

SELF-REPRESENTED LITIGANTS PROJECT

Interactive Pleadings Project for Individuals of Low-Income

Made possible by the following:



Guardianship of a minor where a parent is the petitioner

Welcome to the interactive pleadings for a **Guardianship of a minor where a parent is the petitioner**. You must be a natural (biological) parent of the minor (child) in order to use these pleadings. If you are not a natural parent of the child but you want to ask the Court to grant you guardianship of the child, you should use the "Guardianship of a minor where a proposed guardian is the petitioner" pleadings.

How does this work?

The computer will ask specific questions for you to answer. The computer then takes your answers and uses them to create the legal documents that will be ready to submit to the Court. The questions that the computer will ask you will be in plain English. The documents that the computer will produce will be in proper legal language that will be acceptable to the Court.

Please note that the system is unable to save your answers and your forms, so it is important to plan accordingly when you are developing your forms.

What do you need before you start?

PRINT THESE PAGES! Select the "Print" button at the top.

Be sure to have the following information ready before starting the interactive pleading. Without this information, you will not be able to complete the process.

- **Your information**– full name, date and place of birth, address, contact numbers.
- **The other parent's information**– full name, date and place of birth, address, contact numbers, and/or death certificate if the other parent is deceased.
- **The child's information and birth certificate** – full name, date and place of birth, who the child is staying with.
- **The proposed guardian's information** – full name, date and place of birth, address, contact numbers, relationship to the child.

What are the general steps?

Step 1: Complete the Required Forms. When you complete the interactive pleading process, the computer will take your answers and automatically create the following documents. These will be the documents that make up the Guardianship of a Minor pleadings which you can file with the Court.

- Petition for Appointment of Guardian
- Consent of Natural Mother
- Consent of Natural Father
- Consent of Proposed Guardian
- Order Appointing Guardian
- Letters of Guardianship
- Oath of Guardians
- Notice of Hearing

Step 2: Review and sign the forms. Review the forms carefully. Some of the forms require that they be signed by parents and proposed guardians ONLY in front of a notary public who will certify the document. You can often locate a notary public at a bank, insurance, real estate or payroll offices, or the courthouse.

Step 3: Include attachments, make copies and bring envelopes. After you review and sign the legal pleadings, you will need to make sure that the following documents are attached to the pleadings:

- Birth Certificate of the Minor (Child)
- Death Certificate of deceased parent, if one of the child's natural parents is deceased.

Step 4: Make Two (2) Copies and File with the Clerk.

Assemble the pleading forms with your attachments and make two (2) copies of the completed set. Place the two (2) copies underneath the original.

You will also bring to the court clerk's office envelopes already addressed to each living natural parent as well as to the proposed guardian, with enough postage attached so the court clerk can use these envelopes to mail you copies of the final guardianship papers after it has been signed by the judge.

Go to the filing window at the Clerk's Office. Give the Clerk the following:

*Filing fee (\$300.00 as of August 9, 2019) plus \$40.00 for a Notice of Hearing, or a "Motion and Affidavit for Fee Waiver, FW 1-9", and the original and a copy of a proposed "Order Re: Fee Waiver, FW1-10".

*The completed originals and your two (2) copies.

Once your case has been filed, the Clerk will "conform" your copies by stamping and dating them. This will save you paying \$1.00 per page for copies of these documents from the court file later on, and will provide proof of the filing of the documents in case they become misplaced from the court file. The Clerk will hand you the Original Summons and the conformed copies of the Complaint packet and Summons.

The court clerk will file your paperwork, including the Sworn Stipulation for Entry of Decree, and send the file with all the paperwork to the judge. You should receive a copy in the mail. If the judge requires a hearing for any reason, you will be notified.

If you wish to have a copy certified so you can record it or provide it to agencies, the fee is \$4.00 PLUS \$4.00 per page if you supply the copy, \$1.00 a page if the court clerk has to make a copy.

WARNING!

Using these interactive forms will NOT guarantee a favorable result. It is always advisable to talk to a lawyer before proceeding on your own. The materials and assistance you receive from these interactive forms are NOT a substitute for legal advice. The laws and court rules are complex. By proceeding without a lawyer, you are proceeding at your own risk.

Need help finding a lawyer? [**Click here.**](#)

Are you ready to start?

If you have all your information ready, you may proceed by clicking the link below. Otherwise, you may return to our listing of other pleadings.

*I have read the warning above and understand that this web site and these forms are not a substitute for legal advice.
I am using these forms at my own risk.*

I AGREE

I DO NOT AGREE