

## **REQUIRED FORMS**

### **MINOR GUARDIANSHIP**

You will need the following forms:

- Petition for Appointment of Guardian(s) of Minor(s)
- Acceptance of Guardianship of Minor(s)
- Notice of Hearing (Appointment of Guardian)
- Proof of Notice
- Proposed Guardian's Affidavit Pursuant to A.R.S. §14-5106 (with instructions)
- Statement Pursuant to A.R.S. §14-5651
- Affidavit Regarding Minor Children (A.R.S. §25-439)
- Information Sheet
- Consent and Waiver
- Order Appointing Guardian(s) of Minor(s)
- Letters of Guardianship of Minor(s)
- Instructions to Guardians of Minor(s)

Your Name:  
 Your Address:  
 Your City, State, ZIP:  
 Your Telephone No:  
 Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, COUNTY**

In the Matter of the Guardianship of:	)	Case No.
	)	
	)	<b>PETITION FOR APPOINTMENT OF</b>
	)	<b>GUARDIAN(S) OF MINOR(S)</b>
	)	
	)	
	)	
_____ Minor(s)	)	_____ Judge/Commissioner

Petitioner(s) and  
 allege(s):

1. The minor(s) is/are unmarried, born on .
2. The names, addresses, and/or dates of death of the minor's parents are:
  
3. The minor(s) resides(s) or is/are present in this county.
4. No guardian has been appointed by a will or by order of any court, and no other proceedings for the appointment of a guardian are pending in any court.
5. Parental rights of custody have been terminated or suspended by circumstances or prior court order.
6. The welfare and best interests of the minor(s) require the appointment of guardian(s) because:

7 \_\_\_\_\_ and \_\_\_\_\_, born \_\_\_\_\_  
and residing at \_\_\_\_\_

is/are qualified to serve as guardian(s).

8. The relationship between the proposed guardian(s) and the minor(s) is (grandparent, friend, aunt, brother, etc.):

9. The persons entitled to notice of this proceeding are (minor if 14 or older; any living parent; persons having care and custody during last 60 days):

NAME AND ADDRESS

RELATIONSHIP

Petitioner(s) request(s) that the court appoint \_\_\_\_\_ and \_\_\_\_\_  
as guardian(s) of the minor(s).

**The undersigned swears or affirms that the statements set forth above are true and correct, subject to the penalties of making a false affidavit or declaration.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA,**

**COUNTY**

In the Matter of the Guardianship of: )  
)  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s) )

Case No.

**ACCEPTANCE OF GUARDIANSHIP  
OF MINOR(S)**

\_\_\_\_\_  
Judge/Commissioner

**ACCEPTANCE**

STATE OF ARIZONA )  
) ss.  
COUNTY OF )

I accept the duties of guardian of the minor(s) and swear/affirm that I will perform those duties according to law.

\_\_\_\_\_  
(Co-)Guardian's Signature

\_\_\_\_\_  
(Co-)Guardian's Signature

SUBSCRIBED and SWORN TO/AFFIRMED before me on \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA,**

**COUNTY**

In the Matter of the Guardianship of: )  
)  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s)

Case No.

**NOTICE OF HEARING  
(Appointment of Guardian)**

\_\_\_\_\_  
Judge/Commissioner

NOTICE IS GIVEN that the court will consider the Petition for Appointment of  
and  
Guardian(s) of Minor(s) on \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ at  
the court designated above, the address of which is:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

**THIS IS A LEGAL NOTICE. YOUR RIGHTS MAY BE AFFECTED.  
ESTE ES UN AVISO LEGAL. SUS DERECHAS PODRÍAN SER AFECTADAS.**

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, COUNTY**

In the Matter of the Guardianship of: ) Case No.  
)  
) **PROOF OF NOTICE**  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s) ) \_\_\_\_\_  
Judge/Commissioner

The undersigned states that copies of the **Petition for Appointment of Guardian(s) of Minor(s)** and completed **Notice of Hearing** were delivered or mailed to the following persons:

<u>NAME AND ADDRESS</u>	State whether <u>DELIVERED</u> or <u>MAILED</u>	<u>DATE</u>
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**The undersigned swears or affirms that the statements set forth above are true and correct, subject to the penalties of making a false affidavit or declaration.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA,**

**COUNTY**

In the Matter of the Guardianship of: )  
)  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s)

Case No.

**PROPOSED GUARDIAN'S AFFIDAVIT  
PURSUANT TO A.R.S. §14-5106**

\_\_\_\_\_  
Judge/Commissioner

STATE OF ARIZONA )  
) ss.  
COUNTY OF )

I, \_\_\_\_\_, the proposed appointee, declare under penalty of perjury that each of the following statements is true, except for those marked F (false) and explained in an Exhibit attached to and incorporated into this statement:

1. a. The nature of my relationship to the proposed ward is:

b. I met the proposed ward under the following circumstances:

(Mark True or False)

T      F

2. I have not been convicted of a felony in any jurisdiction.
3. I have not acted as guardian or conservator for another person within three years of the filing of the petition in this matter.
4. I have a working knowledge of the powers and duties imposed on a guardian and conservator.
5. I have not acted in a fiduciary capacity pursuant to a power of attorney for anyone within three years of the filing of the petition in this matter.
6. a. I am not, to the best of my knowledge, listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.  
b. To the best of my knowledge, no enterprise in which I have an interest is listed in the Elder Abuse Registry at the Offices of the Arizona Attorney General.
7. Within three years of the filing of the petition in this case, I have not failed to file any report of guardian or conservatorship accounting later than three months following receipt of a notice of delinquency.
8. I have never been removed as a guardian or conservator.
9. a. I have never received anything of value exceeding a total of one hundred dollars in any one year by gift, devise, or bequest from an individual or the estate of an individual to whom I was not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.  
b. No enterprise in which I have an interest has ever received anything of value exceeding a total of one hundred dollars in any one year by gift, devise, or bequest from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
- 10.a. To the best of my knowledge, I am not named as a personal representative, trustee, devisee, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.



- b. To the best of my knowledge, no enterprise in which I have an interest is named as a personal representative, trustee, devisee, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
- 11. I have no interest in any enterprise providing housing, health care, or comfort care services to any individual.

\_\_\_\_\_

\_\_\_\_\_

Date

Proposed Guardian's Signature

SUBSCRIBED AND SWORN TO before me on \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_

Notary Public/Deputy Clerk

**INSTRUCTIONS FOR  
PROPOSED GUARDIAN'S AFFIDAVIT PURSUANT TO A.R.S. §14-5106**

The following information must be provided in an Exhibit attached to your affidavit for any statement which you have marked F (false) beginning with item 2:

2. For each felony for which you have been convicted, list:
  - a. The nature of the offense.
  - b. The name and address of the sentencing court.
  - c. The case number.
  - d. The date of conviction.
  - e. The terms of the sentence.
  - f. The name and telephone number of any current probation or parole officer.
  - g. The reasons why the conviction should not disqualify you for appointment.
3. If you have acted as guardian or conservator within three years of this petition, list:
  - a. The number of individuals for whom you are currently serving.
  - b. The number of individuals for whom your appointment has been terminated within the three-year period.
4. If you do not have the required knowledge, explain how you intend to obtain this knowledge.
5. Give the number of persons for whom you have so acted. If you have acted in such capacity for the proposed ward or protected person, list:
  - a. The date of the execution of the power of attorney.
  - b. The place where it was executed.
  - c. The actions you have taken pursuant to the power of attorney.
  - d. Whether the power of attorney is currently in effect.
6.
  - (a) Give the reason for such listing.
  - (b) Give the name(s) of the enterprise(s) and the reason for such listing.
7. List the name and location of the court and the name and case number of the files in which you were delinquent.
8. List the name and location of the court, the name and case number of the files, and the circumstances of your removal.
9.
  - (a) Give the number of occasions on which you have received such gifts.
  - (b) Give the number of occasions on which the enterprise has received such gifts.
10.
  - (a) Give the number of occasions on which you have been so named.
  - (b) Give the number of occasions on which the enterprise has been so named.
11. List the name and address of each such enterprise and the extent of your interest.

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, COUNTY**

In the Matter of the Guardianship of: ) Case No.  
)  
) **STATEMENT PURSUANT TO**  
) **A.R.S. §14-5651**  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s) )  
\_\_\_\_\_  
Judge/Commissioner

Petitioner states:

**Check either 1 or 2:**

1. The person whose appointment is sought is a qualified private fiduciary pursuant to A.R.S. §14-5651. Attached is proof of current registration with the Arizona Supreme Court.
2. The person whose appointment is sought is not a private fiduciary pursuant to A.R.S. §14-5651 because the proposed fiduciary:
  - a. Is related to the minor.
  - b. Will not charge a fee for services.

**The undersigned swears or affirms that the statements set forth above are true and correct, subject to the penalties of making a false affidavit or declaration.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Your Name:  
 Your Address:  
 Your City, State, ZIP:  
 Your Telephone No:  
 Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA,**

**COUNTY**

In the Matter of the Guardianship of: )  
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 )  
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 )  
 )

Case No.  
  
**AFFIDAVIT REGARDING  
 MINOR CHILDREN  
 (A.R.S. §25-439)**

\_\_\_\_\_  
 Minor(s)

\_\_\_\_\_  
 Judge/Commissioner

1. Minor children subject to this guardianship are:

CHILD'S NAME:

BIRTH DATE:

BIRTHPLACE:

Dates of Residence Last Five Years	Address of Each Child During Residence Period	Name and Present Address of Person(s) Having Physical Custody of Child During Each Period	Relationship to Child
to present			
to			
to			
to			

CHILD'S NAME:

BIRTH DATE:

BIRTHPLACE:

<b>Dates of Residence Last Five Years</b>	<b>Address of Each Child During Residence Period</b>	<b>Name and Present Address of Person(s) Having Physical Custody of Child During Each Period</b>	<b>Relationship to Child</b>
to present			
to			
to			
to			

CHILD'S NAME:

BIRTH DATE:

BIRTHPLACE:

<b>Dates of Residence Last Five Years</b>	<b>Address of Each Child During Residence Period</b>	<b>Name and Present Address of Person(s) Having Physical Custody of Child During Each Period</b>	<b>Relationship to Child</b>
to present			
to			

to			
to			

2. I  have  have not participated as a party, witness, or in any other capacity in any other litigation concerning custody of a child mentioned above in this or any other state. (If affirmative, state name of child, manner of participation, court, state and county (or district), case number, date of order or judgment, if any.)

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3. I  do  do not have any information of any custody proceeding concerning a child mentioned above pending in a court of this or any other state (If affirmative, state name of each child, nature of proceeding, court, state and county (or district), case number, status of proceeding.)

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4. I  do  do not know of any person not a party to this proceeding who has physical custody or claims to have custody or visitation rights with respect to any child mentioned above. (If affirmative, state name and address of person, whether physical custody, claiming custody rights, or claiming visitation rights, name of child involved .)

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5. Mother's name and mailing address:

6. Father's name and mailing address:

The undersigned swears or affirms that the statements set forth above are true and correct, subject to the penalties of making a false affidavit or declaration.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

STATE OF ARIZONA                    )  
  ) ss.  
COUNTY OF                            )

SUBSCRIBED AND SWORN TO before me on \_\_\_\_\_

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk of Court





Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, COUNTY**

In the Matter of the Guardianship of: ) Case No.  
)  
)  
) **CONSENT AND WAIVER**  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s) )  
\_\_\_\_\_  
Judge/Commissioner

- Check one box:**  
I am: (minor)  
the mother of  
the father of
- I consent to the appointment of \_\_\_\_\_ and/or \_\_\_\_\_  
as guardian(s) and waive notice of the hearing  
on the appointment.

**The undersigned swears or affirms that the statements set forth above are true and correct,  
subject to the penalties of making a false affidavit or declaration.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

Printed Name

Address



IT IS THEREFORE ORDERED that \_\_\_\_\_ and \_\_\_\_\_ is/are appointed guardian(s) of the minor(s) and, upon filing an acceptance and an approved bond in the amount of \_\_\_\_\_, Letters of Guardianship shall be issued to the appointee(s) by the Clerk of the Court, subject to the following restrictions:

IT IS FURTHER ORDERED that the Guardian(s) shall immediately notify the court of any change of address.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge/Court Commissioner

Your Name:  
Your Address:  
Your City, State, ZIP:  
Your Telephone No:  
Representing Self, Without an Attorney

**IN THE SUPERIOR COURT OF ARIZONA, COUNTY**

In the Matter of the Guardianship of: ) Case No.  
)  
) **LETTERS OF GUARDIANSHIP**  
) **OF MINOR(S)**  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Minor(s) ) \_\_\_\_\_  
Judge/Commissioner

**ISSUANCE OF LETTERS**

(co-) guardian(s) of \_\_\_\_\_ and \_\_\_\_\_ is/are appointed  
, minor(s), born \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

**Restrictions:**

\_\_\_\_\_  
Date

CLERK OF THE SUPERIOR COURT

By: \_\_\_\_\_  
Deputy Clerk

## INSTRUCTIONS TO GUARDIANS OF MINORS

A guardian of a minor has the same powers and responsibilities as a parent, except that a guardian is not legally obligated to contribute to the support of the minor from the guardian's own funds. Proof of guardianship is shown by certified "Letters of Guardianship" which are issued by the court. Keep your Letters in a safe place and make copies to show to schools, doctors, etc., when necessary.

A guardianship remains valid even if you or the minor moves out of Arizona. Ending a guardianship requires a court order; you cannot simply quit and return the child to the parent(s). Your responsibility continues until the minor marries, dies or becomes 18 years old or until you are relieved of the responsibility by a court order.

A guardian has the power or duty to do the following things (the list does not include all powers and duties):

1. Make appropriate arrangements for the child's personal needs, such as food, clothing, and shelter. The child does not have to reside with the guardian.
2. Arrange for the child's education, social, and religious activities; authorize medical or other professional care, treatment or advice.
3. Consent (or refuse to consent) to marriage of the child; consent to the minor's obtaining a driver's license.
4. Take care of the child's personal effects and initiate a conservatorship if necessary to protect other property of the child. A conservator must be appointed through the court.
5. Receive money payable for the support of the child such as child support from the parent(s), public benefits, or money from private sources such as trusts. Any such sums must be used for the child's current needs for support, care, and education. Any excess funds must be conserved for the child's future needs. If the minor is entitled to receive more than \$10,000 per year, acquires land, or accumulates more than \$10,000 in excess funds, a conservator (often the same person as the guardian) should be appointed. Guardians or conservators must always keep the child's funds separate from their own, use them only for the child's expenses, and keep records of how the funds are used and invested.
6. Notify the court immediately if the minor(s) or your address changes.