

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: _____

Case Name: Guardianship of _____

Case Number: _____
(if known)

PETITION FOR GUARDIANSHIP OF MINOR (PERSON ONLY)
RSA 463

The petitioner states the following:

1. Petition is made for guardianship over the minor's person:

2. Petitioner Name _____ Relationship to Minor _____

Mailing Address _____ Telephone _____

Petitioner Name _____ Relationship to Minor _____

Mailing Address _____ Telephone _____

3. Attorney for Petitioner _____ Telephone _____

Mailing Address _____

4. The minor is: under OR over the age of fourteen. (Attach copy of birth certificate.)

Minor's Legal Name _____ Date of Birth _____

Mailing Address _____ Telephone _____

Alternate Names _____

Alternate Addresses _____

5. Name of minor's natural parents. If both parents are deceased, attach a list of the names and addresses of the minor's grandparents, adult siblings, aunts and uncles. (Attach copy of death certificate of deceased parent(s), if applicable.)

Father Name _____ Date of Birth _____

Mailing Address _____ Telephone _____

Residence Address (if different from above) _____

Mother Name _____ Date of Birth _____

Mailing Address _____ Telephone _____

Residence Address (if different from above) _____

6. Proposed Guardian Name _____ Date of Birth _____

Relationship to Minor _____ Occupation _____

Mailing Address _____ Telephone _____

Proposed Guardian Name _____ Date of Birth _____

Relationship to Minor _____ Occupation _____

Mailing Address _____ Telephone _____

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Questions 7 – 11 are required under RSA 458-A, the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).

It is important that you answer these questions with as much detail and accuracy as possible. Lack of adequate information could significantly delay orders being issued in your case.

There are several situations that might result in New Hampshire exercising jurisdiction over a child. The continuous presence of the child in New Hampshire for six (6) months is not the only basis for jurisdiction. In some emergency situations, the court may be able to exercise jurisdiction on a temporary basis.

7. List the places where the minor child has lived in the last **five (5) years** and the names of the people s/he lived with at that time, if you know. Start with where the child lives now and work backward in time.

Dates From/To	Town/City, State	Parent(s)/Caretaker	Current Address/Contact Address of Parent/Caretaker	Which Child

If more space is needed, attach Extra Page (Form NHJB-2656-FPS).

I have attached Form NHJB-2656-FPS because additional space was needed.

8. Are there any person(s), not a party to this proceeding, who have physical custody of the child or who claim to have custody, physical custody or parenting time rights? Yes No

If yes, list name(s) and address(es) of person(s):

9. Check one of the following:

I **have not** participated in any court case(s) concerning the custody, visitation, parenting time or placement of the child in this or any other state.

OR

I **have** participated in court case(s) concerning the custody, visitation, parenting time or placement of the child in this or any other state. I have participated in the following:

Name of Court	State	Case No.	Date of Court Order

10. Are there any actions for enforcement, or proceedings relating to domestic violence, domestic relations, protective orders, marriage dissolution, paternity, legitimation, custody, parental rights and responsibilities, termination of parental rights, adoption, juvenile, or other proceedings in any court in any state affecting the child named in this petition or parents of that child? Yes No If yes, complete the following:

Name of Court	State	Case No.	Type of Court Case

Case Name: _____

Case Number: _____

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11. Optional: I am alleging, under oath, that my or my child/ren's health, safety, or liberty would be jeopardized by the disclosure of identifying information set forth in this Petition. To support my allegation, I state as follows:

12. List the names and addresses of any persons having the principal care and custody of the minor during the 60 days preceding the filing of this petition.

Name _____ Relationship to minor _____

Address _____ Telephone _____

13. List names and addresses of any person(s) nominated as guardian(s) of the person in the will of a deceased parent.

Name _____ Relationship to minor _____

Address _____ Telephone _____

14. List names and addresses of any adults, other than the proposed guardian, who will be living in the same home as the minor. Those persons must provide the court with a completed Criminal Record Release Authorization form and a DHHS Record Release Authorization form.

15. Is an adoption of the minor by the proposed guardian(s) contemplated? Yes No

16. Is the minor entitled to receive local, state or federal benefits and/or entitlements? Yes No

17. Is there an existing child support order for this child? Yes No

If yes, is support collected by the Division of Child Support Services? Yes No

If no, are you seeking a child support order as part of this guardianship? Yes No

18. Is there an existing court visitation order for this child? Yes No

If yes, attach a copy of that order to this petition.

19. Is there any reason that this child should not visit with his/her parents? Yes No

If yes, state clearly and specifically any reason(s).

20. Is this guardianship being sought by the Department of Health and Human Services as part of a permanency plan pursuant to the Adoption and Safe Families Act of 1997? Yes No

21. Is the child an American Indian child as defined by the Indian Child Welfare Act?

Yes No If yes, the name and address of the tribe are:

Is the tribe recognized by the federal government as eligible for federal services or certain Alaskan native corporations as defined in 43 U.S.C. §1602(c)? Yes No

22. Is this petition filed in conjunction with a settlement of minor's action, per RSA 464-A:42?

Yes No If yes, attach a copy of the petition or proposed petition seeking approval and all supplemental documentation to be filed with the Superior or District Court.

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23. State specific facts which are claimed to demonstrate that the appointment of a guardian is in the best interests of the minor. (Attach additional pages as needed. Make each allegation a separate paragraph and number each paragraph.)

REQUEST FOR TEMPORARY ORDERS and/or PERMANENT ORDERS

The petitioner(s) request(s) that the following relief be granted in the best interests of the minor, after a hearing on the merits. (State clearly, and number separately, your requests to the court.)

24. FOR EX PARTE RELIEF ONLY. State additional facts or attach an affidavit (statement under oath) alleging facts involving the circumstances of the minor which establish that unless the ex parte relief is granted, the minor will, or is likely to, suffer immediate or irreparable harm or injury.

REQUEST FOR EX PARTE ORDERS

The petitioner(s) request(s) that the following ex parte (emergency) relief be granted. (State clearly, and number separately, your requests to the court.)

I acknowledge that I have a continuing duty to inform the court of any court action in this or any other state that could affect the child in this case.

I swear or affirm that the foregoing information is true and correct to the best of my knowledge.

Date

Signature of Petitioner

Date

Signature of Petitioner

State of _____, County of _____

This instrument was acknowledged before me on _____ by _____

My Commission Expires _____
Affix Seal, if any

Signature of Notarial Officer/Title

Case Name: _____
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FOR COURT USE ONLY. The following consents, if required, will be obtained by the judge at the time of the hearing.

We hereby voluntarily and knowingly give consent to the appointment of _____ as guardian(s).

_____	_____
Date	Parent Signature
_____	_____
Date	Parent Signature
_____	_____
Date	Minor Signature
_____	_____
Date	Guardian Signature
_____	_____
Date	Guardian Signature

ORDER

Upon consideration of this petition, it is decreed that the petition be granted on a TEMPORARY or PERMANENT basis, and letters of guardianship be issued.

Recommended:

_____	_____
Date	Signature of Marital Master

	Printed Name of Marital Master

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

_____	_____
Date	Signature of Judge

	Printed Name of Judge