

**PETITION FOR
GUARDIANSHIP OVER
AN ADULT**

**GENERAL
INFORMATION SHEET**

PETITION FOR GUARDIANSHIP OVER AN ADULT

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 to be made.

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

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

- The 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
- Confidential Information Sheet
- Confidential Medical Information Sheet
- Affidavit Regarding Petitioner Regarding Medical Certification
- Citation to Appear and Show Cause
- Affidavit of Service
- Order Appointing Guardian
- General Letters of Guardianship
- Notice of Entry of Order
- Inventory, Appraisal and Record of Value

1 Code:
 (Your name) _____
 2
 3 (Address) _____
 4 _____
 5 (Telephone) _____
 6 In Proper Person

7 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
 8 IN AND FOR THE COUNTY OF _____
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10 In the Matter of the Guardianship of)
 11 the person,) CASE NO. _____
 12 the estate,) DEPT. NO: _____
 13 the person and estate.)
 14 of: _____)
 15 An Adult.)
 16 _____)

17 **PETITION FOR APPOINTMENT OF GUARDIAN(S)**

18 COME NOW, Petitioner (your name) _____ and
 19 (co-petitioner's name) _____, in accordance with Chapter
 20 159 of the Nevada Revised Statutes, whose petition respectfully represents the following to
 21 this Honorable Court:
 22

23 **Information Regarding the Petitioner(s)**

- 24 1. That Petitioner(s) would like to be appointed the general guardian over (proposed
 25 ward's name) _____.
 26 2. That Petitioner's full legal name is _____.
 27 3. That Petitioner currently resides at (street/city/state/zip) _____
 28 _____.

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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 (check one) 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 (check one) 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 (check one) was/ was not placed on parole and (check one) was/ was not placed on probation for such felony.

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

That Co-Petitioner has been convicted of a felony (description of conviction) _____ and (check one)

was/ was not placed on parole and (check one) was/ was not placed on probation for such felony.

13. That Petitioner(s) have not been suspended for misconduct or disbarred from the practice of law, the practice of accounting or any other profession which involves the management or sale of money, investments, securities or real property and requires licensure

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in Nevada or any other state.

14. That Petitioner is the (relationship) _____ of the proposed ward and Co-Petitioner is the (relationship) _____ of the proposed ward. Petitioner(s) are competent and capable of acting as guardians of the (check one) person/ estate/ person and estate of the ward, and hereby consent to act in this capacity.

15. (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 Petitioners 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" 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 Petitioners 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" will be filed with this Petition.)

Information Regarding the Proposed Ward

16. That the proposed ward, (proposed ward's name) _____, age _____ was born on (date of birth) _____.

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

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

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18. 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 the proposed ward because _____
_____.

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

20. The proposed ward has executed the following: (Check all that apply):

Revocable/living trust. The current trustee is _____
and the successor trustee(s) are _____.

Durable power of attorney for health care. The agent is _____
_____.

Durable power of attorney for financial matters. The agent is _____
_____.

Written nomination of guardian. The agent is _____
_____.

None of the above

Copies of the documents checked above will be filed with this Petition.

21. 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	

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	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	
	Ward's Spouse	
	Brother/Sister	

22. That a general guardianship is needed for the proposed ward because: _____

Information Regarding the Proposed Ward's Estate

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

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

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25. 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)

- being placed into a blocked account.
- a bond which the Petitioners will obtain in an amount set by the court.

General Information

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

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

28. That documentation demonstrating the need for a guardianship (check one) will be filed when/if it becomes available to the Petitioners/ will be filed at the same time the Petition is filed.

29. That a copy of the following form(s) of identification will be filed with the Confidential Information Sheet (check all that apply for the Petitioners and the Proposed Ward)

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

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

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c. For the Proposed Ward: Social Security Number/ Taxpayer Identification Number/
 Valid Driver's License Number/ Valid Identification Card Number/ Valid Passport Number

30. That Petitioner (check one) has/ has not been appointed as guardian over the proposed ward in a state other than Nevada. If Petitioner has been appointed Guardian over the proposed ward in another state, Petitioner will file an exemplified copy of the guardianship order with this Court.

31. That Co-Petitioner (check one) has/ has not been appointed as guardian over the proposed ward in a state other than Nevada. If Co-Petitioner has been appointed Guardian over the proposed ward in another state, Co-Petitioner will file an exemplified copy of the guardianship order with this Court.

32. That Petitioner(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):

_____.

WHEREFORE, Petitioner(s) pray that this guardianship be granted and for such other and further relief as the court may deem just and proper.

DATED this ____ day of _____, _____.

Petitioner

Co-Petitioner

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VERIFICATION OF PETITIONER

STATE OF NEVADA)
COUNTY OF _____)

I, (your name) _____, being first duly sworn under penalty of perjury, hereby depose and say:

That I am the Petitioner in the within action; that I have read the foregoing Petition For Appointment of Guardian(s) and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

Petitioner

SIGNED and SWORN to before me by (Petitioner's name) _____

on the ____ day of _____, ____.

NOTARY PUBLIC

ACKNOWLEDGMENT OF PETITIONER

STATE OF NEVADA)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (your name)

_____ known to me to be the person described in and

who executed the foregoing instrument, and who acknowledged to me that (check one)

he/ she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

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VERIFICATION OF CO-PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

I, (Co-Petitioner's name) _____, being first duly sworn under penalty of perjury, hereby depose and say:

That I am the Co-Petitioner in the within action; that I have read the foregoing Petition For Appointment of Guardian(s) and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

Co-Petitioner

SIGNED and SWORN to before me by (Co-Petitioner's name) _____
on the ____ day of _____, ____.

NOTARY PUBLIC

ACKNOWLEDGMENT OF CO-PETITIONER

STATE OF NEVADA)
)
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned Notary Public in and for the said County and State, personally appeared (Co-Petitioner's name) _____ known to me to be the person described

in and who executed the foregoing instrument, and who acknowledged to me that **(check one)**

he/ she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

1 Code:
 2 (Your name) _____
 3 (Address) _____
 4 (Telephone) _____

In Proper Person

6 IN THE ____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF _____

10 In the Matter of the Guardianship of)
 11 the person,) CASE NO. _____
 12 the estate,) DEPT. NO. _____
 13 the person and estate.)
 14 of:)
 _____)
 An Adult.)
 _____)

15 **CONFIDENTIAL INFORMATION SHEET**

16 (Complete date of birth and at least one other form of identification for each person)

	Ward	Guardian	Co-Guardian
19 Date of Birth			
21 Taxpayer ID 22 Number			
23 Valid Driver's 24 License Number			

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Valid ID Card Number			
Valid Passport Number			
Social Security Number			

A copy of the above identification is attached.

SUBMITTED BY:

(Petitioner's name)

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Code:
(Your name) _____

(Your 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 only)
 Estate only)
 Person and Estate)
of:)
_____,)
_____,)
_____,)
A(n) Minor.)
 Adult.)
_____)

CASE NO. _____
DEPT. NO. _____

CONFIDENTIAL MEDICAL/EDUCATIONAL INFORMATION SHEET

(Attach any doctor's statements or medical records, or report cards or other educational records regarding the ward's health or education to this sheet.)

1 Code:
 2 (Your name) _____
 3 (Address) _____
 4 (Telephone) _____
 In Proper Person

5
 6 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
 7 IN AND FOR THE COUNTY OF _____
 8

9 In the Matter of the Guardianship)
 of the Person only)
 10 Estate only)
 11 Person and Estate)
 12 of:)
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 16 A(n) Minor.)
 Adult.)
 17 _____)

CASE NO. _____
 DEPT. NO. _____

18 **AFFIDAVIT OF PETITIONER REGARDING MEDICAL CERTIFICATION**

19 STATE OF NEVADA)
 20 COUNTY OF _____)
 21

22 (Petitioner's name) _____, being first duly sworn according
 23 to law, deposes and says:

- 24 1. That I am the petitioner in this case.
 25 2. That I have tried to obtain a physician's certificate regarding the proposed ward's
 26 health. I have done this by (explain what steps you have taken to get the certificate)

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3. That I have not been able to get the certificate from the doctor.

DATED THIS ____ day of _____, _____

(Signature)

SIGNED and SWORN to before me by (Petitioner's name) _____

on the ____ day of _____, _____.

NOTARY PUBLIC

OR

DEPUTY CLERK

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Code:
(Your name) _____
(Your 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 only)
 Estate only)
 Person and Estate)
of:)
_____,)
_____,)
_____,)
A(n) Minor.)
 Adult.)
_____)

CASE NO. _____
DEPT. NO. _____

CITATION TO APPEAR AND SHOW CAUSE

TO: _____

TO: THE PEOPLE OF THE STATE OF NEVADA, and
TO: Any person having the care, custody and control of the Proposed Ward

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YOU ARE HEREBY CITED AND NOTIFIED to appear before a Judge of the Court at the listed date, time and place to OPPOSE or SHOW CAUSE and inform the court why the proposed ward should not be declared incompetent, of limited capacity, and in need a guardian for his/her

Person only
 Estate only
 Person and Estate

and to further oppose and explain why Petitioner (name) _____ and Co-Petitioner (name) _____ should not be appointed to act as Guardian(s).

YOU ARE NOTIFIED that, if appointed, the Guardian(s) will have the management and control of the proposed ward's

Person only
 Estate only
 Person and Estate

YOU ARE NOTIFIED that the proposed ward has the right to appear at the hearing, the right to oppose this Petition, and the right to be represented by an attorney, who may be appointed by the Court if the proposed ward is unable to retain one. THIS CITATION is based upon the verified Petition for Appointment of Co-Guardians filed by Petitioner (name) _____ and Co-Petitioner (name) _____.

NOTE: The Proposed Ward (unless excused by the Court) and Petitioner(s) must appear at the scheduled hearing; all other interested parties do not need to appear unless they wish to enter an objection.

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DATE AND TIME OF COURT APPEARANCE

(day) _____, the _____ day of (month) _____,
(year) _____ at (time) _____, in Dept. _____
(name of court) _____
(address of court) _____

DATED this _____ day _____, _____.

CLERK OF COURT

By: _____
Deputy Clerk

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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 estate)
of:)
_____)
_____, and)
_____)
A(n) Minor.)
 Adult.)
_____)

CASE NO. _____
DEPT. NO. _____

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
COUNTY OF _____)

_____, being first duly sworn under penalties of
(Print name of person making service)

perjury, states as follows:

1. That I am a person not involved in this action and have no interest in this action and
am over the age of 18 years.

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2. That on _____ I served a true and correct copy of
(Date the documents were mailed or served)

the documents entitled (List the name of all documents mailed or served) _____

(Check the appropriate box and fill in the appropriate information in the following paragraphs)

IF THE DOCUMENTS WERE SERVED BY MAIL ON THE PARTIES OR THE OTHER PARTIES' LAWYER, FILL IN THE FOLLOWING:

by placing a copy of the documents enclosed in a sealed envelope and mailing it by

certified mail, return receipt requested or regular first class mail to the last known address of the

following:

(name) _____

(name) _____

(address) _____

(address) _____

(Attach another sheet if you served more than 8 people by mail)

AND/OR

IF THE DOCUMENTS WERE PERSONALLY SERVED ON THE OTHER PARTIES OR

Adult, Minor With Hearing, Termination-Estate,
Termination-Person, Addendum

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THE OTHER PARTIES' LAWYER, FILL IN THE FOLLOWING:

by personally serving:

(name) _____	(name) _____
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(address) _____	(address) _____
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name) _____	(name) _____
(address) _____	(address) _____
_____	_____
name) _____	(name) _____
(address) _____	(address) _____

(Attach another sheet if you served more than 8 people by personal service)

Date: _____

(print name)

(signature)

SIGNED and SWORN to before me by (name of person making service) _____

_____ on the ____ day of _____, _____.

NOTARY PUBLIC