



Petition for Temporary Guardianship

Considerations before you file for Temporary Guardianship:

- **If you wish to remove a child from a dangerous situation, the appropriate course of action is to call Child Protective Services (CPS) or local law enforcement for assistance.**
- **The child should be residing with you when you file your petition for guardianship.**

Guardianship of the Person – You may not need to go through Court hearings to establish guardianship of the person. Read the Caregiver’s Authorization Affidavit Coversheet before you begin work on this packet. This simple form allows a relative to enroll a child in school and to authorize medical and dental treatment. The Court has attached a copy of that form for your use. You may also download that form at:

<http://www.courtinfo.ca.gov/selfhelp/family/guardianship/documents/caregiver.pdf>

Guardianship of the Estate – When a guardianship of the estate is granted, the law requires the Petitioner to post a bond and to periodically report to the court. Self-represented parties typically do not qualify for a bond, and even if they do, bonds are expensive. An alternative to Guardianship of the Estate that you may want to consider is requesting an order for a blocked account, which will protect the minor’s funds until he or she reaches 18.

Review the California Probate Code regarding Guardianships, beginning with section 1510 through section 1543 before completing these forms. You can review the California Probate Code at the Public Law Library and on the web at <http://www.leginfo.ca.gov/calaw.html>.

ASSISTANCE

Guardianship is a complex legal procedure. The Sacramento County Public Law Library (<http://saclaw.org/>) offers a workshop on how to complete the forms in this packet. If you need help finding an attorney, contact the State Bar (www.calbar.ca.gov) or the County Bar (www.sacbar.org) before attempting to complete this packet yourself.



FILING FEE

The fee amount can be found at
<http://www.saccourt.ca.gov/indexes/fees-form.aspx>

**FILING FEE
CONTINUED**

See Court Form FW-001-INFO, INFORMATION SHEET ON WAIVER OF SUPERIOR COURT FEES AND COSTS for information on who is eligible for a fee waiver. If you qualify, you may submit a completed **Request to Waive Court Fees (FW-001 GC)** and **Order on Court Fee Waiver (FW-003 GC)**.

**COMPLETE THE
ATTACHED
FORMS***

GC-110 – Petition for Appointment of Temporary Guardian

GC-140 - Order Appointing Temporary Guardian

GC-150 – Letters of Temporary Guardianship

GC-020 – Notice of Hearing – Guardianship or Conservatorship

DE-120(PA)/GC-020(PA) – Attachment to Notice of Hearing Proof of Personal Service

PR/E-LP- 036 – Declaration Notice upon Ex Parte Application for Orders – Probate

PR/E-LP- 043 – Attachment to Declaration Notice upon Ex Parte Application for Orders – Probate

*A general guardianship must also be filed

COPIES

Make two copies of the completed forms and present the two copies and the original documents to the filing counter. The Court will file and keep the original and one copy, returning an endorsed copy to you. Bring an endorsed copy of all documents to all Court hearings.

| | |
|---|--|
| 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> _____ | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| TEMPORARY GUARDIANSHIP OF <i>(Name):</i> _____ | CASE NUMBER: _____ MINOR |
| PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN <input type="checkbox"/> Person* <input type="checkbox"/> Estate* <input type="checkbox"/> Person and Estate* | HEARING DATE: _____ DEPT.: _____ TIME: _____ |

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

requests that

- a. *(Name):*
(Address and telephone number):
be appointed temporary guardian of the PERSON of the minor and Letters issue upon qualification.
- b. *(Name):*
(Address and telephone number):
be appointed temporary guardian of the ESTATE of the minor and Letters issue upon qualification.
- c. (1) bond not be required because petition is for a temporary guardianship of the person only.
 (2) bond not be required for the reasons stated in attachment 1c.
 (3) \$ _____ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.
(Specify reasons in Attachment 1c if the amount is different from maximum required by Probate Code section 2320 and Cal. Rules of Court, rule 7.207(c).)
 (4) \$ _____ in deposits in a blocked account be allowed. Receipts will be filed.
(Specify institution and location):
- d. a request for an exception to notice of the hearing on this petition for good cause is filed with this petition.
- e. the powers specified in attachment 1e be granted in addition to the powers provided by law.
- f. other orders be granted *(specify in attachment 1f)*.

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

Current address: _____ Current telephone no.: _____

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

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

| | |
|--------------------------------------|--------------|
| TEMPORARY GUARDIANSHIP OF (Name): | CASE NUMBER: |
| MINOR | |

3. (Facts supporting appointment of a temporary guardian (continued)):

4. **Temporary guardianship is required**

- a. pending the hearing on the petition for appointment of a general guardian.
- b. pending the appeal under Probate Code section 1301.
- c. during the suspension of powers of the guardian.

5. **Character and estimated value of the property of the estate** (complete if a temporary guardianship of the estate or person and estate is requested):

- a. Personal property: \$ _____
- b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$ _____
- c. Additional amount for cost of recovery on the bond, calculated as required under Cal. Rules of Court, rule 7.207(c): \$ _____
- d. **Total:** \$ _____

6. Petitioner believes the minor will will not attend the hearing.

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

Date: _____
▶ _____
 (SIGNATURE OF ATTORNEY*)

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

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

Date: _____

 (TYPE OR PRINT NAME) ▶ _____
 (SIGNATURE OF PETITIONER)

_____ ▶ _____
 (SIGNATURE OF PETITIONER)
 (TYPE OR PRINT NAME)

| | |
|---|--------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (<i>Optional</i>):</p> <p>E-MAIL ADDRESS (<i>Optional</i>):</p> <p>ATTORNEY FOR (<i>Name</i>):</p> | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| TEMPORARY GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>): | MINOR |
| ORDER APPOINTING TEMPORARY GUARDIAN | CASE NUMBER: |

WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.

1. The petition for appointment of a temporary guardian came on for hearing as follows (*check boxes c-l to indicate personal presence*):
- a. Judicial officer (*name*):
 - b. Hearing date: Time: Dept.: Room:
 - c. Petitioner (*name*):
 - d. Attorney for petitioner (*name*):
 - e. Minor (*name*):
 - f. Attorney for minor (*name*):
 - g. Minor's parents (*names*):
 - h. Attorney for minor's parents (*names*):
 - i. Person with valid visitation order (*name*):
 - j. Attorney for person with valid visitation order (*name*):
 - k. Public Guardian (*name*):
 - l. Attorney for Public Guardian (*name*):

THE COURT FINDS

2. a. Notice of the time and place of hearing has been given as required by law.
 b. Notice of the time and place of hearing has been should be dispensed with for (*names*):
3. It is necessary that a temporary guardian be appointed to provide for temporary care, maintenance, and support
 protect property from loss or injury pending the hearing on the petition for appointment of a general guardian.
 pending an appeal under Probate Code section 1301. during the suspension of powers of the guardian.

THE COURT ORDERS

4. a. (*Name*):
 (*Address*): (*Telephone*):
- is appointed temporary guardian of the PERSON of (*name*):
 and Letters shall issue upon qualification.
- b. (*Name*):
 (*Address*): (*Telephone*):
- is appointed temporary guardian of the ESTATE of (*name*):
 and Letters shall issue upon qualification.

| | |
|---|--------------|
| TEMPORARY GUARDIANSHIP OF (Name): MINOR | CASE NUMBER: |
|---|--------------|

5. Notice of hearing to the persons named in item 2b is dispensed with.
6. 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 6c.
- d. The temporary guardian is not authorized to take possession of money or any other property without a specific court order.
7. In addition to the powers granted by law, the temporary guardian is granted other powers. These powers are specified in attachment 7. below *(specify)*:

8. Other orders as specified in attachment 8 are granted.
9. Unless modified by further order of the court, this order expires on *(date)*:
10. Number of boxes checked in items 4–9: _____
11. Number of pages attached: _____

Date:

 JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):
 After recording, return to:

TEL 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: _____

FOR RECORDER'S USE ONLY

TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 OF (name): _____

MINOR CONSERVATEE

CASE NUMBER: _____

LETTERS OF TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 Person Estate

FOR COURT USE ONLY

LETTERS

1. (Name):
 is appointed temporary guardian conservator of the person
 estate of (name): _____
2. Other powers that have been granted or restrictions imposed on the temporary
 guardian conservator are specified in Attachment 2.
 specified below:

3. These Letters shall expire
 a. on (date): _____ or upon earlier issuance of Letters to a general guardian or conservator.
 b. on other date (specify): _____
4. The temporary guardian conservator is not authorized to take possession of money or any other property
 without a specific court order.
5. Number of pages attached: _____

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

(SEAL)

Date: _____

Clerk, by _____, Deputy

This form may be recorded as notice of the establishment of a temporary conservatorship of the estate as provided in Probate Code section 1875.

| | |
|--|--------------|
| TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (name): | CASE NUMBER: |
| <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE | |

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

When these *Letters of Temporary Guardianship* or *Letters of Temporary Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the temporary guardian or temporary conservator of the estate (1) to take possession or control of an asset of the minor or conservatee 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 or conservatorship, 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 temporary guardian or temporary conservator 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 Web site free of charge. The Internet address (URL) is www.courts.ca.gov/forms/. 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, or may be filled out online and printed out ready for signature and filing.

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 TEMPORARY GUARDIANSHIP CONSERVATORSHIP
AFFIRMATION**

I solemnly affirm that I will perform according to law the duties of temporary guardian. conservator.

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 |

| | |
|--|--------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____ | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF 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> | |
| NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP | 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: _____ Dept.: _____ 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.)



ESTATE GUARDIANSHIP CONSERVATORSHIP MATTER OF
(Name):

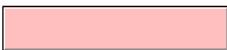
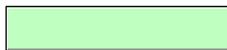
CASE NUMBER:

ATTACHMENT TO NOTICE OF HEARING PROOF OF PERSONAL SERVICE

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

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

| No. | Name | Address where served (number, street, city, and state) | Date and time service made |
|-----|------|--|----------------------------|
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
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| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |
| — | | | Date: _____ Time: _____ |



| | |
|--|----------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and Address) <div style="text-align: right;">State Bar No. _____</div> TELEPHONE NO. _____ FAX NO. (OPTIONAL) _____ EMAIL ADDRESS (optional) _____ ATTORNEY FOR (name) _____ | FOR COURT ROOM ONLY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 3341 Power Inn Road, Room 214 MAILING ADDRESS: 3341 Power Inn Road, Room 214 CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse | |
| CASE NAME: _____ | |
| DECLARATION OF NOTICE OF EX PARTE APPLICATION | case number _____ |

Name all persons legally entitled to notice of this proceeding:

| | |
|--|--|
| | |
| | |
| | |
| | |

INSTRUCTIONS: COMPLETE FOR EACH PERSON SERVED

I, _____, declare:

1. I am counsel for Petitioner/Plaintiff Respondent/Defendant Other: _____

2. Pursuant to Rule 3.1204 of the California Rules of Court, I informed _____
Name of person you notified

of this ex parte request by: *[Complete either (a), (b), (c) or (d)]*

- (a) Telephone call on _____ at _____ (a.m.)(p.m.)
- (b) In person on _____ at _____ (a.m.)(p.m.)
- (c) Facsimile on _____ at _____ (a.m.)(p.m.)
- (d) Other (Describe): _____

3. I informed _____ I would be appearing in court to make this ex parte request on
Name of person notified

_____ at _____ (a.m./p.m.) in Department _____ and that he/she will have to appear in court at that
Date Time

time if he/she objects to this ex parte request.

4. He/she has / has not filed a request for special notice in this proceeding

5. I received the following response to the above notice:

No opposition Opposed Will Will not appear Other (Explain)

6. I have not been able to give notice of this ex parte hearing to all parties entitled to notice because:
(specify the efforts made to inform the opposing party)

7. Notice of opposing party should be dispensed with because

Giving notice would be contrary to the interest of justice (specify reason)

8. Notice was provided later than 10:00 a.m. the court day prior to the ex parte appearance. The exceptional circumstances that justify the shorter notice are (specify reason)

I declare under penalty of perjury under law of the State of California that the forgoing is true and correct.

DATE _____

TYPE OR PRINT NAME

SIGNATURE OF DECLARANT

CASE NAME:

CASE NUMBER:

ATTACHMENT TO DECLARATION OF NOTICE OF EXPARTE APPLICATION**List each person served in a separate box below:**

1. Pursuant to Rule 3.1204 of the California Rules of Court, I have informed _____
Name of person you notified
of this ex parte request by: *[Complete either (a), (b), (c) or (d)]*

(a) Telephone call on _____ at _____ (a.m.) (p.m.)
(b) In person on _____ at _____ (a.m.) (p.m.)
(c) Facsimile on _____ at _____ (a.m.) (p.m.)
(d) Other *(Describe)*: _____

2. I informed the same person noted above, that I would be appearing in court to make this ex parte request on _____
Date
at _____ (a.m.) (p.m.) in Department _____ and that he/she will have to come to court on that date if
Time
he/she objects to this ex parte request.

3. He/she has has not filed a request for special notice in this proceeding

4. I received the following response to the notice described in 1 and 2 above:
 No opposition Opposed Will appear Will not appear
 Other (Explain) _____

1. Pursuant to Rule 3.1204 of the California Rules of Court, I have informed _____
Name of person you notified
of this ex parte request by: *[Complete either (a), (b), (c) or (d)]*

(a) Telephone call on _____ at _____ (a.m.) (p.m.)
(b) In person on _____ at _____ (a.m.) (p.m.)
(c) Facsimile on _____ at _____ (a.m.) (p.m.)
(d) Other *(Describe)*: _____

2 I informed the same person noted above, that I would be appearing in court to make this ex parte request on _____
Date
at _____ (a.m.) (p.m.) in Department _____ and that he/she will have to come to court on that date if
Time
he/she objects to this ex parte request.

3. He/she has has not filed a request for special notice in this proceeding

4. I received the following response to the notice described in 1 and 2 above:
 No opposition Opposed Will appear Will not appear
 Other (Explain) _____