For your protection and privacy, press the Clear This Packet button on the last page after printing.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO

GUARDIANSHIP OF THE PERSON PACKET

FORMS INCLUDED IN THIS PACKET	
General Information for Self-Represented Litigants (Guardianship of the Person)	SDSC Form #PR-067
Instructions to Proposed Guardians Re: Guardianship Investigations	SDSC Form #PR-061
Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding for Indian Child	Judicial Council Form #ICWA-005-INFO
Petition for Appointment of Guardian of the Person	Judicial Council Form #GC-210(P)
Guardianship Petition – Child Information Attachment	Judicial Council Form #GC-210(CA)
Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	Judicial Council Form #FL-105/GC-120
Confidential Guardianship Screening Form	Judicial Council Form #GC-212
Duties of Guardian and Acknowledgment of Receipt	Judicial Council Form #GC-248
Order Directing or Waiving Investigation	SDSC Form #PR-063
Consent of Proposed Guardian, Nomination of Guardian and Consent to Appointment of Guardian and Waiver of Notice	Judicial Council Form #GC-211
Proof of Personal Service (Guardianship)	SDSC Form #PR-086
Notice of Hearing – Guardianship or Conservatorship	Judicial Council Form #GC-020
Order Appointing Guardian of Minor or Extending Guardianship of the Person	Judicial Council Form #GC-240
Letters of Guardianship	Judicial Council Form #GC-250
Petition for Appointment of Temporary Guardian of the Person	Judicial Council Form #GC-110(P)
Order Appointing Temporary Guardian	Judicial Council Form #GC-140
Letters of Temporary Guardianship or Conservatorship	Judicial Council Form #GC-150
Guardianship Questionnaire	SDSC Form #FCS-045

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101

GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS
(GUARDIANSHIP OF THE PERSON)

The following information is intended to answer general questions a self-represented litigant may have about guardianship of the person. This is not a complete reference or procedural guide, nor is it intended as legal advice. It is your responsibility to read and comply with the applicable laws, use current forms, and be prepared to present your case.

What is guardianship?

Guardianship is a court proceeding in which a judge gives someone who is not the parent:

- Custody of a child under the age of 18. This type of guardianship is called "Guardianship of the Person".
- Power to manage the child's income, money, or other property until the child turns 18. This type of guardianship is called "Guardianship of the Estate".

Note: If you are petitioning for a guardianship of the estate, this packet is not applicable.

More information about guardianship of the person and the estate can be found at www.courtinfo.ca.gov/selfhelp/family/guardianship and www.sdcourt.ca.gov (click on Probate).

If there is an open Juvenile Court case, contact the Child Welfare Services (CWS) worker assigned to the case or go to Juvenile Court to find out what your next step is. When there is an open Juvenile Court case, the Probate Court generally does not have the authority to grant a guardianship petition.

If there is an open Family Court case with an order of custody to a parent, you will be required to join in that case to seek custody of the child.

Guardianship of the Person

A petition for guardianship of the person is filed when a minor child is living with an adult who is not the parent and the adult needs the legal right to make decisions on behalf of the child. When a guardian of the person is appointed, the guardian is awarded custody of the child and the natural parents no longer have the right to determine where the child will live or how he or she will be educated. Instead, the guardian has those rights, including the responsibility to determine medical treatment for the child.

What do I have to do to become the guardian of the person?

To become the legal guardian of a child, you first have to file a petition and other forms with the court. You must fill out the following forms, available in the Probate Business Office and online at www.sdcourt.ca.gov (click on Forms, then Probate):

- Petition for Appointment of Guardian of the Person (JC Form #GC-210(P))
- Guardianship Petition—Child Information Attachment (JC Form #GC-210(CA))
- Notice of Hearing—Guardianship or Conservatorship (JC Form #GC-020)
- Consent of Proposed Guardian, Nomination of Guardian, and Consent to Appointment of Guardian and Waiver of Notice (JC Form #GC-211)
- Duties of Guardian and Acknowledgment of Receipt (JC Form #GC-248)
- Letters of Guardianship (JC form #GC-250)
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)(JC Form #FL-105/GC-120)
- Confidential Guardianship Screening Form (JC Form #GC-212)
- Order Appointing Guardian of Minor (JC Form #GC-240)
- Order Directing or Waiving Investigation (SDSC Form #PR-063)
- Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding for Indian Child (JC Form #ICWA-005-INFO)

What do I have to do after I fill out the forms?

After you fill out the required forms:

- ✓ Make at least one copy of each completed form.
- ✓ File your forms with the Probate Business Office at the location listed on page 1. There is a filing fee due at the time you file your papers. (Refer to the sections "Is there a fee to file a guardianship?" and "What if I don't have enough money to pay the fees?" below.)
- ✓ The clerk will keep the original forms and return the copies to you. Your copies will be file stamped and a hearing date will be scheduled.
- ✓ Serve a copy of the filed paperwork upon parents and relatives as required by law. (Refer to the section "Serving Parents and Relatives" on page 2.)
- ✓ Review the Instructions to Proposed Guardian of the Person Re: Guardianship Investigations (SDSC Form #PR-061A) and follow the procedures to schedule the investigation.

Is there a fee to file a guardianship?

Yes. There are court costs – the court filing fee and the investigation fee. The current fee amounts can be found on the court's Fee Schedule (SDSC Form #ADM-001), available on the court's website, www.sdcourt.ca.gov, or you can ask staff in the Probate Business Office.

What if I don't have enough money to pay the fees?

- ➢ If you cannot afford the **filing fee**, you can request a fee waiver from the court. The fee waiver forms are available in the Probate Business Office or online at www.sdcourt.ca.gov and www.courtinfo.ca.gov. You will need the following forms:
  - Information Sheet on Waiver of Superior Court Fees and Costs (JC Form #FW-001-INFO)
  - Request to Waive Court Fees (Ward or Conservatee) (JC Form #FW-001-GC)
  - Order on Court Fee Waiver (Superior Court) (Ward or Conservatee) (JC Form #FW-003-GC)

  If the court approves your Request to Waive Court Fees, you won't have to pay the filing fee or investigation fee.

Serving parents and relatives

The law requires that parents and certain relatives be served (given) a copy of the petition for guardianship and other court forms you filed with the court. This is sometimes referred to as "giving notice." **Someone else – NOT YOU – must serve the documents. There are rules for giving notice. You must follow them carefully, otherwise you have to start all over.**

There are two types of service: personal service and service by mail.

- **Personal service** – **parents** (or any person having legal custody of the child or serving as guardian of the estate) **and the minor child(ren)** of the action (over the age of 12) ***must be personally served.*** This means someone else – **not you** – personally hands them a copy of the Notice of Hearing—Guardianship or Conservatorship (JC Form #GC-020) and Petition for Appointment of Guardian of the Person (JC Form #GC-210(P)) at least 15 days before the hearing.
- **Service by mail –** Paternal and maternal **grandparents**, the child's **brothers** and **sisters** (over the age of 12), including half-brothers and half-sisters (over the age of 12), and any person having the care of the proposed child of the guardianship (if other than the person having legal custody) and any spouse named in the petition **may be served by mail.** This means someone else – **not you** – mails them a copy of the Notice of Hearing—Guardianship or Conservatorship (JC Form #GC-020) and Petition for Appointment of Guardian of the Person (JC Form #GC-210(P)) at least 15 days before the court hearing. (Note: The child's grandparents are the parents of the child's mother and parents of the child's father.)

What if the parents and relatives agree I can be the guardian?

If anyone who is required to receive notice of the guardianship petition (parents and relatives) agree you can be the guardian, he/she can sign the Consent of Proposed Guardian, Nomination of Guardian, and Consent to Appointment of Guardian, and Waiver of Notice form (JC Form #GC-211). You don't have to give notice to anyone who signs the consent portion of that form. If a person tells you verbally he/she agrees you can be the guardian, but doesn't sign a written consent, you still have to give that person notice. Refer to "Serving Parents and Relatives" for information about giving notice.

What if I don't know where the parents or relatives are?

If you don't know where the parents or relatives are, you must make a reasonable and diligent effort to locate them. Some suggestions to find them include:

- ✓ Asking all family members, friends, acquaintances, and employers;
- ✓ Searching the real and personal property indexes in the recorder's and assessor's offices for the county where the person last resided;
- ✓ Looking in the phone book;
- ✓ Calling telephone information;
- ✓ Searching on the Internet (e.g. social media).

If you have done everything you can to locate the parents or relatives and you still can't locate them, you can ask the court to allow you to proceed without giving notice to those persons. To do this, fill out Declaration of Diligent Search and Request to Dispense with Notice (SDSC Form #FLF-002), available in the Probate Business Office and online at www.sdcourt.ca.gov, and file it at least four days prior to your hearing.

What happens after the forms are served?

If the forms were served by personal delivery to the parents or relatives, the person serving the forms fills out a Proof of Personal Service of Notice of Hearing—Guardianship form (JC Form #GC-020(P)). If the forms were served by mail (not allowed for parents or minor(s) in the case), the person serving the forms fills out the Proof of Service by Mail on the back side of the Notice of Hearing form (JC Form #GC-020).

After the forms have been properly filled out and signed, file the proof of service forms with the Probate Business Office at least four days prior to your hearing.

What happens before the court hearing date?

Before your court hearing date, a probate examiner will review the paperwork submitted by you and make notes for the probate judge. A copy of these notes are available online at www.sdcourt.ca.gov (click on the Probate tab, then Examiner Notes).

If there are defects (things that are missing and/or corrections to be made), they will be noted by the probate examiner. Ordinarily the defects need to be corrected before your petition will be granted by the judge. If defects are noted and have not been corrected before the hearing date, attend the hearing to assure the judge you still want the guardianship. The court may continue the hearing to a later date to allow you time to correct the defects. Most defects can be cleared by filling out the Supplement to Petition for Appointment of Guardian of the Person (SDSC Form #PR-107) and filing it with the Probate Business Office at least four days prior to your hearing.

The probate examiners can be contacted by phone or email. Instructions are available online at www.sdcourt.ca.gov (click on the Probate tab, then Examiner Notes).

If the court grants your petition for guardianship at the hearing, submit the Order Appointing Guardian of Minor (JC Form #GC-240) and Letters of Guardianship (JC Form #GC-250) forms to the Probate Business Office. The Letters of Guardianship are evidence of your authority to act on behalf of the child. Obtaining a certified copy of the Letters of Guardianship is advisable.

What if there is a need for a temporary guardian before the hearing?

The court may grant Letters of Temporary Guardianship (JC Form #GC-150) under the following circumstances:

1. There is an immediate and compelling need for the appointment;

2. The Petition for Appointment of Guardian is filed at the same time;

3. There is good cause to waive notice to the parents, or they consent and waive notice for the temporary guardianship; and

4. The minor is residing with the petitioner at the time the request for temporary guardianship is made.

If the above criteria can be met, the petition for temporary guardianship may be submitted to the Probate Business Office for determination by the probate judge. The hearing will generally be set in five to ten court days. The required documents for temporary guardianship are:

- Petition for Appointment of Temporary Guardian of the Person (JC Form #GC-110(P)).
- Order Appointing Temporary Guardian (JC Form #GC-140).
- Letters of Temporary Guardianship (JC Form #GC-150).
- All the documents needed for the general guardianship (see page 1).
- Waivers of notice, if you have them.

What happens after the hearing?

If the judge grants you guardianship, you will be the guardian of the minor child until the child turns age 18. When the child turns age 18, the guardianship terminates by operation of law. You must inform the court in writing if you move within the state. You can do so by filling out a Notice of Change of Address or Other Contact form (JC Form #MC-040) and filing it with the Probate Business Office. If you want to move out of the state, you must petition the court for permission to do so by filling out the Petition to Fix Residence Outside the State of California (JC Form #GC-085) and filing it with the Probate Business Office.

Do I need a lawyer to set up a guardianship?

No, you can represent yourself. However, the forms for guardianship and the rules for notice can be complicated. If you don't follow the rules carefully and defects occur, you may have to come back to court more than once to have your guardianship approved, and it will take more time to process your case.

Talking to a lawyer is a good idea when:

- the child has extensive and/or valuable property;
- you live out of state;
- there are other legal cases going on at the same time (like adoption, custody in Family Court, or Juvenile Court involvement);
- the child has special needs (physically/emotionally disabled); or
- the child is Native American (because federal laws apply).

If you need legal advice:

Contact an attorney of your choice. If you need help locating an attorney in San Diego County, you may contact the Lawyer Referral & Information Service of the San Diego County Bar Association at their website www.sdcba.org or by calling (619) 231-8585.

If you need general legal information or assistance with completing court forms:

Family Law Facilitator's Office - Guardianship Assistance Program
This program is operated by the San Diego Superior Court. For further information, you may inquire in the Probate Business Office or call (619) 844-2869.

San Diego Volunteer Lawyer Program
This private, non-profit legal organization offers a guardianship clinic on a first come, first served basis to income qualified individuals. Call (619) 235-5656 (ext. 104) or visit www.sdvlp.org for information about days and hours of operation.

If you are in the military and need assistance:

Camp Pendleton Legal Office	(760) 725-6558
North Island Legal Office	(619) 545-6437

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101

INSTRUCTIONS TO PROPOSED GUARDIANS RE: GUARDIANSHIP INVESTIGATIONS

Prob. Code §1513 requires that, unless waived by the court, in each proposed appointment of guardian, an investigation must be made and a report submitted to the court. Investigations will be conducted by Family Court Services (FCS), County of San Diego Health and Human Services Agency (HHSA), or a Court Investigator (CI) as follows:

Guardianship of:	Proposed Guardian:	Agency:
A. Person or Person/Estate	Relative	FCS
B. Person or Person/Estate	Non-Relative	HHSA
C. Estate Only	Relative or Non-Relative	CI
D. Estate Only – Waiver Requested	Relative or Non-Relative	

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

AFTER FILING A PETITION FOR APPOINTMENT OF GUARDIAN, FOLLOW PROCEDURES BELOW FOR CORRESPONDING ITEMS ABOVE:

A. <u>RELATIVE GUARDIAN - PERSON OR PERSON/ESTATE</u>

1. If item 1a or 1b(1) is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), proceed to the FCS office located at 1100 Union Street, 4th floor, to make an appointment. **Appointments will only be made in person.** Bring conformed copies of the following documents with you:
   - Petition for Appointment of Guardian of the Person (JC Form #GC-210)
   - Order Directing or Waiving Investigation (SDSC Form #PR-063)
   - Confidential Guardian Screening Form (JC Form #GC-212)
   - Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (JC Form #FL-105/GC-120)

   You must also complete a Guardianship Questionnaire (SDSC Form #FCS-045) and submit it to FCS when your appointment is made.
2. If item 1b(2) is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), no investigation is required.

B. <u>NON-RELATIVE GUARDIAN - PERSON OR PERSON/ESTATE</u>

1. If item 2a is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), mail conformed copies of the following forms to: Health and Human Services Agency Guardianship Unit, 8911 Balboa Ave., San Diego, CA 92123.
   - Petition for Appointment of Guardian of the Person (JC Form #GC-210)
   - Order Directing or Waiving Investigation (SDSC Form #PR-063)
   - Confidential Guardian Screening Form (JC Form #GC-212)
   - Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (JC Form #FL-105/GC-120)

   HHSA will mail a packet of materials to complete and return prior to the investigation. For more information, contact HHSA at (858) 650-5712.
2. If item 2b is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), no investigation is required.

C. <u>RELATIVE OR NON-RELATIVE GUARDIAN - ESTATE ONLY</u>

1. If item 3 is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063) a Court Investigator will contact you prior to the hearing.

D. <u>RELATIVE OR NON-RELATIVE GUARDIAN - ESTATE ONLY - WAIVER REQUESTED</u>

1. Submit an Ex Parte Coversheet (SDSC Form #PR-136), Application for Waiver of Investigation (SDSC Form #PR-062), and Order Directing or Waiving Investigation (SDSC Form #PR-063) to the Probate Business Office. Complete only the caption of the Order Directing or Waiving Investigation (SDSC Form #PR-063). The court will check the appropriate box after the application has been ruled on.
2. If the waiver is denied, a Court Investigator will contact you prior to the hearing.

INFORMATION SHEET ON INDIAN CHILD INQUIRY ATTACHMENTS AND NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD

This is an information sheet to help you fill out form ICWA-010(A), *Indian Child Inquiry Attachment* or in a probate guardianship, page 5 of form GC-210(CA), *Guardianship Petition—Child Information Attachment*, and form ICWA-030, *Notice of Child Custody Proceeding for Indian Child.*

Form ICWA-010(A), *Indian Child Inquiry Attachment,* or page 5 of form GC-210(CA), *Guardianship Petition—Child Information Attachment*

You are responsible for helping to find out if the child is or may be an Indian child and filling out the information requested on ICWA-010(A), *Indian Child Inquiry Attachment,* or on page 5 of form GC-210(CA), *Guardianship Petition—Child Information Attachment* form. This is important because if the child is an Indian child, specific steps must be taken to prevent the breakup of the child's Indian family and to obtain for the child resources and services that are culturally specific to the child's family. The court will check to make sure that the child receives these resources and services.

Tips on how to fill out form ICWA-010(A), *Indian Child Inquiry Attachment,* or page 5 of form GC-210(CA), *Guardianship Petition—Child Information Attachment*

1. Try to find contact information for the child's parents or other legal guardian, the child's Indian custodian (if the child is living with an Indian person other than a parent), the child's grandparents and great-grandparents, and other available family members.
2. Contact the child's parents or other legal guardian and the child's Indian custodian and other available family members and ask them (and the child, if he or she is old enough) these questions:
   a. Is the child a member of a tribe, and if they think he or she might be, then which tribe or tribes?
   b. Are they members of a tribe, and if they think they might be, which tribes?
   c. Does the child or the child's parents live in Indian country, including a reservation, rancheria, Alaska Native village or other tribal trust land?
   d. Does the child or any of the child's relatives receive services or benefits from a tribe, and if yes, which tribe?
   e. Does the child or any of the child's relatives receive services or benefits available to Indians from the federal government?
3. If you are in touch with any of the child's relatives, ask them the same questions.

The court clerk's office cannot file your petition unless you have filled out and attached to the petition form ICWA-010(A), *Indian Child Inquiry Attachment.* This does not apply to a petition for appointment of a guardian in a probate guardianship or a petition filed in the juvenile court under Welfare and Institutions Code sections 601 or 602.

After taking the steps listed above to find out whether the child is an Indian child, if you have reason to believe that the child is an Indian child, you must contact the tribe or tribes that may have a connection with the child about your court case. You have reason to believe the child is an Indian child if any of the people you question answers yes to any of your questions. Tribes that learn of the case can investigate and advise you and the court whether the child is a tribal member or eligible to become a tribal member, and can then decide whether to get involved in the case or assume tribal jurisdiction.

Contacts with the tribe or tribes should include contacting the tribe's designated agent for service of notice under the Indian Child Welfare Act published in the Federal Register by telephone, facsimile, or email and sharing with the tribe or tribes information identified by the tribe as necessary to make a determination about the child's tribal membership or eligibility for membership, as well as information on the current status of the child and the case.

Form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*

Following your inquiry about the child's Indian status and contacts with the child's tribe or tribes, if necessary, you must provide formal notice on form ICWA-030, *Notice of Child Custody Proceeding for Indian Child,* if you know or have reason to know the child is an Indian child.

Some tips to help you figure out if you have a reason to know the child is an Indian child. You have reason to know:

1. If the child, an Indian tribe, an Indian organization, an attorney, a public or private agency, or a member of the child's extended family says or provides information to anyone involved in the case that the child is an Indian child;
2. If the child, the child's parents, or an Indian custodian live in a predominately Indian community; or
3. If the child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service.

These are just a few of the facts that would give you reason to know that a child is an Indian child. There also may be other information that would give you reason to know that the child is an Indian child.

Who do you need to notify?

If you know or have reason to know that the child is an Indian child, you must send the Notice to the following:

1. Child's parents or other legal guardian, including adoptive parents;
2. Child's Indian custodian (if the child is living with an Indian person who has legal custody of the child under tribal law or custom, under state law, or if the parent asked that person to take care of the child);
3. Child's tribe or tribes; and
4. Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825 (if the parents, Indian custodian, or tribe cannot be determined or located).

Tips on how to find the address for the child's tribe or tribes

The Secretary of the Interior periodically updates and publishes in the Federal Register (see 25 C.F.R. § 23.12), a list of tribe names and addresses. The Bureau of Indian Affairs also keeps a list. You can access the Federal Register list, and other resources related to ICWA, on the Bureau of Indian Affairs website at www.bia.gov/bia/ois/dhs/.

Copy to the Secretary of the Interior and the Area Director of the Bureau of Indian Affairs

If you know the identity and location of the parent, Indian custodian, and the tribe or tribes, when you send the Notice to the parent, Indian custodian, and the tribe or tribes, you must also send a copy to the Secretary of the Interior at 1849 C Street, N.W., Washington, D.C. 20240 and a copy to the Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

Copy to the Area Director of the Bureau of Indian Affairs

If you do not know the identity and location of the child's parents, Indian custodian, and tribe or tribes, you must send copies of the Notice and the other documents to the Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825. In order to help establish the child's tribal identity, provide as much information as possible, including the child's name, birthdate, and birth place; the name of the tribe or tribes; the names of all of the child's known relatives with addresses and other identifying information; and a copy of the petition in the case.

How do you send the Notice and prove to the court that you have done so?

If you have an attorney, he or she will complete the steps described below. If you are representing yourself without an attorney in a probate guardianship case, the court clerk will help you with steps 1 and 2 below, including doing the mailing and signing the certificate of mailing on page 9 of the Notice, but you must deliver copies of the Notice and other documents listed in step 1 below to the court in addressed envelopes ready for mailing and then do step 3.

1. Mail to the persons and organizations listed at the top of this page, by registered or certified mail, with return receipt requested, copies of the following filled-out and signed forms:
   a. Your petition;
   b. Form ICWA-010(A), *Indian Child Inquiry Attachment* or, in a probate guardianship case, form GC-210(CA), *Guardianship Petition—Child Information Attachment;* and
   c. Form ICWA-030, *Notice of Child Custody Proceeding for Indian Child.*
2. The person who does the mailing must fill out the information requested on page 10 of form ICWA-030, *Notice of Child Custody Proceeding for Indian Child,* and then date and sign the original form on page 9.
3. Go to the court and file with the clerk of the court proof that you have given notice to everyone listed above and on page 10 of form ICWA-030, *Notice of Child Custody Proceeding for Indian Child.* Your proof must consist of the following:
   a. The original signed Notice (form ICWA-030) and copies of the documents you sent with it (the petition and form ICWA-010(A) or form GC-210(CA));
   b. All return receipts given to you by the post office and returned from the mailing; and
   c. All responses you receive from the child's parents, the child's Indian custodian, the child's tribe or tribes, and the Bureau of Indian Affairs.

Please note that you are subject to court sanctions if you knowingly and willfully falsify or conceal a material fact concerning whether the child is an Indian child or counsel a party to do so. (Welf. & Inst. Code, § 224.3(e).)

GC-210(P)

Petition for Appointment of Guardian of the Person

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

_____

_____

Clerk stamps date here when form is filed.

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

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in information below when form is filed.

Case Number:	
Hearing Date and Time:	**Dept.:**

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

a. _____

b. _____

c. _____

(2) **Your address and telephone number:**

Street: _____ *Apt.:* _____

City: _____

State: _____ *Zip:* _____ *Phone:* _____

(3) ☐ **Your Lawyer** *(if you have one):*

Name: _____ *Bar No.:* _____

Firm name, if any: _____

Street: _____ *Suite:* _____

City: _____ *State:* _____ *Zip:* _____

Telephone: _____ *Fax:* _____ *E-mail:* _____

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

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

Name(s):

Street: _____ *Apt.:* _____

City: _____ *State:* _____ *Zip:* _____

Phone: _____ *E-mail:* _____

☐ **I am the child or one of the children named in (8) and a person named in (1). I am at least 12 years old. I want the person or persons named here to be my guardian. My date of birth is** *(month/day/year):* _____ *Tell the court about the proposed guardian(s) below.*

Name(s):

Street: _____ *Apt.:* _____

City: _____ *State:* _____ *Zip:* _____

Phone: _____ *E-mail:* _____

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

5 **The proposed guardian named in 1 or 4 is** *(check all that apply)*:

a. ☐ Related to the child or children named in 8, as shown in item 3 of the child's or children's attached *Guardianship Petition—Child Information Attachment* (form(s) GC-210(CA)).

b. ☐ Not related to the child or children named in 8.

c. ☐ A nominee of a parent of one or more of the children named in 8, as shown in item 5 of the child's or children's attached *Guardianship Petition—Child Information Attachment* (form(s) GC-210(CA)).

6 ☐ **Check this box if you checked the box in item 5b (guardian unrelated to child or children).** *Answer the question in item a and check the box in item b or c. If you check the box in c, provide the signed statement of the proposed guardian on a separate sheet of paper. Write "Form GC-210(P)—Attachment 6: Statement of Unrelated Guardian" at the top of the paper and attach it to this form.*

a. Does the proposed guardian run a licensed foster family home? ☐ Yes ☐ No

b. ☐ I am the proposed guardian. I will promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services.

c. ☐ I am **not** the proposed guardian. The signed statement of the proposed guardian agreeing to promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services is attached to this form as Attachment 6.

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

8 **Tell the court about the child or children who need a guardian.**

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

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

a. Name: _____ _____ _____ Date of birth: _____
First *Middle* *Last* *Month/Day/Year*

b. Name: _____ _____ _____ Date of birth: _____
First *Middle* *Last* *Month/Day/Year*

c. Name: _____ _____ _____ Date of birth: _____
First *Middle* *Last* *Month/Day/Year*

d. Name: _____ _____ _____ Date of birth: _____
First *Middle* *Last* *Month/Day/Year*

e. Name: _____ _____ _____ Date of birth: _____
First *Middle* *Last* *Month/Day/Year*

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

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

9 **The guardianship is necessary or convenient for the reasons given below.**
(Explain why each child listed in 8 needs a guardian.)

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

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

a. Appoint the person named in 1 or 4 guardian of the person of the child or children named in 8 and issue *Letters of Guardianship.*

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

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

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

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

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

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

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

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

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

Date: _____ _____ ▶ _____
Petitioner's attorney types or prints name here *Petitioner's attorney signs here*

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

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

Date: _____ _____ ▶ _____
Petitioner types or prints name here *Petitioner signs here*

Date: _____ _____ ▶ _____
Petitioner types or prints name here *Petitioner signs here*

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

Date: _____ _____ ▶ _____
Proposed ward types or prints name here *Proposed ward signs here*

GC-210(CA)

Guardianship Petition—Child Information Attachment

Case Number:

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

_____

This child's name: _____

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

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

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

1 Tell the court about this child

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

b. Child's current address: _____

_____

_____

c. ***(If the Petition to which this form is attached asks for the appointment of a guardian of this child's estate only, skip this item 1c, select item 8 a on page 5, and answer the rest of the items in this form. If the Petition asks for the appointment of a guardian of this child's person or this child's person and estate, complete the steps described here.*** *Ask the child, if he or she is old enough, and the child's parents or any other legal guardian, and any Indian custodian, whether the child is or may be an Indian (Native American) child. You may not rely merely on your own knowledge and belief about the child. If possible, ask these persons before you file your petition, including this form, so you can use the information you receive to answer questions (1) and (2) below. Answer those questions, item 8 on page 5, and the rest of the items in this form.)*

(For more information about your duties concerning a child who is or may be an Indian child involved in a guardianship of the person under the Indian Child Welfare Act ("ICWA") (25 U.S.C. § 1901 et seq.) and California law, including making the inquiry described above and completing this form, see the **Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding For Indian Child** ***(form ICWA-005-INFO).)***

(1) Is this child a member of, or eligible for membership in, one or more Indian tribes recognized by the federal government? ☐ No ☐ Not sure ☐ Yes *(specify tribe or tribes):* _____

_____

_____

(If you checked "Yes" to item (1), this guardianship case is subject to ICWA. If you checked "Not sure" or "No" to item (1), answer item (2).)

(2) Do you know or have reason to know (within the meaning of Prob. Code, §§ 1460.2(a), Welf. & Inst. Code, § 224.3(b), and Cal. Rules of Court, rule 7.1015), whether this child is or may be an Indian child?
☐ No ☐ Yes *(If you checked "Yes" to either item (1) or (2), you must file and serve a* Notice of Child Custody Proceeding for Indian Child *(form ICWA-030), in addition to service of any other notices required in this case. For information about what is "reason to know whether the child is or may be an Indian child" and the notice requirement, including who must be served, how to serve them, and how to prove to the court that you have done so, and how to fill out and file the* Notice, *see the* Information Sheet on Indian Child Inquiry Attachments and Notice of Child Custody Proceeding For Indian Child *(form ICWA-005-INFO).)*

d. Is this child married? ☐ Yes ☐ No ☐ Never married If you checked "No," was this child formerly married but the marriage was dissolved or ended in divorce? ☐ Yes ☐ No
(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)

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

Case Number:

This child's name: _____

1 Tell the court about this child (continued)

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

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
☐ TANF (Temporary Asst. for Needy Families)	$	☐ Other *(explain)*:	$
☐ Social Security	$	☐ Other *(explain)*:	$
☐ Dept. Veterans Affairs Benefits	$		

f. Name and address of the person with *legal* custody of this child: _____

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

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

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

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

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

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

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

Case Number:

This child's name: _____

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

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

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

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

3 Information about the proposed guardian:

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

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

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

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

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

Case Number:

This child's name: _____

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

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

5 Do one or both of this child's parents agree that the person in **3** can be the child's guardian?

a. Father: ☐ Yes ☐ No ☐ Not known at this time.

b. Mother: ☐ Yes ☐ No ☐ Not known at this time.

(You may file a filled-out Consent to Appointment of Guardian and Waiver of Notice *(form GC-211, item 4) signed by the child's parent or parents (or any adult relative listed in* **2***) who agree. The court may excuse you from having to give notice of the court hearing on your request for appointment of a guardian to a parent or other relative who signs that form.)*

6 **Suitability for guardianship of this child**

a. Does this child live with the person in **3** now? ☐ Yes ☐ No

b. If the court approves the guardianship, will this child live with the person in **3**? ☐ Yes ☐ No

c. Does the person in **3** plan to adopt this child now? ☐ Yes ☐ No

7 ☐ **Check this box if you (the petitioner) are *not* the person in** **3** **, and fill in below.**

Your relationship to this child:

☐ Relative *(specify):* _____

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

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

_____

Case Number:

This child's name: _____

8 An Indian child inquiry concerning the child named above:

a. ☐ is not required; this is a guardianship of the estate only. *(If you check this box, skip the rest of item* **8** *.)*

b. ☐ has not been made or completed for the following reasons *(check all that apply):*

(1) ☐ Petitioner knows the child is an Indian child and has identified the child's tribe or tribes in item **1** .

(2) ☐ Petitioner (or the proposed guardian if he or she is not the petitioner) is the child's Indian custodian.

(3) ☐ Petitioner has been unable to communicate with the child's parents, other legal guardian, or Indian custodian for the following reasons and despite the following efforts to do so *(describe):*

_____

_____

_____

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

c. ☐ has been made and the following information was obtained *(check all that apply):*

(1) The names, relationships to the child named above, addresses, and telephone numbers, of the persons interviewed by Petitioner to collect or confirm the information given below, and the date or dates the interviews took place, are provided on one or more separate sheets of paper attached to this form.

(Write "Form GC-210(CA)," the name of this child, and "Attachment 8c(1):—Indian Child Inquiry" at the top of each page of paper you attach to this form to complete this item.)

(2) ☐ The child is or may be a member of or eligible for membership in a tribe.
Tribe or tribes: _____

Band *(if applicable):* _____

(3) ☐ The child's parents, grandparents, or great-grandparents are or were members of a tribe or tribes.
Tribe or tribes: _____

Band *(if applicable):* _____

(4) ☐ The residence or domicile of the child, the child's parents, or the child's Indian custodian is in a predominantly Indian community.

(5) ☐ The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).

(6) ☐ The child may have Indian ancestry.

(7) ☐ Other reason or reasons to know the child is or may be an Indian child: _____

_____

_____

_____

_____

(8) ☐ The child has no known Indian ancestry.

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

CHILD'S NAME:	CASE NUMBER:

1. Name of child:
2. (Check one)

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

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

☐ I have asked or ☐ I am advised by and on information and belief confirm that this person has completed inquiry by asking the child, the child's parents, and other required and available persons about the child's Indian status. The person(s) questioned are:

Name:	Name:
Address:	Address:
City, state, zip:	City, state, zip:
Telephone:	Telephone:
Date questioned:	Date questioned:
Relationship to child:	Relationship to child:

☐ Additional persons questioned and their information is attached.

3. This inquiry *(check one):*

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

☐ gave me no reason to believe the child is or may be an Indian child.

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

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

a. ☐ The child is or may be a member of or eligible for membership in a tribe.
Name of tribe(s):
Location of tribe(s):

b. ☐ The child's parents, grandparents, or great-grandparents are or were members of a tribe.
Name of tribe(s):
Location of tribe(s):

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

d. ☐ The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).

e. ☐ The child is or has been a ward of a tribal court.
Name of tribe(s):
Location of tribe(s):

f. ☐ Either parent or the child possesses an Indian Identification card indicating membership or citizenship in an Indian tribe.
Name of tribe(s):
Location of tribe(s):

6. If this is a delinquency proceeding under Welfare and Institutions Code section 601 or 602:

☐ The child is in foster care.

☐ It is probable the child will be entering foster care.

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)

Form Adopted for Mandatory Use
Judicial Council of California
ICWA-010(A) [Rev. January 1, 2020]

INDIAN CHILD INQUIRY ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional):* E-MAIL ADDRESS *(Optional):* ATTORNEY FOR *(Name):*	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
PETITIONER: *(This section applies only to family law cases.)* RESPONDENT: OTHER PARTY:	
(This section apples only to guardianship cases.) GUARDIANSHIP OF *(Name):* Minor	CASE NUMBER:
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	

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	Address	Person child lived with *(name and complete current address)*	Relationship
to present	☐ Confidential	☐ Confidential	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	

b. Child's name	Place of birth	Date of birth	Sex
☐ Residence information is the same as given above for child a. *(If NOT the same, provide the information below.)*			

Period of residence	Address	Person child lived with *(name and complete current address)*	Relationship
to present	☐ Confidential	☐ Confidential	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	
to	Child's residence *(City, State)*	Person child lived with *(name and complete current address)*	

c. ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c.

d. ☐ Additional children are listed on form *FL-105(A)/GC-120(A)*. *(Provide all requested information for additional children.)*

SHORT TITLE:	CASE NUMBER:

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?
☐ Yes ☐ No *(If yes, attach a copy of the orders (if you have one) and provide the following information):*

Proceeding	Case number	Court *(name, state, location)*	Court order or judgment *(date)*	Name of each child	Your connection to the case	Case status
a. ☐ Family						
b. ☐ Guardianship						
c. ☐ Other						

Proceeding	Case Number	Court *(name, state, location)*
d. ☐ Juvenile Delinquency/ Juvenile Dependency		
e. ☐ Adoption		

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

Court	County	State	Case number *(if known)*	Orders expire *(date)*
a. ☐ Criminal				
b. ☐ Family				
c. ☐ Juvenile Delinquency/ Juvenile Dependency				
d. ☐ 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	b. Name and address of person	c. Name and address of person
☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights	☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights	☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights
Name of each child	Name of each child	Name of each child

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

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

7. ☐ Number of pages attached:_____

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

CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-212

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional):* E-MAIL ADDRESS *(Optional):* ATTORNEY FOR *(Name):*	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF *(Name):* MINOR	CASE NUMBER:
CONFIDENTIAL GUARDIAN SCREENING FORM **Guardianship of ☐ Person ☐ 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.)*

Form Adopted for Mandatory Use
Judicial Council of California
GC-212 [Rev. July 1, 2009]

Probate Code, § 1516;
Family Code, § 3011;
Cal. Rules of Court, rule 7.1001
www.courtinfo.ca.gov

American LegalNet, Inc.
www.Forms*Workflow*.com

GUARDIANSHIP OF *(Name):* MINOR	CASE NUMBER:

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

    ,

    a California nonprofit charitable corporation that meets the requirements for appointment as guardian of the proposed ward under Probate Code section 2104. I certify that the corporation's articles of incorporation specifically authorize it to accept appointments as guardian. *(If you checked "I am," explain the circumstances of the corporation's care of, counseling of, or financial assistance to the proposed ward in Attachment 18.)*
19. ☐ I have ☐ I have not filed for bankruptcy protection within the last 10 years.
    (If you checked "I have," explain in Attachment 19.)

MINORS' CONTACT INFORMATION

20. Minor's name:	School *(name):*	
Home telephone:	School telephone:	Other telephone:
21. Minor's name:	School *(name):*	
Home telephone:	School telephone:	Other telephone:
22. Minor's name:	School *(name):*	
Home telephone:	School telephone:	Other telephone:

☐ Information on additional minors is attached.

DECLARATION

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

Date:

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

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

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, state bar number, and address)*:	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional)*: E–MAIL ADDRESS *(Optional)*: ATTORNEY FOR *(Name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(Name)*: MINOR	
DUTIES OF GUARDIAN and Acknowledgment of Receipt	CASE NUMBER:

DUTIES OF GUARDIAN

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

1. GUARDIANSHIP OF THE PERSON

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

a. **Fundamental responsibilities** - The guardian of the person of a child has the care, custody, and control of the child. As guardian, you are responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child. You must provide for the safety, protection, and physical and emotional growth of the child.

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

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

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

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

(Continued on reverse)

GUARDIAN OF (Name): MINOR	CASE NUMBER:

e. **Medical treatment** - As guardian, you are responsible for meeting the medical needs of the child. In most cases, you have the authority to consent to the child's medical treatment. However, if the child is 14 years or older, surgery may not be performed on the child unless either (1) both the child and the guardian consent or (2) a court order is obtained that specifically authorizes the surgery. This holds true except in emergencies. A guardian may not place a child involuntarily in a mental health treatment facility under a probate guardianship. A mental health conservatorship proceeding is required for such an involuntary commitment. However, the guardian may secure counseling and other necessary mental health services for the child. The law also allows older and more mature children to consent to their own treatment in certain situations such as outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug and alcohol treatment.

f. **Community resources** - There are agencies in each county that may be helpful in meeting the specific needs of children who come from conflicted, troubled, or deprived environments. If the child has special needs, you must strive to meet those needs or secure appropriate services.

g. **Financial support** - Even when the child has a guardian, the parents are still obligated to financially support the child. The guardian may take action to obtain child support. The child may also be eligible for Temporary Aid for Needy Families, TANF (formerly known as AFDC), social security benefits, Veterans Administration benefits, Indian child welfare benefits, and other public or private funds.

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

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

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

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

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

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

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

o. **Additional responsibilities** - The court may place other conditions on the guardianship or additional duties upon you, as guardian. For example, the court may require the guardian to complete counseling or parenting classes, to obtain specific services for the child, or to follow a scheduled visitation plan between the child and the child's parents or relatives. As guardian, you must follow all court orders.

(Continued on page three)

GUARDIAN OF (Name): MINOR	CASE NUMBER:

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

2. GUARDIANSHIP OF THE ESTATE

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

MANAGING THE ESTATE

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

b. Keeping estate assets separate - As guardian of the estate, you must keep the money and property of the child's estate separate from everyone else's, including your own. When you open a bank account for the estate, the account name must indicate that it is a *guardianship* account and not your personal account. You should use the child's social security number when opening estate accounts. You should never deposit estate funds in your personal account or otherwise mix them with your own funds or anyone else's funds, even for brief periods. Securities in the estate must be held in a name that shows that they are estate property and not your personal property.

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

d. Blocked accounts - A *blocked account is* an account with a financial institution in which money is placed. No person may withdraw funds from a blocked account without the court's permission. Depending on the amount and character of the child's property, the guardian may elect **or the court may require** that estate assets be placed in a blocked account. As guardian of the estate, you must follow the directions of the court and the procedures required to deposit funds in this type of account. The use of a blocked account is a safeguard and may save the estate the cost of a bond.

e. Other restrictions - As guardian of the estate, you will have many other restrictions on your authority to deal with estate assets. Without prior court order, you **may not** pay fees to yourself or your attorney. You may not make a gift of estate assets to anyone. You may not borrow money from the estate. As guardian, you may not use estate funds to purchase real property without a prior court order. If you do not obtain the court's permission to spend estate funds, you may be compelled to reimburse the estate from your own personal funds and may be removed as guardian. You should consult with an attorney concerning the legal requirements relating to sales, leases, mortgages, and investment of estate property. If the child of whose estate you are the guardian has a living parent or if that child receives assets or is entitled to support from another source, you must obtain court approval before using guardianship assets for the child's support, maintenance, or education. You must file a petition or include a request for approval in the original petition, and set forth which exceptional circumstances justify any use of guardianship assets for the child's support. The court will ordinarily grant such a petition for only a limited period of time, usually not to exceed one year, and only for specific and limited purposes.

INVENTORY OF ESTATE PROPERTY

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

(Continued on reverse)

GUARDIAN OF (Name): MINOR	CASE NUMBER:

g. Determine the value of the property - As guardian of the estate, you must arrange to have a court-appointed referee determine the value of the estate property unless the appointment is waived by the court. You—not the referee—must determine the value of certain "cash items." An attorney can advise you about how to do this.

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

INSURANCE

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

RECORD KEEPING AND ACCOUNTING

j. Records - As guardian of the estate, you must keep complete, accurate records of each financial transaction affecting the estate. The checkbook for the guardianship checking account is essential for keeping records of income and expenditures. You should also keep receipts for all purchases. Record keeping is critical because you will have to prepare an accounting of all money and property that you have received, what you have spent, the date of each transaction, and its purpose. You will also have to be able to describe in detail what is left after you have paid the estate's expenses.

k. Accountings - As guardian of the estate, you must file a petition requesting that the court review and approve your accounting one year after your appointment and at least every two years after that. The court may ask that you justify some or all expenditures. You should have receipts and other documents available for the court's review, if requested. If you do not file your accounting as required, the court will order you to do so. You may be removed as guardian for failure to file an accounting.

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

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

3. OTHER GENERAL INFORMATION

a. Removal of 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:

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

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

ACKNOWLEDGMENT OF RECEIPT

1. I have petitioned the court to be appointed as a guardian.

2. I acknowledge that I have received a copy of this statement of the duties of the position of guardian.

Date:

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

Date:

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

Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO.(Optional): EMAIL ADDRESS (Optional): ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF:	
ORDER DIRECTING OR WAIVING INVESTIGATION	CASE NUMBER

The court has reviewed the petition for appointment of guardian on file in the above-entitled case, and determined that:

☐ The proposed guardianship is for **the person only**.
☐ The proposed guardianship is for **the person and estate**.
☐ The proposed guardianship is for **the estate only**.

IT IS HEREBY ORDERED:

1. ☐ **The proposed guardian is a relative**.

   a. ☐ Family Court Services (FCS) shall conduct an investigation of the person and prepare a report. Petitioner must contact FCS within three days of the date of this order and complete a Guardianship Questionnaire (SDSC Form # FCS-045).

   b. ☐ The guardianship is accompanied by a **Petition for Special Immigrant Juvenile Findings** and:

      (1) ☐ The proposed minor will be **under 18-years of age** on the date of the hearing. The court approves an abbreviated Family Court Services investigation and report required by Prob. Code § 1513. Petitioner must contact FCS within three days of the date of this order and complete a Guardianship Questionnaire (SDSC Form # FCS-045).

      (2) ☐ The proposed minor will be **18-years of age or older** on the date of the hearing. The court waives the investigation and report required by Prob. Code § 1513.

2. ☐ **The proposed guardian is not a relative**.

   a. ☐ Health and Human Services Agency (HHSA) shall conduct an investigation and prepare a report pursuant to Prob. Code § 1513. Petitioner must contact HHSA within three days of the date of this order.

   b. ☐ The guardianship is accompanied by a **Petition for Special Immigrant Juvenile Findings** and the proposed minor will be **18-years of age or older** on the date of the hearing. The court waives the investigation and report required by Prob. Code § 1513.

3. ☐ **The guardianship is for the estate only**. The Court Investigator shall conduct an investigation of the estate and prepare a report. The Court Investigator will contact the petitioner prior to the hearing date.

4. ☐ Sufficient cause having been shown, the court waives the investigation and report required by Prob. Code § 1513.

Date: _____

_____
Judge of the Superior Court

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 SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101

GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(Name):*

☐ **CONSENT OF PROPOSED GUARDIAN**
☐ **NOMINATION OF GUARDIAN**
☐ **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.

Form Adopted for Mandatory Use
Judicial Council of California
GC-211 [Rev. January 1, 2004]

Probate Code, §§ 1204, 1500–1502

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO.(Optional): E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF:	
PROOF OF PERSONAL SERVICE (GUARDIANSHIP)	CASE NUMBER

I, _____, declare:

1. At the time of service I was at least 18 years of age and not a party to this case.
2. I am a resident of or employed in the county where service occurred.
3. My business or residence address is: _____

   _____

4. I served copies of the following paper(s) for the **TEMPORARY** Guardianship set for hearing on:

   Date: _____ Time: _____ Dept.: _____
   Address of court ☐ same as noted above ☐ is (specify):

   ☐ Petition for Appointment of Temporary Guardian of the Person (JC Form #GC-110(P))
   ☐ Notice of Hearing – Guardianship or Conservatorship (JC Form #GC-020)
   ☐ Other (list exact titles of paper(s) served):

   I served copies of the following paper(s) for the **GENERAL** Guardianship set for hearing on:

   Date: _____ Time: _____ Dept.: _____
   Address of court ☐ same as noted above ☐ is (specify):

   ☐ Petition for Appointment of Guardian of Minor (JC Form #GC-210/210(P))
   ☐ Guardianship Petition – Child Information Attachment (JC Form #GC-210(CA))
   ☐ Notice of Hearing – Guardianship or Conservatorship (JC Form #GC-020)
   ☐ Notice of Case Assignment and Notice of Eligibility to E-File and Assignment to Imagining Department (SDSC Form #PR-156)
   ☐ Other (list exact titles of paper(s) served):

5. I personally delivered these papers to
   (a) Name of person served: _____
   (b) Address where served: _____
   (c) Date served: _____ Time served: _____

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

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional):* E-MAIL ADDRESS *(Optional):* ATTORNEY FOR *(Name):*	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
☐ GUARDIANSHIP ☐ CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(Name):* ☐ MINOR ☐ (PROPOSED) CONSERVATEE	
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:	☐	Dept.:	☐	Room:

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

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

☐ GUARDIANSHIP ☐ CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(Name):* ☐ MINOR ☐ (PROPOSED) CONSERVATEE	CASE NUMBER:

NOTE: *

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

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

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

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is *(specify):*

3. I served the foregoing *Notice of Hearing—Guardianship or Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
   a. ☐ **depositing** the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
   b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. a. Date mailed: b. Place mailed *(city, state):*

5. ☐ I served with the *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.

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

Date:

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM) (SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

	Name of person served	Address *(number, street, city, state, and zip code)*
1.		
2.		
3.		
4.		

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

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (*name*):	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name):*	
ORDER APPOINTING GUARDIAN OR EXTENDING GUARDIANSHIP OF THE PERSON	CASE NUMBER:

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

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

THE COURT FINDS

2. a. ☐ All notices required by law have been given.
   b. ☐ Notice of hearing to the following persons ☐ has been ☐ should be dispensed with *(names)*:

3. ☐ Appointment of a guardian of the ☐ person ☐ estate of the proposed ward is necessary and convenient. *(**NOTE:** The Probate Code does not authorize the appointment of a guardian of the estate for a proposed ward 18 years of age or older.)*

4. ☐ Extension of the guardianship of the person past the ward's 18th birthday is necessary and convenient.

5. ☐ Granting the guardian powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and is in the best interest of the guardianship estate.

6. ☐ Attorney *(name)*: has been appointed by the court as legal counsel to represent the (proposed) ward in these proceedings. The cost for representation is: $

7. ☐ The appointed court investigator, probation officer, or domestic relations investigator is *(name, title, address, and telephone)*:

Do NOT use this form for a temporary guardianship.

Form Adopted for Mandatory Use
Judicial Council of California
GC-240 [Rev. July 1, 2016]

Probate Code, §§ 1510.1, 1514, 2310

GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name):*	CASE NUMBER:

THE COURT ORDERS

8. a. ☐ *(name)*:
(address): *(telephone)*:

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

b. *(Not applicable to a proposed ward 18 years of age or older.)*
☐ *(name)*:
(address): *(telephone)*:

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

c. ☐ The appointment of
(name):
(address): *(telephone)*:

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

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

10. a. ☐ Bond is not required.
b. ☐ Bond is fixed at: $ to be furnished by an authorized surety company or as otherwise provided by law.
c. ☐ Deposits of: $ are ordered to be placed in a blocked account at *(specify institution and location):*

and receipts shall be filed. No withdrawals shall be made without a court order.
☐ Additional orders in Attachment 10c.
d. ☐ The guardian is not authorized to take possession of money or any other property without a specific court order.

11. ☐ For legal services rendered on behalf of the (proposed) ward, ☐ the parents of the (proposed) ward
☐ the (proposed) ward's estate shall pay to *(name):*
the sum of: $
☐ forthwith ☐ as follows *(specify terms, including any combination of payers):*

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

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

GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name):*	CASE NUMBER:

14. ☐ Orders are granted relating to the conditions imposed under Probate Code section 2402 upon the guardian of the estate as specified in Attachment 14.

15. ☐ Other orders as specified in Attachment 15 are granted.

16. ☐ The probate referee appointed is *(name and address):*

17. Number of boxes checked in items 9–16: _____

18. Number of pages attached: _____

Date:

_____
JUDGE OF THE SUPERIOR COURT

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (*name*):	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
GUARDIANSHIP OF *(name):*	
LETTERS OF GUARDIANSHIP ☐ **Person** ☐ **Estate**	CASE NUMBER:

LETTERS

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

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

(SEAL)

Date:

Clerk, by _____, Deputy

GUARDIANSHIP OF *(name):*	CASE NUMBER:

NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS

(Probate Code sections 2890–2893)

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

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

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

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

GC-110(P) Petition for Appointment of Temporary Guardian of the Person

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

_____

Clerk stamps date here when form is filed.

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

Fill in court name and street address:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101

Clerk fills in case number when form is filed.

Case Number:

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

a. _____

b. _____

(2) **Your address and telephone number:**

Street: _____ *Apt.:* _____

City: _____

State: _____ *Zip:* _____ *Phone:* _____

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

Name: _____ *Bar No.:* _____

Firm name, if any: _____

Street: _____ *Suite:* _____

City: _____ *State:* _____ *Zip:* _____

Phone: _____ *Fax (optional):* _____ *E-mail (optional):* _____

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

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

Name(s): _____

_____

Street: _____ *Apt.:* _____

City: _____ *State:* _____ *Zip:* _____

Phone: _____

☐ **I am the child or one of the children named in (6) and one of the persons named in (1) . I am at least 12 years old. I want the person named here to be my temporary guardian.**

My date of birth is *(month/day/year):* _____

American LegalNet, Inc.
www.Forms*Workflow*.com

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

_____

Case Number:

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

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

_____

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

_____

_____

_____

_____

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

a. Child's full legal name: _____

Child's current address: _____

_____

Child's current phone number: _____

b. Child's full legal name: _____

Child's current address: _____

_____

Child's current phone number: _____

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

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

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

_____

_____

_____

_____

_____

_____

_____

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

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

_____

Case Number:

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

9 I/We ask the court to:

a. Appoint the person named in 1 or 4 temporary guardian of the person of the child or children named in 6 and issue Letters of Temporary Guardianship of the Person.

b. ☐ Order that I am/we are excused from having to give notice of the hearing on this petition for appointment of temporary guardian to ***(review the information given on the next page*** *and check all items that apply below):*

(1) ☐ The child or children in 6.

(2) ☐ The child's father *(name):* _____

(3) ☐ The child's mother *(name):* _____

(4) ☐ A person other than a parent who has a court order for visitation with the child *(name):* _____

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

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

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

_____

Case Number:

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

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

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

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

---

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

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

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

Date:_____ _____ _____

Petitioner's Attorney types or prints name here *Petitioner's Attorney signs here*

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

Date:_____ _____ _____

Petitioner types or prints name here *Petitioner signs here*

Date:_____ _____ _____

Petitioner types or prints name here *Petitioner signs here*

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address)*:	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional)*: E-MAIL ADDRESS *(Optional)*: ATTORNEY FOR *(Name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101	
TEMPORARY GUARDIANSHIP OF THE ☐ PERSON ☐ ESTATE OF *(Name)*: MINOR	
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.

Form Adopted for Mandatory Use
Judicial Council of California
GC-140 [Rev. January 1, 2009]

ORDER APPOINTING TEMPORARY GUARDIAN
(Probate—Guardianships and Conservatorships)

Probate Code, §§ 2250–2254

American LegalNet, Inc.
www.Forms*Workflow*.com

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

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

6. a. ☐ Bond is not required.
   b. ☐ Bond is fixed at: $ to be furnished by an authorized surety company or as otherwise provided by law.
   c. ☐ Deposits of: $ are ordered to be placed in a blocked account at *(specify institution and location):*

   and receipts shall be filed. No withdrawals shall be made without a court order. ☐ Additional orders in attachment 6c.
   d. ☐ The temporary guardian is not authorized to take possession of money or any other property without a specific court order.

7. ☐ In addition to the powers granted by law, the temporary guardian is granted other powers. These powers are specified ☐ in attachment 7. ☐ below *(specify):*

8. ☐ Other orders as specified in attachment 8 are granted.

9. ☐ Unless modified by further order of the court, this order expires on *(date):*

10. Number of boxes checked in items 4–9: _____

11. Number of pages attached: _____

Date:

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

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

TEL NO.: FAX NO. *(optional):*

E-MAIL ADDRESS *(optional):*

ATTORNEY FOR *(name):*

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE, CENTRAL DIVISION, 1100 UNION ST., SAN DIEGO, CA 92101

FOR RECORDER'S USE ONLY

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

CASE NUMBER:

LETTERS OF TEMPORARY ☐ **GUARDIANSHIP** ☐ **CONSERVATORSHIP**
☐ **Person** ☐ **Estate**

FOR COURT USE ONLY

LETTERS

1. *(Name):*
   is appointed temporary ☐ guardian ☐ conservator of the ☐ person
   ☐ estate of *(name):*

2. ☐ Other powers that have been granted or restrictions imposed on the temporary
   ☐ guardian ☐ conservator are ☐ specified in Attachment 2.
   ☐ specified below:

3. These Letters shall expire
   a. ☐ on *(date):* or upon earlier issuance of Letters to a general guardian or conservator.
   b. ☐ on other date *(specify):*

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

5. Number of pages attached:

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

(SEAL)

Date:

Clerk, by _____, Deputy

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

Form Adopted for Mandatory Use
Judicial Council of California
GC-150 [Rev. January 1, 2015]

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

Probate Code, §§ 2250 et seq., 2890–2893;
Code of Civil Procedure, § 2015.6
www.courts.ca.gov

TEMPORARY ☐ GUARDIANSHIP ☐ CONSERVATORSHIP OF *(name):* ☐ MINOR ☐ CONSERVATEE	CASE NUMBER:

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

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

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

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

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

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

LETTERS OF TEMPORARY ☐ GUARDIANSHIP ☐ CONSERVATORSHIP
AFFIRMATION

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

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

_____ (TYPE OR PRINT NAME)

▶ _____ (SIGNATURE OF APPOINTEE)

CERTIFICATION

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

(SEAL)	Date: Clerk, by _____, Deputy

CONFIDENTIAL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 (619) 844-2888

GUARDIANSHIP QUESTIONNAIRE (CONFIDENTIAL)

NOTICE TO PETITIONERS

When seeking guardianship of a child(ren) to whom you are related, you must file several documents in the probate business office and pay an $800 investigation fee after Family Court Services completes the guardianship investigation. The fee may be waived or reduced by the court, or payments arranged in cases of extreme hardship. In order to begin the investigation process, copies of the following filed documents (from your initial guardianship packet) must be submitted to Family Court Services at the address listed above, prior to scheduling an investigation date:

1. Petition for Appointment of Guardian of Minor(s) (JC Form #GC-210P)
2. Order Directing or Waiving Investigation signed by Judge of the Superior Court (SDSC Form #PR-63)
3. Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (JC Form #FL-105/GC-120)
4. Confidential Guardian Screening Form (JC Form #GC-212)
5. Guardianship Questionnaire (SDSC Form #FCS-045) (Provided only to Family Court Services)

Once an order has been issued for Family Court Services to complete the investigation, you can avoid delays in processing your guardianship matter by expeditiously returning these documents to Family Court Services. You may mail the information and receipt to Family Court Services at 1100 Union St., Room 430, San Diego, California 92101. You may also drop off your paperwork from 8 a.m. – 12 p.m. and 1 p.m. – 4 p.m. Monday through Friday.

Family Court Services will be seeking information regarding the social history of the proposed guardians, parents and child(ren) as is required by state law. Please complete the entire Guardianship Questionnaire (SDSC Form #FCS-045). Information provided on this questionnaire, in the family interview(s), in other submitted comments and from investigative sources will be used to prepare a family social history, evaluation, and recommendation to the court. This report will then be placed in a sealed court file. Copies will be issued to the proposed guardians, parents, and their respective attorneys.

If you have questions regarding the Family Court Services investigation process, or concerns regarding appointments, you may call the guardianship clerk at the number listed above.

The proposed guardians are responsible for notifying the parents, if possible, regarding the Family Court Services investigation appointment.

The parents do not have to be present unless they are contesting the guardianship or wish to provide information in support of it. Any adult living in the home and acting in a parental role should be present for the interview.

Please do not bring the child(ren) to the FCS appointment. A subsequent appointment will be scheduled should the investigator need to interview the child(ren).

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

FAMILY COURT SERVICES

GUARDIANSHIP QUESTIONNAIRE
(CONFIDENTIAL)

THIS FORM IS TO BE COMPLETED AND SUBMITTED TO FAMILY COURT SERVICES BY:_____
Your appointment will not be set until this form has been returned to Family Court Services.

COUNSELOR:_____ **PROBATE CASE NUMBER:**_____

COURT DATE:_____ **FCS DATE:**_____

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

Full Legal Name	Birth Date	Social Security Number	School and Grade Level	Person with whom Residing

Is this child(ren) a member of, or eligible for membership in, an Indian tribe recognized by the federal government?
☐ No ☐ Not sure ☐ Yes (*specify tribe*): _____

Attorney for Minor(s):
Name: _____ Tel. No.: _____

Address: _____
Street Ste. City State Zip Code

II. (PROPOSED) GUARDIAN(S):

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/_____/_____ Place of Birth: _____

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

Relationship to Child(ren) on Petition: _____ ☐ Maternal ☐ Paternal

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/_____/_____ Place of Birth: _____

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

Relationship to Child(ren) on Petition: _____ ☐ Maternal ☐ Paternal

Attorney for Proposed Guardian(s):

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

Address: _____
Street Ste. City State Zip Code

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

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/____/____ Place of Birth: _____

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

Relationship to Child(ren) on Petition: _____

Attorney:
Name: _____ Tel. No.: (___) _____

Address: _____
Street Ste. City State Zip Code

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/____/____ Place of Birth: _____

Driver License Number: _____ State: _____Currently Valid: ☐ Yes ☐ No

Relationship to Child(ren) on Petition: _____

Attorney:
Name: _____ Tel. No.: (___) _____

Address: _____
Street Ste. City State Zip Code

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/____/____ Place of Birth: _____

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

Relationship to Child(ren) on Petition: _____

Attorney:
Name: _____ Tel. No.: (___) _____

Address: _____
Street Ste. City State Zip Code

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

Address: _____
Street Apt. City State Zip Code

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

Social Security Number: _____ Birth Date: ____/____/____ Place of Birth: _____

Driver License Number: _____ State: _____Currently Valid: ☐ Yes ☐ No

Relationship to Child(ren) on Petition: _____

Attorney:
Name: _____ Tel. No.: (___) _____

Address: _____
Street Ste. City State Zip Code

IV. HOUSEHOLD COMPOSITION:

A. List other adults 18 or older residing in your home. Indicate if they are acting in a parental role with the child(ren). ***(Any individuals acting in a parental role will be required to attend the investigation interview).**

1. Full Legal Name: _____ AKA or Maiden Name: _____
Telephone Numbers: Home (___) _____ Work (___) _____
Birth Date: ____/____/____ Birth Place: _____Sex: _____Social Security Number: _____
Driver License Number: _____ State:_____ Currently Valid: ☐ Yes ☐ No
Relationship to Applicant: _____ Relationship to Child(ren): _____

2. Full Legal Name: _____ AKA or Maiden Name: _____
Telephone Numbers: Home (___) _____ Work (___) _____
Birth Date: ____/____/____ Birth Place: _____Sex: _____Social Security Number: _____
Driver License Number: _____State:_____ Currently Valid: ☐ Yes ☐ No
Relationship to Applicant: _____ Relationship to Child(ren): _____

3. Full Legal Name: _____ AKA or Maiden Name: _____
Telephone Numbers: Home (___) _____ Work (___) _____
Birth Date: ____/____/____ Birth Place: _____Sex: _____Social Security Number: _____
Driver License Number: _____State:_____ Currently Valid: ☐ Yes ☐ No
Relationship to Applicant: _____ Relationship to Child(ren): _____

4. Full Legal Name: _____ AKA or Maiden Name: _____
Telephone Numbers: Home (___) _____ Work (___) _____
Birth Date: ____/____/____ Birth Place: _____Sex: _____Social Security Number: _____
Driver License Number: _____State:_____ Currently Valid: ☐ Yes ☐ No
Relationship to Applicant: _____ Relationship to Child(ren): _____

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

Name	Birth Date	Social Security Number	School

Your Name: _____ **Relationship:** _____
(Please Print)

V. LAW ENFORCEMENT INFORMATION:

Have charges ever been filed against you for crimes other than minor traffic citations?

☐ Yes ☐ No If yes, please explain:

	Charge	City/State	Date
1)			
2)			
3)			

Are you on parole or probation? ☐ Yes ☐ No

Parole or Probation Officer's Name: _____ Tel. No.: (___)_____

Have you or anyone living in your home ever been accused of child abuse or child molestation?

☐ Yes ☐ No If yes, please explain: _____

VI. YOUR EDUCATION:

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

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

College Degree(s) Received: _____

VII. YOUR EMPLOYMENT: *Please bring confirmation of employment, including pay stubs to the investigation interview.*

Employer: _____ Capacity/Job Title: _____

Length of Employment: _____ Salary: _____

Supervisor's Name, Address and Telephone Number: _____

_____

VIII. YOUR HEALTH:

Name of Your Health Insurance Plan: _____

Present Health Status: ☐ Good ☐ Fair ☐ Poor

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

Are you taking any medication? ☐ Yes ☐ No

If yes, what kind and for what reason(s)? _____

Special Health Problems: _____

Have you ever had any problem with the following?

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

If yes, what is your current condition regarding this problem? (*Bring proof of treatment to investigation interview)*

_____

_____

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

Name and Title	Date of Last Contact	Address	Telephone Number

Co-Petitioner Name: _____ **Relationship:** _____
(Please Print)

V. LAW ENFORCEMENT INFORMATION:

Have charges ever been filed against you for crimes other than minor traffic citations?

☐ Yes ☐ No If yes, please explain:

	Charge	City/State	Date
1)			
2)			
3)			

Are you on parole or probation? ☐ Yes ☐ No

Parole or Probation Officer's Name: _____ Tel. No.: (___)_____

Have you or anyone living in your home ever been accused of child abuse or child molestation?

☐ Yes ☐ No If yes, please explain: _____

VI. YOUR EDUCATION:

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

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

College Degree(s) Received: _____

VII. YOUR EMPLOYMENT: *Please bring confirmation of employment, including pay stubs to the investigation interview.*

Employer: _____ Capacity/Job Title: _____

Length of Employment: _____ Salary: _____

Supervisor's Name, Address and Telephone Number: _____

VIII. YOUR HEALTH:

Name of Your Health Insurance Plan: _____

Present Health Status: ☐ Good ☐ Fair ☐ Poor

If Your Health is Fair or Poor, Please Explain: _____

Are you taking any medication? ☐ Yes ☐ No

If yes, what kind and for what reason(s)? _____

Special Health Problems: _____

Have you ever had any problem with the following?

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

If yes, what is your current condition regarding this problem? (*Bring proof of treatment to investigation interview)*

_____

_____

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

Name and Title	Date of Last Contact	Address	Telephone Number

IX. FAMILY FINANCES:

Residence: *Please provide proof of residence, e.g. rental agreement, at investigation interview.*

The home you live in is: ☐ owned ☐ rented.

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

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

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

Income Source	Amount
1. _____	_____
2. _____	_____
3. _____	_____

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

Asset	Value
1. _____	_____
2. _____	_____
3. _____	_____

X. PLANS FOR CHILD CARE: *(If necessary)*

Care Provider(s):

Name	Address	Telephone Number	Hours	Relationship to Child

XI. SUMMARY OF CIRCUMSTANCES:

1. Briefly summarize the reasons why you are requesting this guardianship. You may attach declarations which are being provided to the court in this regard.

2. If more than one person is competing for custody of the child(ren), give reason why you should be primarily responsible for the child(ren).

3. At your Family Court Services appointment we will be seeking information from you regarding the history of the proposed guardians, the natural parents, and the child(ren). You may assist that process by writing down, here or on separate paper, relevant information regarding your family's history and composition, your education and work experience, the child(ren)'s activities, schooling, special needs, visitation with other family members, and anything else you think is important for the children. You may bring this information with you for your interview.

4. To the best of your knowledge, is the mother, the father, or are both parents contesting the guardianship?

I declare under penalty of perjury under the laws of the State of California that all of the information I have submitted in this Guardianship Questionnaire is true and correct.

Date: _____

_____ _____

Type or print name Signature

Date: _____

_____ _____

Type or print name Signature

Clear This Packet