

PETITION FOR
GUARDIANSHIP OVER
A MINOR
(WITH HEARING)

GENERAL
INFORMATION SHEET

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GENERAL INFORMATION SHEET

IMPORTANT

THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding guardianship, including the definitions of terms.

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What is a Guardianship?

A guardianship is a legal relationship between two people. It is used when someone cannot take care of himself or his property. The person who needs assistance is the "proposed ward". If guardianship is granted, that person will be the "ward". The person who is going to take care of the ward is the "proposed guardian". After the guardianship is granted, that person is the "guardian". The way to ask the Court to establish guardianship is by filing a Petition for Appointment of Guardian.

Are there different types of guardianships?

Yes. There are court-ordered guardianships and guardianships that do not go through the court system. *Some organizations and businesses will not follow a guardianship that has not been ordered by the court.* This packet contains information for court-ordered guardianships. You may contact Nevada Legal Services at 1-800-323-8666, VARN at (775) 883-8278 or the Family Court Self-Help Center in Reno, Nevada at (775) 625-6731 if you would like to pursue a guardianship that does not go through the court system.

There are three types of court-ordered guardianships: (1) Guardianship of the Person, (2) Guardianship of the Estate, (3) Guardianship of the Person and the Estate.

In a guardianship of the person, the guardian is responsible for personal/medical decisions only. Someone else will make all financial decisions, or there are no financial decisions.

In a guardianship of the estate, the guardian is responsible for financial decisions only. Someone else will make personal and medical decisions.

In a guardianship of the person and the estate, the guardian is responsible for the ward's financial and personal/medical well-being.

Please see the Definitions that are part of this packet or Chapter 159 of the Nevada Revised Statutes for more details on the types of court-ordered guardianships and the responsibilities of the guardian for each of these guardianships.

How do I get a court-ordered guardianship in Nevada?

In general, you must file a Petition in the county where the Ward resides. If the Ward does not reside in Nevada, you may file in any Nevada county where the Ward has property or where the Ward is physically present.

You will need to give the proposed ward and relatives within the "second degree of consanguinity" notice that you want to get a guardianship over the proposed ward and also notice of the hearing for your petition. If the proposed ward is in a care facility, you also need to notify the administrator or manager of that facility. The Department of Veterans Affairs must be notified, if the ward receives money from it. You do this by mailing copies of the Petition for Appointment of Guardianship and the Citation to Appear and Show Cause to them or by personally serving the Petition and the Citation. If you choose to mail the documents, the mailing must be by certified mail, return receipt requested (the green cards that are mailed back after the person picks up the mail). If you cannot find some of the people entitled to notice, you may ask the court to serve them by publishing the Citation in the newspaper. You must receive the judge's permission to do this.

You will need to have a court hearing before the judge will decide whether to grant the guardianship. You will need to check with the court clerk or self-help center to ask what steps need to be taken to obtain a hearing date for your petition.

If, after a hearing, the judge decides to grant your petition for guardianship, you will need to file the Order Appointing Guardian and obtain "General Letters of Guardianship". You will also need to mail notice that the order was filed to the same people who received notice of the petition.

If the guardianship is over an estate, you must file an Inventory with the court. You must file an inventory within 60 days from the date you are appointed guardian.

Please see the Definitions that are part of this packet to learn more about the terms used in this explanation.

How Do I file my paperwork?

The procedure for filing paperwork and setting hearings varies from county to county. Please call the clerk's office for the county in which you plan to file the petition and ask about that court's procedural requirements. If you are filing in Washoe County or Clark County, you may call the Self-Help Centers for those counties to learn more about the procedures in those courts. The telephone number numbers are:

Family Court Self-Help Center (Washoe County): (775) 325-6731
Family Law Self-Help Center (Clark County) (702) 455-1500

Please Note: If a document must be notarized, a clerk at the court may witness your signature instead of a notary public.

When can I use this set of forms?

You can use this Petition for Appointment of Guardian if:

- The proposed ward(s) is younger than 18 years old.
- One or two people will be the guardian(s) of the proposed ward(s).
- At least one of the person(s) who will be the guardian(s) and the person(s) who will be the ward(s) are Nevada residents.

Note: If the guardianship is for an estate, at least some of the money/property must be in Nevada.

- The person(s) who will be guardian(s) has never been disbarred or suspended from practicing law, accounting or any other profession that involves the management or sale of money, investments, securities or real property that requires a license.

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Petition for Appointment of Guardian(s)
- Confidential Information Sheet
- Consent and Waiver of Child
- Citation to Appear and Show Cause
- Affidavit of Service
- Order Appointing Guardian(s)
- General Letters of Guardianship
- Notice of Entry of Order
- Inventory, Appraisal and Record of Value

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Code:
(Your name) _____
(Address) _____
(Telephone) _____

In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

In the Matter of the Guardianship of)
 the person)
 the estate)
 the person and the estate)
of:)
_____)
_____, and)
_____)
Minor Children.)

CASE NO. _____

DEPT. NO. _____

PETITION FOR APPOINTMENT OF GUARDIAN(S)
(WITH A HEARING)

COME NOW, Petitioner, (your name) _____ and
(co-petitioner's name) _____, in accordance with
Chapter 159 of the Nevada Revised Statutes, whose petition respectfully represents the
following to this Honorable Court:

Information Regarding the Petitioner(s)

1. That Petitioner(s) would like to be appointed the general guardian over (proposed
wards' names) _____

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2. That Petitioner's full legal name is _____

3. That Petitioner currently resides at (street/city/state/zip) _____

4. That Petitioner's mailing or post office address is _____

5. The Petitioner's date of birth is _____

6. That Co-Petitioner's full legal name is _____

7. That Co-Petitioner currently resides at (street/city/state/zip) _____

8. That Co-Petitioner's mailing or post office address is _____

9. The Co-Petitioner's date of birth is _____

10. That Petitioner has/ has not been judicially determined to have committed abuse, neglect or exploitation of a child, spouse, parent or other person.

11. That Co-Petitioner has/ has not been judicially determined to have committed abuse, neglect or exploitation of a child, spouse, parent or other person.

12. (Check All that Apply)

That Petitioner has never been convicted of a felony.

That Petitioner has been convicted of a felony (description of conviction)

_____ and the Petitioner (check one) was/ was not placed on parole and (check one) was/ was not placed on probation for that felony.

That Co-Petitioner has never been convicted of a felony.

1 That Co-Petitioner has been convicted of a felony (description of
2 conviction) _____ and the Petitioner (check
3 one) was/ was not placed on parole and (check one) was/ was not placed on
4 probation for that felony. Proof of the disposition will be filed with this Petition.
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6 13. That Petitioner(s) have not been suspended for misconduct or disbarred from the
7 practice of law, the practice of accounting or any other profession which involves the
8 management or sale of money, investments, securities or real property and requires licensure
9 in Nevada or any other state.
10

11 14. That Petitioner is the (your relationship to the first child) _____
12 and Co-Petitioner is the (relationship) _____ of (first child's name)
13 _____ . Petitioner(s) are competent and capable of acting as
14 guardians of the (check one) person only/ estate only/ person and estate of the
15 proposed ward, and hereby consent to act in this capacity.
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17 15. That Petitioner is the (your relationship to the second child) _____
18 and Co-Petitioner is the (relationship) _____ of (second child's name)
19 _____ . Petitioner(s) are competent and capable of acting as
20 guardians of the (check one) person only/ estate only/ person and estate of the
21 proposed ward, and hereby consent to act in this capacity.
22

23 16. That Petitioner is the (your relationship to the third child) _____
24 and Co-Petitioner is the (relationship) _____ of (third child's name)
25 _____ . Petitioner(s) are competent and capable of
26 acting as guardians of the (check one) person only/ estate only/ person and estate of
27 the proposed ward, and hereby consent to act in this capacity.
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17. (Check All that Apply)

That Petitioner is not a private professional guardian and is not currently receiving compensation for services as a guardian to more than one ward who are not related to Petitioner by blood or marriage.

That the Petitioner is a private professional guardian. (Copies of documents proving that Petitioner meets the requirements of a "private professional guardian" pursuant to section 3 of NRS 159.059 will be filed with this Petition.)

That Co-Petitioner is not a private professional guardian and is not currently receiving compensation for services as a guardian to more than one ward who are not related to Co-Petitioner by blood or marriage.

That the Co-Petitioner is a private professional guardian. (Copies of documents proving that Co-Petitioner meets the requirements of a "private professional guardian" pursuant to section 3 of NRS 159.059 will be filed with this Petition.)

Information Regarding the First Proposed Ward

Paragraphs 18 through 33 are to be answered regarding child #1 only.

18. That the proposed ward, (first child's name) _____, age _____, was born on (date of birth) _____, and will become 18 years of age on (date) _____.

19. That the proposed ward currently resides at (street/city/state/zip) _____

The proposed ward has lived at this address for _____ days/ months/ years.

20. The name and address of any person or care provider having the care and control of the proposed ward is (name/address of care provider) _____

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_____ The current care provider has cared for this proposed ward because _____

21. That the proposed ward is a resident of the State of _____

22. The proposed ward's parent or legal guardian has has/ has not executed a written nomination of guardian. The agent is _____

Attach an additional page to the end of this document if you need more room to list all of the ward's relatives.

23. The names and addresses of the following relatives of the ward are:

Relative's Name	Relationship to Ward	Address (street address/city/state/zip code)
	Mother	
	Father	
	Grandmother on Ward's mother's side	
	Grandfather on Ward's mother's side	
	Grandmother on Ward's father's side	
	Grandfather on Ward's father's side	
	Brother/Sister	

1 24. (Complete only if the identity of the ward's father is unknown) The identity
2 of the proposed ward's father is truly unknown. He (check one) is / is not on the
3 proposed ward's birth certificate. There (check one) is / is not a court order for child
4 support. There (check one) has / has not been a finding of paternity by a court.

5
6 The proposed ward's mother (check one) will / will not file a written consent with
7 this Petition.

8 25. (Check One)

9 There is not a current order concerning custody of the proposed ward.

10 There is a current order concerning custody of the proposed ward. The
11 order is from the State of _____ and was filed on approximately (date) _____.

12 If the order was not issued by this court, a copy of the order will be filed with this petition.

13 26. Petitioner(s) (check one) do / do not believe that the proposed ward will
14 need a guardianship when he/she becomes 18 years of age.

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16 27. (Check One)

17 The guardianship is not sought as a result of an investigation conducted
18 pursuant to Chapter 432B of the Nevada Revised Statutes.

19 The guardianship is sought as a result of an investigation conducted
20 pursuant to Chapter 432B of the Nevada Revised Statutes. The name of the case worker is
21 _____ . The juvenile case file number is _____ .

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23 The investigating agency (check one) does / does not approve of this guardianship and
24 the placement of the proposed ward with the proposed guardian.

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26 28. That the proposed ward (check one) is / is not a party to any pending
27 criminal or civil litigation.

Information Regarding the Second Proposed Ward

Paragraphs 34 through 48 are to be answered regarding child #2 only. If guardianship is being requested for only one child, print "N/A" in these spaces.

34. That the proposed ward, (second child's name) _____, age _____, was born on (date of birth) _____, and will become 18 years of age on (date) _____.

35. That the proposed ward currently resides at (street/city/state/zip) _____

The proposed ward has lived at this address for _____ days/ months/ years.

36. The name and address of any person or care provider having the care and control of the proposed ward is (name/address of care provider) _____
_____. The current care provider has cared for this proposed ward because _____

37. That the proposed ward is a resident of the State of _____.

38. The proposed ward's parent or legal guardian has has/ has not executed a written nomination of guardian. The agent is _____.

39. The names and addresses of the following relatives of the ward are:

Attach an additional page to the end of this document if you need more room to list all of the ward's relatives.

Relative's Name	Relationship to Ward	Address (street address/city/state/zip code)
	Mother	
	Father	
	Grandmother on Ward's mother's side	
	Grandfather on Ward's mother's side	
	Grandmother on Ward's father's side	
	Grandfather on Ward's father's side	
	Brother/Sister	

39. (Complete only if the identity of the ward's father is unknown) The identity of the proposed ward's father is truly unknown. He (check one) is / is not on the proposed ward's birth certificate. There (check one) is / is not a court order for child support. There (check one) has / has not been a finding of paternity by a court.

The proposed ward's mother (check one) will / will not file a written consent with this Petition.

40. (Check One)

There is not a current order concerning custody of the proposed ward.

There is a current order concerning custody of the proposed ward. The

order is from the State of _____ and was filed on approximately (date) _____.

1 If the order was not issued by this court, a copy of the order will be filed with this petition.

2 41. Petitioner(s) (check one) do/ do not believe that the proposed ward will
3 need a guardianship when he/she becomes 18 years of age.

4 42. (Check One)

5 The guardianship is not sought as a result of an investigation conducted
6 pursuant to Chapter 432B of the Nevada Revised Statutes.

7 The guardianship is sought as a result of an investigation conducted
8 pursuant to Chapter 432B of the Nevada Revised Statutes. The name of the case worker is
9 _____ . The juvenile case file number is _____ .

10 The investigating agency (check one) does/ does not approve of this guardianship and
11 the placement of the proposed ward with the proposed guardian.

12 43. That the proposed ward (check one) is/ is not a party to any pending
13 criminal or civil litigation.

14 44. That the guardianship (check one) is/ is not sought for the purpose of
15 initiating litigation.

16 **Information Regarding the Second Proposed Ward's Estate**

17 45. That the proposed ward (check all that apply) has no assets or income/
18 has assets and income / is or will be entitled to assets or income.

19 46. That the proposed ward (check one) does/ does not receive any money
20 from the Department of Veterans Affairs.

21 47. The types of assets and/or income are: (if none write "N/A" on first blank)

22 a. _____ value: \$ _____

23 b. _____ value: \$ _____

24 c. _____ value: \$ _____

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d. _____ value: \$ _____

These funds will be safeguarded by: (Check one, if applicable)

being placed into a blocked account.

a bond which the proposed guardian(s) will obtain in an amount set by the court.

48. That proposed guardian(s) (check one) are not/ are requesting special powers as follows (see NRS 159.117 through 159.175 for the only special powers that may be requested):

Information Regarding the Third Proposed Ward

Paragraphs 49 through 64 are to be answered regarding child #3 only. If guardianship is being requested for only one or two children, print "N/A" in these spaces.

49. That the proposed ward, (third child's name -- if no third child, write "N/A") _____, age _____, was born on (date of birth) _____ and will become 18 years of age on (date) _____.

50. That the proposed ward currently resides at (street/city/state/zip) _____

The proposed ward has lived at this address for _____ days/ months/ years.

51. The name and address of any person or care provider having the care and control of the proposed ward is (name/address of care provider) _____

1 _____ The current care
2 provider has had care of this proposed ward because _____
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6 52. That the proposed ward is a resident of the State of _____

7 53. The proposed ward's parent or legal guardian has has/ has not executed a
8 written nomination of guardian. The agent is _____
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10 54. The names and addresses of the following relatives of the ward are:

11 **Attach an additional page to the end of this document if you need more**
12 **room to list all of the ward's relatives.**

Relative's Name	Relationship to Ward	Address (street address/city/state/zip code)
	Mother	
	Father	
	Grandmother on Ward's mother's side	
	Grandfather on Ward's mother's side	
	Grandmother on Ward's father's side	
	Grandfather on Ward's father's side	
	Brother/Sister	

1 55. (Complete only if the identity of the ward's father is unknown) The identity
2 of the proposed ward's father is truly unknown. He (check one) is / is not on the
3 proposed ward's birth certificate. There (check one) is / is not a court order for child
4 support. There (check one) has / has not been a finding of paternity by a court.
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6 The proposed ward's mother (check one) will/ will not file a written consent with
7 this Petition.

8 56. (Check One)

9 There is not a current order concerning custody of the proposed ward.
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11 There is a current order concerning custody of the proposed ward. The

12 order is from the State of _____ and was filed on approximately (date) _____.

13 If the order was not issued by this court, a copy of the order will be filed with this petition.

14 57. Petitioner(s) (check one) do/ do not believe that the proposed ward will
15 need a guardianship when he/she becomes 18 years of age.

16 58. (Check One)

17 The guardianship is not sought as a result of an investigation conducted
18 pursuant to Chapter 432B of the Nevada Revised Statutes.

19 The guardianship is sought as a result of an investigation conducted
20 pursuant to Chapter 432B of the Nevada Revised Statutes. The name of the case worker is

21 _____ . The juvenile case file number is _____ .

22 The investigating agency (check one) does/ does not approve of this guardianship and
23 the placement of the proposed ward with the proposed guardian.
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25 59. That the proposed ward (check one) is/ is not a party to any pending
26 criminal or civil litigation.
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60. That the guardianship (check one) is/ is not sought for the purpose of initiating litigation.

Information Regarding the Third Proposed Ward's Estate

61. That the proposed ward (check all that apply) has no assets or income/
 has assets and income / is or will be entitled to assets or income.

62. That the proposed ward (check one) does/ does not receive any money from the Department of Veterans Affairs.

63. The types of assets and/or income are: (if none write "N/A" on first blank)

- a. _____ value: \$ _____
- b. _____ value: \$ _____
- c. _____ value: \$ _____
- d. _____ value: \$ _____

These funds will be safeguarded by: (Check one, if applicable)

- being placed into a blocked account.
- a bond which the proposed guardian(s) will obtain in an amount set by the court.

64. That proposed guardian(s) (check one) are not/ are requesting special powers as follows (see NRS 159.117 through 159.175 for the only special powers that may be requested): _____

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General Information

65. That a general guardianship is needed for the proposed wards because

66. That documentation demonstrating the need for a guardianship will be filed when/if it becomes available to the Petitioner(s).

67. That a copy of the following form(s) of identification will be filed in a separate document: (check all that apply for the Petitioners and the Proposed Wards)

a. For the Petitioner: Social Security Number / Taxpayer Identification Number / Valid Drivers License Number / Valid Identification Card Number / Valid Passport Number.

b. For the Co-Petitioner: Social Security Number / Taxpayer Identification Number / Valid Drivers License Number / Valid Identification Card Number / Valid Passport Number.

c. For the First Proposed Ward: Social Security Number / Taxpayer Identification Number / Valid Drivers License Number / Valid Student Identification Card Number / Valid Passport Number / Birth Certificate .

d. For the Second Proposed Ward: Social Security Number / Taxpayer Identification Number / Valid Drivers License Number / Valid Student Identification Card Number / Valid Passport Number / Birth Certificate.