

# GENERAL GUARDIANSHIP CHART

You need an order from the court regarding the custody, care, and control of a minor child and you are not the parent of that child.

## GUARDIANSHIP OF THE PERSON

You will have full legal/physical custody of the minor child. You are responsible for the child's care and maintenance which includes:

- Food, clothing, & shelter
- Safety and protection
- Medical, Dental, & Vision care
- Education
- Conduct and behavior

## GUARDIANSHIP OF THE ESTATE

You are responsible for the management of the minor child's income (other than wages), money, and property until the child turns 18 years of age.

## TYPES OF GUARDIANSHIPS

You can be appointed both Guardian of the Person & Guardian of the Estate.

### **FILING FEES:**

After your forms are complete, make (2) copies and file. The following fees are required to be paid at the time you file:

Guardianship (Person only): \$225.00

Guardianship (Person & Estate or Estate only): \$410.00

Temporary Guardianship: \$40.00

Guardianship Investigation: \$650.00 (Due at time of filing)

If you cannot afford the filing fees, you may complete and file a Request to Waive Court Fees (FW-001) & Order on Court Fee Waiver (Fw-003)

### **WHAT TO FILE (to request Guardianship of the Person):**

You can pick up a Guardianship Packet from the Clerk's Office or complete your forms online at: [www.ezlegalfile.com](http://www.ezlegalfile.com)

- Petition for Appointment of Guardian of Minor (GC-210 or GC-210(P))
- Guardianship Petition-Child Info. Attachment (GC-210(CA))
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (GC-120)
- Confidential Guardian Screening Form (GC-212)
- Consent of Proposed Guardian (GC-211)
- Indian Child Inquiry (ICWA-010 A)
- Duties of the Guardian (GC-248)
- Order Appointing Guardian of Minor (GC-240)
- Letters of Guardianship (GC-250)
- Guardianship Investigation Packet (RI-P18)
- Certificate of Assignment (RI-P29)
- Notice of Hearing (GC-020)
- Proof of Personal Service of Notice of Hearing (GC-020(P))

**\*NOTE\*** If you are requesting Guardianship of the Person & Estate you must use the Petition for Appointment of Guardian of Minor (GC-210) instead of the GC-210(P). All other forms will remain the same.

READ

You will be assigned a case number upon the filing of your paperwork.

A hearing will be scheduled (Between 45-60 days)  
**Mark your calendar!**

**\*NOTE\*** When the proposed ward is entitled to VA Benefits, notice must be given to the local Office of Veterans Admin. **(Service by Mail).**

Notice may also need to be given to the Director of Mental Health, Director of Social Services, and/or Local Regional Center. See form GC-510 for more information.

If the proposed ward has any known or suspected Native American Ancestry, see form ICWA-005-INFO for detailed instructions regarding service.

### **WHAT NEXT? – GIVING NOTICE (Notice must be given at least 15 days prior to the hearing):**

You must arrange for someone at least 18 years of age, other than you, to provide a copy of the Notice of Hearing (GC-020) and Petition for Guardianship (GC-210) including all attachments to the following:

1. The proposed ward (child) if 12 years of age or older **(Personal Service)**
2. Mother and Father of ward **(Personal Service)**
3. Any person with legal custody of the ward **(Personal Service)**
4. Any person serving as Guardian of the estate of the ward **(Personal Service)**
5. Any person nominated as guardian for the proposed ward under Probate Code Section 1500 or 1501 **(Personal Service)**
6. The Spouse of the minor **(Service by Mail)**
7. The relatives named in the Petition (all relatives within the 2<sup>nd</sup> degree) **(Service by Mail)**
8. Any person who is caring for the ward, without legal custody **(Service by mail)**

**Make sure that your server completes Proof of Service by mail (pg. 2 of the original Notice of Hearing GC-020) plus the Proof of Personal Service attachment (GC-020(P)). You will then file the "original" Notice of Hearing (GC-020) with the GC-020(P) attached at the Court Clerk's Office.**

### **WHAT ARE PROBATE NOTES?**

Probate notes provide a brief summary of your matter along with any errors and/or deficiencies regarding the paperwork you filed for an upcoming hearing.

You can view your Guardianship Probate Notes at: <http://www.riverside.courts.ca.gov/calendar.htm>

After reading the Probate Notes, it is your responsibility to correct the errors/deficiencies to the best of your ability. If you do not make the corrections, your matter may be continued until all corrections are made.