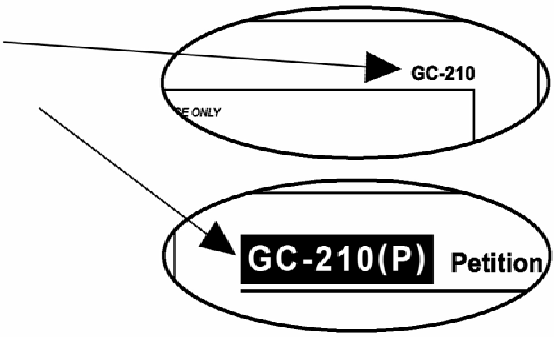
GC-505 Forms You Need to Ask the Court to Appoint a Guardian of the Person *

Look at the numbers at the top of a form to match them with the form numbers listed below. You can use this form as a checklist.

OR



* Appointment of a guardian for a Native American child is subject to special requirements that are not discussed in these instructions. See item 14 on the next page.

I want to become a guardian of a child. What forms do I need to file with the court?

1. **Fill out, sign, and file with the court** *either* of the following form petitions ("your petition"):
   - ☐ **Form GC-210(P),** *Petition for Appointment of Guardian of the Person* (recommended if you won't have an attorney to help you); **or**
   - ☐ **Form GC-210,** *Petition for Appointment of Guardian of Minor*.
2. **Fill out** the following forms and attach them to or file them separately with your petition:
   - ☐ **Attach to your petition a separate copy** of **Form GC-210(CA),** *Guardianship Petition—Child Information Attachment,* for **each** child you think needs a guardian.
   - ☐ **Sign and attach to your petition one copy of Form FL-105/GC-120,** *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA),* for all children you think need a guardian.
   - ☐ **Sign and file separately with your petition Form GC-212,** *Confidential Guardian Screening Form*. This form is confidential, under the direct control of the court, and not available to the general public.
   - ☐ **If required by your court, sign and file separately with your petition**, **Form GC-211,** *Consent of Proposed Guardian* (item 1 of that multi-purpose form, at the top of the page). Many courts don't require that form if you are asking for your own appointment as guardian, so check with your court before you file it.
   - ☐ **File separately with your petition** any local forms your court wants you to file with your petition (check your court's local rules and guidelines for information and instructions about these forms).

What must I do if I want the court to appoint someone other than myself as guardian?

3. ☐ **Instead of filling out and signing Form GC-212,** listed above in Step 2, ask the person you want the court to appoint as guardian to fill out and sign that form.
4. ☐ **Instead of signing item 1 of Form GC-211,** listed above in Step 2, ask the person you want the court to appoint as guardian to sign item 1 of that form. Many courts don't require that form if the person you want as guardian signs your petition (as an additional petitioner), so check with the court on the need to file that form if that person signed your petition. See page 2 of this form to learn about use of another part of **Form GC-211.**

What can I do if I can't afford to pay the court's filing fees?

5. ☐ **Fill out, sign, and file Form FW-001**, *Application for Waiver of Court Fees and Costs,* and fill out and give the court clerk **Form FW-003**, *Order on Application for Waiver of Court Fees and Costs,* for the judge to sign.

What happens when I file my petition and the other forms listed above?

The court clerk will give you a case number, a date and time when, and a courtroom or department of the court where the judge will hear your request to appoint a guardian. Take an extra copy of your petition and the other papers you must file to the court when you file the originals and ask the clerk to stamp the filing date and case number on your copies and note the hearing date and place on your copy of the petition. Some courts will require you to give the clerk one or more extra copies of your papers, so check with your court before you go to the court to file the papers.

What forms do I need after I file my petition and have a hearing date?

6 ☐ **If either or both of the child's parents or any other person you must notify of the hearing on your petition** will agree with your request for appointment of a guardian, fill out and have each of them date and sign item 4 at the bottom of **Form GC-211,** *Consent to Appointment of Guardian and Waiver of Notice*. File the form with the court when you file the *Notice of Hearing*, discussed below.

What must I do before the court hearing on my petition?

You must arrange for **someone other than yourself** to notify certain people about your petition and the court hearing and show the court that he or she has done so. Read **Form GC-510,** *What is "Proof of Service" in a Guardianship,* and:

7 ☐ **Fill out** the first page of **Form GC-020**, *Notice of Hearing—Guardianship or Conservatorship.*

8 ☐ **Follow** the instructions in **Form GC-510** for personal delivery **("personal service")** of copies of your petition and the *Notice of Hearing* and showing the court that personal service has been made **("proving service").**

9 ☐ **Follow** the instructions in **Form GC-510** for mailing **("service by mail")** copies of your petition and the *Notice of Hearing* and showing the court that service by mail has been made **("proving service")**.

10 ☐ **File with the court at least 5 days before the hearing,** the original **Form GC-020,** with attached original filled-in proofs of personal and mailed service, signed by the person(s) who delivered and mailed the papers.

11 **Fill out and deliver the following forms to the court at or before the hearing on your petition** (check your court's local rules for the deadlines for delivery of these forms to the court):

- ☐ **Form GC-240,** *Order Appointing Guardian of Minor* (the judge will sign this Order at or shortly after the hearing on your petition if he or she grants your request for appointment of a guardian)**;**
- ☐ **Form GC-248,** *Duties of Guardian and Acknowledgment of Receipt* (you or any other person the court has appointed as guardian must sign this form and the form must be filed with the court before the clerk will sign and file the *Letters of Guardianship* (see below))**;** and
- ☐ **Form GC-250,** *Letters of Guardianship* (the court clerk will sign and file the original of this form, often called "*Letters,"* and will give you (for a fee) **certified copies** that you, or any other person the court has appointed as guardian, must have to show legal authority to act as the child's guardian.

12 ☐ **Fill out and file any local forms your court requires at or before the hearing on your petition** (check your court's local rules for information about these forms, deadlines for filing them, and requirements for service of copies to other persons interested in the case).

Need help?

13 Your court may have a self-help center or a volunteer assistance program that can help you with a guardianship, or the court may be able to refer you to other organizations in your area that can help you.

14 If you can get on the Internet, you can go to the California Courts Self-Help Center Web site, at *www.courtinfo.ca.gov/selfhelp/family/guardianship* (English) or *www.courtinfo.ca.gov/selfhelp/espanol/familia/tutela* (Spanish). This Web site provides information about the guardianship process, including information about what you need to do if the child in your case is a Native American or has a Native American ancestor, and information about other resources available to you. You can also download a copy of **Form GC-205**, *Guardianship Pamphlet* and all the forms mentioned above. The pamphlet has a basic explanation of a guardianship. It is available in Spanish and several other languages. You can even fill out the necessary forms on your computer while visiting this site and print them out ready for signing and filing, free of charge.

15 You can also go to *www.courtinfo.ca.gov/courts/trial/courtlist.htm* to access your court's Web site. This site can tell you where to file your forms and go for court hearings and can advise you about the court's rules and practices you need to know during the progress of your case. You can also download copies of the court's local forms.