

GUARDIANSHIP

A Guide for Self-Represented Litigants



**Superior Court of California
County of Riverside
Self-Help Center**



WHAT IS GUARDIANSHIP?

A guardianship is a court case in which a Judge gives a person who is not the parent, custody of a child (Guardianship of the Person), the power to manage the child's property (Guardianship of the Estate), or both. A guardianship is used only for a minor.

Note* If CPS (Child Protective Services) is involved in your case; verify that a Juvenile Court Case is not pending, prior to filing a Petition for Guardianship. The involvement of CPS in your case does not preclude you from proceeding with a Petition for Guardianship, unless a Juvenile case has been established.

WHAT DOES A GUARDIAN OF THE PERSON DO?

For the most part, the guardian has the same responsibilities as a parent. The guardian will have full legal/physical custody of the child.

The Guardian is responsible for the child's:

- Safety and Protection
- Health, Dental & Vision care
- Education
- Welfare
- Physical and Emotional Growth
- Food, Shelter, & Clothing
- Conduct/Behavior

WHY WOULD A CHILD NEED A GUARDIAN?

Sometimes a parent is unable to take care of their child. Examples of why a child may need a guardian are:

- one or both parents may have a serious illness
- parents are in jail
- parents on drugs/ in a rehabilitation program
- parents are homeless/abandonment
- there is a history of child abuse and/or neglect.

WHAT RIGHTS DO THE NATURAL PARENTS HAVE IF I AM AWARDED GUARDIANSHIP?

Appointment of a Guardian of the Person does not automatically terminate the natural parent's rights. However, a Guardian has the option of filing a petition to terminate parental rights after the Guardian has had custody of a child for two or more years.

The guardian is the only person who can make decisions about the child and are responsible for raising the child. The parents may be able to visit the child, but it is up to the guardian how often. The natural parents can petition the court for a visitation order.

The parents may get custody of the child back in the future if the court decides the child no longer needs a guardian. This is done by filing a Petition for Termination of Guardianship, form (GC-255).

WHAT FORMS DO I NEED TO BEGIN A GUARDIANSHIP?

- Certificate of Assignment (RI-PR071)
- Petition for Appointment of Guardian of Minor (GC-210 (P))
- Guardianship Petition-Child Info. Attachment (CA-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)
- Duties of the Guardian (GC-248)
- Indian Child Inquiry (ICWA-010 A)
- Order Appointing Guardian of Minor (GC-240)
- Letters of Guardianship (GC-250)
- Guardianship Investigation Packet (RI-P18)
- Notice of Hearing (GC-020)
- Proof of Personal Service of Notice of Hearing (GC-020P)

WHERE CAN I GET HELP?

Public Service Law Corporation
4129 Main St., Ste. 100
Riverside, CA 92501
(951) 682-7968 or (951) 244-2920

Inland Counties Legal Services
1040 Iowa Avenue, Ste. 109
Riverside, CA 92507
(951)-368-2555 or (888)-245-4257

California Family Life Center –
Kin Care
749 N. State St.
Hemet, CA 92543
(951)-791-3557

You can also fill your forms out online at:

<http://www.riverside.courts.ca.gov/selfhelp/guardianship.shtml>

For more information/resources online, visit:

<http://www.courts.ca.gov/1023.htm>