

GUARDIANSHIP and/or CONSERVATORSHIP

Do not
or file this copy
page

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To Object To A Court Petition

Forms and Instructions Packet

OBJECTION TO A PETITION for GUARDIANSHIP AND/OR CONSERVATORSHIP

CHECKLIST

Use the forms packet only if the following factors apply to your situation:

- ✓ You have a valid interest in this case, meaning
 - o You received court papers from the Petitioner and/or his Attorney about a guardianship and/or conservatorship, OR
 - o You may be affected by the outcome of this case,

AND

- ✓ There are at least 5 (five) or more business days remaining before the scheduled court hearing on the petition;

AND

- ✓ You disagree with the Petition and want to object to what the Petitioner told the Court.

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 Self-Service Center website.

Law Library Resource Center

GUARDIANSHIP AND CONSERVATORSHIP

OBJECTING TO A COURT PETITION ABOUT A GUARDIAN AND/OR CONSERVATOR

Forms and Instructions

This packet contains court forms and instructions to help you file an objection to a court petition. 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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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.

Procedures: How to file an Objection to a Petition about a Guardianship and/or Conservatorship

- Step 1: Fill out the form entitled "Objection to petition."
- Use black ink.
 - Be sure to list your name, address and telephone number at the very top of the "Objection to Petition" form.
 - If you have no attorney, leave that space blank.
 - For number 4, tell the judge as simply as you can what you object to, and why you object.
 - List the names and addresses of the people you will mail or deliver copies of this Objection to.
 - Do not sign the oath yet. (You must make photocopies of the document and take the copies to the Clerk of Superior Court before you sign.)
- Step 2: Photocopy the completed "Objection to Petition" form:
- 1 copy for the Petitioner
 - 1 copy for the Petitioner's attorney (if the Petitioner has one)
 - 1 copy for the Judge
 - 1 copy for you
 - (And any additional copies for persons listed in number 5 of this form, such as the Ward, and people the Petitioner gave notice to.)
- Step 3: File the objection and at the same time pay the filing fee at the Clerk of Superior Court filing counter located at:

Downtown Phoenix:
Central Court Building, 1st Floor
201 West Jefferson
Phoenix, AZ 85003

Northeast Phoenix:
Northeast Regional Court Facility
18380 North 40th Street
Phoenix, AZ 85032

Surprise:
Northwest Regional Court Facility
14264 West Tierra Buena Lane
Surprise, AZ 85374

Mesa:
Southeast Court Facility, 1st Floor
222 East Javelina Avenue
Mesa, AZ 85210

- You may sign the oath and affirmation on all of your documents when you give them to the Clerk of Superior Court, who will verify your signature.
- The Clerk of Superior Court keeps the original document.
- FEE: There is a fee for filing this Objection with the court. Cash, Visa/ MasterCard debit or credit cards, and money order made payable to the “Clerk of Superior Court” are acceptable forms of payment.

Step 4: Schedule the court hearing.

A. If filing in downtown Phoenix at 201 West Jefferson, after filing, walk to East Court Building, 3rd Floor of 101 W. Jefferson, Probate Administration Customer Service Window to ask to schedule a hearing.

Or,

B. If filing at a court location where there is no Calendar Clerk available,

- Wait until 2 or 3 days after filing (so Clerk can see information in the data system)
- Call 602-506-5510 and tell the Clerk you need to schedule a hearing.
- Provide your case number to the Clerk.
- The Clerk will tell you the date, time, and location of the hearing as well as the name of the Judicial Officer assigned to conduct the hearing.
- Please write down the date, time, and location of the hearing! Do not lose it.....Or....

C. If filing at a court location where there is no Calendar Clerk, and you do not want to wait 3 to 5 days:

- Bring your documents to the downtown Phoenix Probate Administration (East Court Building, 101 West Jefferson, 3rd Floor) Customer Service Counter in person to schedule the hearing.
- Present one Clerk-stamped conformed copy of the documents to Probate Administration:

Step 5: Mail or hand deliver all copies you made for the people listed above and in the Objection document.

Step 6: Attend the hearing. Come to the hearing prepared to tell the Judge:

- Your reasons why you disagree with the Petition, and
- Answers to any questions the Judge may ask you.

The Judge decides whether to allow you to testify. The Judge will make this decision based upon your relationship with the Ward, the nature of your objections, time available and other factors.

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: (check one or both)

Guardianship Conservatorship of:

_____ an Adult a Minor

Case Number: **PB** _____

OBJECTION TO PETITION

(check one box)

Guardian and Conservator

Guardian

Conservator

The following statements are made under oath. I want to tell the Court the following in response to what is written in the Petition:

1. NAME OF DOCUMENT. The Petition I object to is called: _____

2. HEARING DATE. The date and time of the Petition hearing, and the name of the Judge assigned to this matter is

Date of Hearing on Petition: _____

Time of Hearing: _____

Name of Judge: _____

3. RELATIONSHIP. My relationship to the person who has/will have the Guardian and/or Conservator is:

4. REASONS WHY I OBJECT: What I want to say about the statements made in the Petition and what I want the court to do: (use additional sheets of paper, if needed:)

5. MAILING. I promise that I mailed a copy of this Objection (after it was filled out by me) to the following individuals at the following addresses: the Petitioner or his/her attorney, the person who has or will have a Guardian and/or Conservator, and everyone to whom Petitioner gave a copy of the Notice of Hearing.

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

UNDER OATH OR 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

_____ Signature

_____ Printed Name

STATE OF _____

COUNTY OF _____

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

By _____.

(Notary seal)

Deputy Clerk or Notary Public