

INSTRUCTIONS TO COMPLETE
PETITION
FOR THE APPOINTMENT OF A GUARDIAN OF A MINOR

All forms must be typed or clearly printed in ink. All forms must be accurately and fully completed. The Probate Court will not accept forms for filing unless they are accurate and complete. Court personnel are not allowed to provide you with legal advice concerning this matter. If you have questions in regard to this procedure, or are unable to properly complete these forms, you should then seek assistance from a qualified attorney.

BELOW ARE INSTRUCTIONS TO COMPLETE EACH FORM IN THIS PACKET. PLEASE READ AND FOLLOW OVER THESE INSTRUCTIONS TO MAKE SURE THAT THE COURT WILL BE ABLE TO ACCEPT YOUR PETITION.

BEFORE FILING THE ENCLOSED PETITION YOU WILL NEED TO:

Obtain a copy of the minor's birth certificate, and if the child is subject to another court's jurisdiction, you will need to obtain a copy of the latest order affecting the child; i.e. Judgment of Divorce, Paternity Order, Child Support, Custody or Family Division Orders. Bring two reference letters (please read information in packet).

A \$150.00 filing fee must be paid in cash, personal check or money order at the time of the filing of a Petition for Minor Guardianship.

You must make enough copies of your Petition for Appointment of Guardian and Notice of Hearing so that you can serve all interested parties in this matter. If you do not make the appropriate copies, you will be charged an additional \$1.00 per page for the Court to make your copies.

INSTRUCTIONS

1. PETITION FOR APPOINTMENT OF A GUARDIAN

Where it states "In the matter of" - put in the name of the child.

In section 1, put in your name and the relationship you have with the child, i.e. Grandparent, Aunt, Uncle etc.

In section 2, put in the child's date of birth and the child's home address and gender. You will then put in the address where the child is currently residing if different from the child's home address.

In section 3, put all known information concerning the parents of the child; complete name and address. You must also provide information whom has had custody of the minor within the last 60 days. If you do not know the address of the parent(s), you will have to complete the Declaration of Inquiry form and you may request the form from the Probate Court. Because the whereabouts of the parent(s) may be unknown, you will be responsible to pay for the cost to publish a **notice** in the newspaper for the address of the person not known.

In section 4, if the parents were married and now divorced, or their was a paternity action, or the child was involved in child protective proceedings, you must list the court that has/had prior jurisdiction, and obtain the case number from the previous court.

In section 5, if the child is of Indian ancestry, you must list the name of the tribe that the child belongs or could belong to.

In section 6, you must check the box that applies to your reason for obtaining guardianship.

In section 7, a temporary guardian may be requested if there is a medical emergency or the child is in some imminent danger.

In section 8, put in the name, address and telephone number of the person you are asking to be appointed the guardian for the minor.

**The petition must then be dated, and signed by the petitioner, and if the minor is 14 years of age or older, the minor must complete the next section on the form.

REFERENCES - Two (2) reference letters are required to be filed at the time the Petition is filed concerning your ability to accept the responsibility as guardian for the minor.

2. NOTICE OF HEARING

Where it indicates, "In the Matter of" please put in the name of the minor. The Court will give you a hearing date/time when the forms are fully complete and accepted for filing. At the bottom insert the date, name, address and telephone number of the petitioner.

3. SOCIAL HISTORY FORM

The proposed guardian must complete this form. This form will be used by the court to determine if the guardian is suitable to act as the court appointed guardian for the minor.

4. CRIMINAL HISTORY CHECK

This form must be completed with the information requested and dated and signed. If there is more than one proposed guardian a separate criminal history check must be completed.

5. PROOF OF SERVICE

This form is completed after the court documents have been filed with the Court. This must be filed with the Court at least **7 days prior to the scheduled hearing.**

On the first line put in the name of the minor.

Section 2, check the appropriate box for the type of mail service used. List the name and address of whom service was sent and then indicate the date service was sent.

Section 3, must be completed if you personally hand delivered the Petition and Notice of Hearing to the interested person(s).

You are required to mail a copy of the petition and notice of hearing to the interested person(s). Once this has been done, you will need to date and sign the form and return to the Court for filing (Kent County Probate Court, 180 Ottawa Avenue, NW, Ste 2500, Grand Rapids, MI 49503)

6. ORDER APPOINTING GUARDIAN

Where it indicates, "In the Matter of" put in the name of the minor.

Complete line 4 with the same information you used for obtaining the guardianship.

Complete line 9 inserting the name, address and telephone number of the person(s) to be appointed guardian and whether you are requesting a full, limited or temporary guardian of the minor.

The court will complete the rest of the form.

7. ACCEPTANCE OF APPOINTMENT

Write in the name of the minor on the first line. The proposed guardian must date and sign the form and provide a complete address, telephone number, date of birth and driver license number.

8. LETTERS OF GUARDIANSHIP

Write the name of the minor on the first line. Print the name and address of the proposed guardian(s) in the box just below the first line. The Court will complete the rest of the form.

After completing all of the forms in this packet and making the necessary copies for service, bring them to the Court and your documents will be processed.

AFTER THE COURT HAS APPOINTED YOUR GUARDIAN

1. You are required on an annual basis to file the **ANNUAL REPORT OF GUARDIAN ON CONDITION OF MINOR**. This form is required to be filed with the Court annually from the date of your appointment. You may obtain this form from the Probate Court. You may send in a self-addressed stamped envelope to the Court with the name of the case and case number and we will send you the form.

2. Please provide the Court with any address and/or telephone changes.

FAILURE TO FOLLOW THE ABOVE INSTRUCTIONS WILL CAUSE THE COURT TO REJECT THE FILING OF YOUR PETITION.

LAW PROHIBITS THE COURT STAFF FROM GIVING LEGAL ADVICE CONCERNING THIS MATTER.