

## Procedures: What to do after completing all forms To request appointment of permanent guardian and conservator For a minor

Step 1. Make copies and separate into complete sets as follows:

<p>Set 1: Originals for the Clerk of Superior Court, Probate</p> <ul style="list-style-type: none"><li>• Probate information cover sheet (pb10f)</li><li>• Petition for permanent appointment (pbgcm11f)</li><li>• Affidavit of person to be appointed (pbgc13f)</li><li>• Consent of parent (if applicable) (pbgcm13f)</li><li>• Consent of (other) parent (if applicable) (pbgcm13f)</li></ul>	<p>Set 2: Copies for judicial officer (deliver at least 5 days before the hearing)</p> <ul style="list-style-type: none"><li>• Petition for permanent appointment</li><li>• Affidavit of person to be appointed</li><li>• Consent of parent (if applicable)</li><li>• Consent of (other) parent (if applicable)</li></ul>
<p>Set 4 &amp; more: Copies for persons (or agencies) to receive notice</p> <ul style="list-style-type: none"><li>• Petition for permanent appointment</li><li>• Affidavit of person to be appointed</li><li>• Consent of parent (if applicable)</li><li>• Consent of (other) parent (if applicable)</li></ul>	<p>Set 3: Copies for you</p> <ul style="list-style-type: none"><li>• Petition for permanent appointment</li><li>• Affidavit of person to be appointed</li><li>• Consent of parent (if applicable)</li><li>• Consent of (other) parent (if applicable)</li></ul>

2. Take the originals and all sets of copies to the clerk of superior court to file at any of the following superior court locations in Maricopa County:

Downtown Phoenix:  
Central Court Building, 1<sup>st</sup> floor  
201 West Jefferson  
Phoenix, AZ 85003

Northeast Phoenix:  
Northeast Regional Court Facility  
18380 North 40<sup>th</sup> Street  
Phoenix, AZ 85032

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

Mesa:  
Southeast Court Facility, 1<sup>st</sup> floor  
222 East Javelina Avenue  
Mesa, AZ 85210

3. Pay your filing fee and file.

- 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.

4. Get your copies back. The Clerk of Superior Court will file the originals, stamp the copies with a case number to indicate the copies conform to (are the same as) original documents filed with the court, and return the copies to you. Note your case number beginning with “pb” and use it on every paper you file with the court in this matter from now on.

Fingerprint requirement notice

If the proposed guardian is not related to the proposed ward, Arizona law A.R.S. §14-5206 requires the guardian to submit a fingerprint card to the court for use in conducting a criminal background check to help the court determine that person’s suitability to act as a guardian of a minor.

- The card must be submitted within 5 days of filing the petition.
- There is a fee for processing fingerprint cards.
- The card may only be presented to probate court administration, east court building, 3<sup>rd</sup> floor, 101 west Jefferson, Phoenix, AZ 85003.
- Fingerprinting is not required if the guardian is related to the ward.
- See steps 6 and 7 below for more specific information.

5. Get a court hearing date:
- A. If filing in downtown Phoenix at 201 West Jefferson, after filing, walk to the East Court Building, 3<sup>rd</sup> floor, to Probate Court Administration Customer Service Counter to immediately ask to schedule a hearing or . . .
- B. If filing at a court location where there is no calendar clerk available:
- Wait until 2 to 3 days after filing (so Clerk of Superior Court can see information in data system).
  - Call 602-506-5510 and tell the calendar clerk you need to schedule a hearing.
  - Provide the case number.
  - The calendar clerk will provide you with the date, time, and location of the hearing, as well as the name of the judicial officer assigned to conduct the hearing.
  - Please write it down! Don’t lose it!
- Or . . .
- C. If filing at a court location where there is no calendar clerk available and you do not want to wait the 2-3 days:
- Bring your documents to the downtown Phoenix Probate Court Administration Customer

Service Counter (East Court Building, 3<sup>rd</sup> floor, 101 West Jefferson, Phoenix, AZ) in person to schedule the hearing.

- Present one clerk-stamped (conformed) copy of the following documents to probate court administration:
  - ❖ Petition for appointment of guardian and conservator for an minor (pbgcm11f),
  - ❖ Affidavit of person to be appointed (pbgc13f),
  - ❖ Consent of parent (pbgcm13f) (if applicable)
  - ❖ Consent of parent (pbgcm13f) (for other parent, if applicable)

Probate Court Administration will then provide you with printed information about the time, date, and location of the hearing, as well as the name of the judicial officer assigned. This is important information. Don't lose this document!

Note the following:

- If the proposed guardian-conservator is related to the proposed ward and consent(s) of parents and/or waivers of notice are filed for all parents or parties entitled to notice, the hearing may be scheduled for as little as two weeks from the date you request the hearing.
  - If the proposed guardian-conservator is related to the proposed ward, the hearing will be scheduled for approximately 4 weeks from the date you request a hearing, whether requested by phone or in-person.
  - If the proposed guardian-conservator is not related to the proposed ward, the hearing will be scheduled for 16 weeks from the date you submit your request, due to the time required for the criminal record check.
  - The hearing may be scheduled at a court facility other than the one at which the papers were filed.
6. Get your fingerprints taken: (Again) fingerprinting is only required for a proposed guardian who is not related to the proposed ward, and the completed fingerprint card must be presented within 5 days after a petition for guardianship of a minor is filed.
- A. You may go to a government / law enforcement agency or private company to have your fingerprints taken, including:
- Local law enforcement departments. The Maricopa County Sheriff's Department and some local police departments offer this service. Contact your local police department to verify whether they currently offer the service.

- The Maricopa County Sheriff's Office's ID Unit, at 201 West Jefferson Street in Phoenix, (West Court Building, 4th floor) does fingerprinting from 7:30 a.m. - 4:30 p.m. Monday through Friday (except holidays). The fee is \$8 per card.
  - The Phoenix Police Department offers fingerprinting service from 8:00 a.m. – 4:00 p.m. Monday through Friday (except holidays). For additional information see the City of Phoenix's web page or call 602-534-1127.
  - Numerous private companies offering fingerprinting services can be found in the online or printed yellow pages under "fingerprinting services".
- B. Present valid photo identification or your prints will not be taken.
- C. Tell the person taking your prints that they are for a guardianship of a minor and pay the fee (usually \$8.00-\$20.00). They will take your fingerprints and give you the fingerprint card (usually a white card with blue lines and text) to present to the court.
7. Submit fingerprint card to Probate Court Administration and pay fee.
- There is a fee for processing a fingerprint card
  - Verify current amount for processing a fingerprint card.
  - The card must be submitted within 5 days of filing the petition.
  - The card may only be presented to Probate Court Administration, East Court Building, 3<sup>rd</sup> floor, 101 West Jefferson, Phoenix, AZ 85003 in downtown Phoenix.

Probate Court Administration will help you complete the fingerprint card with the following information:

- Court case number, (begins with "PB")
- Hearing date
- Name of the hearing officer
- The phrase "pursuant to A.R.S. § 14-5206" in the "reason fingerprinted" section.

(Do not complete the "employer and address" section.)

8. Serve notice: Fill out the Notice of Hearing form (pbgc18f) with the information about time and place of the hearing that you obtained in Step 5 above, and serve notice to everyone who is legally entitled to know about the court case and what you have asked the court to order concerning the person to be protected. To "serve" notice means to deliver notice as required or permitted by law.

Persons entitled to notice may sign a notarized Waiver of Notice (pbgc19f), which will allow you to not serve notice to those persons, unless they later file to reverse that waiver.

Notice can (or must) be given in different ways to different persons. Read “Information on Legal Notice” (pbgc20h) in this packet, and see Law Library Resource Center Packet #2, “Service and Notice of Court Hearing” for court forms and more detailed information on serving notice.

Read this: After giving notice to all interested persons:

- Complete the declaration of notice stating how and when you gave notice.
- Make two (2) copies of the:
  - ✓ Notice of Hearing
  - ✓ Waiver of Notice (If any)
  - ✓ Declaration of Notice provided
- If filing in-person, do so at least 5 days before the hearing.
- If you file the documents before the hearing, the clerk of superior court will stamp and keep one set, and return the copies for you to bring with you to the hearing.
- If you are mailing these documents to the court:
  - Make a copy before mailing to keep and bring to the hearing;
  - It is recommended that you post them 10 full days before the hearing.
  - The probate clerk will file the originals for you and deliver the copies to the judicial officer assigned to the hearing.
  - Remember to bring your copies of the documents to the hearing.

Training: Guardians and Conservators must complete court-approved training before permanent appointment! See “Notice regarding training requirements”.