



# Guardianship Of The Person Case Map

## Overview of the Guardianship Process

Guardianship is a court proceeding in which a judge gives someone who is not the parent custody of a child under the age of 18. This type of Guardianship is called "Guardianship of the Person". To ask to become a guardian, you fill out and file papers in court. This packet will show you how. It explains seven steps. Read this whole page so you know where to start and what to do next. Establishing a Guardianship can become very complicated. The basic steps are listed below; however, you may need help with this process.

### COMMONLY USED WORDS

**Guardian:** An adult who is appointed by the court to have custody of the minor.

**Guardianship:** A Court order that allows an adult who is not the parent of a minor, to have custody of the minor.

**Minor (ward):** The child whom the proposed Guardian wants the Guardianship over.

**Diligent Search** — an extensive effort to locate and document a person for service.

**Probate Calendar Notes** — written summary of your case prepared by a Probate File Examiner.

- ❑ **Step 1: Fill out the Court Forms** To begin, complete the necessary court forms. You can find these forms online at [www.courts.ca.gov](http://www.courts.ca.gov) or at the courthouse. Turn to page 2 for a list of required papers and instructions on filling them out.
- ❑ **Step 2: Turn in (File) Your Documents** Submit your documents either in person, via drop box, or by mail to the William R. Ridgeway Family Relations Courthouse. You can also electronically file your documents.
- ❑ **Step 3: Create an Online Portal Account** Set up an online portal account to access your case file. You'll receive email notifications when new documents are added. Turn to page 3 for instructions.
- ❑ **Step 4: Notify Relevant Parties** Arrange for someone other than yourself to notify certain individuals about the petition and court hearing at least 15 days beforehand. You must do this even if you think they don't care or may disagree with you. Refer to page 4 for instructions.
- ❑ **Step 5: Court Investigation** A court investigator will conduct an in home visit, and provide a written report to the judicial officer, proposed guardian, minor (if 12 or older), parents, and grandparents.
- ❑ **Step 6: Clear Probate Calendar Notes.** You will receive a written review of your case by a Probate File Examiner through the Online Portal prior to your hearing. Follow instructions to address any issues before the hearing.
- ❑ **Step 7: Attend Your Hearing** Appear at your guardianship hearing where the judicial officer will decide based on the best interest of the minor. If approved, you'll receive the Order Appointing Guardian and Letters of Guardianship.



### Consider Alternatives

Before filing for Guardianship, have you considered if an alternative to a formal court order would be appropriate? There are other ways that are efficient and easy to take responsibility for a minor without going through the legal process. The Caregivers Authorization, a notarized statement regarding physical custody, or asking the court to join an existing family law custody case are examples of alternatives.

## Additional Information and Resources

1. The Self Help Center at the Sacramento County Superior Court offers a monthly workshop on the second and fourth Monday of each month. You may contact the Self Help Center through the Court's website or by visiting the Self Help Center in person. Current hours are posted on the Sacramento County Superior Court website. [saccourt.ca.gov/family/self-help-center.aspx](http://saccourt.ca.gov/family/self-help-center.aspx)
2. The Sacramento County Public Law Library's Self Help at the Law Library (SH@LL) aids with completing guardianship forms. All assistance is provided by telephone appointment. To request an appointment, call: (916) 476-2731 or visit [saclaw.org/services/civil-self-help](http://saclaw.org/services/civil-self-help)
3. Additional legal resources including Alternatives to Guardianship can be found on the Judicial Council website: [selfhelp.courts.ca.gov](http://selfhelp.courts.ca.gov)

### Step 1: Forms



#### FILL OUT THE COURT FORMS:

- ☐ GC-210(P) — Petition for Appointment of Guardian of the Person
- ☐ GC-210 (CA) — Child Information Attachment to Probate Guardianship Petition  
*One of these forms must be completed for each minor.*
- ☐ ICWA-010(A) — Indian Child Inquiry Attachment  
*One of these forms must be completed for each minor.*
- ☐ GC-212 — Confidential Guardian Screening Form  
*If more than one Guardian is requesting Guardianship, one of these forms must be completed by each Guardian*
- ☐ PR/E-LP-008 — Confidential Guardian Screen Form Additional Page  
*This is a local form.*
- ☐ FL-105/GC-120 — Declaration Under Uniform Child Custody and Jurisdiction and Enforcement Act
- ☐ GC-248 — Duties of Guardian  
*Each Guardian must sign this form.*
- ☐ GC-240 — Order Appointing Guardian  
*Complete the caption only.*
- ☐ GC-250 — Letters of Guardianship  
*Complete the caption only.*
- ☐ PR/E-LP-053 — Probate Case Participant Enrollment Form  
*Include a copy of your photo ID*
- ☐ GC-020 — Notice of Hearing  
*Complete pg. 1, except item 4a, and only the top part of pg. 2*

You can get these forms in person at the Self Help Center (Room 113) or in Probate (Room 214) or download forms at [saccourt.ca.gov/probate/guardianship.aspx](http://saccourt.ca.gov/probate/guardianship.aspx).

## Step 2:

### File



Case Number:

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Hearing Date:

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## TURN IN (FILE) YOUR DOCUMENTS

There is a \$225 fee to file your forms. If you cannot afford the filing fees, you can ask the Court to waive the filing fees by completing the following forms:

FW-001-GC — Request to Waive Court Fees (Ward or Conservatee)

FW-003-GC — Order on Court Fee Waiver (Ward or Conservatee)

You may file your documents in person, via the drop box, or by mail at the William R. Ridgeway Family Relations Courthouse, 3341 Power Inn Road, Sacramento, CA 95826.

You can also e-file your documents at the web address below.

**E-File:** [saccourt.ca.gov/probate/e-filing.aspx](http://saccourt.ca.gov/probate/e-filing.aspx)

*What happens now that you have filed for Guardianship? A hearing date has been set for you to go to court. You will need to give notice to interested parties before your hearing date. See Step 4 for instructions and information.*

## Step 3:

### Portal Access



## CREATE A PUBLIC PORTAL ACCOUNT

To access your case file online, you will need to create an account on the Public Portal.

Once you have created your account, you can set up notifications. When new documents are added to your case file, you will receive an email. For example, when the Probate File Examiner publishes the Probate Calendar Notes, you will get an email notification that they are available for your review.

You can also download documents from your case file through the Public Portal.

*Scan the QR Code or visit the web address to set up your account:*  
[prod-portal-sacramento-ca.journaltech.com/public-portal/?q=user/register](http://prod-portal-sacramento-ca.journaltech.com/public-portal/?q=user/register)

*More information and instructions can be found on the Public Portal Access Assistance handout included in this packet.*

## Step 4:

### Service



## NOTIFY RELEVANT PARTIES

After filing your case, the law says you must “give notice” to certain people at least 15 days before your hearing date . This means someone — **not you** — 18 years and older, must “serve” (give) copies of your Court forms either personally or by mail to those people and agencies so they will know you are asking to be a child’s guardian. You are responsible for arranging service of these forms:

- ☐ Petition for Appointment of Guardianship of the Person (including any attachments), GC-210(P)
- ☐ Notice of Hearing (with the hearing date filled in), GC-020

### THERE ARE TWO KINDS OF NOTICE: PERSONAL AND BY MAIL

**Personal** notice means the server personally hands the papers to someone.

You must give personal notice to:

- The parents (or the person(s) with legal custody of the child now)
- The child you want to be guardian to, if the child is 12 years or older

Your server must personally serve (give) a copy of the Notice of Hearing and Petition for Appointment of Guardian and all attachments you filled out at least 15 days before the Court hearing.

**Mail** notice means the server can mail the papers to those people who need to receive notice.

You can use mail to give notice to:

- The child’s grandparents (parents of the child’s mother and parents of the child’s father)
- The child’s brothers and sisters, if they are 12 years or older
- Half-brothers and half-sisters (from either parent), if they are 12 years or older

Your server must serve (mail) a copy of the Notice of Hearing and Petition for Appointment of Guardian and all attachments you filled out at least 15 days before the Court hearing.

### What do I do with the Proof of Service once the forms are served?

If the forms were served by personal delivery, the person who served the forms fills out a Proof of Personal Service of Notice of Hearing-Guardianship form (GC-020(P)). If the forms were served by mail, the person who served the forms fills out the Proof of Service by Mail on page 2 of the Notice of Hearing form (GC-020). After the forms have been properly filled out, signed and dated, make two copies and file the forms at least 5 days before your hearing.

## Step 5: Investigation



### COURT INVESTIGATION

An in person home visit will be conducted by a Probate Court Investigator prior to the hearing. Anybody who lives in the home may be interviewed.

The investigator will prepare a confidential written report and provide it to the judicial officer, the proposed guardian, the minor if 12 years or older, parents of the child, and grandparents.

There is a separate assessment fee for the investigation that is covered as part of a court granted fee waiver. The Investigator will make a recommendation to the Court to waive this assessment fee, regardless of fee waiver status.

## Step 6: Probate Notes



### CLEAR PROBATE CALENDAR NOTES

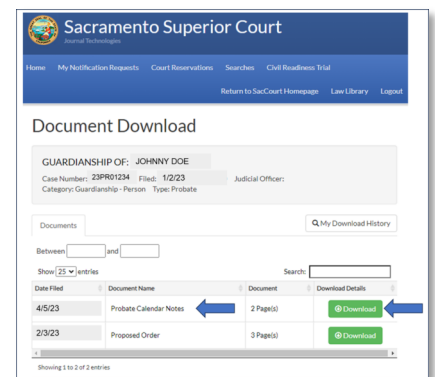
A written review of your case is prepared by a Probate File Examiner 10 to 12 days prior to your upcoming hearing. Below we have provided you with information on how to check for probate notes, what you will find in those notes, and how to respond to your notes.

At least 5 court days before your hearing date, you will need to file a response to the **probate calendar notes**. Follow these instructions to clear your probate notes:

1

#### Download Your Probate Notes

Probate calendar notes can be accessed through the Public Portal. If you have not created an account, please see the included handout. Once you have downloaded your probate calendar notes, review them for deficiencies that need to be addressed before your hearing.



2

#### Complete the Required Forms

For each needed item, you must let the court know what you have done or if documents have been filed. You can use local form **Response to Calendar Notes (PR/E-LP-022)** to respond to the court.

3

#### File Your Response

When your Response to Probate Calendar Notes is finished, you will need to file it with the court at least 5 Court days before your hearing. You can file your documents in person at the courthouse or via e-filing. There is no fee to file your response.

(Continued on Next Page)



## Step 6:

### Probate Notes

*Continued*

### Understanding Your Probate Notes

The Probate Calendar Notes contain an informational brief summary of the case, including the names of the parties involved, the reason for the hearing, and any deficiencies (errors or missing items). Some common deficiencies are missing proof of services, incomplete proposed orders, missing proposed orders, errors in the petitions that need to be addressed, etc.

The following is an explanation of the sections you will find when you review the calendar notes.

**Recommendation:** The Probate File Examiner will make a recommendation to the judicial officer for the hearing. They will advise the court if the case should be continued to allow you to correct any mistakes or to file the missing paperwork.

**Requests:** This section contains a short explanation of what the Petition for Guardianship is asking the court to make orders on. This section may also contain information on prior petitions or hearings associated with the parties or case.

**Deficiencies:** Items that are missing from your case file or errors on case documents will be detailed here. The Probate File Examiner will identify the item that is needed and provide some guidance on what needs to be corrected or completed to resolve the deficiency.

**Questions:** If the Probate File Examiner has any questions that need clarification, it will appear here.

**Proposed Order:** When you filed your Petition, you should have also filed a proposed order. The file examiner will let the court know if you have provided a proposed order in this section.

#### SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO

24PR09999: GUARDIANSHIP OF: Susan R. Sample  
Probate Notes for 03/15/2024 General Guardianship in Department 129

PETITION FOR GUARDIANSHIP OF THE PERSON (filed 11/20/2023)

Petitioner/Proposed Guardian: Sharon R. Sample (Grandmother)  
In Pro Per

Minor: SUSAN RENEE SAMPLE

Objector: SALLY SAMPLE (mother)  
Objection filed 02/21/2024; no proof of service filed

**Relatives:**  
Mother: SALLY SAMPLE (appeared)  
Father: STEVEN R. SAMPLE (deceased)  
Mat. Grandmother: SHARON R. SAMPLE  
Mat. Grandfather: SIMON SAMPLE  
Pat. Grandmother: deceased  
Pat. Grandfather: deceased

**Recommendation**  
Judicial Review required.

**Requests**  
Petitioner SHARON R. SAMPLE (grandmother) requests that the court grant a guardianship of the person over SUSAN RENEE SAMPLE.

Per Petition, Minor currently resides with SHARON R. SAMPLE (grandmother).

**Deficiencies**  
NEEDED: A Notice of Hearing with Proof of Service by MAIL (Judicial Council Form GC-020) (or Declaration of Diligent Search (local form LP-010) regarding efforts to identify and/or locate for service) with a copy of Petition at least 15 days prior to the date for hearing is needed for the following persons: MATERNAL GRANDFATHER

NEEDED: Child Information Attachment to Probate Guardianship Petition (GC-210(CA)) is incomplete. Petitioner must complete sections: 5

**Questions**  
No questions.

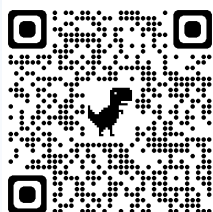
**Proposed Order**  
A proposed order has been submitted for review.

Updated by J. Court 03/01/2024

### Step 7: Hearing



Scan for  
Zoom Instructions



### ATTEND YOUR HEARING

Guardianship hearings are held in Department 129, on the second floor of the courthouse, on Friday mornings at 9:00 a.m. We encourage you to attend in person. Assistance may be available in court if you do so. If you prefer to attend by Zoom, you do not need to file a Notice of Remote Appearance (RA-010) with the court.

At the hearing, the judicial officer will make a decision as to whether or not a guardianship is in the best interest of the minor. If the judicial officer decides a guardianship is appropriate, they will sign the **Order Appointing Guardian or Extending Guardianship of the Person (GC-240)**. Once signed, the deputy clerk can issue the **Letters of Guardianship (GC-250)** which provides proof you have been appointed as the guardian of the minor.

The **Letters of Guardianship (GC-250)** are a legal document that details out the powers (legal authority) that you have been given by being appointed as the guardian of the child. Once issued, you become legally responsible for the child and these letters provide you with the necessary legal documentation to enroll the minor in school, seek medical care, provide permission to get a driver's license, etc.

### Tips for the Hearing

- Children under 18 are typically not allowed in the courtroom, unless the judge asks to speak with them. The child will need to either wait outside in the lobby (if supervised) or free child care is provided through the YMCA Child Care Center located on the first floor.
- You may need to wait for your hearing to be called. Other people also have hearings scheduled on the same day and time.
- When your case is called, you will sit at a table in front of the judicial officer. If the child's parents or objectors are present, they will also be seated at the table. If you aren't sure where to sit, ask a court staff person. Make sure to follow the bailiff's instructions on your hearing day.

Be prepared to answer questions during the hearing. All conversation should be directed to the Judicial Officer. The court may examine the person who is to be appointed a guardian, and they may question you based on your relationship to the minor, your background, and your willingness and qualifications to be the guardian. Write out what you plan to say or who you plan to bring with you.

### COURTHOUSE INFORMATION

#### William R. Ridgeway Family Relations Courthouse

3341 Power Inn Road, Sacramento, CA 95826.

**Business Hours:** 8:30 a.m. to 4:00 p.m., Monday through Friday (excluding court holidays)

**Building Hours:** 8:00 a.m. to 5:00 p.m., Monday through Friday

**Self Help Center (Room 113) Hours:** 8:30 am to 12:00 pm, Monday through Friday,  
1:30 pm to 4:00 pm, Monday through Thursday.

Public/Visitor parking is available in the lot east of the courthouse. The fee for parking is \$2.00 for the first two hours, and \$1.00 for each additional hour, with a maximum of \$8.00 per day.

# Petition for Appointment of Guardian of the Person

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

*Clerk stamps date here when form is filed.*

***You may use this form or the Petition for Appointment of Guardian of Minor (form GC-210) to petition, or ask, the court to appoint a guardian of the person. (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. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

- 2) Your address and telephone number:**

Street: \_\_\_\_\_ Apt.: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

- 3** ☐ **Your Lawyer** (if you have one):

Name: \_\_\_\_\_ Bar No.: \_\_\_\_\_

*Firm name, if any:*

Street: \_\_\_\_\_ Suite: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: 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: \_\_\_\_\_

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*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.: \_\_\_\_\_

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*City:* \_\_\_\_\_ *State:* \_\_\_\_\_ *Zip:* \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

\*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> ):	Case Number:

- 5 The proposed guardian named in ① or ④ is** (*check all that apply*):
- a. ☐ Related to the child or children named in ⑧, as shown in item 3 of the child's or children's attached *Guardianship Petition—Child Information Attachment* (form(s) GC-210(CA)).
  - b. ☐ Not related to the child or children named in ⑧.
  - c. ☐ A nominee of a parent of one or more of the children named in ⑧, as shown in item 5 of the child's or children's attached *Guardianship Petition—Child Information Attachment* (form(s) GC-210(CA)).
- 6** ☐ **Check this box if you checked the box in item 5b (guardian unrelated to child or children).** *Answer the question in item a and check the box in item b or c. If you check the box in c, provide the signed statement of the proposed guardian on a separate sheet of paper. Write "Form GC-210(P)—Attachment 6: Statement of Unrelated Guardian" at the top of the paper and attach it to this form.*
- a. Does the proposed guardian run a licensed foster family home? ☐ Yes ☐ No
  - b. ☐ I am the proposed guardian. I will promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services.
  - c. ☐ I am **not** the proposed guardian. The signed statement of the proposed guardian agreeing to promptly furnish any information requested by an agency investigating an adoption or a local agency designated by the county to provide public social services is attached to this form as Attachment 6.
- 7** ☐ **A person other than the proposed guardian(s) named in ① or ④ has been nominated in a will or other writing as guardian of the child or children named in ⑧. A copy of the written nomination is attached.** *Write "Form GC-210(P)—Attachment 7: Nomination of Another Person as Guardian" at the top of the writing and attach it to this form. Fill in the nominated person's name and address in item 2 of the Guardianship Petition—Child Information Attachment (form GC-210(CA)) for each child for whom the person was nominated as guardian.*
- 8 Tell the court about the child or children who need a guardian.**  
*Fill out and attach to this form a separate copy of Guardianship Petition—Child Information Attachment (form GC-210(CA)) for each child named below. Show all children's names at the top of all pages of this form. Fill out and attach to this form a Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105/GC-120) concerning all children 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: \_\_\_\_\_ Date of birth: \_\_\_\_\_  

First
Middle
Last
Month/Day/Year
  - b. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  

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> ):	<b>Case Number:</b>

**10** c. ☐ Make the following additional orders (*specify*):

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☐ 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*):

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**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: \_\_\_\_\_ *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): \_\_\_\_\_

This child's name: \_\_\_\_\_

Fill out a separate copy of this form for **each child** for whom your petition asks the court to appoint a guardian.**This form is attached to the Petition,** ☐ **form GC-210, item 2,** or ☐ **form GC-210(P), item 8.**The petition asks the court to appoint a guardian of this child's (specify): ☐ person ☐ estate ☐ person and estate.**1 Tell the court about this child**a. Child's full legal name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
First Middle Last mm/dd/yyyyb. Child's current address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Indian child inquiry (Complete only if your petition asks the court to appoint a guardian of this child's person or person and estate. If your petition asks the court to appoint a guardian of this child's estate only, skip this item and go to item 1d.)

☐ I have asked whether the child is or may be a member of one or more Indian tribes recognized by the federal government, or eligible for membership in such a tribe and the biological child of a tribal member, and whether the child or parents live or are domiciled on a reservation or rancheria or in an Alaskan Native village. Form ICWA-010(A), *Indian Child Inquiry Attachment*, is attached to this form.☐ I have not asked about the child's Indian heritage because the parents are unavailable or deceased.

(For more information about your duties under the federal Indian Child Welfare Act (ICWA) (25 U.S.C. §§ 1901–1963) and California law, including making the inquiry and completing form ICWA-010(A) if the child is or may be an Indian child, see Information Sheet on Indian Child Inquiry Attachment 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 married in the past but the marriage was dissolved or ended in divorce? ☐ Yes ☐ No  
(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)e. Is this child receiving public benefits? ☐ Yes ☐ No ☐ I don't know (If you checked "Yes," fill in below.)

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
<input type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$	<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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_g. ☐ (Check this box and fill out below if the person the child lives with is **not** the person in f. with legal custody.)  
Name and address of the person this child lives with (who takes care of the child): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

**1 Tell the court about this child (continued)**

- h. ☐ (Check this box if this child has been involved in an adoption, juvenile court, marriage dissolution (divorce), domestic relations, child custody, or other similar court case.) Describe the court case below:

Type of Case	Court District or County and State or Tribe	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 State Hospitals.) Write the name of the institution here:

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

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

- ☐ (Check here if this child has additional relatives, including parents, grandparents, siblings, or half-siblings, 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 Relatives" at the top of the paper and attach it to this form.)





Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

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

Relationship	Name	Home Address (Street, City, State, Zip)
Spouse (Guardianship of the estate only)	_____	_____
Person nominated as guardian of this child (if someone other than a proposed guardian named in 3)	_____	_____
Indian custodian (if any)	_____	_____
Child's tribe (if any and if known)	_____	_____
<input type="checkbox"/> (Check here if there is more than one tribe that the child may be eligible for membership in, and list the names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of the child, and "Attachment 2: Child's tribes" at the top of the paper and attach it to this form.)		

**3 Information about the proposed guardian:**

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

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

☐ Relative (specify relationship(s) to the child of each proposed relative guardian):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Not a relative (explain interest in or connection to this child):  
\_\_\_\_\_  
\_\_\_\_\_

c. Did the child's parent(s) nominate the proposed guardian(s)? ☐ Yes ☐ No ☐ I don't know  
(If you checked "Yes," attach the written nomination as Attachment 3c.)

d. Does this child currently live with the proposed guardian(s)? ☐ Yes ☐ No ☐ I don't know  
If "Yes," how long has the child lived with the proposed guardian(s)? (years, months): \_\_\_\_\_

e. If the court approves the guardianship, will this child live with the proposed guardian(s)? ☐ Yes ☐ No

f. Does/do the proposed guardian(s) currently plan to adopt this child? ☐ Yes ☐ No ☐ I don't know

**4 Explain why appointing a guardian for the child named in 1 would be in the child's best interest:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ (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: Guardianship—Best Interest of Child" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): \_\_\_\_\_

Case Number: \_\_\_\_\_

This child's name: \_\_\_\_\_

5 Explain why appointing the person named in 3 to be this child's guardian would be in the child's best interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ (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 5: Proposed Guardian—Best Interest of Child" at the top of the paper and attach it to this form.)

6 a. Does one or do both of this child's parents agree:

(1) That the court needs to appoint a guardian for the child?

Parent (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

Parent (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

(2) That the person named in 3 should be the child's guardian?

Parent (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

Parent (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

b. If the child is an Indian child and in the care and custody of an Indian custodian, does the Indian custodian agree:

(1) That the court needs to appoint a guardian for the child?

Custodian (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

(2) That the person named in 3 should be the child's guardian?

Custodian (name): \_\_\_\_\_ ☐ Yes ☐ No ☐ I don't know

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

Your relationship to this child:

☐ Relative (specify relationship): \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 Except as otherwise stated in this form, the statements made in the petition to which this form is attached fully apply to this child.

CHILD'S NAME:	CASE NUMBER:
---------------	--------------

1. Name of child:

2. (Check one)

☐ I have not yet been able to complete the inquiry about the child's Indian status because:

I understand that I have an affirmative and continuing duty to complete this inquiry. I will do it as soon as possible and advise the court of my efforts.

☐ I have asked or ☐ I am advised by \_\_\_\_\_ and on information and belief confirm that this person has completed inquiry by asking the child, the child's parents, and other required and available persons about the child's Indian status. The person(s) questioned are:

Name:

Name:

Address:

Address:

City, state, zip:

City, state, zip:

Telephone:

Telephone:

Date questioned:

Date questioned:

Relationship to child:

Relationship to child:

☐ Additional persons questioned and their information is attached.

3. This inquiry (*check one*):

☐ gave me reason to believe the child is or may be an Indian child. (*If yes, continue to 4.*)

☐ gave me no reason to believe the child is or may be an Indian child.

4. ☐ I contacted the tribe(s) that the child may be affiliated with and worked with them to establish whether the child is a member or eligible for membership in the tribe(s). Information detailing the tribes contacted, the names of the individuals contacted, and the manner of the contacts is attached.

5. Based on inquiry and tribal contacts (*check all that apply*):

a. ☐ The child is or may be a member of or eligible for membership in a tribe.

Name of tribe(s):

Location of tribe(s):

b. ☐ The child's parents, grandparents, or great-grandparents are or were members of a tribe.

Name of tribe(s):

Location of tribe(s):

c. ☐ The residence or domicile of the child, child's parents, or Indian custodian is on a reservation, rancheria, Alaska Native village or other tribal trust land.

d. ☐ 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).

e. ☐ The child is or has been a ward of a tribal court.

Name of tribe(s):

Location of tribe(s):

f. ☐ Either parent or the child possesses an Indian Identification card indicating membership or citizenship in an Indian tribe.

Name of tribe(s):

Location of tribe(s):

6. If this is a delinquency proceeding under Welfare and Institutions Code section 601 or 602:

☐ The child is in foster care.

☐ It is probable the child will be entering foster care.

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

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):          TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE  OF (Name): 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)

GUARDIAN OF (Name):	MINOR	CASE NUMBER:
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- 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)



GUARDIAN OF (Name):

MINOR

CASE NUMBER:

- 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** 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)

GUARDIAN OF (Name):	MINOR	CASE NUMBER:
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- 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 a 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. Attorneys 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)

GUARDIAN OF (Name):

MINOR

CASE NUMBER:

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:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(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):          TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:			
GUARDIANSHIP OF (Name):          MINOR		CASE NUMBER:	
<b>CONFIDENTIAL GUARDIAN SCREENING FORM</b> Guardianship of <input 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):**  
b. Date of birth:  
c. Social security number:  
d. Driver's license number:  
e. Telephone numbers: Home: Work: Other: State:
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

## GC-212

GUARDIANSHIP OF <i>(Name)</i> :	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:  | School ( <i>name</i> ): |                  |
|     | Home telephone:  | School telephone:       | Other telephone: |
| 21. | Minor's name:  | School ( <i>name</i> ): |                  |
|     | Home telephone:  | School telephone:       | Other telephone: |
| 22. | Minor's name:  | School ( <i>name</i> ): |                  |
|     | 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:

(TYPE OR PRINT NAME OF PROPOSED GUARDIAN)

(SIGNATURE OF PROPOSED GUARDIAN)\*

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



**CONFIDENTIAL GUARDIAN SCREENING FORM**  
**Additional Page**

CASE NUMBER: \_\_\_\_\_

HEARING DATE: \_\_\_\_\_

The Probate Court assigns an Investigator to all Guardianship petitions. The Investigator will use the information on this page to gather background information related to your petition. You must fully disclose all of the requested information to help expedite your case. Include all names that every person listed below has ever used.

1. Proposed guardian's name:
2. Proposed guardian's employer and address and telephone number of employment:

3. Name of proposed guardian's ~ spouse ~ partner:

4. Name of all people residing in the proposed guardian's household:

Name: Birthdate: Relationship

to proposed guardian:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Check here if you need more space. Put all additional information on Form MC-020.

5. Name, address, telephone number and date of birth for minor's mother :

6. Name, address, telephone number and date of birth for each minor's father:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<i>(This section applies to cases other than probate guardianships.)</i> PETITIONER: RESPONDENT: OTHER PARTY: CHILD'S NAME (Juvenile cases only):	
<i>(This section applies only to probate guardianship cases.)</i> GUARDIANSHIP OF (name):	CASE NUMBER:
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	

1. I am (check one): ☐ a party to this proceeding to determine custody of a child ☐ the authorized representative of the agency, which is a party to this proceeding to determine custody of a child.

2. There are (specify number): \_\_\_\_\_ minor children who are subject to this proceeding, as follows (list oldest child first):

Full Name	Date of birth	Place of birth (city and state)
a.		
b.		
c.		
d.		

☐ Check this box if you need to list more children. (On form \_\_\_\_\_ or a separate piece of paper, write "FL-105, Attachment 2, Additional Children" at the top, provide all requested information for each additional child, and attach to this form.)

3. a. ☐ Check this box if there is only one child or if all of the children listed in item 2 have lived together for the past five years. (Provide the current address of the child listed in item 2a and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)

Dates of residence (Month/Year)		Residence (City, State)	Person child lived with and complete current address	Relationship
From:	To present			
		<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

☐ Additional addresses are listed on Attachment 3a. (Form \_\_\_\_\_ may be used for this purpose.)

b. ☐ Check this box if there is more than one child and all the children have not lived together for the past five years. (Attach form FL-105(A)/GC-120(A) and list each other child's current address and their residence history for the past five years.)

CASE NAME:

CASE NUMBER:

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 or tribe, 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"/> Probate Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state or tribe, location)
d. <input type="checkbox"/> Juvenile		
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 or Tribe	Case Number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody of or claims to have rights to custody of or visitation with any child in this case? ☐ Yes ☐ No (If yes, provide the following information):

a. Name and address of person:

b. Name and address of person:

c. Name and address of person:

☐ Has physical custody☐ Claims custody rights☐ Claims visitation rights

Name of each child:

☐ Has physical custody☐ Claims custody rights☐ Claims visitation rights

Name of each child:

☐ Has physical custody☐ Claims custody rights☐ Claims visitation rights

Name of each child:

7. ☐ Number of pages attached: \_\_\_\_\_

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

Date:

(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

**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                      STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY:    STATE:                      ZIP CODE: TELEPHONE NO.:    FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):	
<b>ORDER APPOINTING GUARDIAN OR EXTENDING GUARDIANSHIP OF THE PERSON</b>	
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>	

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):

- a. Judge (name):
- b. Hearing date:    Time:    ☐ Dept.:    ☐ Room:
- c. ☐ Petitioner (name):
- d. ☐ Attorney for Petitioner (name):
- e. ☐ Attorney for (proposed) ward (name, address, e-mail, and telephone):

#### THE COURT FINDS

2. a. ☐ All notices required by law have been given.
- b. ☐ Notice of hearing to the following persons                      ☐ has been                      ☐ should be                      dispensed with  
(names):
3. ☐ 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.)
4. ☐ Extension of the guardianship of the person past the ward's 18th birthday is necessary or convenient.
5. ☐ 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.
6. ☐ Attorney (name):    has been appointed by the court as legal counsel to represent the (proposed) ward in these proceedings. The cost for representation is: \$
7. ☐ 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.**

Page 1 of 3

GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):	CASE NUMBER:
---	--------------

**THE COURT ORDERS**

8. a. ☐ (name):  
(address): (telephone):

is appointed guardian of the PERSON of (name):  
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 payers):

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 type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):	CASE NUMBER:
---	--------------

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: \_\_\_\_\_

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

Date:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

1. ☐ (Name): \_\_\_\_\_ is appointed guardian of the ☐ person ☐ estate  
of (name): \_\_\_\_\_
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: \_\_\_\_\_

(SEAL)
--------

Clerk, by \_\_\_\_\_, Deputy

GUARDIANSHIP OF  
(name):

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](http://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): \_\_\_\_\_, at (place): \_\_\_\_\_

(TYPE OR PRINT NAME)

(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

**CONFIDENTIAL**

CASE PARTICIPANT NAME: STREET ADDRESS: CITY/STATE/ZIP CODE: TELEPHONE NO.: E-MAIL ADDRESS <i>(must be legible)</i>	BAR #:	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse		
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP (Name):		
<b>PROBATE CASE PARTICIPANT ENROLLMENT FORM</b>		CASE NUMBER:

You may access documents using the court's eCourt Public Portal system. To obtain free access, an email address must be provided to the court. A separate form must be provided for each case for which free online access is being requested.

**INSTRUCTIONS**

To setup your account you must:

- Go to the eCourt Public Portal and create an account using the email address you are submitting to the court.
- File this form with the court. **Participants requesting access to their case must submit a valid copy of their driver license or a state or federal issued photo identification card.**
- A separate form must be filed for each of your Probate cases.
- Once the court has added your email address to the case, you will receive a confirming email. You must follow the instructions in that email to complete the process.
- Once your subscription is completed, you will receive an email notification each time a document is added to your case.

I, \_\_\_\_\_, request that the court add my email address to a Probate case.

I declare that my private email address is *(must be legible)*:

\_\_\_\_\_  
(Please use Ø for zero, 1 for one and clearly differentiate i, L, S, 5, 3, and 8's)

I understand if I change my e-mail address I must file a new enrollment form with the court.

I acknowledge that confidential investigation and/or mediation reports contain private information that is not part of the public court file. I understand, I must not disclose any contents of the Report to anyone other than the parties to the case, the attorneys and court professionals. I acknowledge that the court may impose a penalty for any unauthorized disclosure of any content of the Reports.

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

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

## INFORMATION SHEET ON INDIAN CHILD INQUIRY ATTACHMENT AND NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD

This is an information sheet to help you fill out form ICWA-010(A), *Indian Child Inquiry Attachment*, and form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*.

### Form ICWA-010(A), *Indian Child Inquiry Attachment*

You are responsible for helping to find out whether the child is or may be an Indian child and filling out the information requested on ICWA-010(A), *Indian Child Inquiry Attachment*. This is important because if the child is an Indian child, specific steps must be taken to prevent the breakup of the child's Indian family and to obtain for the child resources and services that are culturally specific to the child's family. The court will check to make sure that the child receives these resources and services.

#### *Tips on how to fill out form ICWA-010(A), Indian Child Inquiry Attachment*

1. Try to find contact information for the child's parents, the child's Indian custodian (if the child is living with an Indian person other than a parent) or other legal guardian, the child's grandparents and great-grandparents, and other available family members.
2. Contact the child's parents, the child's Indian custodian or any other legal guardians, available extended family members, and any other persons known to have an interest in the child and ask them (and the child, if old enough) these questions:
  - a. Is the child a member of a tribe or eligible for tribal membership, and if they think the child might be, then which tribe or tribes?
  - b. Are the parents or other members of the extended family members of a tribe, and if they think they might be, which tribe or tribes?
  - c. Does the child, or do the child's parents or Indian custodian, if any, live in Indian country, including a reservation, rancheria, Alaska Native village, or other tribal trust land?
  - d. Does the child or any of the child's relatives receive services or benefits from a tribe, and if yes, which tribe?
  - e. Does the child or any of the child's relatives receive services or benefits available to Indians from the federal government?
  - f. Do they have any other information indicating the child is an Indian child?
3. If you are in touch with any of the child's relatives, ask them the same questions.

The court clerk's office cannot file your petition unless you have filled out form ICWA-010(A), *Indian Child Inquiry Attachment*, and attached it to the petition. This requirement does not apply to a petition for appointment of a guardian of the estate only.

After you take the steps described above, if you have reason to believe that the child is an Indian child, you must contact the tribe or tribes that may have a connection with the child about your court case.

You have reason to believe the child is an Indian child if any of the people you talk to answers "Yes" to any of your questions. Tribes that learn about the case can investigate and advise you and the court whether the child is a tribal member or eligible to become a tribal member, and can then decide whether to get involved in the case or assume tribal jurisdiction.

Your contacts with the tribe or tribes should include:

- (1) Contacting the tribe's designated agent for service of notice under the Indian Child Welfare Act, which is published in the Federal Register, by telephone, facsimile, or email; and
- (2) Sharing with the tribe or tribes any information identified by the tribe as necessary for the tribe to make a determination about the child's tribal membership or eligibility for membership, as well as information on the current status of the child and the case.

### Form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*

Following your inquiry about the child's Indian status and contacts with the child's tribe or tribes, if you know or have reason to know the child is an Indian child, you must provide formal notice on form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*.

*Some tips to help you figure out if you have a reason to know the child is an Indian child*

You have reason to know:

1. If the child, an Indian tribe, an Indian organization, an attorney, a public or private agency, a member of the child's extended family or any other person having an interest in the child says the child is an Indian child or provides information to anyone involved in the case suggesting that the child is an Indian child;
2. If the child, the child's parents, or an Indian custodian live on a reservation or rancheria or in an Alaskan Native village;

*(continued on next page)*

Page 1 of 2

You have reason to know (*continued*):

3. If the child is or has been a ward of the tribal court; or
4. If the child's parent(s) have an identification card indicating membership or citizenship in an Indian tribe.

These are just a few of the facts that would give you reason to know that a child is an Indian child. There may also be other information that would give you reason to know that the child is an Indian child.

### Who do you need to notify?

If you know or have reason to know that the child is an Indian child, you must send the *Notice* to the following:

1. Child's parents or other legal guardian, including adoptive parents;
2. Child's Indian custodian (if the child is living with an Indian person who has legal custody of the child under tribal law or custom, under state law, or if the parent asked that person to take care of the child);
3. Child's tribe or tribes; and
4. Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825 (if the parents, Indian custodian, or tribe cannot be determined or located).

#### *Tips on how to find the address for the child's tribe or tribes*

The Secretary of the Interior periodically updates and publishes in the Federal Register (see 25 C.F.R. § 23.12) a list of tribe names and addresses. The Bureau of Indian Affairs also keeps a list. You can access the Federal Register list and other resources related to ICWA on the Bureau of Indian Affairs website at <https://www.bia.gov>.

### Copy to the Secretary of the Interior and the Area Director of the Bureau of Indian Affairs

If you know the identity and location of the parent, Indian custodian, and the tribe or tribes, when you send the *Notice* to the parent, Indian custodian, and the tribe or tribes, you must also send a copy to the Secretary of the Interior, at 1849 C Street, NW, Washington, DC 20240, and a copy to the Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

### Copy to the Area Director of the Bureau of Indian Affairs

If you do **not** know the identity and location of the child's parents, Indian custodian, and tribe or tribes, you must send copies of the *Notice* and the other documents to the Sacramento Area Director, Bureau of Indian Affairs, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825. To help establish the child's tribal identity, provide as much information as possible, including the child's name, birthdate, and birthplace; the name of the tribe or tribes; the names of all of the child's known relatives with addresses and other identifying information; and a copy of the petition in the case.

### How do you send the *Notice* and prove to the court that you have done so?

If you have an attorney, the attorney will complete the steps described below. If you are representing yourself without an attorney in a probate guardianship case, the court clerk will help you with steps 1 and 2 below, including doing the mailing and signing the certificate of mailing on page 9 of the *Notice*, but you must deliver copies of the *Notice* and other documents listed in step 1 below to the court in addressed envelopes ready for mailing and then complete step 3.

1. Mail to the persons and organizations listed at the top of this page, by registered or certified mail, with return receipt requested, completed and signed copies of the following forms:
  - a. Your petition;
  - b. Form ICWA-010(A), *Indian Child Inquiry Attachment*; and
  - c. Form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*.
2. The person who does the mailing must fill out the information requested on page 10 of form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*, and then date and sign the original form on page 9.
3. Go to the court and file with the clerk of the court proof that you have given notice to everyone listed above and on page 10 of form ICWA-030, *Notice of Child Custody Proceeding for Indian Child*. Your proof must consist of the following:
  - a. The original signed *Notice* (form ICWA-030) and copies of the documents you sent with it (the petition and form ICWA-010(A);
  - b. All return receipts given to you by the post office and returned from the mailing; and
  - c. All responses you receive from the child's parents, the child's Indian custodian, the child's tribe or tribes, and the Bureau of Indian Affairs.

**Please note that you are subject to court sanctions if you knowingly and willfully falsify or conceal a material fact concerning whether the child is an Indian child or if you counsel a party to do so. (Welf. & Inst. Code, § 224.3(e).)**

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):      TELEPHONE NO.: _____ FAX NO. ( <i>Optional</i> ): _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b> STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF ( <i>Name</i> ): _____  <div style="text-align: right;"><input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE</div>	
<b>NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP</b>	CASE NUMBER: _____

**This notice is required by law.**  
**This notice does not require you to appear in court, but you may attend the hearing if you wish.**

1. NOTICE is given that (*name*):  
 (*representative capacity, if any*):  
 has filed (*specify*):
  
2. You may refer to documents on file in this proceeding for more information. (*Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.*)
  
3. ☐ The petition includes an application for the independent exercise of powers by a guardian or conservator under  
☐ Probate Code section 2108 ☐ Probate Code section 2590.  
 Powers requested are ☐ specified below ☐ specified in Attachment 3.
  
4. A HEARING on the matter will be held as follows:
 

a. Date: _____	Time: _____	<input type="checkbox"/> Dept.: _____	<input type="checkbox"/> Room: _____
----------------	-------------	---------------------------------------	--------------------------------------

b. Address of court ☐ same as noted above ☐ is (*specify*): \_\_\_\_\_

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)







<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP   OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): _____ <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> MINOR   <input type="checkbox"/> (PROPOSED) CONSERVATEE       </div>	CASE NUMBER: _____
--	--------------------

**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*):

**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.			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: \_\_\_\_\_

\_\_\_\_\_  
 (SIGNATURE)

\_\_\_\_\_  
 (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO. <i>(Optional):</i></div> </div> <div>E-MAIL ADDRESS <i>(Optional):</i></div> <div>ATTORNEY FOR <i>(Name):</i></div>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF <i>(Name):</i>	
<input type="checkbox"/> <b>CONSENT OF PROPOSED GUARDIAN</b> <input type="checkbox"/> <b>NOMINATION OF GUARDIAN</b> <input type="checkbox"/> <b>CONSENT TO APPOINTMENT OF GUARDIAN AND WAIVER OF NOTICE</b>	CASE NUMBER:

**CONSENT OF PROPOSED GUARDIAN**

1. I consent to serve as guardian of the    ☐ person        ☐ estate        of the minor.

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



\_\_\_\_\_  
(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.

Notice of the hearing on a petition for appointment of a probate guardian must include a copy of this form.

A California court can order care, custody, and control of a child transferred from a parent to another caregiver in a variety of cases. This form compares juvenile court and probate guardianship cases. In juvenile court, a foster parent, sometimes called a resource family, is a temporary caregiver. A guardian is a “permanent” caregiver. A probate court can also appoint a guardian, using different procedures and standards. The three charts in this form compare the rights and duties, available services and supports, and court processes in juvenile court and probate guardianship cases.

### Charts in this form

1. **The Rights and Duties of Different Types of Caregivers, at pages 2–4**  
Compares foster parents/resource families with probate guardians and juvenile court guardians
2. **The Services and Financial Support Available to Different Types of Caregivers, at pages 5–8**  
Compares foster parents/resource families, probate guardians, and juvenile court guardians
3. **How a Guardian Is Appointed and What Happens Afterward, at pages 9–11**  
Compares probate guardians with juvenile court guardians

For more information on probate guardianship of the person, see *Information on Probate Guardianship of the Person* (form GC-205-INFO). For information on probate guardianship of the estate, see *Information on Probate Guardianship of the Estate* (form GC-206-INFO). For more information on juvenile court guardianship, see *Information on Juvenile Court Guardianship* (form JV-350-INFO).

**CAUTION:** This form does not replace legal advice from a lawyer. Parents, potential caregivers, and potential guardians should consult a lawyer for answers to questions or concerns about their specific situation. Click this link, [www.courts.ca.gov/selfhelp-findlawyer.htm](http://www.courts.ca.gov/selfhelp-findlawyer.htm), for help finding a lawyer.

### Starting a case in probate court or juvenile court

A probate guardianship case begins when a private person files a petition to appoint a guardian. A juvenile dependency case begins only if the child welfare agency files a petition. However, a private person can ask the agency to file a petition. If the agency does not, that person can ask the juvenile court to order the agency to file a petition. Even if the agency files a petition, the juvenile court can deny it if the child doesn’t meet the legal standard. If the probate court thinks a juvenile dependency case might be appropriate after a guardianship case begins but before a guardian is appointed, the court can ask the agency to file a dependency petition and, if the agency does not, can ask the juvenile court to order the agency to file a petition.

Families can also arrange for care and a place to live for a child without going to court. These arrangements are usually temporary and often involve documents such as a Caregiver’s Authorization Affidavit (see [www.courts.ca.gov/documents/caregiver.pdf](http://www.courts.ca.gov/documents/caregiver.pdf)) or a Voluntary Placement Agreement with a child welfare agency (see [www.cdss.ca.gov/cdssweb/entres/forms/english/soc155.pdf](http://www.cdss.ca.gov/cdssweb/entres/forms/english/soc155.pdf)). *Information on the Probate Guardianship of the Person* (form GC-205-INFO) gives information about these arrangements.

### Foster parents/resource families

If a juvenile court finds that a child cannot continue living safely at home, the court will order the child placed out of the home in the care and custody of the county child welfare agency (sometimes called *child protective services* or CPS). The agency can then place the child in the home of an approved foster parent. If a foster parent has been approved through the resource family approval (RFA) process, the foster parent is sometimes called a *resource family*, so this form uses the term “foster parent/resource family.” Approval as a foster parent/resource family is difficult and takes time. Some families will not be approved because they do not meet the strict standards.

### Guardians

A guardian is an adult appointed by either the probate court or the juvenile court to take long-term care, custody, and control of a child when the child’s parents are unavailable or unable to care for the child. A relative or nonrelative can be appointed as guardian if the court finds the appointment is in the child’s best interest. In general, probate guardians have the same rights and duties as juvenile court guardians. However, probate guardians have access to different, and often fewer, financial supports, services, and resources.

1. The *Rights and Duties* of Different Types of Caregivers

Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
<b>Caregiver's Fundamental Responsibilities and General Duties</b>	
<p>A foster parent/resource family works with child welfare agency social workers to provide care, supervision, and housing for the child.</p> <p>A foster parent/resource family receives foster care funds for the child's needs, such as food and clothing, and works with the social worker to make sure the child receives available resources and services if the child has special needs.</p>	<p>A guardian, whether appointed by a probate court or juvenile court, has the same general rights and duties toward the child as a parent. In other words, a guardian has care, custody, and control of the child. However, the court that appoints the guardian can order the guardian to do or not to do certain things.</p> <p>The guardian is responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child.</p> <p>The guardian must provide for the safety, protection, and physical and emotional growth of the child. Like a parent, a guardian should maintain close contact with the child's school and doctor.</p> <p>If the child has special needs, the guardian must strive to meet those needs and secure appropriate services. Some children may have physical or learning disabilities. Other children come from abusive homes or have been victims of abuse. Counseling and other services may be necessary to help these children.</p>
<b>Custody and Visitation</b>	
<p>Physical custody of the child—that is, the right to decide where the child lives—is with the child welfare agency unless the court orders a specific placement.</p> <p>Parents retain legal custody subject to limitations set by the court.</p> <p>A foster parent/resource family must make sure the child takes part in visits and phone calls with parents and others authorized by the social worker or ordered by the court.</p> <p>A foster parent/resource family cannot, on their own, ask the court to terminate parental rights and adopt the child. They can, however, tell the social worker they would like to adopt the child.</p>	<p>The guardian has legal and physical custody of the child.</p> <p>Parents can no longer make decisions for the child while there is a guardianship. The rights of the parents are completely suspended—but not terminated—as long as the guardianship remains in effect.</p> <p>If a guardian is appointed, a parent or other person can ask the court to order the guardian to let them visit or spend time with the child. (In juvenile court, the court must allow the parent to visit the child unless it would be <i>detrimental</i> to the child.) If the court does not make an order, the guardian can decide who visits the child.</p> <p>After the child has been in the guardian's custody for a minimum time, varying from six months to three years depending on the circumstances, the guardian may petition to terminate parental rights and adopt the child.</p>
<b>Residence</b>	
<p>The social worker and the court decide who the child will live with.</p>	<p>A guardian decides where the child lives. The child normally will live with the guardian, but the guardian can make other arrangements if they are in the best interest of the child.</p> <p>A guardian must give proper notice to the court and others of any address change of either the child or the guardian.</p> <p>A guardian must get court permission before changing the child's residence to a place outside California.</p>

Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
<i>Health Care</i>	
<p>The social worker arranges care and treatment for the child's medical, dental, and mental health needs, but the foster parent/resource family might be responsible for scheduling and transporting the child to these appointments.</p> <p>Parents keep their rights to make health-care decisions for the child except in an emergency or if the court orders otherwise.</p>	<p>The guardian must make sure that the child's health-care needs are met. In most cases, the guardian has the authority to consent to the child's medical treatment. However, if the child is 14 years of age or older, surgery may not be performed on the child unless (1) both the child and the guardian consent, (2) a court order specifically authorizes the surgery, or (3) an emergency exists.</p> <p>A guardian may not place a child in a mental health treatment facility against the child's wishes. A separate legal process is required for such a placement. However, the guardian must obtain any counseling or other necessary mental health services needed by the child.</p> <p>The law also allows children to consent to certain types of treatment—including outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug or alcohol treatment—without the consent of a parent or guardian.</p>
<i>Education</i>	
<p>When a child is in foster care, parents retain the rights to make educational and developmental-services decisions for the child unless the court limits these rights and assigns them to another person.</p> <p>If the court limits parental rights to make educational and developmental-services decisions, it may assign those rights to a foster parent/resource family. Otherwise, a foster parent/resource family cannot make those decisions or attend Individualized Education Program (IEP) meetings for the child unless invited by the person holding educational rights.</p> <p>A foster parent/resource family is responsible for making sure that the child attends school. If the child is receiving special education services, the foster parent/resource family works with the school district and service providers to ensure that the child receives all the services and supports in the child's IEP. (See page 8 for information about financial support for children with special needs.)</p>	<p>A guardian is responsible for the child's education and holds the child's educational and developmental-services decisionmaking rights, unless the court appoints someone else to hold them. If a child needs special education and related services, the guardian must advocate for the child with the school district and make the appropriate arrangements. (See page 8 for information about financial support for children with special needs.)</p>

Foster Parents/Resource Families	Guardians (Probate and Juvenile Court)
<b>Consent to Changes to the Child's Status</b>	
A foster parent/resource family cannot consent to the child's marriage, military enlistment, or driver's license application, but the juvenile court can consent.	<p>A guardian <i>and the court</i> must give permission for a minor child to get married.</p> <p>A guardian may consent to a minor child's enlistment in the armed services or application for a driver's license.</p> <p>A guardian may apply for a passport for a minor child.</p>
<b>Financial Obligations</b>	
A foster parent/resource family receives foster care funds to pay for the child's needs.	<p>The guardian is responsible for the day-to-day financial support of the child, even though the parents are still obligated to support the child. The guardian may take legal action or contact the local child support agency to obtain child support from a parent.</p> <p>The child may also be eligible for Aid to Families with Dependent Children—Foster Care (AFDC-FC), Social Security benefits, Veterans Administration benefits, Indian child welfare benefits, and support from other public or private sources. (See Chart 2.)</p>
<b>Legal Liability</b>	
Except in limited circumstances, a foster parent/resource family is immune from liability in a civil action to recover damages for injury, death, or loss to person or property caused by an act or omission of a child or nonminor dependent while the child or nonminor dependent is placed in the home of the foster parent/resource family. (See Welfare and Institutions Code section 362.06(b)(2).)	A guardian, like a parent, is liable for the harm and damage caused by the willful misconduct of a child. (See Civil Code, § 1714.1(a).) There is usually a limit on how much a guardian may be required to pay. There are special rules concerning harm caused by the use of a firearm.
<b>If you are concerned about your liability for a child's conduct, you should contact an attorney.</b>	
<b>Other Rights or Duties</b>	
<p>Foster parents /resource families are entitled to notice of statutory review hearings and permanency hearings. They may attend the hearings and give information about the child to the court. Caregivers who wish to submit information in writing may use <i>Caregiver Information Form</i> (form JV-290).</p> <p>Foster parents/resource families must be included in a child's Child and Family Team (CFT) and must be notified of every CFT meeting. They may be invited to participate in or support a child's services, such as counseling or other types of treatment.</p>	<p>The court may require the guardian to perform other duties, such as completing a parenting class or attend counseling sessions with the child. The guardian must follow all court orders and cooperate with court investigators.</p> <p><b>Court visitors and status reports:</b> Some counties have programs in which "court visitors" track and review guardianships. If your county has such a program, you will be expected to cooperate with all the court visitor's requests. In addition, a guardian may have to fill out and file status reports.</p>

## 2. The Services and Financial Support Available to Different Types of Caregivers

The payment amounts discussed below are updated annually based on the cost of living. Payments are made retroactively. For example, a child placed with a caregiver in January would receive funds for the month of January in February. The payment amounts given below are in effect from July 1, 2022, to June 30, 2023. For updated amounts, see [www.cdss.ca.gov/inforesources/letters-regulations/letters-and-notices/all-county-letters](http://www.cdss.ca.gov/inforesources/letters-regulations/letters-and-notices/all-county-letters).

Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
<i>Cash Payments per Child—Relatives</i>		
<p>Before a relative is approved as a foster parent/resource family, <b>Emergency Caregiver (EC)</b> funding is available at the foster care basic rate starting from the date the child is placed with the relative. EC funding is limited to the foster care basic rate, \$1,129 per month.</p> <p>After approval, the foster parent/resource family will receive foster care payments through federal <b>Aid for Families with Dependent Children—Foster Care (AFDC-FC)</b>. These payments are set at the foster care basic rate, \$1,129 per month.</p> <p>There are different eligibility requirements for federal and state AFDC-FC. The child welfare agency will determine eligibility. For a child in relative foster care who is not eligible for federal AFDC-FC or EC, <b>Approved Relative Caregiver (ARC)</b> payments are available. These payments are set at the foster care basic rate, \$1,129 per month.</p> <p>California foster youth who are placed with a relative out of state are eligible for funds at the foster care rate in the state where they are placed.</p>	<p><b>Child-only California Work Opportunity and Responsibility to Kids Program (CalWORKs)</b> payments are available for a child living with a relative guardian. The income of the family is considered in calculating the amount of cash aid the family receives.</p> <p>Payments are approximately one-half of the foster care basic rate paid to nonrelatives. A relative caregiver can receive this assistance before appointment as guardian if the child lives with the relative. Payments can drop below one-half of the foster care basic rate if there are multiple children in the home.</p> <p>CalWORKs Maximum Aid Payment (MAP) levels depend on variables such as geographic region and exempt/nonexempt status and are hard to calculate. From October 1, 2022, to September 30, 2024, MAP amounts for one child in California are expected to range from \$669 to \$779 per month. A social worker who specializes in benefits would be the best person to ask about MAP levels for cash aid.</p> <p>Payments end when the child turns 18 years old, but it is possible to extend payments to age 19 if the child is completing high school.</p>	<p><b>Kinship Guardianship Assistance Payment (Kin-GAP)</b> payments are available to children who have lived with an approved relative guardian for at least six months. Kin-GAP families sign a written agreement with the county. The Kin-GAP payments begin once the agreement is signed and the juvenile court terminates the dependency case.</p> <p>Payments cannot exceed the amount the child was receiving in foster care, but they can include the foster care basic rate and any special needs supplements the child was receiving. The income of the child's parents, Kin-GAP guardian, or any other relative living in the household is <i>not</i> used to determine the child's Kin-GAP eligibility.</p> <p>Kin-GAP payments generally end when a child turns 18 but can continue until age 19 if the child is completing high school or until age 21 if the Kin-GAP payments started after the child turned 16 or if the child has an ongoing disability.</p> <p>If the court keeps the juvenile case open after appointing a relative guardian, the guardian can receive <b>Approved Relative Caregiver (ARC)</b> or foster care payments instead of Kin-GAP.</p> <p>In very rare situations, a relative guardian may not qualify for Kin-GAP, foster care, or ARC payments, but may still qualify for <b>California Work Opportunity and Responsibility to Kids Program (CalWORKs)</b> payments.</p>

Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
<b>Cash Payments per Child—Nonrelatives</b>		
<p>Before approval as a resource family, a nonrelative foster parent/resource family may receive <b>Emergency Caregiver (EC)</b> funding at the foster care basic rate, \$1,129 per month, starting from the date the child is placed with the nonrelative.</p> <p>After approval, the foster parent/resource family will receive foster care payments. Nonrelative resource families receive <b>Aid to Families with Dependent Children—Foster Care (AFDC-FC)</b> funds. There are federal and state AFDC-FC funding programs, and they have different eligibility requirements. The foster care basic rate is \$1,129 per month.</p>	<p>No cash payments are available until a guardian is appointed and the child begins living with the guardian.</p> <p>An eligible child living with a <i>nonrelative</i> probate guardian may receive state <b>Aid to Families with Dependent Children—Foster Care (AFDC-FC)</b> payments equivalent to the foster care basic rate, \$1,129 per month, after the court establishes a temporary guardianship.</p> <p>Payments usually end when the child turns 18 years old but may continue to age 19 if the child is completing high school or to age 21 if the child has a disability.</p>	<p>State <b>Aid to Families with Dependent Children—Foster Care (AFDC-FC)</b> is available to children who live with a nonrelative guardian. This rate may change depending on where you live, so before you move, ask if there will be a rate change. The foster care basic rate is \$1,129 per month.</p> <p>A youth who continues living with a former nonrelative guardian after reaching age 18 can continue to receive AFDC-FC payments until they turn 21 if they meet certain participation criteria related to work, school, or activities designed to remove barriers to employment.</p>
<b>Medical Insurance</b>		
Children who qualify for the cash payments described above are also eligible for full-scope <b>Medi-Cal</b> services. Youth are eligible for <b>Former Foster Youth Medi-Cal</b> up to age 26.	A child who qualifies for CalWORKs (relative guardian) or AFDC-FC (nonrelative guardian) payments is eligible for <b>Medi-Cal</b> . After turning 18, a youth is <i>not</i> eligible for <b>Former Foster Youth Medi-Cal</b> but may qualify for Medi-Cal based on income.	Children who qualify for Kin-GAP, ARC, or CalWORKs payments also receive full-scope <b>Medi-Cal</b> health care services.
<b>Extended Foster Care and Other Transition Age Supports</b>		
<b>Extended Foster Care</b> benefits are available for youth living in foster care when they turn 18. These <i>nonminor dependents</i> can receive ongoing case management and EFC payments until they turn 21; they may also qualify for transitional housing and independent living placements.	A youth who turns 18 in a probate guardianship is <i>not</i> eligible for <b>Extended Foster Care, Independent Living Program</b> services, or <b>Chafee Education and Training Vouchers</b> .	<b>Extended Foster Care</b> benefits are <i>not</i> available for a youth who is under juvenile court guardianship when the youth turns 18 years old. But if the former guardian dies or no longer provides ongoing support to the youth, the youth can ask the juvenile court to open the dependency case again. If the court does, the youth may qualify for EFC payments if they complete the requirements.



Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
<b>Extended Foster Care and Other Transition Age Supports</b>		
<p>Payment amounts vary by the type of living arrangement. They range from the foster care basic rate of \$1,129 per month to \$5,720 per month for a parenting youth living in transitional housing in a high-cost county.</p> <p><b>Independent Living Program</b> funding is available for current and former foster youth up to age 21, if they were in foster care on or after they reached age 16. This funding can help youth learn household and money management and help them with education, housing, and employment.</p> <p><b>Chafee Education and Training Vouchers</b> for postsecondary education are available for youth who were in foster care on or after age 16. Vouchers are worth up to \$5,000 per year.</p>	<p>However, a youth living with a former guardian and receiving CalWORKs (relative) or AFDC-FC (nonrelative) payments may continue receiving payments until age 19 if the youth is completing high school or another eligible education program or until age 21 if the youth has a disability.</p>	<p><b>Independent Living Program</b> funding is available for current and former foster youth up to age 21, if they were in foster care on or after age 16, they entered into a Kin-GAP guardianship after age 16, or they entered into a nonrelated legal guardianship through juvenile court after age 8. This funding can help youth learn to manage their household and money and help them with education, housing, and employment.</p> <p><b>Chafee Education and Training Vouchers</b> may be available. See the Foster Parent/Resource Family column for details.</p>
<b>Childcare Assistance</b>		
<p>The <b>Emergency Child Care Bridge</b> program provides childcare vouchers and navigation support to caregivers of children in foster care and to foster youth who have children of their own. Eligibility depends on available funding and county policy.</p>	<p>Income-based childcare assistance may be available to children in probate guardianships.</p>	<p><b>Emergency Child Care Bridge</b> program benefits are not available after a guardianship is established, but income-based childcare assistance may be available.</p>
<p>California offers a variety of publicly funded childcare programs to eligible families. <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO) and <i>Information on Juvenile Court Guardianship</i> (form JV-350-INFO) give more information on these programs. Local childcare resource and referral agencies help families find childcare and determine whether they qualify for publicly funded childcare. Parents and guardians can find a local resource and referral agency here: <a href="https://rrnetwork.org/family-services/find-child-care">https://rrnetwork.org/family-services/find-child-care</a>.</p>		

Foster Parent/Resource Family	Probate Guardian	Juvenile Court Guardian
<i>Special Needs Supplemental Payments</i>		
<p>Special needs supplemental payments may be available. These payments are in addition to the basic rate, and can include:</p> <p><b>Level of Care</b> based on the physical, behavioral, emotional, educational, health, and permanency care provided to a child. Payments range from \$1,129 to \$1,510 per month.</p> <p><b>Intensive Services Foster Care</b> for children with intensive medical, behavioral, developmental, or emotional needs. The payment is \$2,946 per month.</p> <p><b>Specialized Care Increments</b> for children with special medical, behavioral, developmental, or emotional needs. The amounts of these payments are set by the county. For more information, see <a href="http://www.cdss.ca.gov/inforesources/foster-care/specialized-care">www.cdss.ca.gov/inforesources/foster-care/specialized-care</a> or speak to a social worker.</p> <p><b>Dual Agency Rate</b> for children in foster care who also qualify for regional center services. These rates are \$1,323 per month for a child up to 3 years old and \$2,955 per month for a child over 3.</p> <p><b>Whole Family Foster Home and Infant Supplement</b> payments are available to support youth living in foster care with their nondependent children. This rate is \$900 per month.</p> <p>An <b>Expectant Parent Payment</b> is available to support a youth in foster care for the last three months of pregnancy. This payment is \$2,700.</p> <p>A <b>Clothing Allowance</b> is available for foster children in some counties. The payment amount varies by county.</p> <p><b>Education Travel Reimbursement</b> is available to caregivers who transport a child to the child's school of origin (the school the child was attending before being placed in the resource family home). This rate is set by the state based on two round trips per day between the foster/resource family home and the school.</p>	<p>No special needs supplemental payments are available to a child with living with a <i>relative</i> probate guardian.</p> <p>A child living with a nonrelative probate guardian and receiving state AFDC-FC payments may also, if eligible, receive a <b>specialized care increment</b>, a <b>clothing allowance</b>, or the teen parent part of a <b>Whole Family Foster Home</b> payment.</p> <p>See the Foster Parent/Resource Family column for details about these payments.</p>	<p>Special needs supplemental payments may be available. These include:</p> <ul style="list-style-type: none"> <li>• <b>Level of Care</b></li> <li>• <b>Intensive Services Foster Care</b></li> <li>• <b>Specialized Care Increments</b></li> <li>• <b>Dual Agency Rate</b></li> <li>• <b>Whole Family Foster Home and Infant Supplement</b></li> <li>• <b>Clothing Allowance</b></li> </ul> <p>See the Foster Parent/Resource Family column for details about these payments.</p>

## 3. How a Guardian Is Appointed and What Happens Afterward

STAGE	Probate Guardian	Juvenile Court Guardian
<b>Petition</b>	A person who wants to be appointed guardian of a child must file a petition with the probate court. The child's parent or the child, if at least 12 years old, can also file the petition. (See <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO).)	To start a juvenile court case, a county social worker or prosecuting attorney must file a petition in juvenile court.
<b>Investigation</b>	Before the court decides to appoint a guardian, an investigation is usually required. If the proposed guardian is a relative, a court investigator conducts the investigation. If the proposed guardian is not a relative, a county social worker conducts the investigation. The investigator prepares a report, makes a recommendation whether the petition should be granted, and files the report with the court, which makes it available to all persons served in the proceeding and their attorneys.  The parent and the proposed guardian are responsible for the costs of the investigation unless payment would be a hardship.	The social worker or probation officer conducts an investigation to determine, among other things, whether to detain the child temporarily out of the parent's home and whether to recommend that the court remove the child from the parent's home. A person who wants to serve as guardian of a child in juvenile court should contact the child's social worker or probation officer early in the case to ask if the child can live with them.
<b>Appointment of Counsel</b>	The probate court has the authority to appoint an attorney to represent the child. The court may also appoint an attorney for the Indian custodian or biological parent of an Indian child but does not otherwise have the authority to appoint counsel for a parent.	In a dependency case, the juvenile court must appoint counsel for the child unless it finds that the child would not benefit from the appointment. And in almost every case, the court appoints counsel for a parent who cannot afford counsel.  In a juvenile justice case, the court must appoint counsel for the child if the child appears without counsel. The court may also appoint separate counsel for a parent in specific circumstances.
<b>Hearing</b>	The court holds a hearing to decide whether to appoint a guardian. A parent or other interested person may go to the hearing and object, orally or in writing, to the appointment of a guardian for the child or to the appointment of the person proposed as guardian in the petition. The court will decide whether appointing a guardian is necessary and in the child's best interest.	The court holds a hearing to decide if the petition is true and whether to order the child placed out of the parent's home. If it decides the child cannot live safely at home, the court will not appoint a guardian right away unless the parents and child agree. Instead, it will order the child placed first with a foster parent/resource family and order the social worker or probation officer to provide reunification services (see below).
<b>Reunification Services</b>	The probate court cannot order family reunification services but can order supportive services for the guardian and child, if needed.	The juvenile court can order services to help the parents and child reunify (live together safely) <i>before</i> it chooses a permanent plan (e.g., guardianship) but not afterward.

STAGE	Probate Guardian	Juvenile Court Guardian
<b><i>Decision to Appoint a Guardian</i></b>	If the probate court finds that appointment of a guardian is necessary and in the child's best interest, the court may appoint a guardian.	The juvenile court may appoint a guardian at different times during the case, after making the required findings. In a dependency case, if the court finds that the petition is true, it can appoint a guardian for the child at the dispositional hearing, if the parents and the child agree and the court finds that appointing the guardian is in the child's best interest. In a juvenile justice case, the court can appoint a guardian for the child at any time after the dispositional hearing if the probation officer recommends it or the child's attorney requests it. In either a dependency or juvenile justice case, if the court has ordered out-of-home placement and denied or terminated reunification services, the court can appoint a guardian as the child's permanent plan at a separate hearing. The court decides whom to appoint as guardian. The person who has been caring for the child is almost always appointed. The procedures for appointing a guardian are generally the same in dependency and juvenile justice, but there are some differences. For more information, see <i>Information on Juvenile Court Guardianship</i> (form JV-350-INFO), and check with the social worker or probation officer.
<b><i>Court Oversight</i></b>	<p>After a guardian is appointed, there are no regular court hearings, although the probate court has the authority to regulate and control the guardian's actions. The court can order the guardian to allow visitation of the child with parents or other persons.</p> <p>The court may order the guardian to submit an annual status report to the court and, depending on the county, the court may hold a hearing. (See <i>Information on Probate Guardianship of the Person</i> (form GC-205-INFO).)</p> <p>On receipt of a request, the court may order the guardian to take action. The court may also order the guardian to appear and explain actions they have taken; the court may approve or rescind those actions.</p>	<p>The juvenile court keeps jurisdiction over the guardianship. When the court appoints a guardian, it must also issue parental visitation orders unless it finds that visitation would be detrimental to the child.</p> <p>In many cases after the guardianship is granted, especially if the guardian is related to the child, the court will terminate dependency or juvenile justice jurisdiction and will not hold any more regularly scheduled court hearings. In other cases, the court will grant the guardianship, keep dependency or juvenile justice jurisdiction, and continue to hold regular review hearings. After it terminates juvenile jurisdiction, the juvenile court keeps jurisdiction over the guardianship and can give orders to the guardian.</p> <p>Any request to change a court order, including a visitation order, or to end the guardianship must be filed in the juvenile court using <i>Request to Change Court Order</i> (form JV-180).</p>

STAGE	Probate Guardian	Juvenile Court Guardian
<b><i>Role of Social Worker or Probation Officer</i></b>	<p>A county social worker is responsible for screening any proposed guardian and for conducting the guardianship investigation if the proposed guardian is not related to the child.</p> <p>If the probate court thinks a child who is the subject of a guardianship petition may be abused or neglected, it can ask a social worker to investigate and file a dependency petition in the juvenile court before it decides whether to appoint a guardian. If the social worker files a dependency petition, then the juvenile court will have authority over the child's custody and placement. The probate court case will be put on hold until the juvenile court case is over.</p> <p>After a probate guardian is appointed, no social worker is involved unless the child or guardian receives public financial support or services.</p>	<p>If the dependency or juvenile justice case is kept open after guardianship is granted, the social worker or probation officer will provide support to the guardian and child and prepare reports for scheduled juvenile court hearings.</p> <p>If the juvenile dependency or juvenile justice case is closed after guardianship is granted, the juvenile court will continue to oversee the guardianship. Continued involvement by the social worker or probation officer will depend on any services and financial support the child continues to receive.</p>
<b><i>Terminating Guardianship</i></b>	<p>The guardianship automatically terminates (ends) when the child turns 18 or if, before turning 18, the child dies, is emancipated by court order, gets married, joins the armed services, or is adopted.</p> <p>If the guardian, a parent, the child, an Indian custodian, or the child's tribe shows that it is in the child's best interest, the court can end the guardianship before the child turns 18. The longer the child has lived with the guardian, the harder it is to show that termination is in the child's best interest.</p> <p>If the child consents, the court can extend a guardianship up to the child's 21st birthday to let the child complete a federal application for Special Immigrant Juvenile status.</p>	<p>The guardianship automatically terminates when the child turns 18 or if, before reaching age 18, the child dies, is emancipated by court order, gets married, joins the armed services, or is adopted.</p> <p>The court can terminate the guardianship if it finds that another permanent plan, such as adoption, is in the child's best interest. A social worker or probation officer, the guardian, a parent, the child, an Indian custodian, or the child's tribe can file a request with the juvenile court to terminate the guardianship.</p>
<b><i>Terminating Parental Rights</i></b>	<p>Appointment of a probate guardian suspends parental rights, but does not terminate them. However, under the Probate Code, if a child has been living with the guardian for at least two years, the guardian can file a petition to terminate parental rights so that the guardian can adopt the child. Parents are entitled to appointed counsel if this happens. In some situations, specified in the Family Code, the guardian can ask to adopt the child after as few as six months have passed or may need to wait up to three years.</p> <p>If the child is an Indian child, the Indian Child Welfare Act requires different procedures.</p>	<p>Appointment of a juvenile court guardian suspends parental rights, but does not terminate them. A social worker or probation officer, the guardian, or the child can file a request with the juvenile court to terminate parental rights and change the permanent plan to adoption. The court will hold a hearing to decide whether to grant the request. Each parent is entitled to notice of the hearing, to participate, and to have an attorney appointed for them.</p> <p>If the child is an Indian child, the Indian Child Welfare Act requires different procedures.</p>

<input type="checkbox"/> ESTATE <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> MATTER OF	CASE NUMBER:
(Name):	

ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL

(This Attachment is for use with forms DE-120 and GC-020.)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

No.	Name of person served	Address (number, street, city, state, and zip code)
_____		
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_____		

ATTORNEY OR <u>PARTY WITHOUT ATTORNEY</u> (Name and Address):	Telephone No.	FOR COURT USE ONLY
	FAX No:	
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO Street Address: 3341 Power Inn Road Mailing Address: 3341 Power Inn Road City and Zip Code: Sacramento, CA 95826 BRANCH NAME: WM RIDGEWAY FAMILY RELATIONS COURTHOUSE		
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> ESTATE OF: (NAME):		Case Number:
<b>DECLARATION OF DILIGENT SEARCH AND REQUEST TO DISPENSE WITH NOTICE</b>		Hearing Date:

Name of the person I need to give notice to is: \_\_\_\_\_

The last known address for this person is: \_\_\_\_\_

The approximate date when the person named above was last known to reside there was: \_\_\_\_\_

☐ Guardianship only: The relationship between this person and the child(ren) in this case is: \_\_\_\_\_

☐ Conservatorship only: The relationship between this person and the conservatee is: \_\_\_\_\_

☐ Estate only: The relationship between this person and the decedent is: \_\_\_\_\_

My attempts to locate include the following:

1. I contacted the following relatives of the person named above:

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

Results of interview and additional information received:

2. I contacted the following friends and acquaintances of the person named above:

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

_____ Name and Relationship to Person Named Above	_____ Address and Telephone Number
--	---------------------------------------

Results of interview and additional information received:

3. I contacted the following employers of the person named above:

_____ Name and Title	_____ Business Name, Address and Telephone Number	_____ Dates of Employment
_____	_____	_____

Case Name:	Case Number:
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Results of interview and additional information received:

4. I reviewed the city telephone directories of \_\_\_\_\_ and contacted directory assistance on \_\_\_\_\_.

D \_\_\_\_\_

a

Results/additional information received:

e

5. I searched the real and personal property indexes in the Recorder's and Assessor's Offices of \_\_\_\_\_ County on \_\_\_\_\_.

County Name

Date

Results/additional information received:

6. I conducted an Internet search on \_\_\_\_\_, on \_\_\_\_\_.

Location

Date

Results/additional information received:

7. I contacted the applicable criminal justice agency (such as California Department of Corrections Locator Service at (916) 445-6713), on \_\_\_\_\_.

Date

Results/additional information received:

8. Other relevant information:

Despite my diligent efforts, I have not been able to find \_\_\_\_\_ and therefore ask the

Court permission to dispense with notice to \_\_\_\_\_

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

Dated: \_\_\_\_\_

Signature

Print Name: \_\_\_\_\_



PARTY WITHOUT ATTORNEY OR ATTORNEY (Name, state bar number, and address) TELEPHONE AND FAX NOS:   	<b>FOR COURT USE ONLY</b>          
ATTORNEY FOR (Name):  <input type="checkbox"/> ESTATE OF <input type="checkbox"/> GUARDIANSHIP OF <input type="checkbox"/> CONSERVATORSHIP OF (Name):  <div style="text-align: center;"> <input type="checkbox"/> DECEDENT    <input type="checkbox"/> MINOR    <input type="checkbox"/> CONSERVATEE       </div>	
<div style="display: flex; justify-content: space-between;"> <div> <b>RESPONSE TO CALENDAR NOTES (Local Rule 4.01(B))</b> </div> <div>         CASE NUMBER:       </div> </div>	

DATE:	TIME:	DEPT:
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1    1<sup>st</sup> Calendar Note:

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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: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

**SHORT TITLE:****CASE NUMBER:**13 2<sup>nd</sup> Calendar Note:

14

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17 Response:

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21 3<sup>rd</sup> Calendar Note:

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25 Response:

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29 4<sup>th</sup> Calendar Note:

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33 Response:

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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:\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

<b>SHORT TITLE:</b>	<b>CASE NUMBER:</b>
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36 5th Calendar Note:

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40 Response:

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44 6th Calendar Note:

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48 Response:

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52 7th Calendar Note:

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56 Response:

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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: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)