

## Helpful Information: How to file a response or objection to a petition about a guardianship

1. Who can file a response: Generally, you must have some valid interest in the case to be able to file a Response to a Petition about a guardianship. If you received copies of the court papers from the Petitioner or his/her attorney, you will probably be allowed to file a Response.

Fees: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center and Clerk of Superior Court.

2. When must a response be filed: You must file the Response no later than 5 (five) days before the Court hearing is scheduled.
3. Who gets copies of the response: Mail or hand-deliver a copy of your Response to the Petitioner or his/her attorney, and the office of the Judge who is scheduled to hold the hearing. If you do not copy the Judge's office, the Judge might not get the paperwork on time, and your Response might not be considered.

You should also mail or hand-deliver copies to the Minor who has or will have the guardian and everyone else to whom the petitioner gave notice of the court matter. Ask the Petitioner for the names and address of these people or go to the Clerk's Office to request the file and look at the copy of the Proof of Notice filed by the Petitioner that will give you all this information.

4. What to say in the response: Tell the Judge as simply as you can what you object to, and why. Write neatly in black ink and be sure you give enough detail about why you disagree with the Petition.
5. Going to the hearing: If you file the Response, you should go to the Court hearing to be available to tell the Judge why you disagree with the Petition and to answer any questions the Judge might have. It is up to the Judge to let you testify or not. The Judge will make this decision based upon your relationship with the Minor, the nature of your objections, time available, and other factors.
6. Other help: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys." Also, the Law Library Resource Center has a list of lawyers who will help you help yourself. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. Visit the Law Library Resource Center to get the names of some of the lawyers on this list.