

GUARDIANSHIP OF A MINOR

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To Get an Appointment for a Minor

Part 1: Preparing the Court Papers

(Forms and Instructions)

Appointment of Guardian for A Minor

CHECKLIST

You may use these forms if:

- ✓ You want to have the court appoint a guardian for a minor, and you know that you do not need the court to appoint a *conservator* for the minor, AND
- ✓ The minor lives in Maricopa County, AND
- ✓ After giving notice of the petition for guardianship to BOTH PARENTS (if living), one or both parents will give permission by signing a voluntary consent, and/or neither parent will file papers to oppose the guardianship*, AND
- ✓ If you are NOT related by blood to the minor, you already have or you will get your fingerprints taken for submission to DPS (Arizona Department of Public Safety) and the FBI for a criminal background check.

A minor generally needs a GUARDIAN:

1. If the minor needs the care and supervision of an adult, which is not presently available.

A minor generally needs a CONSERVATOR:

1. If the minor owns money or property or receives annual income in excess of \$10,000 that requires management or protection, which cannot be otherwise provided;
2. If the minor has business affairs/assets which may be jeopardized or prevented by his or her being a minor; and/or
3. If the minor needs funds for his or her support and education and protection is necessary or desirable to obtain or provide the funds.

*NOTE: If *either* parent files papers *opposing* a guardianship, it will NOT be granted. An attorney may be able to advise whether another action such as for "Juvenile Dependency" or non-parent custody may be appropriate.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

Appointment of a Guardian for a Minor

This packet contains court forms and instructions to file for an appointment of a guardian for a minor. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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1	JG1k	Checklist: <i>You may use these forms if . . .</i>	1
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8	JG13f	Consent of Parent to Guardianship of a Minor (and Waiver of Notice) (2 copies, one for each parent)	2 each
9	JG14f	Consent of Minor to Guardianship of a Minor (and Waiver of Notice)	1
10	PBGTM1	Guardianship Training Manual	7
11	PBT80f	Declaration of Completion of Training for Non-Licensed Fiduciaries	1

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

How to ask the court to appoint a guardian of a minor

Use this packet if you want to be appointed a guardian for a person under the age of 18.

This packet does NOT help you with the following processes:

- Guardianship or conservatorship for persons 18 years or older;
- Conservators for minors;
- Testamentary (by will) appointment of a guardian of a minor.

Important Information:

- Make sure you need to be appointed as guardian only, and not conservator, too. If you are not sure, see the Checklist at the beginning of the packet, see the Law Library Resource Center for information on conservatorships, or consult an attorney. The Law Library Resource Center has separate packets for adults and for minors for guardians or conservators, as well as for guardians and conservators combined.
- Arizona law (A.R.S. § 14-5206) requires that any person asking to be appointed guardian or co-guardian of a minor to whom they are not related by blood must be fingerprinted and have a background investigation through the Arizona Department of Public Safety and the FBI. This will help the Court determine that person's suitability to act as a guardian of a minor. The court will accept a current (unexpired) fingerprint clearance card. See fingerprinting section below describing how and where to get your fingerprints taken.
 - Note: In Maricopa County, completed Fingerprint cards must be submitted to the Clerk of Superior Court, Juvenile Division, within 5 days of filing the "Petition for Appointment of Guardianship of a Minor."
- Follow each step carefully. Each step contains certain forms, and some of these forms have instruction sheets to help you. The whole process will take at least a couple of months.

Complete the court forms:

1. Fill out all the forms in the packet completely and in black ink. The terms "child," "children" and "minor" all refer to the minor children for whom you are asking a guardian be appointed.
 - Probate Information Form for Guardianship / Conservatorship. Complete everything but the "Case Number." The Clerk of Superior Court will assign and stamp a Juvenile Court case number when you file the papers. You will use this case number on all court papers you file with the Clerk in this case.
 - Petition for Appointment of Guardian of a Minor. Fill out all the information carefully and notify the people entitled to receive notice about this matter.
 - If you only need a guardianship for 6 months or less, check the boxes for "temporary guardianship."
 - If you have questions about who is entitled to notice see the Law Library Resource Center packet on Service, then read the document called "Information on Legal Notice for Guardianship of a Minor."

- Affidavit of Person to Be Appointed Guardian (A.R.S. § 14-5106). This document must be completed by each person who wants to be guardian (usually the Petitioner). You must file this Affidavit with your “Petition.”
- Consent of Parent to Guardianship (and Waiver of Notice).
 - This document must be completed and signed by BOTH parents of the children, IF:
 - ✓ they are living, and
 - ✓ they have not had their parental rights terminated by a Court Order, or
 - ✓ they have not been declared incompetent by a Court.
 - If you only can find one parent, have that parent sign the Consent.
 - Be prepared to explain to the Court at the hearing why only one parent or no parents signed the consent. If you cannot locate a parent, be prepared to prove to the Court you did everything you could to try to find the parent including publishing notice. See the Law Library Resource Center packet “Service When You Can’t Find the Other Party” for more information on service of notice by publication.
- Consent of Minor to Guardianship (and Waiver of Notice).
 - This document must be completed for all minors age 14 or older.
- Declaration of Completion of Training for Non-Licensed Fiduciaries (contained at the end of the Guardianship Training Manual)

Arizona law requires that a person to be appointed as a guardian and who is neither a state-licensed fiduciary nor a “financial institution” as defined in A.R.S. § 14-5651 complete a training program approved by the Arizona Supreme Court before permanent Letters of Appointment are issued.

Read and follow the instructions within the Guardianship Training Manual. Once you have completed the training fill out the Declaration of Completion of Training for Non-Licensed Fiduciaries, located at the end of the manual and file this with your initial packet.

2. Make 3 copies of all the completed forms listed above. Assemble the copies so that you have 4 complete packets – one set of originals and three sets of copies. The Clerk of Superior Court will keep the original documents; one set of copies will be for the Petitioner’s records, and two set of copies are for serving legal notice on the Mother and Father.

File the court forms:

3. Determine where to file the court forms. There are two facilities for the Maricopa County Juvenile Court:

Durango Facility
3131 W. Durango Street
Phoenix, AZ 85009

Southeast Facility
1810 S. Lewis Street
Mesa, AZ 85210

Cases are assigned to a facility based upon the zip code of the residence of the petitioner. If the zip code is 85200 through and including 85299, or any zip code area that is east of Central Avenue in Phoenix, the case will probably be assigned to the Southeast Facility. Any zip code that is west of Central Avenue will probably be assigned to the Durango Facility.

You can present your documents for filing at either location; however, you are encouraged to take them to the correct facility for faster processing.

4. There is a filing fee that is due at the time you file the papers. 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. Deferral Applications are available at no charge from the Law Library Resource Center and Clerk of Superior Court.

5. Take the originals and 3 sets of copies of the following documents to the Clerk of Superior Court, Juvenile Division, on the first floor of the court, for processing:
 - Probate Information Form for Guardianship / Conservatorship
 - Petition for Appointment of Guardian of a Minor
 - Affidavit of Person to Be Appointed Guardian (for each proposed guardian)
 - Consent of Parent (Mother) (if applicable)
 - Consent of Parent (Father) (if applicable)
 - Consent of Minor (if applicable)
 - Declaration of Completion of Training for Non-Licensed Fiduciaries

NOTE: The Clerk will keep the originals and return your 3 copies of the documents. The Court will review your request and if appropriate, prepare a Notice of Hearing. You will be called when the Notice of Hearing is ready to be picked up.

Complete the fingerprint process:

6. To get your fingerprints taken: If the proposed guardian is NOT related by blood to the children, ARS § 14-5206 requires that the proposed guardian or co-guardian furnish a complete set of fingerprints. The court will accept a current (unexpired) fingerprint clearance card.

The Court will provide the correct fingerprint card to you when you file your petition. To be fingerprinted, take the card to the Maricopa County Sheriff's Office, a police department or a private company that performs this service. It is suggested that you call ahead to determine hours of operation and costs. NOTE: Be sure to bring valid picture identification with you or your fingerprints will not be taken.

- The Maricopa County Sheriff's Office at 201 West Jefferson Street in Phoenix, (West Court Building, 4th floor) does fingerprinting Monday-Friday, from 7:30 a.m. until 5:00 p.m. for a fee of \$8 per card. Cash or money orders. Contact 602-876-1834 for more information.
- The Phoenix Police Department offers this service at 1717 E. Grant St., Suite 100, in Phoenix, Monday through Friday from 7:30 a.m. to 4:00 p.m. for a fee of \$6 per card. Contact 602-534-1127 for more information.
- Other police agencies may offer the service during limited days and hours for locally employed workers and residents only.
- You may also consult the yellow pages under "fingerprints" to find a private agency to fingerprint you.

You MUST return the completed fingerprint card and a \$29 fee for each card WITHIN 5 DAYS of filing the Petition to the Clerk of Superior Court, Juvenile Division.

Your hearing date will be set at about 12 weeks from the day you submit the fingerprint card to allow enough time for the criminal record check to be completed and sent to the Court.

Get Consents signed or give Notice:

7. If you haven't already, have both parents sign the Consent and Waiver form in front of a notary. File the Consents with the Court and bring a copy of each to the Hearing.
8. If a parent won't sign the Consent, you must give them Legal Notice. See packet 2, "Service and Notice of the Court Hearing" for information on how to give Legal Notice. Be sure to file the proof of legal notice with the Court and bring a copy to the Hearing.

Prepare for your hearing:

9. If you do not bring the required documents to the hearing, your hearing may be vacated and reset to another date.

You must bring the original and one copy (for the Court) of the following:

- Petitioner's United States or State issued identification (this is required for all Petitioners).
- Certified copy of Birth Certificate for each child (this is required for all children listed on the Petition).
- If a child is over age 14, you must have the child's consent in writing. File the original, notarized consent of each child over age 14. Bring a copy of the consent to your hearing. You can also bring the child to the hearing to provide their consent in Court.
- If you have written consents from either or both parents, you must file the original, notarized consent with the Court. Bring a copy of each consent to your hearing. A parent may also provide their consent in Court.
- If either parent is deceased, you must bring a "certified copy" of the Death Certificate and an extra copy for the court.
- If either parent will not sign a consent, you must provide proof to the Court that they were served notice. This means they each received copies of the Petition and Notice of Hearing. Instead, the parents may also sign a "Waiver of Notice." For more information on how to give notice, see the packet, "Service and Notice of the Court Hearing."

Need Help?

- Court personnel can answer some questions about the procedures involved, but only an attorney can give you legal advice.
 - You can call the Maricopa County Bar Association's Lawyer Referral Service at 602-257-4434 to schedule a half-hour consultation for a fee.
 - You can find a lawyer through the State Bar of Arizona "find a lawyer" program. See: <https://azbar.legalserviceslink.com/>.
 - The Law Library Resource Center has a list of lawyers who will, for a fee, assist you on a task-by-task basis or advise you on how to conduct your own case. 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. You may view the list on the Court's [web site](#).

Procedures: What to do before and after the Court Hearing for Appointment of Guardian for a Minor

Before the court hearing

Please review the following information and take appropriate action.

1. Language: Do you need a court interpreter? At least 10 days before the hearing; if you need the services of a court interpreter, please call the court interpreters' office at 602-506-0490.
2. Hearing record: Digital Recording or Court Reporter? The Juvenile Court uses a digital audio recording system to preserve the official record of the proceedings. If you or another party wants a court reporter to transcribe the Court hearing, you or the party requesting the court reporter must:
 - At least 72 hours before the start of the hearing:
 - Write a request to the Clerk of Superior Court asking that a court reporter transcribe the hearing,
 - Photocopy your written request, and
 - Take the copies to the Clerk of Superior Court for filing; place the copy in the Judge's basket.
3. Prepare testimony: Think about what you want to say to the Judge such as:
 - Why is the Guardianship needed? Why should the proposed Guardian be appointed?
 - Do I need witnesses? How would a witness clarify the Judge's understanding of the need for the guardianship?
 - NOTE: Ask the witness to come to the hearing if you think the witness' testimony will help your case.
4. Documents: Bring the following documents to the Court Hearing:
 - Part 1 Documents, consisting of:
 - Petition for Appointment of Guardian of a Minor
 - Affidavit of Person to be Appointed Guardian (A.R.S. § 14-5106)
 - Notarized, Consent of Mother (if applicable) and extra copy for Court
 - Notarized, Consent of Father (if applicable) and extra copy for Court
 - Notarized, Consent of child, for all children over age 14 and extra copy for Court
 - Petitioner's United States or State issued identification (this is required for all Petitioners)
 - Birth Certificate for each Child (this is required for all Children listed on the Petition)
 - If either parent has died, you must bring the original "certified copy" of the Death Certificate and extra copy for the court.
 - If a child was born outside the United States, you must bring the original United States issued, temporary visa or permanent legal resident card and extra copy for the court.
 - Part 2 Service of Notice Documents, consisting of:
 - Notice of Hearing
 - Proof of Notice of Hearing
 - Waiver of Notice (if applicable) – signed by interested person
 - Acceptance of Service (if applicable) – signed by interested person
 - Affidavit Supporting Publication (if applicable)
 - Affidavit of Publication (if applicable)

Note: If you do not bring the required documents to the hearing, your hearing may be vacated and reset to another date.

After the court hearing

Please review the following information and take appropriate action.

1. Go to the Clerk of Superior Court, Juvenile Division. If the Judge grants the Petition for Appointment of Guardian of a Minor, the Clerk will:
 - Review the Order of Appointment
 - Ask you to sign an Acceptance of Appointment (you must show a photo ID)
 - Issue conformed or certified copies of the Court Order.
 - Note: In order to prove that the Court granted you the authority to be appointed as the legal Guardian of the minor, it is beneficial for you to obtain a certified copy of the Court order and Letters of Appointment. You can find out the exact fees and costs that are charged for any particular matter by calling the Clerk of Superior Court at 602-372-5375 or on their website.
2. If you haven't already, complete the required training for guardians
 - Read and follow the instructions within the Guardianship Training Manual. Once you have completed the training fill out the "Declaration of Completion of Training for Non-Licensed Fiduciaries," located at the end of the manual and file this with the court.
3. Bond: If the Judge did not waive the bond and ordered that you post a bond for a certain amount, call a bonding company, purchase a bond, and file the original bond with the Court. You should do this immediately after the Court order is signed. If you do not have a bond, the Court will not issue your letters of appointment.
4. Change of address: Always tell the Court in writing if you or the Minor have a change of address.
 - For Guardian's Change of Address: If you have been appointed as a Guardian, you must tell the Juvenile Court in writing within 10 court days if your mailing address changes anytime during the term of your appointment. Your change of address notice must include the case number of the case in which you have been appointed Guardian. You must also give or mail a copy to the minor, if over age 14, and the living parents.
 - For Minor's Change of Address: If you have been appointed as a Guardian, you must tell the Juvenile Court in writing within 3 court days of the change of address of the Minor. The change of address notice must include the case number of the case in which you have been appointed Guardian, and the Minor's new address. You must also give or mail a copy to the minor, if over age 14, and the living parents.
 - Note: Your written change of address notice may be personally delivered to the Court or mailed to the Juvenile Court that handled your case at either:

Durango Facility 3131 W. Durango Street Phoenix, AZ 85009	Southeast Facility 1810 S. Lewis Street Mesa, AZ 85210
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 - Note: A Guardian who fails to notify the Court of a change of address may be required to pay all costs resulting from any failure to notify the Court of that change.

5. Annual Report: You must file the Annual Report of the Guardian (packet JG9) within one year of your Appointment as Guardian of a minor.
 - Every year on or before your anniversary date of your Appointment as Guardian, you must file an Annual Report (packet JG9) with a doctor's note saying the child has been seen in the last year. The doctor's note and any other medical records would be a confidential record and therefore must be filed as a sealed document. See document "Special Handling for Confidential Documents" for how to file a confidential record.
6. Termination: If, at some point in time you want to terminate your Guardianship and be legally discharged as the Guardian of the Minor, you must file a Petition with the Court and give notice to the parties.

If the minor is adopted, is emancipated by court order, marries, or dies, you must notify the Juvenile Court.

Forms and instructions are available at the Law Library Resource Center or courts website: <https://superiorcourt.maricopa.gov/lrc/court-forms/>.

Do not
file this copy
or file this page

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____



Representing Self, without a Lawyer or Attorney for _____

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of:

Case Number: JG

Ward/Protected Person's Name, an Adult.

PROBATE INFORMATION FORM for GUARDIANSHIP/CONSERVATORSHIP

Updated (Check this box if this is an updated form.)

INSTRUCTIONS:

1. Complete this form to the best of your knowledge and ability and then file it with your application or petition.
2. If you later learn of additional information that you omitted or if you later learn that any information in this form is incorrect, you must file an updated probate information form.
3. For purposes of this form, "Financial Institution" means a national banking association, a holder of a banking permit under Arizona law, a savings and loan association authorized to conduct trust business in Arizona, a title insurance company qualified to do business in Arizona, or a trust company holding a certificate to engage in trust business from the superintendent of financial institutions.
4. Items designated with an asterisk (*) constitute "contact information" under Rule 13, Arizona Rules of Probate Procedure. If contact information changes, you must file a notice of change of contact information.
5. This form is filed as a confidential document, so it is *not* available to the general public. In addition, you are *not* required to provide anyone with this form other than the court.

A. INFORMATION ABOUT THE NOMINATED GUARDIAN (if applicable):

Name: _____

Is this person or entity an Arizona Licensed Fiduciary? Yes No

If Yes, write that person or entity's Licensed Fiduciary Number on the line below:

Mailing Address:* _____

Physical Address:* _____

Work Telephone Number:* _____

Email Address:* _____

If the nominated guardian is an Arizona Licensed Fiduciary or a Financial Institution, proceed to section **B** below. Otherwise, complete the remainder of section **A**.

Home Telephone Number:* _____

Cellular Phone Number:* _____

Date of Birth: _____ Social Security Number: _____

Race: _____ Height: _____ Weight: _____

Eye Color: _____ Hair Color: _____ Sex: _____

B. INFORMATION ABOUT THE NOMINATED CONSERVATOR (If applicable or if different from **A**):

Name: _____

Is this person or entity an Arizona Licensed Fiduciary? Yes No

If Yes, write that person or entity's Licensed Fiduciary Number on the line below:

Mailing Address:* _____

Physical Address:* _____

Work Telephone Number:* _____

Email Address:* _____

If the nominated conservator is an Arizona Licensed Fiduciary or a Financial Institution, proceed to section **C** below. Otherwise, complete the remainder of section **B**.

Home Telephone Number:* _____

Cellular Phone Number:* _____

Date of Birth: _____ Social Security Number: _____

Race: _____ Height: _____ Weight: _____

Eye Color: _____ Hair Color: _____ Sex: _____

C. INFORMATION ABOUT THE PERSON WHO NEEDS A GUARDIAN OR CONSERVATOR:

Name: _____

Mailing Address:* _____

Physical Address:* _____

Work Telephone Number:* _____

Email Address:* _____

Home Telephone Number:* _____

Cellular Phone Number:* _____

Date of Birth: _____ Social Security Number: _____

Race: _____ Height: _____ Weight: _____

Eye Color: _____ Hair Color: _____ Sex: _____

I, _____ (your name), under the penalty of perjury, do hereby swear that the foregoing information is true and correct to the best of my knowledge and belief.

Date

Signature

Person Filing: _____
Address (if not protected) _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the Guardianship of:

Case Number: _____

PETITION FOR APPOINTMENT OF GUARDIAN OF A MINOR

A Minor

Temporary Appointment only
(6 months or less)

INFORMATION ABOUT PETITIONER(S), UNDER OATH OR AFFIRMATION:

1. INFORMATION ABOUT PETITIONER:

Name(s): _____

Street Address: _____

City, State, Zip Code: _____

Telephone: _____ Date of Birth: _____

I am related by blood to the children. Explain how you are related.
(Examples: Grandmother, Uncle, Sister, etc.) _____

Are you related to the children through the Mother's side of the family or the Father's side? Mother Father

Paternity has been established through Birth Certificate Court Order

I am NOT related by blood to the Children. Explain how you know the Children.

Note: If the person to be appointed Guardian is not related to the child, the person will need to submit a full set of fingerprints to obtain a criminal background investigation.

2. INFORMATION ABOUT THE CHILDREN WHO NEED A GUARDIAN: (Make copies of this page if needed for additional children)

a. Child's name: _____ male female

Child's birth date: _____

Child's birth place: _____

Child's address: _____

b. Child's name: _____ male female

Child's birth date: _____

Child's birth place: _____

Child's address: _____

c. Child's name: _____ male female

Child's birth date: _____

Child's birth place: _____

Child's address: _____

d. Child's name: _____ male female

Child's birth date: _____

Child's birth place: _____

Child's address: _____

(If more than four children, please attach information for all children)

3. The person or agency currently having legal custody, guardianship, acting in loco parentis (acting as parent) or providing care for the children is:

Name: _____

Address: _____

4. REASONS I AM ASKING FOR A GUARDIANSHIP ORDER.

I AM REQUESTING A TEMPORARY GUARDIANSHIP (6 months or less only) because: (Explain why a temporary appointment of a guardian for 6 months or less is necessary. Explain why a guardianship longer than 6 months is not necessary.)

OR

I AM REQUESTING A REGULAR GUARDIANSHIP because: (Explain why the appointment of a guardian is necessary at this time to provide continuing care and supervision of the children and would be in the best interests of the children.)

Explain:

5. Disability or Incapacitation. Is the Child disabled or incapacitated to the extent that he or she will need a guardian AFTER reaching the age of 18?

- YES.** The Child WILL need a guardian after reaching the age of 18.
- NO.** The Child WILL NOT need a guardian after reaching the age of 18.

6. Information about person(s) to be appointed guardian or any person who will serve as a co-guardian (ONLY if different than Petitioner)

Name(s): _____

Street Address: _____

City, State, Zip Code: _____

Telephone: _____

Date(s) of Birth: _____ / _____

Is the first co-guardian to be appointed guardian **related by blood** to the Children (examples: Grandmother, Uncle, Sister) **YES** **NO**

Is the second co-guardian to be appointed guardian **related by blood** to the Children (examples: Grandmother, Uncle, Sister) **YES** **NO**

If "YES", HOW is/are the co-guardians related to the Children?

If "NO" above, is/are the co-guardians related in any way to the Children? Explain.

Note: If the person to be appointed Guardian is not related to the child, the person will need to submit a full set of fingerprints to obtain a criminal background investigation.

7. Why should this Court choose the person(s) you request to be the guardian?
(Explain in detail.)

8. Will anyone object or disagree with the Guardianship?

Mother of the children will object or disagree with you being guardian because:

Father of the children will object or disagree with you being guardian because:

Children (over age 14) will object or disagree with you being guardian because:

If you feel a parent will not consent and the children are in danger, you can call Arizona Department of Child Safety at 1-888-SOS-CHILD (1-888-767-2445)

9. REASONS FOR REQUESTED PERSON TO BE APPOINTED GUARDIAN:

(Check one or more of the boxes that you think apply to the relationship of the proposed guardian to the children you say require a guardian):

- Proposed appointee was selected by the children, who are at least 14 years old.
- Proposed appointee is a relative of the children and has had care and custody of the children for the last 6 months prior to filing this Petition.
- Proposed appointee was chosen to be the guardian by someone who is caring for the children or is paying benefits for the children.
- Proposed appointee is a public fiduciary, a professional guardian, conservator, or the Arizona Department of Veterans' Services.

Proposed appointee is not related by blood to the children and the person will submit a full set of fingerprints to the court required by A.R.S § 14-5206.

Other (Please explain)

10. INFORMATION REGARDING GUARDIANSHIP: (Prior Appointment)

To the best of my knowledge, (check one box):

No Guardian or Conservator has been appointed in any other court, and no court proceedings are pending for such appointment;

Someone has been appointed or court proceedings are pending (explain who, when, in what court, and if appointee, whether guardian or conservator, or both):

There is a dependency petition pending in any Court. (explain when, in what court, and list the case number(s)):

Arizona Department of Child Safety has been involved with the family. (explain when, in what State, and outcome):

11. PERSONS ENTITLED TO NOTICE UNDER ARIZONA LAW

Arizona law says that mother, father, children age 14 and over, current guardians, and other persons the children have recently been living with are entitled to Notice of the Petition for Guardianship or must consent or agree to a guardianship. (Refer to Instructions and A.R.S. § 14-5207 regarding who must be given Notice.)

A. **I will give Notice** to the following persons:

	Name	Address (Street Address, City, State, Zip)
Children, if age 14 and over		
Attorney for Children (if already appointed)		

	Name	Address (Street Address, City, State, Zip)
Mother of Children	Date of Birth:	Phone Number:
Father of Children	Date of Birth:	Phone Number:
Current Guardian Relationship to children, if any		
Person with whom the children recently has been living		
Other: Relationship to children, if any		

B. I have notarized, signed consents and waivers of notice for the following persons:

12. ASSETS OF THE CHILDREN: (check one box)

The children have no substantial assets or income. No bond by Petitioner is required; OR,

The children have assets and/or annual income in the approximate amount of \$ _____

Explain (what are the assets, where are assets located, monthly income from assets, etc.):

13. PARENTAL RIGHTS. All parental rights of custody regarding the children have been suspended or terminated by:

Mother's parental rights have been terminated by Court Order (case number: _____) and I will provide a copy of the Court Order at the hearing.

Mother consents to the guardianship. (notarized copy of Consent must be attached)

Mother is deceased. (certified copy of death certificate is attached)

Father's parental rights have been terminated by Court Order (case number: _____) and I will provide a copy of the Court Order at the hearing

Father consents to the guardianship (notarized copy of Consent must be attached)

Father is deceased. (certified copy of death certificate is attached)

- Prior court order (certified copy of the order must be attached)
- Other Circumstances: (Explain in detail)

WARNING: A GUARDIANSHIP UNDER TITLE XIV CANNOT BE GRANTED OVER A PARENT'S OBJECTION (DISAGREEMENT).

14. REQUIRED STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:
 (Note: All of these statements must be true and you must check the box for each statement to indicate to the Court that each statement is true, or you cannot file this Petition.)

- A. This Court is the proper **venue** for this case because the children who need a guardian lives in or is present in this county.
- B. Each person who is requested to be the guardian has completed the required document called "Affidavit of Person to be Appointed as Guardian" and is filing that Affidavit with this Petition as required by Arizona law, A.R.S. § 14-5106.
- C. Each person I request to be appointed guardian is a suitable and proper person to act as guardian and is entitled to consideration for appointment under Arizona Law, A.R.S. §§ 14-5106, and/or 14-5206.
- D. I understand that I must bring all required documents to the Hearing and if I do not, the Court may reschedule the hearing to a later date.

REQUESTS TO THE COURT:

1. I request the Court schedule a hearing to determine if the Court should order a Guardianship;
2. Appoint the proposed person(s) as Guardian(s) of the children; and
3. Make any other orders the Court decides are in the best interests of the children.

OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER(S)

I state to the Court, under penalty of perjury, that I have read this petition and all the statements in the petition are true and correct and complete to the best of my knowledge and belief.

_____ Date

_____ Petitioner's Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

_____ Deputy Clerk or Notary Public

I state to the Court, under penalty of perjury, that I have read this petition and all the statements in the petition are true and correct and complete to the best of my knowledge and belief.

_____ Date

_____ Co-Petitioner's Signature

STATE OF _____

COUNTY OF _____

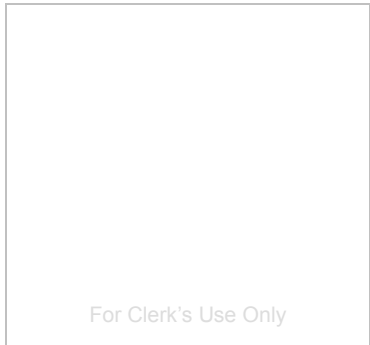
Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

_____ Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of the Guardianship of:

Case Number: JG _____

a Minor

AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN

INSTRUCTIONS: A signed and completed copy of this form must be submitted by each person who wants to be appointed guardian. If there are to be co-guardians, make a copy before writing on this form. Answer each statement as TRUE or FALSE. Each answer that is false must be explained in writing in an attachment to this affidavit.

STATEMENTS MADE UNDER OATH OR AFFIRMATION TO THE COURT: Arizona law A.R.S. §14-5106 requires the person seeking appointment to answer items 1-12. This document must be filed with the ***"Petition for Appointment of Guardian for a Minor"***.

The nature of my relationship to the Minor is: (example: grandparent/sister/uncle)

I met the Minor under the following circumstances:

1. True or False I have not been convicted of a felony in any jurisdiction.
2. True or False I have not acted as a guardian for another person for at least three years before I filed this Petition.
3. True or False I know and understand the powers and duties I would have as a guardian.
4. True or False I have not had a power of attorney for anyone for at least three years before I filed this Petition.
5. True or False Arizona law requires that a guardian file an annual report with the Court. If I have
 Does Not Apply. been a guardian before, I either filed the required documents on time, or within 3 months of receiving a notice from the court that the report was due.

- 6. True or False I have never been removed as a guardian or conservator by the Court.
- 7. True or False I have never received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I was not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
- 8. True or False No business in which I have an interest has ever received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
- 9. True or False To the best of my knowledge, I am not named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
- 10. True or False To the best of my knowledge, no business in which I have an interest is named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
- 11. True or False I have no interest in any business that provides housing, health care, nursing care, residential care, assisted living, home health services, or comfort care services to any individual.
- 12. True or False I have never been charged with or convicted of any kind of abuse, neglect or mistreatment of a child or an elderly person. I am not named on any Registry of this State or any other of Sex Offenders or persons who have committed acts of abuse, violence or neglect against children or elderly persons. (If you checked "False", be prepared to explain the circumstances and why the Court should appoint you as a guardian in this case.)

OATH OR AFFIRMATION OF THE PERSON SEEKING TO BE APPOINTED GUARDIAN

I have read this document. The information contained in this document is true, correct, and complete to the best of my belief and knowledge.

Signature of Person to be Appointed Guardian

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

NOTE: IF YOU ANSWERED "FALSE" TO ANY QUESTION ABOVE, YOU MUST ATTACH AN EXPLANATION AS INSTRUCTED ON THE NEXT PAGE.
The page following is an instruction page only. Do *not* file it with the Court.

EXPLANATIONS THAT MUST BE ADDED TO THE AFFIDAVIT OF PERSON WHO WANTS TO BE APPOINTED (Required by Arizona Law: A.R.S. § 14-5106)

You must explain the following as an attachment to your Affidavit for any statement which you marked "F" (false). **FILE THE EXPLANATIONS WITH THE AFFIDAVIT, BUT DO NOT FILE THIS INSTRUCTION SHEET.** All the information in the explanations is also under oath to the court.

DO NOT FILE THIS SHEET
WITH THE CLERK'S OFFICE
INSTRUCTION SHEET ONLY

1. As to each felony for which you have been convicted, list:
 - a. The nature of the offense.
 - b. The name and address of the sentencing court.
 - c. The case number.
 - d. The date of conviction.
 - e. The terms of the sentence.
 - f. The name and telephone number of any current probation or parole officer.
 - g. The reasons why the conviction should not disqualify you from appointment.

2. If you have acted as guardian or conservator within three years before filing this petition, list:
 - a. The names of individuals for whom you are currently serving, and court case numbers.
 - b. The names of individuals for whom your appointment has been terminated within the three-year period, and the court case number.

3. If you do not have the required information, please explain how you intend to obtain this information.

4. State the total number of persons for whom you have done this. If you have acted under a power of attorney for the Minor/protected person, explain:
 - a. The date the power of attorney was signed.
 - b. The place where it was signed.
 - c. The actions you have taken pursuant to the power of attorney.
 - d. Whether the power of attorney is currently in effect.

5. List the name and location of the court and the name and case number of the files in which you were delinquent in filing the required report.

6. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.

7. State the number of occasions on which you received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.

8. State the number of occasions on which the business received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.

9. State the number of occasions on which you have been so named.

10. State the number of occasions on which the business was named.

11. List the name and address of each business and the extent and nature of your interest.

12. Explain in detail the circumstances of any charge or conviction for abuse or neglect of children or the elderly (not already covered in (1) above), and /or of your name being listed on any registry of sex offenders or persons who have committed acts of abuse, violence or neglect against children or elderly persons. Include date(s), location(s), name(s) of any investigating agencies and of any courts involved, as well as the title of any registry on which you are named and explain the circumstances that resulted in your being listed there. Explain why this court should appoint you as guardian despite any of these circumstances.

Person Filing: _____

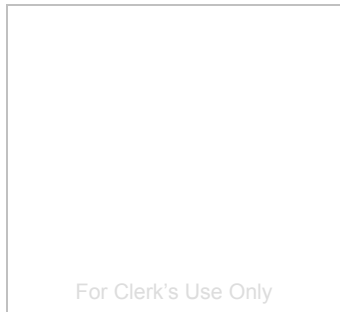
Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of the Guardianship of:

Case Number: JG

A Minor

CONSENT OF PARENT TO GUARDIANSHIP OF MINOR CHILD (AND WAIVER OF NOTICE)

REQUIRED INFORMATION FROM PARENT, UNDER OATH or AFFIRMATION:

1. INFORMATION ABOUT ME:

Name: _____

Street Address: _____

City, State, Zip Code: _____

Telephone: _____ Date of Birth: _____

I am the MOTHER or FATHER of the minor children named above, who need a guardian.

2. I have read the Petition for Appointment of Guardian of a Minor and consent to the appointment of (name) _____ to be the guardian of the minor children.

3. I waive notice of all further proceedings in this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Parent Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____

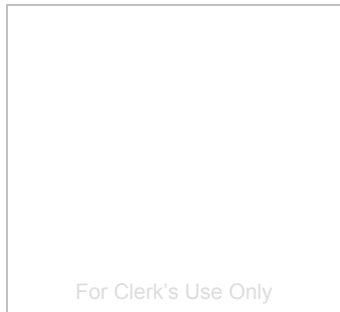
Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of the Guardianship of:

Case Number: JG

A Minor

CONSENT OF PARENT TO GUARDIANSHIP OF MINOR CHILD (AND WAIVER OF NOTICE)

REQUIRED INFORMATION FROM PARENT, UNDER OATH or AFFIRMATION:

1. INFORMATION ABOUT ME:

Name: _____

Street Address: _____

City, State, Zip Code: _____

Telephone: _____ Date of Birth: _____

I am the MOTHER or FATHER of the minor children named above, who need a guardian.

2. I have read the Petition for Appointment of Guardian of a Minor and consent to the appointment of (name) _____ to be the guardian of the minor children.

3. I waive notice of all further proceedings in this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Parent Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

GUARDIANSHIP TRAINING MANUAL



This program was developed under grant number SJI-11-E-008 from the State Justice Institute. The points of view expressed are those of the faculty and do not necessarily represent the official position or policies of the State Justice Institute.

IMPORTANT NOTICE

TRAINING REQUIREMENT

Effective September 1, 2012

The Arizona Supreme Court requires that any person who is not a state-licensed fiduciary (or a financial institution) must complete a training program approved by the Supreme Court **before** Letters of Appointment to serve as a guardian, conservator, or personal representative can be issued by the Clerk of the Court.

TRAINING SHOULD BE COMPLETED BEFORE THE COURT HEARING.

The fiduciary may for good reason request additional time to complete the training.

You may access and complete the training FREE online at:

<http://www.azcourts.gov/probate/Training.aspx>

Go to the section for “**Non-licensed Fiduciaries**” and click on the link to access a narrated slide-show presentation of the materials applicable to your situation.

AFTER reviewing the materials, you will need to inform the Court that you have completed the training by filing either the Certificate available at the end of the online training, or the Declaration of Completion form available at the end of this training manual, or from either the Probate Filing Counter or the Self-Service Center. If you have questions about the training, contact the Probate Clerk at 602-506-3668.

Guardianship Training Manual

After viewing the contents of this manual you will be able to:

- Summarize the major responsibilities of being a Guardian
- Compare and Contrast the roles of guardian and parent
- Explain the difference between best interest and substituted judgment
- Discuss the difficulties involving making decisions for the Ward

Responsibilities of a Guardian

As the guardian, it is your job to ensure that the ward maintains as much independence and autonomy as possible. It is easy to fall into the role of protector, but try to keep in mind that your role is similar to that of a parent to a child. A parent wants to assist a child in navigating the world around them, ensuring they handle the tasks they are capable of handling on their own so they can continue to grow and learn. As the guardian of a disabled or elderly adult, you want to do the same thing. For example, if the ward is capable of maintaining their home without the assistance of a housekeeper or in-home care provider, allow them to do that. Try to allow them as much input into your decisions as possible.

Best Interest/Substituted Judgment

Your role as the guardian is to listen to the ward and ensure that their preferences are being met as long as it does not cause harm. You are in a position to make decisions for the ward in one of two ways; using either substituted judgment or the best interest standard.

➤ Substituted Judgment

When making decisions using substituted judgment you are doing exactly as it sounds; making the decision that the ward would make if they had the mental capacity to do so. You have an obligation to discuss the decision you are going to make with the ward and listen to their preferences in that situation. For example, if the doctor is recommending that the ward have surgery to put in a pacemaker you should discuss this with the ward. Try to put it in terms that they have the ability to understand. Discuss the benefits and the consequences of the decision you are about to make. Listen to their preferences and their reason for making the decision. When using substituted judgment it is also helpful to talk to other family members or friends about conversations they have had with the ward. Has the ward ever talked about their preference for medical treatment? Do they want all measures taken to prolong their life or do they want only pain management? Do they wish to be buried or cremated? Your job is to determine what their preferences were when they were still capable of making those decisions.

➤ Best Interest Decisions

Making decisions using substituted judgment may be easier for a guardian dealing with an elderly disabled ward as opposed to an adult who has been disabled since birth. When dealing with an elderly ward, at one time they were most likely competent and capable of understanding cause and effect relationships. As such, they may have discussed their preferences before becoming disabled; thereby giving you a better understanding of what their wants would be now.

With a ward who has been disabled since birth, it may be more difficult to know their wants as these may never have been clearly expressed. In this situation, or in situations where the ward's preferences may cause serious harm or injury, you would be making your decision based on what you believe to be in the ward's best interest.

Difficult Decisions

It is never easy to make a decision for another adult that goes against their wishes, but you must keep in mind that your friend or family member no longer has the ability to truly understand the consequences of their decision. This is why the court appointed you as guardian – to make the tough decisions. Ultimately the decision is yours, but if you are making a decision that is in contrast to the stated or demonstrated preferences of the ward, you should be prepared to defend that decision.

Coordinating Services

As the guardian, it is your responsibility to ensure that the ward is receiving appropriate medical care, proper education and their overall health and welfare is protected. As a guardian you will be responsible for coordinating medical appointments and being aware of the medical needs of the ward. Do they need hearing aids? What about dentures? Are they diabetic? If so, quarterly appointments with a podiatrist may be useful.

Maybe the ward is a 19-year-old disabled adult. Can they still attend school? What about attending life skills training such as cooking or balancing a checkbook? If the ward has the ability to benefit from this type of training then it is your responsibility to coordinate these services for them.

Ensuring Medical Needs are Being Met

➤ What is informed consent?

The National Guardianship Association (NGA) does an excellent job of discussing the issue of informed consent in their "Standards of Practice." NGA Standard 6 defines informed consent as "a person's agreement to a particular course of action based on a full disclosure of facts needed to make decisions intelligently."

In order for it to be considered informed consent, you must have received adequate information about the issue you are being asked to consider and you must enter into the decision voluntarily and without feeling coerced.

➤ Medical Considerations

The NGA provides an online outline that may be very useful when trying to make medical decisions on behalf of the ward. This outline can be found at

http://www.guardianship.org/documents/Standards_of_Practice.pdf

The pages that follow cover the NGS's Standards of Practice 6.

➤ **Informed Consent**

As a guardian you should have a clear understanding of the issue for which informed consent is being sought. If needed, ask as many questions as it takes to feel comfortable that you understand what is being proposed for the ward. Again, keep in mind the adult/child relationship. What types of questions would an adult ask if someone was suggesting this course of treatment for a child?

➤ **Determine Conditions**

Determine the conditions that necessitate treatment or action. In other words, what is the underlying problem that is causing the doctor to suggest this form of treatment? For example, what if the ward has started exhibiting behavioral outbursts and aggressiveness towards caregivers and the doctor wants to prescribe an anti-psychotic medication that has potential for significant side effects? You might first want to consider if these outbursts are because the ward is in pain and instead of the prescription medication, a simple regimen of over the counter pain medication would be the better solution.

➤ **Ward's Preference**

Advise the ward of the decision that is required and determine, to the extent possible, their current preferences. Determine whether the ward has previously stated preferences in regard to a decision of this nature. This relates back to the substituted judgment vs. best interest standard.

➤ **Alternatives**

Determine the expected outcome of each alternative. Using the example of the prescription medication versus simple medication, is it better to consent to the prescription or to request over the counter pain medication first to rule out the need for pain management?

In addition to the expected outcomes, you should also consider the benefits and risks of each alternative. Finally, you should ask, does this decision need to be made now rather than later?

➤ **Later vs. Sooner**

In relation to making a decision later rather than sooner, you may want to consider a decision to take no action at all. Keep in mind, sometimes this is the best decision.

It may be that the ward is elderly and was presented with an option to have a pacemaker in the past. At the time, the ward was competent and determined that she did not believe the risks of the procedure were worth the benefit. In this situation you would want to consider her reasoning at the time she made this decision and make your decision in the same manner.

➤ **Least Restrictive Decision**

When faced with a decision you may want to determine what the least restrictive alternative is for the situation. As the guardian, your role is to ensure that the ward receives the least restrictive form of intervention to ensure the ward maintains as much independence and autonomy as possible. In the behavioral example given earlier, over the counter pain medication would be the lesser restrictive alternative. Living at home with caregivers as opposed to placement in an assisted living facility or nursing home is another example of a lesser restrictive alternative.

➤ **Second Opinion**

Obtain a second opinion, if necessary. The same rights you have over your own person, you have over the ward. If you feel you need a second medical opinion before making a decision for treatment, by all means, seek a second medical opinion.

➤ **Seek Resources in Family and Friends**

It may be helpful to obtain information or input from family, friends or professional fiduciaries. Again, this goes back to making a decision using informed consent vs. substituted judgment. It is always beneficial to seek out assistance from the resources available in your community. Many professional guardians are willing to consult with you to assist you with a particular problem or issue. Many times they have dealt with a similar situation and can point you in the right direction. All hospitals will have a bioethics team available to consult with you about a particular medical procedure. Be familiar with the resources available within your community and use them.

Written Documentation

Obtain written documentation of all reports relevant to each decision. Always keep in mind that your decision is open to scrutiny by others; other family members, court-appointed counsel, or the courts. You want to ensure that you can always support and/or justify a decision you have made on behalf of the ward.

Ensuring Benefits are Received

You need to ensure that you have applied for and are receiving all of the benefits that the ward may be entitled to receive. This may include applying to Medicare, the Arizona Health Care Cost Containment System, the Arizona Long Term Care System, the Veteran's Administration for benefits, the Department of Developmental Disabilities, any form of supplemental health insurance that may be available to the ward, and Medicare Part D to help with prescription drug coverage.

Ward's Rights

The rights that the ward maintains will be outlined in your order of appointment. In most instances the ward will lose the right to drive, vote, determine where they live, consent to medical treatment or maintain firearms. It should be noted that the right to vote on behalf of the ward does not transfer to the guardian.

Handling Money

The law allows a guardian to handle money on behalf of the ward if there is no conservator appointed. In most instances, if the ward receives more than just Social Security income and has significant assets, such as a home, car or brokerage account, then the court will appoint a conservator. The Order to Guardian indicates that the guardian shall not manage more than \$10,000 on behalf of the ward. This value comes from the statutes related to a guardian of a minor. There is no provision in the law to indicate how much money a guardian can manage on behalf of the adult ward so most courts use the same standard as outlined for minors.

Accepting Gifts from the ward

The disclosure statement you must file as the guardian indicates that you have not accepted a gift from someone, who is not related to you by blood, of more than \$100.00. That being said, it is typically looked at as a conflict of interest for you to accept any gift from the ward without first seeking court approval. Additionally, the statute requires that a conservator receive court approval prior to giving any gifts at all on behalf of a ward or protected person. The general rule is that you should not accept gifts from the ward.

Annual Guardianship Report

➤ Obtain a physician's statement

While it is not required that you obtain a current physician's statement for your annual guardianship report, it is very helpful for the court if you include one. It can be as simple as a summary outlining the most recent appointment with the ward or could be as detailed as the information contained in the original report to the court.

➤ Annual Report Due Dates

The annual report is due on the anniversary date that your permanent letters of guardianship were issued. The first report will include the time from the date of your first appoint through the end of the ninth month after the permanent appointment. For example, if you were appointed as the temporary guardian on January 1st and your permanent letters of appointment were issued on February 1st, the time frame for your first annual guardianship report would be from January 1st through November 30th. If you only had permanent letters of appointment issued and they issued on January 30th, the report would be from January 30^h through October 31st. Each report after that will be for an entire year. If the ending date of your first report was October 31st, the time frame for all subsequent reports will be November 1st through October 31st.

➤ Information in the Report

The information contained in the guardianship report includes: the ward's current address; how many times you have seen the ward during the report period; the date you last saw the ward; the name and contact information for physicians and any specialists seen by the ward, including any dates for the most recent visits; any major changes in the ward's condition since the last report; whether or not you believe the guardianship should continue; an outline of any state or federal benefits received by the ward, and the caseworker assigned to oversee those benefits.

Change of Address Notification

According to the Arizona Rules of Probate Procedure, Rule 10(C)(1)(c), the fiduciary must update the probate information sheet with the new address of the ward within three (3) days of the change of address.

Payment as the Guardian

You are entitled to payment for your time as the guardian. If you intend to seek compensation from the estate of the ward, you are required to file a Notice of Compensation with the court. This will outline what you intend to charge as your hourly rate and why you believe you are entitled to that rate. The court may review your fees on an annual basis. You are also entitled to reimbursement from the ward's estate for any money you pay out of pocket for their benefit. For

example, if you pay for a filing fee with the court, you would be entitled to be reimbursed for that expense.

Attorney Fees

➤ Can you hire an attorney?

You may hire an attorney and you are entitled to have the fees for that attorney paid by the ward's estate. Just as you would have to file a Notice of Compensation with the court, any attorney who intends to seek compensation from the ward's estate must also file the notice with the court.

When the Ward Dies

When the ward dies, you must file a Notice of Death with the court within ten (10) days after the date of death. As an operation of law, your authority as the guardian ceases at the time the ward dies. If you are managing any funds on behalf of the ward, such as Social Security benefits, you may be required to return those funds to the Social Security Administration or give them to the individual who will ultimately be responsible for distributing the ward's estate to the ward's beneficiaries.

Thank you for viewing this training manual. The welfare of the ward and/or protected person is of utmost importance to the court. For more information about Probate please visit the Judicial Branch website devoted to Probate at www.azcourts.gov/probate.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of the Estate of:

Case Number: JG _____

DECLARATION OF COMPLETION OF TRAINING for NON-LICENSED FIDUCIARIES

A Deceased or Protected Person

Rule 27.1 of the Arizona Rules of Probate Procedure requires that a person to be appointed guardian, conservator, or personal representative of an estate, who is neither a state-licensed fiduciary nor a corporation, complete a training program approved by the Supreme Court of this state before permanent **Letters of Appointment** are issued, or within 30 days of a temporary or emergency appointment.

UNDER PENALTY OF PERJURY

I state to the Court that in accord with Rule 27.1 of the Arizona Rules of Probate Procedure, I have completed the required training for non-licensed, non-corporate fiduciaries, as indicated below: (Check all that apply and provide applicable information.)

- | | |
|--|-----------------------|
| <input type="checkbox"/> Unlicensed Fiduciary | Date completed: _____ |
| <input type="checkbox"/> Conservatorship | Date completed: _____ |
| <input type="checkbox"/> Personal Representative | Date completed: _____ |
| <input type="checkbox"/> Guardianship | Date completed: _____ |

Date: _____

Signature _____

Printed Name _____

INSTRUCTIONS: Fill out this Declaration completely and provide accurate information. Make at least one copy. You will need to file the original with the Clerk of Court and provide a copy to the Probate Registrar before receiving any *permanent* letters of appointment.