

Instructions For **GUARDIAN AD LITEM**

WHEN TO USE THIS PACKET

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

STEPS IN PREPARING THE GUARDIAN AD LITEM:

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

1. **COMPLETE THE FORMS IN THIS PACKET**
2. **HAVE THE COURT FACILITATOR REIVEW YOUR COMPLETED DOCUMENTS**

THE COURT FACILITATOR WILL GIVE YOU FURTHER INSTRUCTIONS

FORMS NEEDED ARE AS FOLLOWS:

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

FL-935

SAMPLE

FORMS

How to fill out

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

DIRECTIONS

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) or GOVERNMENTAL AGENCY: 1		FOR COURT USE ONLY FL-935	
TELEPHONE NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): FAX NO. (Optional):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS: 2			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
CHILD'S NAME: 3			
PETITIONER:			
RESPONDENT: 4			
OTHER PARENT:			
5 APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW EX PARTE		CASE NUMBER:	
NOTE: This form is for use in family law proceedings with the exception of dissolution proceedings. For appointment of a guardian ad litem in civil proceedings, use form 982(a)(27). For appointment of a guardian ad litem in probate proceedings, use form DE-350/GC-108.			
1. I (name) 6 am the			
a. <input type="checkbox"/> attorney for:			
(1) <input type="checkbox"/> minor.			
(2) <input type="checkbox"/> parent of the minor.			
(3) <input type="checkbox"/> other interested person (specify name and relationship):			
7 b. <input type="checkbox"/> parent of the minor.			
c. <input type="checkbox"/> other interested person.			
d. <input type="checkbox"/> minor (answer all that apply to you):			
(1) My date of birth is (specify):			
(2) I live with my <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> legal guardian <input type="checkbox"/> other (specify name and relationship):			
(3) My mother's name is (specify): , and her address is:			
(4) My father's name is (specify): , and his address is:			
(5) <input type="checkbox"/> I have a legal guardian. My legal guardian's name is (specify): , and his or her address is:			
The guardianship was established in: County, case no. (if known):			
8 2. I ask the court to appoint the following persons guardian ad litem for the minor (state name, address, and telephone no.):			
9 3. The relationship of the person listed in item 2 to the minor is			
a. <input type="checkbox"/> parent			
b. <input type="checkbox"/> other (specify): 9			
10 4. Appointment of a guardian ad litem is necessary because (specify):			
11 <input type="checkbox"/> Continued on Attachment 4 (describe in detail, attach additional pages if necessary).			
Form Approved for Optional Use Judicial Council of California FL-935 (New January 1, 2004)		Page 1 of 2 Code of Civil Procedure § 375 Family Code § 7630	

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

BLANK

FORMS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) or GOVERNMENTAL AGENCY: TELEPHONE NO. (Optional): _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
CHILD'S NAME:	
PETITIONER: RESPONDENT: OTHER PARENT:	
APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW <input type="checkbox"/> EX PARTE	CASE NUMBERS:
NOTE: This form is for use in family law proceedings with the exception of dissolution proceedings. For appointment of a guardian ad litem in civil proceedings, use form 982(a)(27). For appointment of a guardian ad litem in probate proceedings, use form DE-350/GC-100.	

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

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

APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM OF MINOR—FAMILY LAW

Date:

JUDICIAL OFFICER SIGNATURE FOLLOWS LAST ATTACHMENT

Application for Appointment of Guardian ad Litem filed (date):
a. is denied.
b. is granted.
c. is set for hearing on (date):

at (time):

THE COURT ORDERS that (name):
Item of (name):
forth in item 4 of the petition.
Application for Appointment of Guardian ad Litem set forth in item 4 of the petition.

is hereby appointed guardian ad litem for the purposes hereinabove set

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

THE COURT FINDS

ORDER EX PARTE

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

reasons set forth in items 4 and 5 of this application.

I, (name):
(name):
years of age and hereby nominate to be my guardian ad litem to represent my interests for the

CONSENT TO GUARDIAN BY MINOR 14 YEARS OF AGE OR OLDER

(TYPE OR PRINT NAME)

(SIGNATURE OF PROPOSED GUARDIAN)

Date:

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

CONSENT TO ACT AS GUARDIAN AD LITEM

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

Date:

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

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