



GUARDIANSHIP OF THE PERSON
 These instructions are intended for relatives of a minor child who do not need emergency orders and want to request guardianship of the person only.

1	COMPLETE FORMS	<p>Video & Sample Forms: To get more information about the court process for guardianships you may view a video and sample forms at: www.slo.courts.ca.gov/sh/selfhelp-guardianship.htm</p> <p>Fill out the following forms:</p> <ul style="list-style-type: none"> • GC-020 Notice of Hearing - Guardianship or Conservator • GC-210 (P) Petition for Appointment of Guardian of Minor • GC-210 (CA) Guardianship Petition - Child Info Attachment (for each child) • FL-105/GC-120 UCCJEA • GC-211 Consent of Proposed Guardian • GC-248 Duties of Guardian • GC-212 Confidential Guardian Screening Form • GC-240 Order Appointing Guardian • GC-250 Letters of Guardianship <p>If you cannot afford to pay the court fees you may request a fee waiver by completing the following forms:</p> <ul style="list-style-type: none"> • FW-001-GC Request to Waive Court Fees (\$225 Filing Fee) • FW-003-GC Order on Court Fee Waiver
2	REVIEW FORMS	The Self-Help Center / Family Law Facilitator Office may review your documents before you make copies or file with the court. You may call (805) 706-3617 to schedule a document review appointment.
3	MAKE A COPY	Make 1 copy of all the original documents listed above. The original is for the Court and the copy is for you.
4	FILE PAPERS & ENVELOPE & GET HEARING DATE	Take to the Court Clerk's Office your originals and copies of all the documents listed in Step 1 above and a self-addressed stamped envelope. The clerk will stamp all the documents and return your copy to you. The clerk will assign you a case number and give you your hearing date. The clerk will charge you a filing fee of \$225 for Guardianship of the Person, unless your request and qualify for a fee waiver.
5	MAKE COPIES OF FILED DOCUMENTS	<p>Make at least 6 copies of the following documents.</p> <ul style="list-style-type: none"> • GC-020 Notice of Hearing - Guardianship or Conservator • GC-210(P) Petition for Appointment of Guardian of Minor • GC-210(CA) Guardianship Petition - Child Info Attachment (for each child) • FL-105/GC-120 UCCJEA

6	GIVE COPIES OF DOCUMENTS TO NECESSARY PEOPLE	<p>At least 15 days before your hearing date, the people listed below must receive a copy of the documents listed in Step 4 above (GC-020, GC-210(P),GC-210(CA) and FL-105/GC-120.</p> <p>Service by Personal Delivery: Someone other than you, who is 18 years or older must personally hand deliver a copy of the documents to the following people:</p> <ul style="list-style-type: none"> • Child’s Mother • Child’s Father • Child, only if child is 12 years or older <p>Service by Mail: Someone other than you, who is 18 years or older must mail a copy of the documents to the following people:</p> <ul style="list-style-type: none"> • Child’s Maternal Grandmother • Child’s Maternal Grandfather • Child’s Paternal Grandmother • Child’s Paternal Grandfather • Child’s brother/sister or half-brother/sister, only if 12 years or older • Any other person who the child lives with (who does not have legal custody)
7	COMPLETE & FILE PROOFS OF SERVICE	<p>The person(s) who deliver(s) the copies to the persons listed in Step 5 above must complete and sign the Proof of Service form:</p> <ul style="list-style-type: none"> • GC-020 Proof of Service by Mail (pg. 2 of the original GC-020 Notice of Hearing) • GC-020(P) Proof of Personal Service of Notice of Hearing <p>Once the Proof of Service forms are complete, you must file the originals with the court. You should file your completed Proof of Service no later than 5 days before your court hearing.</p>
8	COMPLETE QUESTIONNAIRE	<p>Soon after you file your documents, the Probate Investigator’s Office will mail you a questionnaire. You should complete the questionnaire as soon as possible and return it to the Probate Investigator’s Office.</p>
9	MEET WITH THE INVESTIGATOR	<p>The investigator will call you to schedule a home visit. If you have any questions regarding the investigation, please call (805) 706-3608. The investigator will interview you as well as the child and others that live with you. The fee for the investigation is \$305 and it is due before your hearing.</p>
10	REVIEW THE INVESTIGATOR REPORT	<p>The investigator will prepare a report for the Court and will mail you a copy approximately 3 days before your hearing date.</p>
11	CHECK TENTATIVE RULING	<p>The week before your hearing you may check the status of your case online at https://www.slo.courts.ca.gov/os/tentativerulings.htm. The notes on your case may direct you to fix a problem with your paperwork.</p>
12	GO TO THE HEARING	<p>Go to court on the day of your hearing. The judge will either grant or deny your request for appointment of guardianship. If your request for guardianship is granted, then in about 2 weeks, the clerk will mail you a signed copy of the GC-250 Letters of Guardianship and GC-240 Order Appointing Guardian. You should keep several copies of the signed GC-250 Letters of Guardianship and use them when you need to prove that you have custody and decision making authority over the minor child.</p>

WHERE TO GET FORMS:

- Internet:** For free, click on the hyperlinks in these instructions or go to www.courts.ca.gov and hover over “Forms & Rules” and then click on “Find Your Court Forms” and type in the form number or name.
- Court Clerk’s Office:** For \$5, you may purchase a packet of blank forms.

WHERE TO GET HELP:

Self-Help Center: To schedule a telephone appointment for a document review go to <https://calendly.com/self-help-center/> or call (805) 706-3617. Visit our website for more information at <https://www.slo.courts.ca.gov/self-help/guardianship>.

30-minute video: View [guardianship video](#) about the guardianship process and forms that Contra Costa Superior Court produced at <https://www.youtube.com/watch?v=3pt2tLk8Fk0>.

Online Form Preparation: This program will ask you to answer questions. The answers you give will be used to complete the forms needed to start case. This program will allow you to print or eFile your forms. Go to

<https://california.tylerhost.net/SRL/SRL/Start?legalProcessKey=Petition for Appointment of Guardian>

HELPFUL TIPS:

- Order Appointing Guardian:** Be sure to read and complete the proposed order and give to the Clerk along with all the other documents listed in Step 1.
- GC-250 Letters of Guardianship:** Be sure to sign, date and include the city & state in which the document was signed and give to the Clerk along with all the other documents listed in Step 1.
- Arrange Your Originals and Copies:** When you go to the Court Clerk’s Office to file your documents, you should have each original document followed by its copy.

Original followed by a copy	Staple together the documents in each box below.
Original #1	<ul style="list-style-type: none">• GC-020 Notice of Hearing - Guardianship or Conservatorship• GC-020(P) Proof of Personal Service of Notice of Hearing
Original #2	<ul style="list-style-type: none">•GC-210 (P) Petition for Appointment of Guardian of Minor•GC-210 (CA) Guardianship Petition - Child Info Attachment (for each child)•FL-105/GC-120 UCCJEA
Original #3	<ul style="list-style-type: none">• GC-211 Consent of Proposed Guardian
Original #4	<ul style="list-style-type: none">• GC-248 Duties of Guardian
Original #5	<ul style="list-style-type: none">• GC-212 Confidential Guardian Screening Form
Original #6	<ul style="list-style-type: none">• GC-240 Order Appointing Guardian
Original #7	<ul style="list-style-type: none">• GC-250 Letters of Guardianship

HELPFUL TIPS (continued):

Locating People Who Must be Served: The people listed in Step 6 must be served. If you are having trouble finding these people, you may contact known friends, relatives or employer. You may also search for them on the internet by visiting websites that locate people. You may visit the following website to read more information about ***Finding Someone in Order to Serve Him or Her:***

www.courts.ca.gov/selfhelp-serving.htm. If you have been unsuccessful in locating a person listed in Step 6 after diligently searching for the person, then you will need to write and file with the Court a declaration that details everything you have done to try to locate the person. You may go to www.courts.ca.gov/documents/mc030.pdf and use the Declaration form. If you cannot find a person that must be served, then you may consider completing Form PR019 Declaration of Diligent Search. This is a local form that can be found online at www.slo.courts.ca.gov/documents/san-luis-obispo/PR_019_SLO.pdf. On this form you will need to write down a detailed description of all the efforts you have made to locate the person that must be served.

Temporary Guardianship: Temporary Guardianship means that there is some emergency that requires you to request and obtain a guardianship order sooner than the regular process will allow. To request a temporary guardianship you will need to complete all the forms listed above in addition to the following forms and there will be additional procedures that you must follow.

- [GC-020](#) Notice of Hearing - Guardianship or Conservator
- [GC-110\(P\)](#) Petition for Appointment of Temporary Guardian of the Person
- [GC-140](#) Order Appointing Temporary Guardian
- [GC-150](#) Letters of Temporary Guardianship or Conservatorship

Non-Relative Proposed Guardian: If the proposed guardian is not a relative of the minor child, then you will need to complete additional forms and follow different instructions. For example, the investigation will be conducted by the Department of Social Services, not the Court's Probate Investigator.

Alternatives To Guardianship or Emergency Orders: Before you decide if a guardianship is what you need, consider whether a Caregiver Affidavit or Power of Attorney would satisfy your needs. If the parents are not dangerous to the child in any way and the parents agree to let you care for the child and everyone wants to avoid having to go to court, then a caregiver affidavit or power of attorney may be an option. Parents can cancel the caregiver affidavit or power of attorney at any time.

Caregiver Affidavit: This document is signed by the child's relative caregiver living in California and allows the relative caregiver to enroll the child in school and authorize medical treatment. The caregiver affidavit should be signed once a year.

Power of Attorney: This document is signed by the child's parents in front of a notary and assigns the right to make decisions about the child to you, including health care, education and medical emergency care decision.

<input checked="" type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): Lucy Lou and Lucas Landon Sample	CASE NUMBER:
<input checked="" type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	

PROOF OF PERSONAL SERVICE OF NOTICE OF HEARING - GUARDIANSHIP OR CONSERVATORSHIP
(Attach a separate completed and signed copy of this form or other proof of personal service to Notice of Hearing - Guardianship or Conservatorship for each person who personally served a copy of the Notice.)

1. I am over the age of 18 and not a party to this cause.
2. I served the attached *Notice of Hearing - Guardianship or Conservatorship* by personally delivering a copy to each person listed below at the address and on the date and time indicated below.
3. I served with the attached *Notice of Hearing - Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.
4. I served with the attached *Notice of Hearing - Guardianship or Conservatorship* copies of the following documents (*specify*):

 Continued on Attachment 4.
5. I am (*check all that apply*):
 - a. not a registered California process server.
 - b. a California sheriff or marshal.
 - c. a registered California process server.
 - d. an employee or independent contractor of a registered California process server.
 - e. exempt from registration (Bus. & Prof. Code, § 22350(b)).
6. My name, address, telephone number, and, if applicable, county of registration and number, are (*specify*):
Suzie Server
 **

NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE

	<u>Name</u>	<u>Address where served (number, street, city, and state)</u>	<u>Date and time service made</u>
1.	Chad Lake (Father)	5555 Blue Ocean Blvd. Newport Beach, CA 90000	Date: ** _____ Time: ** _____
2.			Date: _____ Time: _____
3.			Date: _____ Time: _____
4.			Date: _____ Time: _____

List of names and addresses of persons personally served by the undersigned continued on an attachment.
(You may use Attachment to Notice of Hearing Proof of Personal Service, form DE-120(PA)/GC-020(PA), for this purpose.)

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

Date: **

(For California sheriff or marshal use only)
 I certify that the foregoing is true and correct

Date:

▶ **Suzie Server** _____
 (SIGNATURE)

▶ _____
 (SIGNATURE)

GC-210(P)

Petition for Appointment of Guardian of the Person

Clerk stamps date here when form is filed.

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

Lucy Lou Sample

Lucas Landon Sample

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.)

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. Pat Sample

b. _____

c. _____

2 Your address and telephone number:

Street: 1234 Main Street Apt.: _____

City: San Luis Obispo

State: CA Zip: 93401 Phone: (805) 555-1234

3 Your Lawyer (if you have one):

Name: _____ Bar No.: _____

Firm name, if any: _____

Street: _____ Suite: _____

City: _____ State: _____ Zip: _____

Phone: _____ 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: _____

Fill in court name and street address:

Superior Court of California, County of San Luis Obispo
1050 Monterey Street, Room 220
1035 Palm Street, Room 385
San Luis Obispo, CA 93408

Clerk fills in information below when form is filed.

Case Number: _____

Hearing Date and Time: _____

Dept.: _____

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



Guardianship of the person of <i>(all children's names)</i> : Lucy Lou Sample Lucas Landon Sample	Case Number:
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- 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: Lucy Lou Sample Date of birth: 5/31/2004
First Middle Last Month/Day/Year
- b. Name: Lucas Landon Sample Date of birth: 7/5/2006
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 <i>(all children's names)</i> : Lucy Lou Sample Lucas Landon Sample	Case Number:
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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: 9/26/2007 Pat Sample Pat Sample
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*

Guardianship of (*all children's names*): Lucy Lou Sample and Lucas Landon Sample

This child's name: Lucy Lou Sample

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: Lucy Lou Sample Date of birth: 5/31/04
First Middle Last Month/Day/Year

b. Child's current address: 1234 Main Street, San Luis Obispo, CA 93401

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 tribe 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: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucy Lou Sample**

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
<input checked="" type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ 350	<input type="checkbox"/> Other (explain):	\$
<input type="checkbox"/> Social Security	\$	<input type="checkbox"/> Other (explain):	\$
<input type="checkbox"/> Dept. Veterans Affairs Benefits	\$		

f. Name and address of the person with legal custody of this child: **No Court Orders Exist**

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):
Pat Sample
1234 Main Street, San Luis Obispo, CA 93401

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	Chad Lake	5555 Blue Ocean Blvd. Newport Beach, CA 90000
Mother	Sandy Beach Sample	Deceased
Grandfather (Father's father)	Charles Lake	546 Dell St. San Luis Obispo, CA 93408
Grandmother (Father's mother)	Lora Lake	902 Bay St. San Luis Obispo, CA 93408
Grandfather (Mother's father)	Sam Sample	1234 Main Street San Luis Obispo, CA 93401
Grandmother (Mother's mother)	Pat Sample	1234 Main Street San Luis Obispo, CA 93401

Guardianship of (all children's names): _____

Case Number: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucy Lou Sample**

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): _____
Pat Sample 1234 Main Street, San Luis Obispo, CA 93401

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

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

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

Guardianship of (all children's names): _____

Case Number: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucy Lou Sample**

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

Lucy and Landon's mother died in July of 2007 and their father is currently residing in a homeless shelter in Newport Beach, California. The children's father is aware that he currently is not able to provide care for Lucy and Landon. The children are currently living with me because I am able to provide for all their needs. My grandchildren would like to live with me and my husband.

(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. **Mother is deceased.**

(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: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucy Lou Sample**

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.

Guardianship of (all children's names): Lucy Lou Sample and Lucas Landon Sample

This child's name: Lucas Landon Sample

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: Lucas Landon Sample Date of birth: 7/5/06
First Middle Last Month/Day/Year

b. Child's current address: 1234 Main Street, San Luis Obispo, CA 93401

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 tribe 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: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucas Landon Sample**

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
<input checked="" type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ 350	<input type="checkbox"/> Other (explain):	\$
<input type="checkbox"/> Social Security	\$	<input type="checkbox"/> Other (explain):	\$
<input type="checkbox"/> Dept. Veterans Affairs Benefits	\$		

f. Name and address of the person with legal custody of this child: **No Court Orders Exist**

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): _____

Pat Sample

1234 Main Street, San Luis Obispo, CA 93401

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	Chad Lake	5555 Blue Ocean Blvd. Newport Beach, CA 90000
Mother	Sandy Beach Sample	Deceased
Grandfather (Father's father)	Charles Lake	546 Dell St. San Luis Obispo, CA 93408
Grandmother (Father's mother)	Lora Lake	902 Bay St. San Luis Obispo, CA 93408
Grandfather (Mother's father)	Sam Sample	1234 Main Street San Luis Obispo, CA 93401
Grandmother (Mother's mother)	Pat Sample	1234 Main Street San Luis Obispo, CA 93401



Guardianship of (all children's names): _____

Case Number: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucas Landon Sample**

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	_____	_____
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): _____

Pat Sample 1234 Main Street, San Luis Obispo, CA 93401

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

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

Maternal Grandmother

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

Guardianship of (all children's names): _____

Case Number: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucas Landon Sample**

4 Explain why appointing the person in 3 guardian would be best for this child: Lucy and Landon's mother died in July of 2007 and their father is currently residing in a homeless shelter in Newport Beach, California. The children's father is aware that he currently is not able to provide care for Lucy and Landon. The children are currently living with me because I am able to provide for all their needs. My grandchildren would like to live with me and my husband.

(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: [X] Yes [] No [] Not known at this time.
b. Mother: [] Yes [] No [] Not known at this time. **Mother is deceased.**
(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? [X] Yes [] No
b. If the court approves the guardianship, will this child live with the person in 3? [X] Yes [] No
c. Does the person in 3 plan to adopt this child now? [] Yes [X] 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: _____

Lucy Lou Sample and Lucas Landon Sample

This child's name: **Lucas Landon Sample**

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.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Pat Sample 1234 Main Street San Luis Obispo, CA 93401 TELEPHONE NO.: (805) 555-1234 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Petitioner in Pro Per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo STREET ADDRESS: 1050 Monterey Street, Room 220 MAILING ADDRESS: 1035 Palm Street, Room 385 CITY AND ZIP CODE: San Luis Obispo, CA 93408 BRANCH NAME:	
(This section applies only to family law cases.)	
PETITIONER: RESPONDENT: OTHER PARTY:	
(This section applies only to guardianship cases.)	
GUARDIANSHIP OF (Name): Lucy Lou Sample and Lucas Landon Sample 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): **2** 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 Lucy Lou Sample		Place of birth Big Sur, CA	Date of birth 5/31/2004	Sex Female
Period of residence 7/9/07 to present	Address 1234 Main Street, San Luis Obispo, CA <input type="checkbox"/> Confidential 93401	Person child lived with (name and complete current address) Pat Sample, 1234 Main Street, SLO, CA <input type="checkbox"/> Confidential 93401		Relationship Grandmother
Period of residence 5/31/04 to 7/9/07	Child's residence (City, State) 555 Shrimp Avenue, Pismo Beach, CA 93401	Person child lived with (name and complete current address) Sandy Sample - Deceased Chad Lake 5555 Blue Ocean Blvd, Newport Beach, CA 90000		Relationship Mother and Father
Period of residence to	Child's residence (City, State)	Person child lived with (name and complete current address)		
Period of residence to	Child's residence (City, State)	Person child lived with (name and complete current address)		
b. Child's name Lucas Landon Sample		Place of birth Monterey, CA	Date of birth 7/5/2006	Sex Male
<input checked="" type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)				
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential		Relationship
Period of residence to	Child's residence (City, State)	Person child lived with (name and complete current address)		
Period of residence to	Child's residence (City, State)	Person child lived with (name and complete current address)		
Period of residence 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: Guardianship of Lucy Lou Sample and Lucas Landon Sample	CASE NUMBER:
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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. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> 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. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> 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 <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **9/26/07**

Pat Sample _____ **Pat Sample** _____
 (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.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Pat Sample 1234 Main Street San Luis Obispo, CA 93401 TELEPHONE NO.: (805) 555-1234 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Petitioner in Pro Per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo STREET ADDRESS: 1050 Monterey Street, Room 220 MAILING ADDRESS: 1035 Palm Street, Room 385 CITY AND ZIP CODE: San Luis Obispo, CA 93408 BRANCH NAME:	
GUARDIANSHIP OF THE <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): Lucy Lou Sample and Lucas Landon Sample	
<input checked="" type="checkbox"/> CONSENT OF PROPOSED GUARDIAN <input type="checkbox"/> NOMINATION OF GUARDIAN <input type="checkbox"/> 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: **9/26/07**

Pat Sample _____ **Pat Sample** _____
 (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.

CONSENT OF PROPOSED GUARDIAN, NOMINATION OF GUARDIAN, AND CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Pat Sample 1234 Main Street San Luis Obispo, CA 93401 TELEPHONE NO.: (805) 555-1234 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Petitioner in Pro Per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo STREET ADDRESS: 1050 Monterey Street, Room 220 MAILING ADDRESS: 1035 Palm Street, Room 385 CITY AND ZIP CODE: San Luis Obispo, CA 93408 BRANCH NAME:	
GUARDIANSHIP OF THE <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name) : Lucy Lou Sample and Lucas Landon Sample 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)

DUTIES OF GUARDIAN
(Probate)

GUARDIAN OF (Name):

Lucy Lou Sample and Lucas Landon Sample

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)

DUTIES OF GUARDIAN
(Probate)

GUARDIAN OF (Name): Lucy Lou Sample and Lucas Landon Sample	CASE NUMBER: MINOR
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- 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)

DUTIES OF GUARDIAN (Probate)

GUARDIAN OF (Name):

Lucy Lou Sample and Lucas Landon Sample

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 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. **Attorney 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)

DUTIES OF GUARDIAN
(Probate)

GUARDIAN OF (Name): Lucy Lou Sample and Lucas Landon Sample	CASE NUMBER:
---	------------------

MINOR

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: **September 26, 2007**

Pat Sample _____
(TYPE OR PRINT NAME)

Pat Sample _____
(SIGNATURE OF PETITIONER)

Date:

_____ (TYPE OR PRINT NAME)

_____ (SIGNATURE OF PETITIONER)

Date:

_____ (TYPE OR PRINT NAME)

_____ (SIGNATURE OF PETITIONER)

CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-212

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Pat Sample 1234 Main Street San Luis Obispo, CA 93401 TELEPHONE NO.: (805) 555-1234 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Petitioner in Pro Per		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo STREET ADDRESS: 1050 Monterey Street, Room 220 MAILING ADDRESS: 1035 Palm Street, Room 385 CITY AND ZIP CODE: San Luis Obispo, CA 93408 BRANCH NAME:		CASE NUMBER:	
GUARDIANSHIP OF (Name) : Lucy Lou Sample and Lucas Landon Sample		MINOR	
CONFIDENTIAL GUARDIAN SCREENING FORM Guardianship of <input checked="" type="checkbox"/> Person <input type="checkbox"/> 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): **Pat Sample**
b. Date of birth: **10/20/1962**
c. Social security number: **444-44-4444** d. Driver's license number: **A00000000** State: **CA**
e. Telephone numbers: Home: **(805) 555-1234** Work: **(805) 555-2222** 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.)

Page 1 of 2

CONFIDENTIAL

GC-212

GUARDIANSHIP OF (Name): Lucy Lou and Lucas Landon Sample	CASE NUMBER:
MINOR	

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: Lucy Lou Sample	School (name): n/a	
Home telephone: (805) 555-1234	School telephone:	Other telephone:
21. Minor's name: Lucas Landon Sample	School (name): n/a	
Home telephone: (805) 555-1234	School telephone:	Other telephone:
22. Minor's name:	School (name):	
Home telephone:	School telephone:	Other telephone:
<input type="checkbox"/> 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: **9/26/2007**

Pat Sample

(TYPE OR PRINT NAME OF PROPOSED GUARDIAN)

Pat Sample

(SIGNATURE OF PROPOSED GUARDIAN)*

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

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Pat Sample FIRM NAME: STREET ADDRESS: 1234 Main Street CITY: San Luis Obispo STATE: CA ZIP CODE: 93401 TELEPHONE NO.: (805) 555-1234 FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Petitioner in Pro Per	STATE BAR NO.: 	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo STREET ADDRESS: 1050 Monterey Street, Room 220 MAILING ADDRESS: 1035 Palm Street, Room 385 CITY AND ZIP CODE: San Luis Obispo, CA 93408 BRANCH NAME:		
GUARDIANSHIP OF THE <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name): Lucy Lou Sample and Lucas Landon Sample		
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):
- Judge (name) :
 - Hearing date: _____ Time: _____ Dept.: _____ Room: _____
 - Petitioner (name) : **Pat Sample**
 - Attorney for Petitioner (name) :
 - Attorney for (proposed) ward (name, address, e-mail, and telephone):

THE COURT FINDS

- All notices required by law have been given.
 - Notice of hearing to the following persons has been should be dispensed with (names):
- Appointment of a guardian of the person estate of the proposed ward is necessary or 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.)
- Extension of the guardianship of the person past the ward's 18th birthday is necessary or convenient.
- 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.
- Attorney (name) : _____ has been appointed by the court as legal counsel to represent the (proposed) ward in these proceedings. The cost for representation is: \$ _____
- 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.

GUARDIANSHIP OF THE PERSON ESTATE OF
 (name): **Lucy Lou Sample and Lucas Landon Sample**

CASE NUMBER:

THE COURT ORDERS

8. a. (name): **Pat Sample**
 (address): **1234 Main Street** (telephone): **(805) 555-1234**
San Luis Obispo, CA 93401

is appointed guardian of the PERSON of (name): **Lucy Lou Sample and Lucas Landon Sample**
 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 payors*):

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 <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name): Lucy Lou Sample and Lucas Landon Sample	CASE NUMBER:
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- 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: 2

18. Number of pages attached: 0

Date:

 JUDGE OF THE SUPERIOR COURT
 SIGNATURE FOLLOWS LAST ATTACHMENT

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.:</p> <p>NAME: Pat Sample</p> <p>FIRM NAME:</p> <p>STREET ADDRESS: 1234 Main Street</p> <p>CITY: San Luis Obispo STATE: CA ZIP CODE: 93401</p> <p>TELEPHONE NO.: (805) 555-1234 FAX NO.:</p> <p>E-MAIL ADDRESS:</p> <p>ATTORNEY FOR (name): Petitioner in Pro Per</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Luis Obispo</p> <p>STREET ADDRESS: 1050 Monterey Street, Room 220</p> <p>MAILING ADDRESS: 1035 Palm Street, Room 385</p> <p>CITY AND ZIP CODE: San Luis Obispo, CA 93408</p> <p>BRANCH NAME:</p>	
<p>GUARDIANSHIP OF (name): Lucy Lou Sample and Lucas Landon Sample</p>	
<p>LETTERS OF GUARDIANSHIP</p> <p><input checked="" type="checkbox"/> Person <input type="checkbox"/> Estate</p>	<p>CASE NUMBER:</p>

LETTERS

1. (Name): **Pat Sample** is appointed guardian of the person estate
of (name): **Lucy Lou Sample**
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: **0** _____

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

(SEAL)

Date: _____

Clerk, by _____, Deputy

GUARDIANSHIP OF (name): Lucy Lou Sample and Lucas Landon Sample	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): **9/26/2007** , at (place): **San Luis Obispo**

Pat Sample _____
 (TYPE OR PRINT NAME)

Pat Sample _____
 (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

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Pat Sample FIRM NAME: STREET ADDRESS: 1234 Main Street CITY: San Luis Obispo STATE: CA ZIP CODE: 93401 TELEPHONE NO.: (805) 555-1234 FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Petitioner in Pro Per	<i>FOR COURT USE ONLY</i>
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GUARDIANSHIP OF (name): Lucy Lou Sample and Lucas Landon Sample	
LETTERS OF GUARDIANSHIP <input checked="" type="checkbox"/> Person <input type="checkbox"/> Estate	CASE NUMBER:

LETTERS

1. (Name): **Pat Sample** is appointed guardian of the person estate
 of (name): **Lucas Landon Sample**

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: **0** _____

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

(SEAL)

Date: _____

Clerk, by _____, Deputy

GUARDIANSHIP OF
(name): **Lucy Lou Sample and Lucas Landon Sample**

CASE NUMBER:

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

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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).

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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): **9/26/2007**

, at (place): **San Luis Obispo**

Pat Sample

(TYPE OR PRINT NAME)

Pat Sample

(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

This form must be used by a guardian or conservator, or by a petitioner for the appointment of a guardian or conservator, to request a waiver of court fees in the guardianship or conservatorship court proceeding or in any other civil action in which the guardian or conservator represents the interests of the ward or conservatee as a plaintiff or defendant.

If the ward or conservatee (including a proposed ward or conservatee if a petition for appointment of a guardian or conservator has been filed but has not yet been decided by the court) directly receives public benefits or is supported by public benefits received by another for his or her support, is a low-income person, or does not have enough income to pay for his or her household's basic needs and the court fees, you may use this form to ask the court to waive the court fees. The court may order you to answer questions about the finances of the ward or conservatee. If the court waives the fees, the ward or conservatee, his or her estate, or someone with a duty to support the ward or conservatee, may still have to pay later if:

- You cannot give the court proof of the ward's or conservatee's eligibility,
- The ward's or conservatee's financial situation improves during this case, or
- You settle the civil case on behalf of the ward or conservatee for \$10,000 or more. The trial court that waives fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge the ward or conservatee, or his or her estate, any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
San Luis Obispo
1050 Monterey Street, Room 220
1035 Palm Street, Room 385
San Luis Obispo, CA 93408

Fill in case number and name:

Case Number:

Case Name:

1 Your Information (guardian or conservator, or person asking the court to appoint a guardian or conservator):

Name: **Pat Sample** Phone: _____

Street or mailing address: **1234 Main Street**

City: **San Luis Obispo** State: **C** Zip: **93401**

2 Your Lawyer (if you have one): Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

a. The lawyer has agreed to advance all or a portion of court fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here.) Lawyer's signature: _____
If your lawyer is not providing legal-aid type services based on your or the ward's or conservatee's low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

3 Ward's or Conservatee's Information (file a separate Request for each ward in a multiward case):

Name: **Lucy Lou Sample** Age and date of birth (ward only): _____

Street or mailing address: **1234 Main Street** **3 Years** **5/31/2004**

City: **San Luis Obispo** State: **CA** Zip: **93401**

Phone: **(805) 555-1234**

4 Ward's or Conservatee's Lawyer, if any: Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

5 Ward or Conservatee's Job (job title; if not employed, so state): **Not Employed**

Name of employer: _____

Employer's address: _____ State: _____ Zip: _____



Name of (Proposed) Ward or Conservatee:

Case Number:

Lucy Lou Sample

6 What court's fees or costs are you asking to be waived?

- Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
- Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

7 Check here if you asked the court to waive court fees for this case in the last six months. (If your previous request is reasonably available, please attach it to this form and check here):

8 Why are you asking the court to waive the ward's or conservatee's court fees?

a. The ward or one or both of the ward's parents, or the conservatee or the conservatee's spouse or registered domestic partner, receive (check all that apply):

- Supplemental Security Income (SSI) State Supplemental Payment (SSP) SNAP (Food Stamps)
 - IHSS (In-Home Supportive Services) CalWORKS or Tribal TANF Medi-Cal
 - County Relief/General Assistance CAPI (Cash Assistance Program for Aged, Blind, and Disabled)
- (Names and relationships to ward or conservatee of persons who receive the public benefits listed above):

b. The gross monthly income of the ward's or conservatee's household (before deductions for taxes) is less than the amount listed below. (If you check 8b, you **must** fill out items 14, 15, and 16 on page 4 of this form.)*

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$460.42 for each extra person.
1	\$1,301.05	3	\$2,221.88	5	\$3,142.71	
2	\$1,761.46	4	\$2,682.30	6	\$3,603.13	

c. The ward's or conservatee's household does not have enough income to pay for its basic needs and the court fees. I ask the court to (check one, and you **must** fill out items 14, 15, 16, 17, and 18 on page 4):*

- (i) Waive all court fees and costs.
- (ii) Waive some court fees and costs.
- (iii) Let the (proposed) guardian or conservator, on behalf of the (proposed) ward or conservatee, make payments over time.

*(Do not include income of guardian or conservator living in the household in 8b or 8c or count him or her in family size in 8b, unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.)

Guardians or petitioners for their appointment must complete items 9 and 10.

9 Ward's Estate: Person only, no estate. Inventory or petition estimated value:

Source (e.g., gift, inheritance, settlement, judgment, insurance): _____ Est. collection date: _____

10 Ward's Parents' Information:

a. Name of ward's father: **Chad Lake** Deceased (date of death): _____

Street or mailing address: **5555 Blue Ocean Blvd**

City: **Newport Beach** State: **CA** Zip: **90000**

Phone: _____

b. Name of ward's mother: **Sandy Beach Sample** Deceased (date of death): **7/8/07**

Street or mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____

c. Ward's parents are (check all that apply): married living together separated divorced

Support order for ward? No Yes Payable to (name): _____

Payor (name): _____

Court: _____ Case Number: _____

Date of order (if multiple, date of latest): _____ Monthly amount: _____

Name of (Proposed) Ward or Conservatee:

Case Number:

Lucy Lou Sample

Conservators or petitioners for their appointment must complete items 11-13.

11 Conservatee's Estate: Person only, no estate.

Inventory or petition estimated value:

Est. collection date:

12 Conservatee's Spouse's or Registered Domestic Partner's Information:

Name of conservatee's spouse or registered domestic partner: _____ Spouse Partner

Date of marriage or partnership: _____ Deceased (date of death): _____

Street or mailing address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Name of employer (if none, so state): _____

Employer's address: _____ State: _____ Zip: _____

The conservatee's spouse or partner is is not managing, or following appointment of a conservator is planning to manage, some or all of the couple's community property outside the conservatorship estate.

If you selected "is" above: The income, money, and property shown on page 4 includes does not include the income and property managed, or expected to be managed, by the spouse/partner outside the estate.

Divorced (date of final judgment or decree): _____

Court: _____

Case Number: _____ Support order for conservatee? No Yes

Date of support order (if multiple, date of latest): _____ Monthly amount: _____

13 The Conservatee and Trusts:

The conservatee:

a. Is Is not a trustor or settlor of a trust.

b. Is Is not a beneficiary of a trust.

If you selected "Is" to complete any of the above statements, identify and provide, in an attachment to this Request, the current address and telephone number of the current trustee(s) of each trust, describe the general terms of and value of each trust and the nature and value of the conservatee's interest in each trust, and the amount(s) and frequency of any distributions to or for the benefit of the conservatee prior to your appointment as conservator of which you are aware. (You may use Judicial Council form MC-025 for this purpose.)

All applicants who checked item 8b or item 8c on page 2 must continue to and follow the instructions for completion of items 14-16 or items 14-18 on page 4, before signing below.

The information I have provided on this form and all attachments about the (proposed) ward or conservatee is true and correct to the best of my information and belief. The information I have provided on this form and all attachments concerning myself is true and correct. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 9/29/2007

Pat Sample
Print your name here

► Pat Sample
Sign here

Name of (Proposed) Ward or Conservatee:

Case Number:

Lucy Lou Sample

If you checked 8a on page 2, do not fill out below. If you checked 8b, you must answer questions 14-16. If you checked 8c, you must answer questions 14-18. If you need more space, attach form MC-025 or attach a sheet of paper, and write "Financial Information" and the ward's or conservatee's name and case number at the top.

14 [] Check here if the ward's or conservatee's income changes a lot from month to month. If it does, complete the form based on his or her average income for the past 12 months.

15 Ward's or Conservatee's Gross Monthly Income
a. List the source and amount of any income the ward or conservatee gets each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.
(1) \$
(2) \$
(3) \$
(4) \$
(5) \$
b. Total monthly income: \$

16 Ward's or Conservatee's Household's Income
a. List the income of all other persons living in the ward's or conservatee's home who depend in whole or in part on him or her for support, or on whom he or she depends in whole or in part for support.
Name Age Relationship Gross Monthly Income
(1) \$
(2) \$
(3) \$
(4) \$
(5) \$
(6) \$
(7) \$
(8) \$
(9) \$
(10) \$
b. Total monthly income of persons above: \$

Total monthly income and household income (15b plus 16b): \$

To list any other facts you want the court to know, such as the (proposed) ward's or conservatee's unusual medical expenses, etc, attach form MC-025 or attach a sheet of paper and write "Financial Information" and the (proposed) ward's or conservatee's name and case number at the top.

Check here if you attach another page. []

Important! If the ward's or conservatee's financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010-GC.

Do not include income of guardian or conservator living in the household in item 16, his or her money and property in item 17, or his or her deductions and expenses in item 18 unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.

17 Ward's or Conservatee's Household's Money and Property
a. Cash \$
b. All financial accounts (list bank name and amount):
(1) \$
(2) \$
(3) \$
c. Cars, boats, and other vehicles
Make / Year Fair Market Value How Much You Still Owe
(1) \$
(2) \$
(3) \$
d. Real estate
Address Fair Market Value How Much You Still Owe
(1) \$
(2) \$

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):
Describe Fair Market Value How Much You Still Owe
(1) \$
(2) \$

18 Ward's or Conservatee's Household's Monthly Deductions and Expenses
a. List any payroll deductions and the monthly amount below:
(1) \$
(2) \$
(3) \$
(4) \$
b. Rent or house payment and maintenance \$
c. Food and household supplies \$
d. Utilities and telephone \$
e. Clothing \$
f. Laundry and cleaning \$
g. Medical and dental expenses \$
h. Insurance (life, health, accident, etc.) \$
i. School, child care \$
j. Child, spousal support (another marriage) \$
k. Transportation, gas, auto repair and insurance \$
l. Installment payments (list each below):
Paid to:
(1) \$
(2) \$
(3) \$
m. Wages/earnings withheld by court order \$
n. Any other monthly expenses (list each below).
Paid to: How Much?
(1) \$
(2) \$
(3) \$
Total monthly expenses (add 18a-18n above): \$

Clerk stamps date here when form is filed.

1 (Proposed) guardian or conservator who asked the court to waive court fees for (proposed) ward or conservatee:

Name: Pat Sample
Street or mailing address: 1234 Main Street
City: San Luis Obispo State: CA Zip: 93401
Telephone: (805) 555-1234

2 Lawyer, if person in 1 has one:

Name: _____ State Bar No: _____
Firm or Affiliation: _____
Street or mailing address: _____
City: _____ State: _____ Zip: _____
E-mail: _____ Telephone: _____

3 (Proposed) ward or conservatee:

Name: Lucy Lou Sample
Street or mailing address: 1234 Main Street
City: San Luis Obispo State: CA Zip: 93401
Telephone: (805) 555-1234

4 Lawyer for (proposed) ward or conservatee, if any:

Name: _____ State Bar No: _____
Firm or Affiliation: _____
Street or mailing address: _____
City: _____ State: _____ Zip: _____
E-mail: _____ Telephone: _____

5 A request to waive court fees was filed on (date): _____

The court made a previous fee waiver order in this case on (date): _____

Read this form carefully. All checked boxes are court orders.

Notice: The court may order you to answer questions about the ward's or conservatee's finances after granting a waiver and may later order payment of the waived fees from his or her estate. If this happens and the fees are not paid, the court can also charge collection fees. The court may also direct you to make efforts to collect money to pay back waived fees from persons who owe a duty to support the ward or conservatee. If there is a change in the ward's or conservatee's financial circumstances during this case that increases his or her ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010-GC.)

If this case is an action against another party and you win the case on behalf of the ward or conservatee, the trial court may order the other side to pay some or all of the waived fees. If you settle the matter for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

The court may also have a lien against the ward's or conservatee's estate that must be paid before the estate is distributed, the guardianship or conservatorship proceeding is concluded, and you are discharged as guardian or conservator.

6 After reviewing your: Request to Waive Court Fees Request to Waive Additional Court Fees the court makes the following orders:

a. The court grants your request concerning the ward's or conservatee's court fees and costs, as follows:

(1) **Fee Waiver.** The court grants your request and waives the fees and costs listed below.

(Cal. Rules of Court, rules 3.55 and 8.818.) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department

(List continued on next page.)

Fill in court name and street address:
Superior Court of California, County of San Luis Obispo
1050 Monterey Street, Room 220
1035 Palm Street, Room 385
San Luis Obispo, CA 93408

Fill in case number and name:
Case Number:

Case Name:
Guardianship of Lucy Lou Sample and Lucas Landon Sample



Name of (Proposed) Ward or Conservatee:

Lucy Lou Sample

Case Number:

- 6 a. (1) Reporter's fee for attendance at hearing or trial, if you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835

(2) **Additional Fee Waiver.** The court grants your request and waives the additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

- Jury fees and expenses Fees for a peace officer to testify in court
- Fees for court-appointed experts Court-appointed interpreter fees for a witness
- Other (*specify*): _____

b. The court **denies** your fee waiver request, as follows:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) The court **denies** your request because it is incomplete. You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the ward's or conservatee's fees and costs, or
- File a new revised request that includes the items listed: Below On Attachment 6b(1)

(2) The court **denies** your request because the information you provided on the request shows that the ward or conservatee is not eligible for the fee waiver for the reasons specified:

Below On Attachment 6b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Ward or Conservatee)(Superior Court)* (form FW-006-GC). You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. (*Use form FW-006-GC to request hearing.*)

c. (1) The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about questions regarding your eligibility specified:

Below On Attachment 6c(1)

(2) Bring the items of proof to support your request, if reasonably available, that are listed:

Below On Attachment 6c(2)



Name of (Proposed) Ward or Conservatee:

Lucy Lou Sample

Case Number:

Warning! If item c is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay the ward's or conservatee's fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

NOTE TO GUARDIAN or CONSERVATOR: If there are unpaid court fees after a denial of a request for a fee waiver, your case—including the guardianship or conservatorship proceeding if the waiver is requested in that matter—might not go forward. After a denial, you may choose to advance the court costs yourself to ensure that the case proceeds. If you or another person is appointed as guardian or conservator, you would have an opportunity to be reimbursed for such advances from the assets of the guardianship or conservatorship estate, if any, as allowable expenses of administration. You might also have the right to reimbursement for advanced court costs from persons with an obligation to support the ward or conservatee from assets not part of his or her estate, such as a parent of the ward, the spouse or registered domestic partner of the conservatee who is managing the couple's community property outside the conservatorship estate, or the trustee of a trust of which the conservatee is a beneficiary.

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;">Hearing Date</div> ➔	Date: _____ Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____ Room: _____	

Date: _____ Signature of (check one): Judicial Officer Clerk, Deputy



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation*, Form MC-410. (Civil Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and (check one):

- I handed a copy of this Order to the party and attorney, if any, listed in ① and ②, at the court, on the date below.
- This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in ① and ②, from (city): _____, California on the date below.
- A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy
Name: _____

This is a Court Order.

This form must be used by a guardian or conservator, or by a petitioner for the appointment of a guardian or conservator, to request a waiver of court fees in the guardianship or conservatorship court proceeding or in any other civil action in which the guardian or conservator represents the interests of the ward or conservatee as a plaintiff or defendant.

If the ward or conservatee (including a proposed ward or conservatee if a petition for appointment of a guardian or conservator has been filed but has not yet been decided by the court) directly receives public benefits or is supported by public benefits received by another for his or her support, is a low-income person, or does not have enough income to pay for his or her household's basic needs and the court fees, you may use this form to ask the court to waive the court fees. The court may order you to answer questions about the finances of the ward or conservatee. If the court waives the fees, the ward or conservatee, his or her estate, or someone with a duty to support the ward or conservatee, may still have to pay later if:

- You cannot give the court proof of the ward's or conservatee's eligibility,
- The ward's or conservatee's financial situation improves during this case, or
- You settle the civil case on behalf of the ward or conservatee for \$10,000 or more. The trial court that waives fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge the ward or conservatee, or his or her estate, any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
San Luis Obispo
1050 Monterey Street, Room 220
1035 Palm Street, Room 385
San Luis Obispo, CA 93408

Fill in case number and name:

Case Number:

Case Name:

1 Your Information (guardian or conservator, or person asking the court to appoint a guardian or conservator):

Name: **Pat Sample** Phone: _____

Street or mailing address: **1234 Main Street**

City: **San Luis Obispo** State: **C** Zip: **93401**

2 Your Lawyer (if you have one): Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

a. The lawyer has agreed to advance all or a portion of court fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here.) Lawyer's signature: _____
If your lawyer is not providing legal-aid type services based on your or the ward's or conservatee's low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

3 Ward's or Conservatee's Information (file a separate Request for each ward in a multiward case):

Name: **Lucas Landon Sample** Age and date of birth (ward only): _____

Street or mailing address: **1234 Main Street** **1 Year** **7/5/06**

City: **San Luis Obispo** State: **CA** Zip: **93401**

Phone: **(805) 555-1234**

4 Ward's or Conservatee's Lawyer, if any: Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

5 Ward or Conservatee's Job (job title; if not employed, so state): **Not Employed**

Name of employer: _____

Employer's address: _____ State: _____ Zip: _____



Name of (Proposed) Ward or Conservatee:

Case Number:

Lucas Landon Sample

6 What court's fees or costs are you asking to be waived?

- Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
- Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

7 Check here if you asked the court to waive court fees for this case in the last six months. (If your previous request is reasonably available, please attach it to this form and check here):

8 Why are you asking the court to waive the ward's or conservatee's court fees?

- a. The ward or one or both of the ward's parents, or the conservatee or the conservatee's spouse or registered domestic partner, receive (check all that apply):
- Supplemental Security Income (SSI) State Supplemental Payment (SSP) SNAP (Food Stamps)
 - IHSS (In-Home Supportive Services) CalWORKS or Tribal TANF Medi-Cal
 - County Relief/General Assistance CAPI (Cash Assistance Program for Aged, Blind, and Disabled)
- (Names and relationships to ward or conservatee of persons who receive the public benefits listed above):

b. The gross monthly income of the ward's or conservatee's household (before deductions for taxes) is less than the amount listed below. (If you check 8b, you **must** fill out items 14, 15, and 16 on page 4 of this form.)*

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$460.42 for each extra person.
1	\$1,301.05	3	\$2,221.88	5	\$3,142.71	
2	\$1,761.46	4	\$2,682.30	6	\$3,603.13	

- c. The ward's or conservatee's household does not have enough income to pay for its basic needs and the court fees. I ask the court to (check one, and you **must** fill out items 14, 15, 16, 17, and 18 on page 4):*
- (i) Waive all court fees and costs.
 - (ii) Waive some court fees and costs.
 - (iii) Let the (proposed) guardian or conservator, on behalf of the (proposed) ward or conservatee, make payments over time.

*(Do not include income of guardian or conservator living in the household in 8b or 8c or count him or her in family size in 8b, unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.)

Guardians or petitioners for their appointment must complete items 9 and 10.

9 Ward's Estate: Person only, no estate. Inventory or petition estimated value:

Source (e.g., gift, inheritance, settlement, judgment, insurance): _____ Est. collection date: _____

10 Ward's Parents' Information:

a. Name of ward's father: **Chad Lake** Deceased (date of death): _____
 Street or mailing address: **5555 Blue Ocean Blvd**
 City: **Newport Beach** State: **CA** Zip: **90000**
 Phone: _____

b. Name of ward's mother: **Sandy Beach Sample** Deceased (date of death): **7/8/07**
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____

c. Ward's parents are (check all that apply): married living together separated divorced
 Support order for ward? No Yes Payable to (name): _____
 Payor (name): _____
 Court: _____ Case Number: _____
 Date of order (if multiple, date of latest): _____ Monthly amount: _____



Name of (Proposed) Ward or Conservatee:

Case Number:

Lucas Landon Sample

Conservators or petitioners for their appointment must complete items 11–13.

- 11 Conservatee's Estate:** Person only, no estate.
 Inventory or petition estimated value: _____ Est. collection date: _____
- 12 Conservatee's Spouse's or Registered Domestic Partner's Information:**
 Name of conservatee's spouse or registered domestic partner: _____ Spouse Partner
 Date of marriage or partnership: _____ Deceased (*date of death*): _____
 Street or mailing address: _____ Phone: _____
 City: _____ State: _____ Zip: _____
 Name of employer (*if none, so state*): _____
 Employer's address: _____ State: _____ Zip: _____
 The conservatee's spouse or partner is is not managing, or following appointment of a conservator is planning to manage, some or all of the couple's community property outside the conservatorship estate.
 If you selected "is" above: The income, money, and property shown on page 4 includes does not include the income and property managed, or expected to be managed, by the spouse/partner outside the estate.
 Divorced (*date of final judgment or decree*): _____
 Court: _____
 Case Number: _____ Support order for conservatee? No Yes
 Date of support order (*if multiple, date of latest*): _____ Monthly amount: _____

- 13 The Conservatee and Trusts:**
 The conservatee:
 a. Is Is not a trustor or settlor of a trust.
 b. Is Is not a beneficiary of a trust.
 If you selected "Is" to complete any of the above statements, identify and provide, in an attachment to this *Request*, the current address and telephone number of the current trustee(s) of each trust, describe the general terms of and value of each trust and the nature and value of the conservatee's interest in each trust, and the amount(s) and frequency of any distributions to or for the benefit of the conservatee prior to your appointment as conservator of which you are aware. (*You may use Judicial Council form MC-025 for this purpose.*)

All applicants who checked item 8b or item 8c on page 2 must continue to and follow the instructions for completion of items 14–16 or items 14-18 on page 4, before signing below.

The information I have provided on this form and all attachments about the (proposed) ward or conservatee is true and correct to the best of my information and belief. The information I have provided on this form and all attachments concerning myself is true and correct. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 9/29/2007

Pat Sample
Print your name here

▶ Pat Sample
Sign here



Name of (Proposed) Ward or Conservatee:

Case Number:

Lucas Landon Sample

If you checked 8a on page 2, do not fill out below. If you checked 8b, you **must** answer questions 14–16. If you checked 8c, you **must** answer questions 14–18. If you need more space, attach form MC-025 or attach a sheet of paper, and write "Financial Information" and the ward's or conservatee's name and case number at the top.

14 Check here if the ward's or conservatee's income changes a lot from month to month. If it does, complete the form based on his or her average income for the past 12 months.

15 Ward's or Conservatee's Gross Monthly Income
a. List the source and amount of any income the ward or conservatee gets each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
(5) _____ \$ _____
b. Total monthly income: \$ _____

16 Ward's or Conservatee's Household's Income
a. List the income of all other persons living in the ward's or conservatee's home who depend in whole or in part on him or her for support, or on whom he or she depends in whole or in part for support.
Name Age Relationship Gross Monthly Income
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
(5) _____ \$ _____
(6) _____ \$ _____
(7) _____ \$ _____
(8) _____ \$ _____
(9) _____ \$ _____
(10) _____ \$ _____
b. Total monthly income of persons above: \$ _____

Total monthly income and household income (15b plus 16b): \$ _____

17 Ward's or Conservatee's Household's Money and Property
a. Cash \$ _____
b. All financial accounts (list bank name and amount):
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
c. Cars, boats, and other vehicles
Make / Year Fair Market Value How Much You Still Owe
(1) _____ \$ _____ \$ _____
(2) _____ \$ _____ \$ _____
(3) _____ \$ _____ \$ _____
d. Real estate
Address Fair Market Value How Much You Still Owe
(1) _____ \$ _____ \$ _____
(2) _____ \$ _____ \$ _____
e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):
Describe Fair Market Value How Much You Still Owe
(1) _____ \$ _____ \$ _____
(2) _____ \$ _____ \$ _____

18 Ward's or Conservatee's Household's Monthly Deductions and Expenses
a. List any payroll deductions and the monthly amount below:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
b. Rent or house payment and maintenance \$ _____
c. Food and household supplies \$ _____
d. Utilities and telephone \$ _____
e. Clothing \$ _____
f. Laundry and cleaning \$ _____
g. Medical and dental expenses \$ _____
h. Insurance (life, health, accident, etc.) \$ _____
i. School, child care \$ _____
j. Child, spousal support (another marriage) \$ _____
k. Transportation, gas, auto repair and insurance \$ _____
l. Installment payments (list each below):
Paid to:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
m. Wages/earnings withheld by court order \$ _____
n. Any other monthly expenses (list each below).
Paid to: How Much?
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
Total monthly expenses (add 18a–18n above): \$ _____

To list any other facts you want the court to know, such as the (proposed) ward's or conservatee's unusual medical expenses, etc, attach form MC-025 or attach a sheet of paper and write "Financial Information" and the (proposed) ward's or conservatee's name and case number at the top.
Check here if you attach another page.
Important! If the ward's or conservatee's financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010-GC.

Do not include income of guardian or conservator living in the household in item 16, his or her money and property in item 17, or his or her deductions and expenses in item 18 unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.

Clerk stamps date here when form is filed.

1 (Proposed) guardian or conservator who asked the court to waive court fees for (proposed) ward or conservatee:
 Name: Pat Sample
 Street or mailing address: 1234 Main Street
 City: San Luis Obispo State: CA Zip: 93401
 Telephone: (805) 555-1234

2 Lawyer, if person in 1 has one:
 Name: _____ State Bar No: _____
 Firm or Affiliation: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 E-mail: _____ Telephone: _____

3 (Proposed) ward or conservatee:
 Name: Lucas Landon Sample
 Street or mailing address: 1234 Main Street
 City: San Luis Obispo State: CA Zip: 93401
 Telephone: (805) 555-1234

4 Lawyer for (proposed) ward or conservatee, if any:
 Name: _____ State Bar No: _____
 Firm or Affiliation: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 E-mail: _____ Telephone: _____

5 A request to waive court fees was filed on (date): _____
 The court made a previous fee waiver order in this case on (date): _____

Fill in court name and street address:
Superior Court of California, County of San Luis Obispo
 1050 Monterey Street, Room 220
 1035 Palm Street, Room 385
 San Luis Obispo, CA 93408

Fill in case number and name:
Case Number:

Case Name:
 Guardianship of Lucy Lou Sample and Lucas Landon Sample

Read this form carefully. All checked boxes are court orders.

Notice: The court may order you to answer questions about the ward's or conservatee's finances after granting a waiver and may later order payment of the waived fees from his or her estate. If this happens and the fees are not paid, the court can also charge collection fees. The court may also direct you to make efforts to collect money to pay back waived fees from persons who owe a duty to support the ward or conservatee. If there is a change in the ward's or conservatee's financial circumstances during this case that increases his or her ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010-GC.)

If this case is an action against another party and you win the case on behalf of the ward or conservatee, the trial court may order the other side to pay some or all of the waived fees. If you settle the matter for **\$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

The court may also have a lien against the ward's or conservatee's estate that must be paid before the estate is distributed, the guardianship or conservatorship proceeding is concluded, and you are discharged as guardian or conservator.

6 After reviewing your: **Request to Waive Court Fees** **Request to Waive Additional Court Fees**
the court makes the following orders:

a. The court grants your request concerning the ward's or conservatee's court fees and costs, as follows:
 (1) **Fee Waiver.** The court grants your request and waives the fees and costs listed below.
(Cal. Rules of Court, rules 3.55 and 8.818.) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department

(List continued on next page.)

Name of (Proposed) Ward or Conservatee:

Lucas Landon Sample

Case Number:

- 6 a. (1)
- Reporter's fee for attendance at hearing or trial, if you request that the court provide an official reporter
 - Assessment for court investigations under Probate Code section 1513, 1826, or 1851
 - Preparing, certifying, copying, and sending the clerk's transcript on appeal
 - Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
 - Making a transcript or copy of an official electronic recording under rule 8.835

(2) **Additional Fee Waiver.** The court grants your request and waives the additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

- | | |
|---|---|
| <input type="checkbox"/> Jury fees and expenses | <input type="checkbox"/> Fees for a peace officer to testify in court |
| <input type="checkbox"/> Fees for court-appointed experts | <input type="checkbox"/> Court-appointed interpreter fees for a witness |
| <input type="checkbox"/> Other (<i>specify</i>): _____ | |

b. The court **denies** your fee waiver request, as follows:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) The court **denies** your request because it is incomplete. You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the ward's or conservatee's fees and costs, or
- File a new revised request that includes the items listed: Below On Attachment 6b(1)

(2) The court **denies** your request because the information you provided on the request shows that the ward or conservatee is not eligible for the fee waiver for the reasons specified:

- Below On Attachment 6b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Ward or Conservatee)(Superior Court)* (form FW-006-GC). You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. (*Use form FW-006-GC to request hearing.*)

c. (1) The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about questions regarding your eligibility specified:

- Below On Attachment 6c(1)

(2) Bring the items of proof to support your request, if reasonably available, that are listed:

- Below On Attachment 6c(2)

Name of (Proposed) Ward or Conservatee:

Case Number:

Lucas Landon Sample

Warning! If item c is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay the ward's or conservatee's fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

NOTE TO GUARDIAN or CONSERVATOR: If there are unpaid court fees after a denial of a request for a fee waiver, your case—including the guardianship or conservatorship proceeding if the waiver is requested in that matter—might not go forward. After a denial, you may choose to advance the court costs yourself to ensure that the case proceeds. If you or another person is appointed as guardian or conservator, you would have an opportunity to be reimbursed for such advances from the assets of the guardianship or conservatorship estate, if any, as allowable expenses of administration. You might also have the right to reimbursement for advanced court costs from persons with an obligation to support the ward or conservatee from assets not part of his or her estate, such as a parent of the ward, the spouse or registered domestic partner of the conservatee who is managing the couple's community property outside the conservatorship estate, or the trustee of a trust of which the conservatee is a beneficiary.

Hearing Date →	Date: _____ Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____ Room: _____	

Date: _____
Signature of (check one): Judicial Officer Clerk, Deputy



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation*, Form MC-410. (Civil Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and (check one):

- I handed a copy of this Order to the party and attorney, if any, listed in ① and ②, at the court, on the date below.
- This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in ① and ②, from (city): _____, California on the date below.
- A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy
Name: _____

This is a Court Order.