRESS _____

DOES MOTHER AGREE WITH GUARDIANSHIP? YES NO TELEPHONE # () _____

FATHER'S NAME _____ DATE OF BIRTH _____

ADDRESS _____

DOES FATHER AGREE WITH GUARDIANSHIP? YES NO TELEPHONE # () _____

Minors Name:	Case Number:
--------------	--------------

HAVE THE BIRTH PARENTS MADE YOU AWARE OF THEIR PLANS FOR THE CHILDREN? YES NO
 IF YES, EXPLAIN _____

DO YOU BELIEVE THAT EITHER PARENT IS UNFIT TO HAVE CUSTODY? YES NO
 IF YES, EXPLAIN _____

SECTION VIII – NOTIFICATION

HAVE THE FOLLOWING RELATIVES BEEN NOTIFIED OF THE PETITION FOR GUARDIANSHIP PURSUANT TO PROBATE CODE SECTION 1511?

MOTHER	YES	NO		FATHER	YES	NO
MATERNAL GRANDFATHER	YES	NO		PATERNAL GRANDFATHER	YES	NO
MATERNAL GRANDMOTHER	YES	NO		PATERNAL GRANDMOTHER	YES	NO
ADULT SIBLINGS	YES	NO				

IF NO EXPLAIN WHY _____

DO ANY OF THE ABOVE RELATIVES OBJECT TO THE GUARDIANSHIP? WHO? _____

PLEASE INCLUDE COPY OF CHILD(REN)’S BIRTH CERTIFICATE(S).

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

Date	Petitioner’s signature
------	------------------------

-COURT USE ONLY –

CLETS CHECK	Date	Clerk
CPS CHECK	Date	Clerk
VISION CHECK	Date	Clerk

**Superior Court of California
County of Ventura
Family Court Services**

PO BOX 6489
800 SOUTH VICTORIA AVENUE
ROOM 307
VENTURA CA 93009

(805) 662-6694
FAX (805) 654-2240

RELEASE OF MEDICAL INFORMATION

I, _____, legal guardian of _____
Guardian Child's Name
grant permission for _____
Doctor and Clinic Name and

_____ Clinic Address _____ Clinic Telephone

to release information about the health and well being of the ward to the Ventura Superior Court.

Date: _____
Guardian's Signature

Guardian's printed name

THE SECTION BELOW WILL BE COMPLETED BY THE HEALTH CARE REPRESENTATIVE

MEDICAL INFORMATION

Case Number _____ Medical Number: _____

Child's Name: _____ Date of Birth: _____

Guardian: _____

When was your last appointment with the child?

How often have you seen the child in the past year?

Does the child have any conditions which require regular treatment?

Is the child current on recommended vaccinations? _____

If not, which are overdue? _____

MEDICAL INFORMATION

How would you rate the child's general health? _____

Does the child have any special needs? _____

Does the child have any special problems? _____

Do you have any observations or additional comments regarding the caretaker's (parent, grandparent, or relative) history of responsiveness to the medical needs of the child(ren)?

Additional remarks _____

Name of person filling out form: _____

Title: _____

Signature: _____

Date: _____

MEDICAL INFORMATION

**Superior Court of California
County of Ventura
Family Court Services**

PO BOX 6489
800 SOUTH VICTORIA AVENUE
ROOM 307
VENTURA CA 93009

(805) 662-6694
FAX (805) 654-2240

RELEASE OF SCHOOL INFORMATION

I _____, guardian of _____
Guardian's Name Child's Name
grant permission for _____ to release information about the
health _____
Name of School Official or School

and well-being of the child under guardianship to the Ventura County Superior Court.

Date Guardian's Signature

Guardian's Printed Name

THE SECTION BELOW WILL BE COMPLETED BY THE SCHOOL REPRESENTATIVE

SCHOOL INFORMATION

Case No.: _____

Child's name and age Guardian's name

Address City State Zip

Name of School: _____

Address of School: _____ Phone _____

Student's grade level: _____ Grade Point Average: _____

Name of Teacher/Counselor: _____

How would you describe the student's attendance record? _____

Describe the student's areas of strength and weakness: _____

SCHOOL INFORMATION

How would you rate the student's general social conduct and adjustment? _____

Does the student have any special needs? (Please describe) _____

If yes, what has the school done to address these needs? _____

Does the student have any special problems? _____

Is the student receiving additional academic or counseling support? Please describe: _____

Does the student appear properly attired and groomed for school? _____

Do you have any observations or additional comments regarding the caretaker's (parent, grandparent, or relative) history of responsiveness to the social/academic needs of the child(ren)? _____

What further follow up would you recommend? _____

Name of person filling out form: _____

Title of person filling out form: _____

Signature of person filling out form: _____

Date of signature: _____

Please enclose a photocopy of the most recent grades and immunization record

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____</p> <p style="text-align: center;">E-MAIL ADDRESS (<i>Optional</i>): _____</p> <p style="text-align: center;">ATTORNEY FOR (<i>Name</i>): _____</p>	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.

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> <hr/> 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:	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF <i>(Name):</i> <div style="text-align: right;"> <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE </div>	
NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP	CASE NUMBER: _____

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:
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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.)



