

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> ): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
ESTATE OF ( <i>Name</i> ):  <input type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	
<b>PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM—PROBATE</b>  <input type="checkbox"/> <b>EX PARTE</b>	CASE NUMBER:
<p><b>NOTE:</b> This form is for use in proceedings under the Probate Code, except a request for court approval of (1) the compromise of a minor's disputed claim, (2) the compromise of an action to which a minor or a person with a disability is a party, or (3) disposition of the proceeds of a judgment in favor of a minor or person with a disability. (See Prob. Code, §§ 3600–3613.) A person seeking the appointment of a guardian ad litem in a civil proceeding should use form CIV-010. A person seeking the appointment of a guardian ad litem in a family law proceeding should use form FL-935. A person may not act as a guardian ad litem unless he or she is an attorney or is represented by an attorney. A guardian ad litem is NOT the same as a guardian of the person or estate of a minor.</p>	

1. Petitioner (*name*): \_\_\_\_\_ is \_\_\_\_\_
- a.  personal representative of the estate of:
- b.  guardian of:
- c.  conservator of:
- d.  trustee of:
- e.  other interested person (*specify capacity*): \_\_\_\_\_
2. This petition seeks the appointment of the following person as guardian ad litem (*state name, address, and telephone number*): \_\_\_\_\_
3. The guardian ad litem is to represent the interests of the following person (*state name, address, and telephone number*): \_\_\_\_\_
4. The person to be represented is
- a.  a minor (*date of birth*): \_\_\_\_\_
- b.  a person with a disability (within the meaning of Prob. Code, § 3603).
- c.  an unborn person.
- d.  an unascertained person.
- e.  a person whose identity or address is unknown.
- f.  a designated class of persons who are not ascertained or are not in being.
5. Appointment of a guardian ad litem arises out of issues regarding
- a.  the execution of a disclaimer under Probate Code section 277 (*specify details in Attachment 5a*).
- b.  the representation of the interests of a spouse alleged to lack legal capacity (Probate Code, §§ 3112 and 3140) (*specify details in Attachment 5b*).
- c.  the consent to modification or termination of trust (Probate Code, § 15405) (*specify details in Attachment 5c*).
- d.  the approval and settlement of claims against a deceased settlor (Probate Code, § 19029) (*specify details in Attachment 5d*).
- e.  the representation of a minor, incapacitated person, or other person identified in Probate Code section 1003(a) in a proceeding under the Probate Code (Probate Code, § 1003(a)) (*specify details in Attachment 5e*).
- f.  other (*specify in Attachment 5f*).

ESTATE OF (Name): _____ <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> DECEDENT              <input type="checkbox"/> CONSERVATEE              <input type="checkbox"/> MINOR         </div>	CASE NUMBER: _____
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6. The appointment of a guardian ad litem is
- a.  proper because the minor has no guardian of his or her estate.
  - b.  necessary for the following reasons (*specify reasons. Continue in Attachment 6b if necessary*):
7. The proposed guardian ad litem's relationship to the person he or she is representing is
- a.  related (*state relationship*):
  - b.  not related (*specify capacity*):
8. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person he or she is representing as explained in Attachment 8 and has no interest adverse to the interests of that person.
9. Notice of this proceeding
- a.  will be given to the parties named in Attachment 9a.
  - b.  should be dispensed with for the following reasons (*specify reasons for ex parte request. Continue in Attachment 9b if necessary*):

10. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)      ▶      \_\_\_\_\_ (SIGNATURE OF ATTORNEY)

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

Date: \_\_\_\_\_

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

**CONSENT TO ACT AS GUARDIAN AD LITEM**

I consent to the appointment as guardian ad litem and I declare under penalty of perjury under the laws of the State of California that the foregoing petition is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)      ▶      \_\_\_\_\_ (SIGNATURE OF PROPOSED GUARDIAN)

**CONSENT OF MINOR 12 YEARS OF AGE OR OLDER (Optional)**

I, (name): \_\_\_\_\_, am (*specify age*): \_\_\_\_\_ years of age and hereby  
 nominate (name): \_\_\_\_\_ to be my guardian ad litem to represent my interests  
 for the reasons set forth in items 5 and 6 of this petition.

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)      ▶      \_\_\_\_\_ (SIGNATURE OF MINOR 12 YEARS OF AGE OR OLDER)