

# PETITION FOR TERMINATION OF GUARDIANSHIP

Guardianships terminate automatically when the minor child reaches the age of 18. No petition or court order is necessary to terminate the guardianship at that time.

However, if the guardianship is for the estate of the minor, termination of the guardianship **does not** eliminate the requirement that a final report or account be filed. (*Probate Code §1600*) If the child has not reached the age of 18 and termination is requested, a court order is required, and a petition for termination of guardianship must be filed with the court.

The petition may be filed by the guardian or the minor's parent. The order terminating guardianship, however, is not automatically granted upon filing the petition. The court must be satisfied that the guardianship is no longer necessary and the **best interests of the minor** require termination of the guardianship.

The court forms required are available in the clerk's office of your local court or on the judicial council web site at [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov) (link to site). You need the following forms:

- ✓ Petition for Termination of Guardianship
- ✓ Order Terminating Guardianship
- ✓ Notice of Hearing Guardianship

Complete the information required on the petition and file it with two extra copies in the clerk's office of your court to get a hearing date. You must give proper notice of the hearing as required by law. If you need help and instructions on how to give and serve this notice, click here. (link to Step #13 in the instructions for **Guardianship**).

You should prepare the order terminating guardianship and have it available on the date of your hearing. If the court grants the termination the judge signs this order. You need to file the original order and two extra copies in the clerk's office after the judge signs it.

Click here for sample completed forms for the petition to terminate guardianship and order. For instructions on how to complete the caption of the

forms, [click here](#). (link to step #4 of the guardianship instructions)

Make sure when you complete your forms that you include your case number and the correct information that applies to your case.