



MONTEREY COUNTY SUPERIOR COURT
1200 Aguajito Road
Monterey, CA 93940
(831) 647-5800
www.monterey.courts.ca.gov

GUARDIANSHIP (Packet #30)

The purpose of these instructions is to provide information about how to complete the forms and a link to the forms that you can use to ask the court to appoint a guardian.

Guardianship refers to legally-appointed custody of a child who is not the natural child of the guardian. Grandparents, aunts, uncles, and friends of the family are often appointed guardians of children when their own parents are unable to care for them.

Guardianship requires filing numerous papers with the court, setting a court date, and notifying the child's parents and other relatives about the application for the guardianship. The parents must be personally notified with service of the paperwork, and other relatives may be served by mail.

STEP 1: Complete the forms.

You **must** complete the following forms:

- **Petition for Appointment of Guardian of The Person ([GC-210\(P\)](#))**
- **Consent of Proposed Guardian ([GC-211](#))**
- **Notice of Hearing ([GC-020](#))**
- **Confidential Guardian Screening Form ([GC-212](#))** - one for each proposed Guardian
- **Duties of Guardian ([GC-248](#))**
- **Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) ([GC-120](#))**
- **Confidential Declaration Regarding Household Members ([CI-130](#))**
- **Proof of Personal Service of Notice of Hearing ([GC-020\(P\)](#))**
- **Letters of Guardianship ([GC-250](#))**
- **Order Appointing Guardian of Minor ([GC-240](#))**

In addition to the above listed forms, you may also need the following forms if you request **temporary guardianship**:

- **Notice of Hearing (For Temporary Guardianship) ([GC-020](#))**
- **Petition for Appointment of Temporary Guardian of the Person ([GC-110\(P\)](#))**
- **Order Appointing Temporary Guardian ([GC-140](#))**
- **Letters of Temporary Guardianship ([GC-150](#))**
- **Proof of Personal Service of Notice of Hearing ([GC-020\(P\)](#))**

Temporary Guardianship

If your situation requires an urgent appointment of a guardian (emergency medical care, urgent school situation or other issues that requires a guardian be appointed before the court hearing), you can ask the court to issue a temporary guardianship that would be in effect until the hearing is held on the permanent guardianship petition. This will require two hearings; one on the Temporary Guardianship Petition which takes place within two weeks, and another on the permanent Guardianship Petition, which takes place at least 45 days after the initial filing of the documents with the court. *Temporary guardianships are only granted in an urgent situation involving the safety and welfare of the minor.*

The hearing on the temporary guardianship is set by the clerk and is usually set within two (2) weeks.

- All forms must be completed in a clear and legible manner and either typed (completed online) or neatly written in **black or blue ink**.
- **Do not use white-out liquid or correction tape on your forms!** If you make a mistake, simply mark a single line through the mistake, initial it and then enter the correct information.
- Insert your name on **every** page of these forms, where indicated.
- If you have any questions regarding completing these forms or would like someone to review your forms before you file them, please schedule a document check with the Self-Help Center. You can do this online at www.monterey.courts.ca.gov/SelfHelp/.

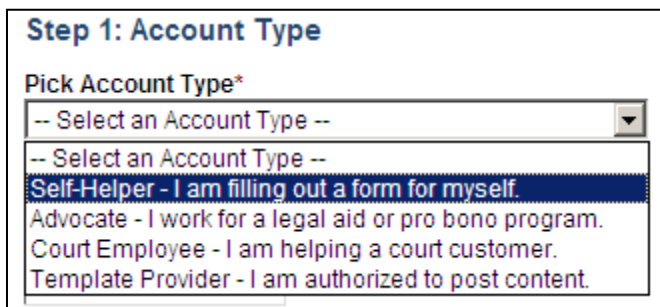
DASH - Form Creation Program

You also have the option of creating the forms using the Domestic Assistance Self-Help (DASH) program. The program asks questions related to the guardianship and then automatically completes the forms based on your answers to the questions.

If you have any questions during the process, you can save your work and your saved answers can be accessed by the Self-Help Center staff during a set appointment time to further assist you.

To run the DASH program, follow these steps:

1. Go to www.courts.ca.gov/partners/124.htm
2. Click the Guardianship Petition and Fee Waiver Request link
3. Click the Sign Up to Save Your Work link
4. Click the Sign up now button
5. For Account Type, select Self-Helper (as pictured below).



Step 1: Account Type

Pick Account Type*

-- Select an Account Type --

Self-Helper - I am filling out a form for myself.

Advocate - I work for a legal aid or pro bono program.

Court Employee - I am helping a court customer.

Template Provider - I am authorized to post content.

6. Select a Username and Password, confirm your Password, enter your name, email address and state (see screen pictured below).

Sign Up with LawHelp Interactive

*required

Step 1: Account Type

Pick Account Type*

Self-Helper - I am filling out a form for myself.

Which type should I pick?

Step 2: Create a Username and Password

Username*

Password*

Confirm Password*

[Help with passwords](#)

Step 3: Personal Information

Full Name*

Email Address*

State*


-- Select a State --

Step 4: Accept Terms of Use

I agree to LawHelp Interactive's following terms: *

- [General Terms of Use](#)
- [Specific Terms of Use for Self-Helpers](#)

Sign Up

7. Click the box to agree to LawHelp Interactive's terms.
8. Click the Sign Up button.
9. Click the Start Fresh button.
10. Answer the questions and continue to click the Next button to go to the next pages of questions.
11. If you want to save your answers, click the  icon in the upper-right corner and use your last name as the file name.
12. Continue answering the questions and click the Finish button when you're done.
13. Click the Save Answers button and use your last name as the filename.
14. Click the Get Document button and save the file on your desktop when prompted.
15. Print out the file.
16. Bring all of the forms to the Self-Help Center for a document review (see below for instructions for setting an appointment for the document review).

STEP 2: File the forms with the court.

Once you have completed and signed the forms, make 2 copies of each form.

Bring your original and the two copies of each form to the first floor Probate filing window at the [Monterey Courthouse](#), located at 1200 Aguajito Road, Monterey.

You will need to pay the court a [\\$225.00](#) fee (a mandatory first-time filing fee) when you file your forms. *(Please note that filing fees are subject to change.)* If you cannot afford the filing fee, you may qualify for a fee waiver. You will need to complete the fee waiver forms ([FW-001](#) and [FW-003](#)). Your completed fee waiver forms must be submitted to the court at the same time as your Petition.

If you need to mail your forms to the court for filing, be sure to include two copies of all forms, and a return envelope with sufficient postage for the clerk to mail back your endorsed copies.

The court will keep your original papers and return the two file-stamped copies to you. Keep one copy for your records and the other copy will need to be served.

Guardianship Investigation

The court will appoint the Probate Investigator to complete an investigation about the proposed Guardianship in order to be sure that the Guardianship is safe and appropriate for the child. This requires the payment of [\\$700.00](#) for the investigation fee at the time of filing of your application; you may also petition the court for an order allowing this fee to be made in installments. If you meet the qualifications for a fee waiver, you can ask that the investigation fee be waived, as well ([FW-002](#) and [FW-003](#)). You will have to complete a Guardianship Investigation Questionnaire ([CI-123](#)) after the first hearing if an investigation is deemed necessary. If the investigation is not necessary, the fee will be refunded to you.

STEP 3: Arrange to have the people served.

Notifications

The Probate Code requires that in **relative** guardianships, the local child welfare agency be notified:

[FAMILY & CHILDREN'S SERVICES](#)

ATTN: Parent Search Desk
1000 S. Main Street, Suite 112
Salinas CA 93901

The Code also requires that in a **non-relative guardianship** (where proposed guardian has no blood relation to the minor), both the local agency and the Department of Social Services of the State of California must be notified:

[CALIFORNIA DEPARTMENT OF SOCIAL SERVICES](#)

Adoptions Branch
744 P Street, Mail Station 19-67
Sacramento CA 95814-6413

Copies of the following documents are to be sent to one or both of the above agencies, as appropriate:

- **Notice of Hearing (GC-020)**
- **Petition for Appointment of Guardian of The Person (GC-210(P))**
- **Confidential Guardian Screening Form (GC-212)**
- **Confidential Declaration Regarding Household Members**

For additional assistance: The Self-Help Center provides workshops by appointment (or waitlist if space is available) and is located on the first floor at the Monterey Courthouse, 1200 Aguajito Road, in Monterey. To make an appointment, you can come in person, call 831-647-5890, or sign up online (go to www.monterey.courts.ca.gov and follow the links to the Self-Help Center and then select the Guardianship Workshop).

You must complete the following forms:

- [GC-210\(P\)](#) (Petition)
- [GC-210\(CA\)](#) (Child Information Attachment)
- [GC-510](#) (What is “Proof of Service” in a Guardianship?)
- [GC-211](#) (Consent of Guardian and Consent to Appointment)
- [GC-020](#) (Notice of Hearing)
- [GC-212](#) (Confidential Guardian Screening Form)
- [GC-248](#) (Duties of Guardian)
- [GC-120](#) (UCCJEA)
- [CI-130](#) (Confidential Declaration Regarding Household Members)
- [GC-020\(P\)](#) (Proof of Personal Service)
- [GC-250](#) (Letters of Guardianship)
- [GC-240](#) (Order Appointing Guardian of Minor)
- [MC-020](#) (Attachment 14 to Order Appointing Guardian)

Optional forms:

- [CI-129](#) (Declaration of Due Diligence)