

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report Summary

TO: Members of the Judicial Council

FROM: Probate and Mental Health Advisory Committee
Hon. Don Edward Green, Chair
Douglas C. Miller, Committee Counsel, 415-865-7535,
douglas.miller@jud.ca.gov

DATE: September 8, 2006

SUBJECT: Probate: Plain-Language Probate Guardianship Petitions and
Alternative Mandatory Forms in Probate Proceedings
(amend Cal. Rules of Court, rule 7.101; adopt forms GC-210(P),
GC-210(CA), and GC-110(P); and revise forms GC-210 and GC-110)
(Action Required)

Issue Statement

All petitions for the appointment of a probate guardian are mandatory Judicial Council forms and are in the traditional format for such forms. These forms are difficult for self-represented persons to understand. Many self-represented persons petition for appointment of a guardian, and a high percentage of these petitioners ask for the appointment of a guardian of a child's person only.

Plain-language petitions for the appointment of a guardian and a temporary guardian of a child's person would address the needs of these petitioners. Under this proposal the new petitions would exist side by side as alternatives to traditional-format petitions that would continue to be required when a guardianship of the estate or the person and estate is requested.

Recommendation

The Probate and Mental Health Committee recommends that the Judicial Council, effective January 1, 2007, amend rule 7.101 of the California Rules of Court to define and authorize alternative mandatory forms in proceedings under the Probate Code and take the following actions regarding Judicial Council forms:

1. Adopt new plain-language forms:
 - a. *Petition for Appointment of Guardian of the Person* (form GC-210(P));
 - b. *Petition for Appointment of Temporary Guardian of the Person* (form GC-110(P)); and
 - c. *Attachment to Guardianship Petition—Child Information Attachment* (form GC-210(CA)).
2. Revise existing forms:
 - a. *Petition for Appointment of Guardian of Minor* (form GC-210); and
 - b. *Petition for Appointment of Temporary Guardian or Conservator* (form GC-110).

The proposed amended rule 7.101 of the California Rules of Court is attached at page 13. The proposed new plain-language forms are attached at pages 14–23. The proposed revised traditional-format forms are attached at pages 24–28. Existing forms GC-210 and GC-110 are attached at pages 29–32.

Rationale for Recommendation

Plain-language Judicial Council forms, designed to be easier for self-represented persons to understand and complete, currently exist for adoption, civil harassment prevention, and domestic violence prevention forms. The forms have been well received by the public and the courts.

There are currently no plain-language probate forms. This advisory committee decided to develop plain-language guardianship forms in response to requests from staff members of court-sponsored self-help programs, and as one of the committee's short-term responses to the 2005 Judicial Council study of public attitudes about the judicial system. Probate guardianships are appropriate for plain-language forms because a large number of self-represented persons petition for the appointment of guardians of the persons of minor children.

Petition for Appointment of General Guardian of the Person (form GC-210(P)) and Petition for Appointment of Temporary Guardian of the Person (form GC-110(P))

These petitions in the plain-language format would be suitable to request appointment of a general or temporary guardian of the person of a child. Petitioners requesting appointment of a general or temporary guardian of a child's estate or a child's person and estate would continue to be required to use form GC-210 or form GC-110.

Because both the traditional and plain-language versions of petitions for appointment of a guardian would continue to be available to the public, a person requesting appointment of a guardian of the person could use either version. The new forms would include instructions to this effect at the top of page 1. The revised traditional forms would include advice concerning their proper use at the bottom of the first page of each form.

Guardianship Petition—Child Information Attachment (form GC-210(CA))

This new form would be filed as an attachment to the new and revised general guardianship petitions to contain the information now requested for one child in the petition. A separate copy of the form would be attached for each child named in the petition, even if only one child is named.

This form would be mandatory but not an alternative form. Its use would be required for all general guardianship petitions—those filed on the new plain-language form and those filed on revised form GC-210.

No corresponding child-information attachment form is proposed for either the plain-language or traditional-format petition for appointment of a temporary guardian. The advisory committee believes there is no need for a child information attachment for the temporary guardianship petitions. Every application for a temporary guardianship will be accompanied by or refer to a previously filed petition for appointment of a general guardian, including the new attachment for each proposed ward, form GC-210(CA).

Petition for Appointment of Guardian of Minor (form GC-210) and Petition for Appointment of a Temporary Guardian or Conservator (form GC-110)

The current general and temporary petitions would be revised to be identified as alternative mandatory forms. Form GC-210 would be changed to refer to the new attachment, form GC-210(CA), and to remove requests for information about each child and his or her relatives and other close connections from the petition because these requests will be contained in the new attachment.

The advisory committee has also improved the layouts of the existing forms and eased their crowded appearance. This is most striking in the general guardianship petition, which would be increased from two to three pages to provide more space for responses generally throughout the form and a much more visible and accessible item 7 on page 2 (formerly item 12), concerning the estimated value of a ward's estate.

Amended rule 7.101

Rule 7.101 of the California Rules of Court, concerning use of Judicial Council forms in probate proceedings, would be amended to explicitly provide for alternative

mandatory forms, list the alternative forms that would be adopted in this proposal, and prescribe the intended use of these forms.

Alternative Actions Considered

The advisory committee considered the creation of one plain-language petition for a general guardianship to cover all situations, including a guardianship of a child's estate, but decided instead to proceed with a form for proposed guardians of the person only and to keep the traditional-format petition to cover cases where a child's estate is involved. The committee believes that the information requested in the petition concerning the estate of a proposed ward would not lend itself to the plain-language format. Most self-represented persons do not petition for the appointment of an estate guardian. The most likely estate guardians—private professional guardians, banks and trust companies, and parents of children who have inherited or received substantial gifts or are to receive payments from the settlement of litigation—do not represent themselves in the guardianship litigation.

The committee also considered an attachment form for additional children instead of the proposed form GC-210(CA), which is to be used for each child involved in a guardianship, including the first or only child named as a proposed ward.

Consideration was also given to delaying these new and revised forms to wait for new plain-language instructional forms on filing a guardianship case and serving initial papers that the committee plans to propose for council action effective July 1, 2007. The committee decided to proceed with these forms now because it believes the need for them is so great.

Comments From Interested Parties

This proposal was circulated for comment in the Spring comment cycle to a special list of judicial officers, probate examiners and attorneys, other court staff interested in probate matters and assistance to unrepresented persons, and probate-interest sections of the State Bar and local bar associations, in addition to the AOC's standard list of interested court executives, individuals, and organizations.

Seventeen comments were received. Seven commentators agreed with the proposal without modification. Three disagreed. Two of the disagreeing commentators believe that the plain-language forms are more difficult for self-represented persons to read and understand than the traditional petitions; the third negative commentator expressed concern that having two versions of a form will increase confusion, although this commentator also said that it is likely that the plain-language versions of the forms will be used in most cases. The rest of the commentators expressed approval with modifications, some of them substantial.

One of these comments is from Ms. Leigh Parsons, the Supervising Attorney of the Superior Court of Santa Clara County Self-Service Center. Her comments primarily consist of draft versions of forms developed by the self-service center staff that were presented to and considered by the committee.

In response to Ms. Parsons' recommendations, the committee substantially revised the plain-language general and temporary guardianship petitions, forms GC-210(P) and GC-110(P), most prominently by adopting the format and layout of Ms. Parsons' drafts for items 1–4 on page 1 of each form.

There were several suggestions from other commentators that addressed specific issues in the new plain-language forms. Virtually all of these were addressed by changes in the forms made by the committee after their circulation. The attached comment chart reflects these comments and the changes made in the affected forms.

In response to the comments of Mr. Mark Radoff and Ms. Maureen Geary of California Indian Legal Services concerning compliance with the federal Indian Child Welfare Act (ICWA)¹ in probate guardianships, the committee notes that the new and revised forms would inquire into a proposed ward's Native American ancestry and tribal membership status but do not purport to instruct petitioners on how to comply with the notice and other requirements of the ICWA and do not provide a means for doing so.

The committee has followed the successful progress through the Legislature of Senate Bill 678 (Ducheny), a substantial restatement of the ICWA as California law, now awaiting the Governor's signature. The committee will address the ICWA in the probate context if Governor Schwarzenegger signs SB 678. In the meantime, however, these forms should become available immediately.

Attached at pages 33–52 is a comment chart and the advisory committee's responses.

Implementation Requirements and Costs

These new and revised forms and the amended rule of court will incur the usual distribution costs associated with the development of new and revised forms. Courts may expect increased training costs to prepare court staffs for alternative mandatory probate forms. On the other hand, to the extent that self-represented persons find the new forms easier to understand, fill out, and file, the cost of continuances because of the filing of defective or incomplete documents in guardianships should significantly decrease.

¹ 25 U.S.C. § 1901 et seq.

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(amend Cal. Rules of Court, rule 7.101; adopt forms GC-210(P),
GC-210(CA), and GC-110(P); and revise forms GC-210 and GC-110)
(Action Required)

Issue Statement

Petitions for the appointment of probate guardians are mandatory Judicial Council forms and are in the traditional format for such forms.² These forms are difficult for self-represented persons to understand. Many self-represented persons petition for appointment of a guardian, and a high percentage of these petitioners ask for the appointment of a guardian of a child's person only.

Plain-language petitions for the appointment of a guardian and a temporary guardian of a child's person would address the needs of these petitioners. Under this proposal the new petitions would exist side by side as alternatives to traditional-format petitions that would continue to be required when a guardianship of the estate or the person and estate is requested.

² See rule 201.1(b) of the California Rules of Court, which defines "mandatory forms." (Rule 201.1(b) will become rule 1.31 of the reorganized rules of court on January 1, 2007. The reorganized rules of court were adopted by the Judicial Council on June 30, 2006.)

Rationale for Recommendation

Plain-language Judicial Council forms, designed to be easier for self-represented persons to understand and complete, currently exist for adoption, civil harassment prevention, and domestic violence prevention forms.³ These are areas where self-represented persons predominate. Plain-language forms are designed to be easier for self-represented persons to understand and complete. These forms have been well received by the public and the courts.

There are currently no plain-language probate forms. This advisory committee decided to develop plain language guardianship forms in response to requests from staff members of court-sponsored self-help programs, and as one of the committee's short-term responses to the 2005 Judicial Council study of public attitudes about the judicial system.⁴

Probate guardianship forms are appropriate for plain-language treatment because of the large number of self-represented persons who petition for appointment of guardians of the persons of minor children. The proposed new petitions are the first in a series of forms in this field that this advisory committee proposes to develop in the plain-language format in the next few form adoption cycles.

Petition for Appointment of General Guardian of the Person (form GC-210(P)) and Petition for Appointment of Temporary Guardian of the Person (form GC-110(P)) These petitions in the plain-language format would be suitable to request appointment of a general or temporary guardian of the person of a child. Petitioners requesting appointment of a general or temporary guardian of a child's estate or the child's person and estate would continue to use the traditional forms GC-210 or GC-110.

Because both the traditional and plain-language versions of petitions for appointment of a guardian would be available to the public, a person requesting appointment of a guardian of the person could choose to use either version. The new forms would include instructions to this effect at the top of page 1. The revised traditional forms would include advice concerning their proper use at the bottom of the first page of each form.

This flexibility is new for mandatory forms. These petitions would be the first forms that could be filed in either the plain-language or traditional format in some situations.

³ The abbreviations for these form groups are, respectively, "ADOPT," "CH," and "DV." Concurrent with this proposal is a joint proposal from this advisory committee and the Civil and Small Claims Advisory Committee to convert all of the elder abuse prevention ("EA") forms to the plain-language format.

⁴ See Probate and Mental Health Advisory Committee Work Plan for 2006, approved by the council's Rules and Projects Committee on February 22, 2006, item 1 under "Short-term Strategies, etc.," at page 2.

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The Judicial Council has, however, recently approved alternative mandatory forms for use in juvenile court.⁵ These proposed guardianship petitions would follow the lead of the juvenile law forms mentioned in the footnote. Each form is identified in the lower left of page 1 as an “Alternative Mandatory Form Instead of Form [GC-210 or GC-110].” The revised traditional petitions, forms GC-210 and GC-110, would have a similar identifying phrase added at the bottom of page 1 of each form.⁶

Guardianship Petition—Child Information Attachment (form GC-210(CA))

This new form would be filed as an attachment to the new and revised general guardianship petition forms to contain the information now requested for one child in the current petition. A separate copy of the form would be attached for each child named in the petition, even if only one child is named.

This form would be mandatory but would not be an alternative form. Its use would be required for all guardianship petitions, those filed on the new plain-language form and those filed on revised form GC-210.

There is now no Judicial Council attachment for identifying and describing a child for whom appointment of a guardian is requested. The current general guardianship petition calls for information about one child and merely refers to an attachment for the same information for additional children. The attachment is not a Judicial Council form; it is to be prepared by the petitioner.

The advisory committee is informed that a high percentage of guardianship petitions—close to 50 percent in some areas of the state—request appointment of a guardian for more than one child.⁷ The current petition is designed for one child, with

⁵ Effective January 1, 2006, the council revised two optional juvenile court forms to create two versions of a mandatory juvenile dependency petition, as forms JV-100 and JV-110. The former is for use in counties that require a separate petition for each proposed dependent child regardless of the relationship between them; the latter is for use in counties that permit children of the same mother and father to be named in one petition. Each of these forms is identified by the phrase “Form Adopted for Alternative Mandatory Use Instead of [the other form]” in the lower left-hand corner of the first page.

The reorganized California Rules of Court, adopted by the Judicial Council on June 30, 2006, effective January 1, 2007, include a revision of rule 201.1(b)(1) (as reorganized rule 1.31(a)) that recognizes alternative mandatory forms by adding the phrase: “[I]n some areas, alternative mandatory forms have been adopted.”

⁶ The revised traditional petitions would feature a similar but not identical phrase. Forms GC-210 and GC-110 would say “Form Adopted for *Mandatory and* Alternative Mandatory Use Instead of [Form GC-210P or Form GC-110(P)]. (Italics added.) The italicized words would be added to the traditional petitions because they would remain fully mandatory without permissible alternatives when the appointment of a guardian or temporary guardian of the estate or the person and estate is requested.

⁷ See Probate Code section 2106. Multiple-child proceedings usually involve siblings or half-siblings. These proceedings are sometimes restricted to siblings by local rule. See, e.g., Superior Court of Fresno County Local Rules, rule 7.15.6 (“If the petition requests appointment as guardian of the person only, a single petition shall be filed for all sibling minors.”); Superior Court of Los Angeles County Local Rules, rule 10.157(c) (“The Court will consider a single application for appointment of a guardian of the person or estate or both of more than one minor, if the minors are siblings.”); Superior Court of Sacramento County Local Rules, rule 15.88(C)

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additional children mentioned almost as an afterthought. Information about the second and subsequent children may be lost if relegated to an attachment, particularly one for which no form is provided.

After first considering a proposed attachment form for additional children, the committee decided that all proposed wards should be treated identically, with an attachment for each of them. The petition, in either the plain-language or traditional format, would contain a list of the names and birthdates of all children, but would refer to each child's attachment for detailed information about that child.

No corresponding child-information attachment form is proposed for either the plain-language or traditional-format petition for appointment of a temporary guardian. The advisory committee believes there is no need for a child information attachment for the temporary guardianship petitions. Every application for a temporary guardianship will be accompanied by or refer to a previously filed petition for appointment of a general guardian, including the new attachment for each proposed ward, form GC-210(CA).

Petition for Appointment of Guardian of Minor (form GC-210) and Petition for Appointment of a Temporary Guardian or Conservator (form GC-110)

The current general and temporary petitions would be revised to be identified as alternative mandatory forms. Form GC-210 would be changed to refer to the new attachment, form GC-210(CA), and to remove requests for information about each child and his or her relatives and other close connections from the petition because that information would be contained in the new attachment (see items 2, 7, 8, and 18 of the current form GC-210 and items 1 and 2 of new form GC-210(CA)).

The advisory committee has also improved the layouts of the existing forms and eased their crowded appearance. This is most striking in the general guardianship petition, which would be increased from two to three pages to provide more space for responses generally throughout the form and a much more visible and accessible item 7 on page 2 (formerly item 12), concerning the estimated value of a ward's estate.

Amended rule 7.101

Rule 7.101 of the California Rules of Court, concerning the use of Judicial Council forms in probate proceedings, would be amended to explicitly provide for alternative mandatory forms, list the alternative forms that would be adopted in this proposal, and prescribe the intended use of these forms.

("Children with a common mother must be included in the same petition. Otherwise, separate petitions and case numbers shall be required.")

Alternative Actions Considered

The advisory committee considered the creation of one plain-language petition for a general guardianship to cover all situations, including a guardianship of a child's estate, but decided instead to proceed with a form for proposed guardians of the person only and to keep the traditional petition to cover cases where a child's estate is involved. The committee believes that the information requested in the petition concerning the estate of a proposed ward would not lend itself to the plain-language format. Moreover, most self-represented petitioners do not ask for appointment of an estate guardian. The committee believes that the most likely estate guardians—private professional guardians, banks and trust companies, and parents of children who have inherited or received substantial gifts or are to receive payments from settlement of litigation—do not represent themselves in the guardianship proceeding. Neither they nor their attorneys would need or benefit from a plain-language estate petition.

The committee also considered an attachment form for additional children instead of the proposed form GC-210(CA), which is an attachment for all children involved in a guardianship, including the first or only child named as a proposed ward. For the reason stated above, the committee decided to proceed with the latter alternative.

Consideration was given to delaying these new and revised forms to wait for new plain-language instructional forms on filing a guardianship case and serving initial papers that the committee plans to propose for council action effective July 1, 2007, after circulation for public comment in the winter 2007 comment cycle. The committee decided to proceed with these forms now because it believes the need for them is so great.

Comments From Interested Parties

This proposal was circulated for comment in the Spring comment cycle to a special list of judicial officers, probate examiners and attorneys, other court staff interested in probate matters and assistance to unrepresented persons, and probate-interest sections of the State Bar and local bar associations, in addition to the AOC's standard list of interested court executives, individuals, and organizations.

Seventeen comments were received. Seven commentators agreed with the proposal without modification. Three disagreed with the proposal in its entirety. Two of the disagreeing commentators believe that the plain-language forms are more difficult for self-represented persons to read and understand than the traditional forms; the third negative commentator expressed concern that having two versions of a form will increase confusion, although this commentator also said that it is likely that the plain-language versions of the forms will be used in most cases. The remaining seven commentators expressed approval with modifications, some of them substantial.

One of the latter comments is from Ms. Leigh Parsons, the Supervising Attorney of the Superior Court of Santa Clara County Self-Service Center. Her comments primarily consisted of draft versions of forms developed by the self-service center staff. Copies of these drafts were provided to and considered by the committee.

In response to Ms. Parsons' recommendations, the committee substantially revised the plain-language general and temporary guardianship petitions, forms GC-210(P) and GC-110(P), most prominently by adopting the format and layout of Ms' Parsons' drafts for items 1–4 of each form.

There were several suggestions from other commentators that addressed specific issues in the new plain-language forms. Virtually all of these were addressed by changes in the forms made by the committee after their circulation. The attached comment chart reflects these comments and the changes made in the affected forms.

In response to the comments of Mr. Mark A. Radoff and Ms. Maureen Geary of California Indian Legal Services concerning compliance with the Indian Child Welfare Act (ICWA)⁸ in probate guardianships, the committee notes that the new and revised forms would inquire into a proposed ward's Native American ancestry and tribal membership status but do not purport to instruct petitioners on how to comply with the notice and other requirements of the ICWA and do not provide a means for doing so. The advisory committee has been working on ICWA-compliant notices and other forms for use in probate guardianships but is having considerable difficulty addressing the requirements of the law as applied to unrepresented private-citizen petitioners in the probate court instead of the public officers and attorneys involved in juvenile court dependency cases, where issues under the ICWA are most frequently encountered.

The committee has followed the successful progress through the Legislature of Senate Bill 678 (Ducheny), a substantial restatement of the ICWA as California law, now awaiting the Governor's signature.⁹ The committee will address the ICWA in the probate context if Governor Schwarzenegger signs SB 678. In the meantime, however, these forms should become available immediately.

Attached at pages 33–52 is a comment chart and the advisory committee's responses.

⁸ 25 U.S.C. § 1901 et seq.

⁹ SB 678 passed the Assembly on August 24, 2006 and the Senate on August 30, 2006, on unanimous votes in each house.

Implementation Requirements and Costs

These new and revised forms and the amended rule of court will incur the usual distribution costs associated with the development of new and revised forms. Courts may expect increased training costs to prepare court staffs for alternative mandatory probate forms. On the other hand, to the extent that self-represented persons find the new forms easier to understand, fill out, and file, the cost of continuances because of the filing of defective or incomplete documents in guardianships should significantly decrease.

Recommendation

The Probate and Mental Health Committee recommends that the Judicial Council, effective January 1, 2007, amend rule 7.101 of the California Rules of Court to define and authorize alternative mandatory forms in proceedings under the Probate Code and take the following actions regarding Judicial Council forms:

1. Adopt new plain-language forms:
 - a. *Petition for Appointment of Guardian of the Person* (form GC-210(P));
 - b. *Petition for Appointment of Temporary Guardian of the Person* (form GC-110(P)); and
 - c. *Attachment to Guardianship Petition—Child Information Attachment* (form GC-210(CA)).
2. Revise existing forms:
 - a. *Petition for Appointment of Guardian of Minor* (form GC-210); and
 - b. *Petition for Appointment of Temporary Guardian or Conservator* (form GC-110).

The proposed amended rule 7.101 of the California Rules of Court is attached at page 13. The proposed new plain-language forms are attached at pages 14–23. The proposed revised traditional-format forms are attached at pages 24–28. Existing forms GC-210 and GC-110 are attached at pages 29–32.

Attachments

Rule 7.101 of the California Rules of Court is amended, effective January 1, 2007, to read:

1 **Rule 7.101. Use of Judicial Council forms**

2
3 **(a) Use of mandatory forms**

4
5 If a petition, an order, or another document to be submitted to the court is
6 one for which the Judicial Council has adopted a mandatory form, that form
7 must be used. Except as provided in this rule, if the Judicial Council has
8 adopted a mandatory form in more than one alternative version, one of the
9 alternative versions must be used. If that form is inadequate in a particular
10 situation, an addendum may be attached to it.

11
12 **(b) Alternative mandatory forms**

13
14 The following forms have been adopted by the Judicial Council as
15 alternative mandatory forms for use in probate proceedings:

16
17 (1) Petition for Appointment of Guardian of Minor (form GC-210) and
18 Petition for Appointment of Guardian of the Person (form GC-210(P));

19
20 (2) Petition for Appointment of Temporary Guardian or Conservator (form
21 GC-110) and Petition for Appointment of Temporary Guardian of the
22 Person (form GC-110(P)).

23
24 **(c) Use of guardianship petitions**

25
26 Notwithstanding any other provision of this rule, a party petitioning for
27 appointment of a temporary guardian of the person of a minor may file either
28 form GC-110 or form GC-110(P). A party petitioning for appointment of a
29 general guardian of the person of a minor may file either form GC-210 or
30 form GC-210(P). A party petitioning for appointment of a temporary
31 guardian of the estate of the person and estate of a minor must file form GC-
32 110. A party petitioning for appointment of a general guardian of the estate
33 or the person and estate of a minor must file form GC-210.

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 of a minor child. (You must use form GC-210 to ask the court to appoint a guardian of a minor child's estate or person and 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: _____
Phone: _____ Fax (optional): _____ e-mail (optional): _____

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: _____

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): _____



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

Case Number: _____

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 listed below.

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

a. Name: First Middle Last Date of Birth: Month/Day/Year
b. Name: First Middle Last Date of Birth: Month/Day/Year
c. Name: First Middle Last Date of Birth: Month/Day/Year
d. Name: First Middle Last Date of Birth: Month/Day/Year
e. Name: First Middle Last Date of Birth: 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 the child or children need 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 you have taken to find each person, if any): _____

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 10 c: 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)
- Other *(specify)*: _____

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

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 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*

Date: _____

Petitioner types or prints name here *Petitioner signs here*

GC-110(P)

Petition for Appointment of Temporary Guardian of the Person

Clerk stamps date here when form is filed.

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

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

Fill in court name and street address:

Superior Court of California,
County of _____

Clerk fills in case number when form is filed.

Case Number: _____

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

- a. _____
- b. _____

2 Your address and telephone number:

Street: _____ Apt.: _____

City: _____

State: _____ Zip: _____ Phone: _____

3 Your lawyer (if you have one):

Name: _____ Bar No.: _____

Firm name, if any: _____

Street: _____ Suite: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax (optional): _____ e-mail (optional): _____

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

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

Name(s): _____

Street: _____ Apt.: _____

City: _____ State: _____ Zip: _____

Phone: _____

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

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



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

Case Number: _____

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

- | | |
|--|--|
| <input type="checkbox"/> Grandmother (father's mother) | <input type="checkbox"/> Aunt |
| <input type="checkbox"/> Grandfather (father's father) | <input type="checkbox"/> Uncle |
| <input type="checkbox"/> Grandmother (mother's mother) | <input type="checkbox"/> Brother (adult) |
| <input type="checkbox"/> Grandfather (mother's father) | <input type="checkbox"/> Sister (adult) |
| <input type="checkbox"/> 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/we are excused from having to give notice of this application for appointment of a temporary guardian to (check all that apply):

(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, including efforts to find a person who cannot be found, for the following reasons (explain): _____

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 Waiver of Notice" at the top of the paper and attach it to this form.

You must give 5 day's advance notice of your application for appointment of a temporary guardian to the child if he or she is at least 12 years old, to the child's parents, and to any person who has a valid and effective visitation order with the child. The court may waive (excuse) this requirement if you can show the court good cause why you should be excused. If you want the court to waive notice to a person because you don't know where he or she is located, you must show the court that you have made reasonable efforts to find the person. See rule 7.52 of the California Rules of Court for information on making reasonable efforts to find a person.

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

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 **item 2 of form GC-210.** **item 8 of form GC-210(P).**

That form 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: _____
_____ Current telephone number: _____

c. Is this child of Native American ancestry? Yes No
If you checked "Yes," you must provide the information required by the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.) on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 1c:—Indian Child Welfare Act" at the top of the paper and attach it to this form.

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

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

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
<input type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ _____	<input type="checkbox"/> Other (<i>explain</i>):	\$ _____
<input type="checkbox"/> Social Security	\$ _____	<input type="checkbox"/> Other (<i>explain</i>):	\$ _____
<input type="checkbox"/> Dept. Veterans Affairs Benefits	\$ _____		

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

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: _____



Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

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

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

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) _____

Guardianship of (all children's names): _____

Case Number: _____

This child's name: _____

3 Information about the proposed guardian:

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

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

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

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

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

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

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 guardianship is approved, will this child live with the person in 3? Yes No

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

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

Your relationship to this child:

Relative (specify): _____

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

8 Except as otherwise stated in this form, the statements made in form GC-210 or form GC-210(P) to which this form is attached fully apply to this child.

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

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

requests that

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

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

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

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

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

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

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

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

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

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

GUARDIANSHIP OF (Name):	CASE NUMBER:
MINOR	

11. (Complete this item if this petition is filed by a person who is not related to a minor named in item 2 and is not a petition for appointment of a guardian of the estate only.)
- a. Petitioner is the proposed guardian and will promptly furnish all information requested by any agency referred to in Probate Code section 1543.
- b. Petitioner is not the proposed guardian. A statement by the proposed guardian that he or she will promptly furnish all information requested by any agency referred to in Probate Code section 1543 is affixed as Attachment 11b.
- c. The proposed guardian's home is is not a licensed foster family home.
- d. The proposed guardian has never filed a petition for adoption of the minor except as specified in Attachment 11d.
12. Attached to this petition is a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) concerning all children listed in item 2. (*Guardianship of the person or the person and estate.*)
13. Filed with this petition are the following (check all that apply):
- Consent of Proposed Guardian* (form GC-211, item 1)
 - Nomination of Guardian* (form GC-211, items 2 and 3)
 - Consent to Appointment of Guardian and Waiver of Notice* (form GC-211, item 4)
 - Petition for Appointment of Temporary Guardian* (form GC-110)
 - Petition for Appointment of Temporary Guardian of the Person* (form GC-110(P))
 - Confidential Guardianship Screening Form* (form GC-212)
- Other (specify):

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

Date: _____
(SIGNATURE OF ATTORNEY*)

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

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

Date: _____

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)

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

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

requests that

a. *(Name):*

(Address and telephone number):

be appointed temporary guardian conservator of the PERSON of the minor proposed conservatee and Letters issue upon qualification.

b. *(Name):*

(Address and telephone number):

be appointed temporary guardian conservator of the ESTATE of the minor proposed conservatee and Letters issue upon qualification.

c. (1)

bond not be required because petition is for a temporary guardianship or conservatorship of the person only.
(2) bond not be required for the reasons stated in Attachment 1c.
(3) \$ _____ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.
(Specify reasons in Attachment 1c if the amount is different from maximum required by Probate Code section 2320.)

(4) \$ _____ in deposits in a blocked account be allowed. Receipts will be filed.
(Specify institution and location):

d. the powers specified in Attachment 1d be granted in addition to the powers provided by law.

e. an order be granted dispensing with notice to the minor proposed conservatee minor's mother minor's father other person having a visitation order for the reasons stated in Attachment 1e.
(Identify each by name and relationship.)

f. other orders be granted *(specify in Attachment 1f)*.

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

Current address:

Current telephone no.:

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

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

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (Name): <div style="text-align: right; margin-right: 100px;"> <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE </div>	CASE NUMBER:
---	--------------

4. Temporary guardianship conservatorship is required
- a. pending the hearing on the petition for appointment of a general guardian conservator.
 - b. pending the appeal under Probate Code section 1301.
 - c. during the suspension of powers of the guardian conservator.

5. (Complete if a temporary guardianship or conservatorship of the estate or person and estate is requested.)

Character and estimated value of the property of the estate:

- a. Personal property: \$ _____
- b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$ _____
- c. **Total:** \$ _____

6. **Change of Residence of Proposed Conservatee**

- a. Petitioner requests that the residence of the proposed conservatee be changed to (address):

The proposed conservatee will suffer irreparable harm if his or her residence is not changed as requested and no means less restrictive of the proposed conservatee's liberty will suffice to prevent the harm because (precise reasons are specified in Attachment 6a as follows):

- b. The proposed conservatee must be removed from the State of California to permit the performance of the following non psychiatric medical treatment essential to the proposed conservatee's physical survival. The proposed conservatee consents to this medical treatment. (Facts and place of treatment are specified in Attachment 6b as follows):

c. (Change of residence only) The proposed conservatee

- (1) will attend the hearing.
- (2) is able but unwilling to attend the hearing, does not wish to contest the establishment of a conservatorship, does not object to the proposed conservator, and does not prefer that another person act as conservator.
- (3) is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as Attachment 6c.
- (4) is not the petitioner, is out of state, and will not attend the hearing.

d. (Change of residence only) Filed with this petition is a proposed Order Appointing Court Investigator (form GC-330).

7. Petitioner believes the minor proposed conservatee will will not attend the hearing.

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

Date: _____
▶ (SIGNATURE OF ATTORNEY*)

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

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

Date: _____

▶ (SIGNATURE OF PETITIONER)

▶ (SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF (Name): <div style="text-align: right;">MINOR</div>	
PETITION FOR APPOINTMENT OF GUARDIAN OF <input type="checkbox"/> MINOR <input type="checkbox"/> MINORS <input type="checkbox"/> Person <input type="checkbox"/> Estate	CASE NUMBER:

1. **Petitioner (name):** _____ **requests that**
 a. (Name and address): _____ (Telephone): _____
 be appointed guardian of the PERSON of the minor and Letters issue upon qualification.
 b. (Name and address): _____ (Telephone): _____
 be appointed guardian of the ESTATE of the minor and Letters issue upon qualification.
 c. the proposed guardian be appointed for several minors who are brothers and sisters. The information requested in items 2-11 for each additional minor is supplied in Attachment 1c.
 d. (1) bond not be required because proposed guardian is a corporate fiduciary or an exempt government agency for the reasons stated in Attachment 1d.
 (2) \$ _____ bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 1d if the amount is different from minimum required by Prob. Code, § 8482.)
 (3) \$ _____ indorsements in a blocked account be allowed. Receipts will be filed. (Specify institution and location): _____
 e. authorization be granted under Probate Code section 2590 to exercise independently the powers specified in Attachment 14.
 f. orders relating to the powers and duties of the proposed guardian of the person under Probate Code sections 2351-2358 be granted (specify orders, facts, and reasons in Attachment 1f).
 g. an order dispensing with notice to the persons named in Attachment 15 be granted.
 h. other orders be granted (specify in Attachment 1h).
2. The minor is (name): _____ married unmarried
 (Present address and telephone): _____
3. Date of minor's birth: _____
4. Petitioner is
 - a. related to the minor as (specify): _____
 - b. a minor 12 years of age or older.
 - c. other person on behalf of minor (specify): _____
5. The proposed guardian is
 - a. nominee (affix nomination as Attachment 5),
 - b. related to minor as (specify): _____
 - c. other (specify): _____
6. a. The person having legal custody of the minor is (name and address): _____
 b. (Complete only if this person is one other than the person having legal custody.) The person having the care of the minor is (name and address): _____
7. The minor
 - a. is is not a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services (specify state institution): _____
 - b. is neither receiving nor entitled to receive is receiving or entitled to receive _____ benefits from the Veterans Administration (estimate amount of monthly benefit payable): \$ _____
 - c. does does not have Native American ancestry. (Provide information required by Indian Child Welfare Act as Attachment 7c.)

Do NOT use this form for a temporary guardianship.

(Continued on reverse)

Attachment 7c.)

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

8. Petitioner has has no knowledge that the minor is receiving public assistance benefits (*specify in Attachment 8*).
9. Petitioner has has no knowledge that there are any adoption, juvenile court, marriage dissolution, domestic relations, custody, or other similar proceedings affecting the minor (*specify in Attachment 9*).
10. Petitioner, with intent to adopt, has accepted or intends to accept physical care or custody of the minor.
11. A person other than the proposed guardian has been nominated by will other nomination (nomination affixed as Attachment 11) (*specify name and address*):
12. **Character and estimated value of property of the estate:**
 Personal property: \$
 Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$
Total: \$

 Real property: \$
13. Appointment of a guardian of the person estate of the minor is necessary and convenient for the reasons stated in Attachment 13. Parental custody of the minor would be detrimental for the reasons stated in Attachment 13.
14. Granting the proposed guardian of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the guardianship estate. Powers and reasons are specified in Attachment 14.
15. Notice to the persons named in Attachment 15 should be dispensed with under Probate Code section 1511 because they cannot with reasonable diligence be given notice (*specify names and efforts to locate in Attachment 15*) the giving of notice would be contrary to the interest of justice (*specify names and reasons in Attachment 15*).
16. (*Complete this section only for a petition, other than one for appointment of a guardian of the estate only, filed by a person who is not related to the minor.*)
 a. Petitioner is the proposed guardian and will promptly furnish all information requested by any agency referred to in Probate Code section 1543.
 Petitioner is not the proposed guardian. A statement by the proposed guardian that he or she will promptly furnish all information requested by any agency referred to in Probate Code section 1543 is affixed as Attachment 16a.
- b. The proposed guardian's home is is not a licensed foster family home.
- c. The proposed guardian has never filed any petition for adoption of the minor except as specified in Attachment 16c.
17. Filed with this petition are the following (*see Judicial Council forms GC-211, GC-110, and MC-150*):
 Consent of Proposed Guardian Waiver of Notice and Consent
 Nomination of Guardian Petition for Appointment of Temporary Guardian
 Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
18. The names, residence addresses, and relationships of the father, mother, spouse, brothers, sisters, grandparents, and children of the minor, so far as known to petitioner, are as follows:

	<u>Relationship and name</u>	<u>Residence address</u>
a. Father:		
b. Mother:		
c. Grandparents:		
d.		
e. <input type="checkbox"/> List of names and addresses continued in Attachment 18.		

19. Number of pages attached: _____

Date: _____
 • (Signature of all petitioners also required (Prob. Code, § 1020).)

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

Date: _____

.....
 (TYPE OR PRINT NAME)

.....
 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE OF ATTORNEY ')

▶ _____
 (SIGNATURE OF PETITIONER)

▶ _____
 (SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i>	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR <i>(Name):</i>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORS HIP OF <i>(Name):</i> <div style="text-align: right;"> <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE </div>		
PETITION FOR APPOINTMENT OF TEMPORARY <input type="checkbox"/> GUARDIAN <input type="checkbox"/> CONSERVATOR <input type="checkbox"/> Person <input type="checkbox"/> Estate		CASE NUMBER:

1. **Petitioner** *(name of each):* _____ requests that
 a. *(Name and address):*

be appointed temporary guardian conservator of the PERSON of the
 minor proposed conservatee and *Letters* issue upon qualification.

b. *(Name and address):*

be appointed temporary guardian conservator of the ESTATE of the
 minor proposed conservatee and *Letters issue* upon qualification.

- c. (1) bond not be required for the reasons stated in Attachment 1c.
 (2) \$ _____ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.
(Specify reasons in Attachment 1c if the amount is different from maximum required by Probate Code section 2320.)
 (3) \$ _____ in deposits in a blocked account be allowed. Receipts will be filed. *(Specify institution and location):*

- d. the powers specified in Attachment 1d be granted in addition to the powers provided by law.
 e. an order be granted dispensing with notice to the minor proposed conservatee minor's mother
 minor's father other person having a visitation order for the reasons stated in Attachment 1e. *(Identify each by name and relationship.)*
 f. other orders be granted *(specify in Attachment 1f).*

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

Present address:

Telephone:

3. The minor proposed conservatee requires a temporary guardian conservator to provide for temporary care, maintenance, and support protect property from loss or injury because *(facts are* *specified below* *specified in Attachment 3):*

(Continued on reverse)

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATOR SHIP OF (Name): <div style="text-align: right; margin-top: 10px;"> <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE </div>	CASE NUMBER:
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4. Temporary guardianship conservatorship is required
- a. pending the hearing on the petition for appointment of a general guardian conservator.
- b. general pending the appeal under Probate Code section 2750.
- c. during the suspension of powers of the guardian conservator.

5. Character and estimated value of the property of the estate:
- a. Personal property : \$
- b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$
- Total:** \$

6. CHANGE OF RESIDENCE OF PROPOSED CONSERVATEE
- a. Petitioner requests that the residence of the proposed conservatee be changed to (address):

The proposed conservatee will suffer irreparable harm if his or her residence is not changed as requested and no means less restrictive of the proposed conservatee's liberty will suffice to prevent the harm because (precise reasons are stated below stated in attachment 6a):

- b. The proposed conservatee must be removed from the State of California to permit the performance of the following non-psychiatric medical treatment essential to the proposed conservatee's physical survival. The proposed conservatee consents to this medical treatment. (Facts and place of treatment are specified below specified in Attachment 6b.)

- c. (Change of residence only) The proposed conservatee
- (1) will attend the hearing.
- (2) is able but unwilling to attend the hearing, does not wish to contest the establishment of a conservator ship, does not object to the proposed conservator, and does not prefer that another person act as conservator.
- (3) is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as Attachment 6c.
- (4) is not the petitioner, is out of state, and will not attend the hearing.

- d. (Change of residence only) Filed with this petition is a proposed Order Appointing Court Investigator (form GC-330).

7. Petitioner believes the minor proposed conservatee will will not attend the hearing.

8. Number of Pages attached: _____

Date: _____

▶ _____
(SIGNATURE OF ATTORNEY*)

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

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

Date: _____

▶ _____
(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)