

PETITION FOR APPOINTMENT OF GUARDIAN AND/OR CONSERVATOR OF A MINOR



PINAL COUNTY

**HOW TO APPLY TO BE THE GUARDIAN AND OR CONSERVATOR
OF A MINOR**

INSTRUCTIONS AND FORMS

**Provided as a Public Service by
AMANDA STANFORD
Clerk of the Superior Court**

APPOINTMENT OF GUARDIAN and/or CONSERVATOR FOR A MINOR CHECKLIST

USE THE FORMS AND INSTRUCTIONS in this packet only if the following factors apply to your situation:

- ✓ You want to have the court appoint a guardian for an minor;

AND

- ✓ The minor lives in Pinal County;

AND

- ✓ The parents have signed or will sign the Consent form.

Information about when a Guardian is needed: A minor generally needs a guardian:

- ✓ If the minor needs the care and supervision of an adult, which is not presently available

If this is what you need, use this packet and on the Petition for Appointment be sure to check Guardian of a Minor.

Information about when a Conservator is needed: A minor generally needs a conservator:

- ✓ If the minor owns money or property in excess of \$5,000.00 that requires management or protection which cannot be otherwise provided.
- ✓ The minor has business affairs/assets that may be jeopardized or prevented by their being a minor.
- ✓ The minor needs funds for support and education and protection is necessary or desirable to obtain or provide the funds.

If this is what you need, use this packet and on the Petition for Appointment be sure to check Conservatorship of a Minor.

Information about when both a Guardian and Conservator are needed: A minor needs both:

- ✓ If both of the above situations are present.

If this is what you need, use this packet and on the Petition for Appointment be sure to check Guardian and Conservatorship of a Minor.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing.

PETITION FOR APPOINTMENT OF GUARDIAN and/or CONSERVATOR FOR AN MINOR

How to assemble these documents:

This packet contains general information and instructions on how to file for a permanent appointment as guardian and/or conservator for a minor. Be sure the documents are in the following order:

Order	Title	# of Pages
1	Checklist: Use these forms if...	1
2	Table of Contents (this page)	1
3	IMPORTANT NOTICE REGARDING TRAINING REQUIREMENTS	1
4	Instructions: How to Fill Out "Petition for Guardian and/or Conservator of a Minor"	2
5	Procedures: How to File Papers with the Court	2
6	Petition for Appointment of Guardian and/or Conservator of a Minor	5
7	Guardianship / Conservatorship Cover Sheet	2
8	Affidavit of Proposed Guardian Pursuant to ARS § 14-5106	4
9	Statement Pursuant to ARS § 14-5651	1
10	Guardian / Conservator Information Sheet	1
11	Consent and Waiver of Notice of Hearing	2
12	Notice of Hearing	1
13	Order of Appointment of Permanent Guardian Conservator	3
14	Letters and Acceptance of Appointment of Guardian and/or Conservator	3

You have permission to use these documents for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

NOTICE

Training Requirement for Customer(s) Filing Probate and Guardianship Matters

New requirements for probate and guardianship matters went into effect September 1, 2012. Non-licensed fiduciaries, typically family members, are to receive training. Specifically, Rule 27.1(A) of the Arizona Rules of Probate Procedure states: **“Any person who is neither a licensed fiduciary under A.R.S. § 14-5651 nor a financial institution shall complete a training program approved by the supreme court before letters to serve as a guardian, conservator, or personal representative....”**

The computer-based training modules include:

- An introduction to serving as a non-licensed fiduciary;
- Information on serving as a guardian;
- Information on serving as a conservator; and
- Information on serving as a personal representative.

The probate training modules provided by the Administrative Office of the Courts may be found on their new Probate resource webpage at <http://www.azcourts.gov/probate/Training.aspx> From this page you will find a link to the training modules as well as other probate-related resources such as the new forms and fee guidelines.

The training modules provide one set of slides with a narrator and one set in PDF (printable) format without narration (versions are approximately 30 to 45 minutes in length). At the end of each training module you will find a printable certificate of completion. Please print, sign, file a copy with the Clerk of Court and keep a copy for your records. The new rule does not require the person to file proof of completion of training with the court; however, the judge making the appointment may require filing of the certificate with the court.

INSTRUCTIONS

HOW TO COMPLETE THE FORMS TO ASK THE COURT TO APPOINT A GUARDIAN AND/OR CONSERVATOR OF A MINOR CHILD

USE THIS PACKET if you want to be appointed as guardian and/or conservator for a minor.

This packet does not help you with the following processes:

- Guardianship or conservatorship for an adult;
- Temporary or emergency appointments of guardians or conservators;
- Guardians for gravely disabled persons.

Follow each step carefully. Each step contains certain forms, and some of these forms have extra instruction sheets to help you. The whole process may take a couple of months.

FIRST STEPS:

STEP 1 MAKE SURE YOU NEED TO BE APPOINTED AS GUARDIAN AND/OR CONSERVATOR. If you are not sure, see the Checklist at the beginning of this packet. It lists the different requirements between appointment for guardianship and conservatorship.

STEP 2 COMPLETE THE TRAINING REQUIREMENTS FOR CUSTOMERS FILING PROBATE AND/OR GUARDIANSHIP MATTERS. New requirements for probate and guardianship matters went into effect September 1, 2012. Non-licensed fiduciaries, typically family members, are to receive training. Specifically, Rule 27.1(A) of the Arizona Rules of Probate Procedure states: “**Any person who is neither a licensed fiduciary under A.R.S. § 14-5651 nor a financial institution shall complete a training program approved by the supreme court before letters to serve as a guardian, conservator, or personal representative are issued....**” The probate training modules provided by the Administrative Office of the Courts may be found on their new Probate resource webpage at <http://www.azcourts.gov/probate/Training.aspx>. From this page you will find a link to the training modules as well as other probate-related resources such as the new forms and fee guidelines. Please refer to the **NOTICE** in this packet for more information on completing the training.

STEP 2 FINGERPRINTS: Arizona law requires that any person asking to be appointed guardian and/or conservator of a minor to whom he/she is not related by blood must go through a fingerprint check by the Arizona Department of Public Safety and the FBI in Washington, D.C. to help the Court determine that person’s suitability to act as a guardian and/or conservator of a minor. See **Procedures Step #8** describing how and where to get your fingerprints taken.

STEP 3 COMPLETE THE COURT FORMS IN THIS PACKET: Fill out all the forms completely. Type or print neatly. **BLACK INK ONLY.** Sign the forms in front of a notary if required.

- **Petition for Appointment of Guardian and/or Conservator of a Minor.** Fill out all the information carefully. Make sure to select the type of Petition you feel best fits the minor’s situation. List all persons entitled to know about this matter. If you have questions about who is entitled to notice see the Self Service Packet - Information on Legal Notice for Guardianship and/or Conservatorship of a Minor Child.
- **Guardianship / Conservatorship Cover Sheet.** Complete everything but the “Case Number.” The Deputy Clerk at the Clerk of the Superior Court will stamp the case number when you file the papers. You will use this case number on all court papers after you file the papers with the clerk.

- **Affidavit of Person to be Appointed Guardian (ARS §14-5106).** This document must be completed by the Petitioner (the person who wants to be appointed guardian and conservator) and filed with the PETITION FOR APPOINTMENT.
- **Statement Pursuant to A.R.S. §14-5651.** Complete this document and filed with PETITION FOR APPOINTMENT.
- **Guardianship / Conservatorship Information Sheet.** Complete this form for both the Guardian and co-Guardian if applicable, and filed with the PETITION FOR APPOINTMENT.
- **Consent of Parent to Guardianship and/or Conservatorship and Waiver of Notice.** This is the form that you will file if other parties waive all notice of any hearing or court proceeding in connection with this matter. Have the other party sign this document in front of a Notary Public and bring it with you when you file the Petition. The party may reverse the waiver by writing to the Court, along with proper filing fee.
- **Notice of Hearing.** This is the form to tell the other parties of the hearing date and time set by the court. **Unless a Consent and Waiver of Notice of Hearing has been signed and filed by the interested parties, they do need not to receive notice of the hearing.** If you have questions about who is entitled to notice, see the Self-Service Packet - Information on Legal Notice for Guardianship and Conservatorship.
- **Order of Appointment of a Permanent Guardian and or Conservator.** Complete the information of person filing document at the top of the page. Fill in the name of the minor you are seeking guardian and /or conservator in the caption. The rest of the document will be filled out by the Judge. Give this form to the clerk when you submit PETITION FOR APPOINTMENT.
- **Letters of Appointment and Acceptance of Letters.** Complete the information of person filing document at the top of the page. Fill in the name of the minor you are seeking guardian and/or conservator in the caption. Give this form to the clerk when you submit PETITION FOR APPOINTMENT.

STEP 4

COPIES: When you have had your **signature notarized** in all the appropriate areas of the original documents - Make **3 copies** of all the completed forms except:

- Letters of Appointment and Acceptance of Letters of Appointment
- Order of Appointment of Permanent Guardianship and/or Conservatorship

Assemble the copies so that you have **4 packets** -- the originals and 3 sets of copies. Include the two documents listed above, Letter of Appointment and Order of Appointment of Permanent Guardian and/or Conservator with the originals forms.

PROCEDURES
**HOW TO FILE PETITION FOR APPOINTMENT OF GUARDIAN AND/OR
CONSERVATOR OF A MINOR**

TO FILE THE PAPERS AT THE COURT:

STEP 1 DETERMINE WHERE TO FILE THE COURT FORMS: There are 4 locations of the Clerk of the Superior Court in Pinal County: Please keep in mind that any court hearings will be conducted at the Florence location.

Pinal County Justice Complex
971 N. Jason Lopez Circle Bldg. A
Florence AZ 85132
(520) 866-5300

Apache Junction Office
575 N. Idaho Rd. Suite 109
Apache Junction, AZ 85119
(520) 866-5300

Casa Grande Office
820 E. Cottonwood Lane Bldg. B
Casa Grande, AZ 85122
(520) 866-5300
Fax (520) 866-7481

Mammoth Office
(Temporarily Closed)

STEP 2 TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED: Take the **originals and 3 copies** of the following documents: **to the Clerk of the Superior Court**, for processing:

- Petition For Appointment Of Guardian and/or Conservator
- Guardian / Conservator Cover Sheet
- Affidavit Of Person To Be Appointed (A.R.S. §14-5106(A))
- Statement Pursuant To A.R.S. §14-5651
- Guardian / Conservator Information Sheet
- Consent Of Parent To Guardian and/or Conservator Of Minor
- Notice Of Hearing
- Certificate of Completion of Online Training

Along with additional original forms that will be needed for future use:

- Order Of Appointment Of Guardian and/or Conservator Of A Minor
- Letters Of Appointment and Acceptance Of Appointment

STEP 3 PAY YOUR FILING FEE: You can find a list of our current fees online at <http://pinalcountyaz.gov/COSCFees> Payable to the Clerk of the Superior Court by cash, money order, cashier's check, debit or credit Visa or MasterCard. If you think a fee deferral is appropriate, ask the staff at the front counter for an Application for Deferral of Court Fees before you file your Petition. You must provide proof of income or verification of assistance when filing an Application for Fee Deferral.

Fingerprint Background Check: If the proposed guardian / conservator is not blood-related to the minor, a fingerprint background check is required. This fee is also paid at the time of filing the Petition for Guardian Conservator of a Minor. If you are filing your Petition with an Application for Deferral, this fee cannot be deferred. **See Step #8** for information on how and where to get your fingerprints taken.

STEP 4 **NOTE YOUR “GC” CASE NUMBER:** The Clerk will file the **originals**, and stamp the copies for you with the case number and conform file stamp showing the date original documents were filed. Make sure to reference the court case number on all future filings.

STEP 6 **GETTING A HEARING DATE:** The clerk will set a hearing date. Confirm the set of copies you have provided so that you can proceed in giving notice to other parties entitled to know about this court case and the hearing date.

STEP 7 **GIVING NOTICE TO OTHERS:** Now you are ready to give notice of the court papers and the hearing to everyone who is entitled to know about the court case before the hearing date. There are important procedures and time lines for this that you must follow. These are described in the Self-Service Packet ***Information on Legal Notice for Guardianship and Conservatorship for Minors.***

STEP 8 **TO GET YOUR FINGERPRINTS TAKEN:** The Pinal County Sheriff’s Department located at 971 Jason Lopez Circle Building C will do this service. Remember to bring a **valid picture identification** card with you otherwise your fingerprints will not be taken.

Fingerprints in regards to guardianship are done on:

Tuesday, Wednesday, Thursday from 8:00 a.m. to 4:00 p.m.
(Money order only, no Cash is accepted)

The Sheriff’s office will process the fee; take your fingerprints and give you the FINGERPRINT CARD. Make sure that the areas listed below are completed on the Fingerprint card with the exception of:

Employer and Address	}	These areas will be completed by the clerk’s office
Reason Fingerprinted	}	
Your No. OCA	}	
Miscellaneous No. MNU	}	

Bring the completed fingerprint card to the Customer Service Counter at the Clerk of the Superior Court. The clerk’s office will forward your fingerprint card, along with the Arizona Department of Public Safety fee. Once the background check is complete DPS and FBI will forward the report to the Clerk of Superior Court and the report will be placed in your Guardian Conservator file for the judge to review. The court will not appoint a guardian conservator unless it has received the results of the background check.

STEP 9 **OTHER HELP:** If you still have questions about this procedure, you can ask an attorney for legal advice. You can look up an attorney in the telephone book under “Attorneys.”

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of
Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2

PETITION FOR APPOINTMENT OF:

- Guardianship of a Minor [582]
 Conservatorship of a Minor [543]
 Guardianship and Conservatorship of a Minor [587]

(Minor(s))

HONORABLE: _____

REQUIRED INFORMATION FROM PETITIONER, UNDER OATH:

1. INFORMATION ABOUT ME. I am called the Petitioner:

Name: _____

Address: _____

Telephone: _____

Date of Birth: _____

Social Security Number: _____

My relationship to the person I say needs guardian and conservator is: _____

2. INFORMATION ABOUT THE MINOR I SAY NEEDS A GUARDIAN AND/OR CONSERVATOR. The minor is called the proposed ward (for a guardianship) and proposed protected person (for a conservatorship):

Name: _____

Address: _____

Telephone: _____

Date of Birth: _____

Social Security Number: _____

The minor is married or unmarried.

3. INFORMATION REGARDING WHERE THE MINOR HAD LIVED FOR THE LAST 5 YEARS.

Child's Name: _____

Dates: From _____ To _____

Address: _____

Lived with: _____

City, State: _____

Relationship to Child: _____

Child's Name: _____

Dates: From _____ To _____

Address: _____

Lived with: _____

City, State: _____

Relationship to Child: _____

Child's Name: _____

Dates: From _____ To _____

Address: _____

Lived with: _____

City, State: _____

Relationship to Child: _____

4. PERSON(S) ENTITLED TO NOTICE of the court matter under Arizona law, A.R.S. 14-5207 for guardians and 14-5405 for conservators, and to whom I will give notice of this case: (See instructions)

	Name	Address	Relationship to Person I Say Needs a Guardian or Conservator
A.	_____	_____	_____
B.	_____	_____	_____
C.	_____	_____	_____
D.	_____	_____	_____

5. ASSETS OF THE MINOR WHOM I SAY NEEDS CONSERVATOR: (check one box)

The Minor has no substantial assets or income. No bond by Petitioner is required; OR

The Minor has assets and/or annual income in the approximate amount of \$ _____

Explain: _____

6. PERSON TO BE APPOINTED **GUARDIAN** **CONSERVATOR** **GUARDIAN AND CONSERVATOR**
(Complete this only if the person is a different person than Petitioner):

Name: _____

Address: _____

Telephone: _____

Date of Birth: _____

Driver License Number: _____

Relationship to the person I say needs a guardian or conservator: _____

7. INFORMATION REGARDING GUARDIANSHIP and CONSERVATORSHIP. To the best of my knowledge, (check one box):

- No Guardian or Conservator has been appointed by Will or by any court order, and no court proceedings are pending for such appointment; OR,
- Someone has been appointed Guardian or Conservator or court proceedings are pending. (Explain who, when, in what court, and if the appointee is guardian or conservator):

8. REASONS FOR CONSERVATORSHIP: The Minor needs a Conservator because:

- The Minor owns money or property that requires management or protection which cannot be otherwise provided.
- The Minor may have business affairs which may be jeopardized or prevented by his or her minority.
- The Minor needs funds for his or her support and education and protection is necessary or desirable to obtain or provide funds.

9. REASON FOR REQUESTED PERSON TO BE APPOINTED CONSERVATOR: Either I myself or the person requested to be appointed in Paragraph 5 has priority for appointment under Arizona Law, A.R.S. §14-5410 because (check one or more that you think apply to the relationship to the minor):

- Proposed appointee is an individual nominated by the Minor who is fourteen (14) or more years of age and who has sufficient mental capacity to make an intelligent choice.
- Proposed appointee is the spouse of the Minor.
- Proposed appointee is a parent of the Minor.
- Proposed appointee is a person selected by the Will of a deceased parent.
- Proposed appointee is a relative of the Minor with whom the Minor has lived for more than six (6) months prior to the filing of the Petition.
- Proposed appointee has been selected by the person who is caring for the Minor or paying benefits to the Minor.
- Written consent of the parent(s) to the conservatorship.

10. PARENTAL RIGHTS. All parental rights of legal decision-making regarding the Minor have been terminated or suspended by:

- Prior court order. (You must provide the court with a certified copy of the order.)
- Written consent of the parent(s) to the guardianship.
- Abandonment of the Minor for at least six (6) months prior to the filing of this Petition.
- Other circumstances. Explain

11. **REASONS FOR REQUESTED PERSON TO BE APPOINTED GUARDIAN:** (Check one or more of the boxes that you think apply to the relationship to the person you say is incapacitated):

- Proposed appointee was selected by the Will of a deceased parent.
- Proposed appointee was selected by the Minor who is 14 or more years of age.
- Proposed appointee is a relative of the Minor and has had care and legal decision-making of the Minor for at least six (6) months prior to filing this Petition.
- Proposed appointee was chosen to be the guardian by someone who is caring for the Minor or is paying benefits for the Minor.
- Proposed appointee is a public fiduciary, a professional guardian, conservator, or the Arizona Veterans' Service Commission.
- The proposed appointee is not related by blood to the Minor and the person will submit a full set of fingerprints to the court required by A.R.S. § 14-5206 within five (5) days of filing this Petition.

12. **REASONS I AM ASKING FOR A GUARDIANSHIP ORDER:** The appointment of a guardian for the Minor is necessary or desirable to provide continuing care and supervision of the Minor, and is in the best interests of the minor because: (explain):

REQUIRED STATEMENTS TO THE COURT, UNDER OATH: (Note: you must check each box as true, and all these statements must be true, or you cannot file this Petition)

- 13. True. Venue (the court in which you are filing this Petition) is proper in this county because the Minor who is said to need a Guardian Conservator or Guardian and Conservator lives in or is present in this county or the person to be protected has assets in this county.
- 14. True. The person who is requesting to be the Guardian Conservator or Guardian and Conservator for the above captioned has completed the required document called **Affidavit of Person to be Appointed as Guardian and Conservator of a Minor** and is filing that Affidavit with this Petition as required by Arizona law, A.R.S. §14-5106.
- 15. True. I or the person I request to be appointed in Paragraph 6 is a suitable and proper person to act as Guardian Conservator or Guardian and Conservator for the above captioned and is entitled to consideration for appointment under Arizona Law, A.R.S. §14-5106, and/or 14-5410.

REQUESTS TO THE COURT FOR AN ORDER, UNDER OATH:

- 1. Schedule a hearing to determine if a Guardian Conservator or Guardian and Conservator is appropriate;
- 2. After Petitioner gives notice of the hearing to all interested persons and to those required by law, hold a hearing to determine if the Court should order a Guardian Conservator or Guardian and Conservator;
- 3. Appoint a Guardian Conservator or Guardian and Conservator of the proposed Minor;
- 4. Make any other orders the Court decides are in the best interests of the proposed Minor.

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Date _____
Signature

State of Arizona)
)
County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

Commission Expires _____
Notary Public

Date _____
Signature

State of Arizona)
)
County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

Commission Expires _____
Notary Public

Arizona Superior Court, Pinal County

Guardianship / Conservatorship Cover Sheet

CASE NUMBER GC 2

HONORABLE _____

<p>PETITIONER'S NAME and MAILING ADDRESS</p> <p>Name:</p> <p>Address:</p> <p>City/State/Zip:</p> <p>Telephone:</p> <p>DOB:</p>	<p>WARD'S NAME and MAILING ADDRESS</p> <p>Name:</p> <p>Address:</p> <p>City/State/Zip:</p> <p>DOB:</p>
<p>2ND PETITIONER'S NAME and MAILING ADDRESS:</p> <p>Name:</p> <p>Address:</p> <p>City/State/Zip:</p> <p>Telephone:</p> <p>DOB:</p>	<p>PETITIONER'S ATTORNEY NAME and MAILING ADDRESS:</p> <p>Name / State Bar#:</p> <p>Address:</p> <p>City/State/Zip:</p> <p>Telephone:</p> <p>Email:</p>
<p>FEES: <input type="checkbox"/> PAID <input type="checkbox"/> NOT PAID - REASON:</p> <p><input type="checkbox"/> Political Subdivision/Government Agency</p> <p><input type="checkbox"/> Deferred</p> <p><input type="checkbox"/> Waived</p>	

NATURE OF ACTION

Place an "X" next to the description below, which describes the nature of the case.

GUARDIANSHIP

_____ Minor
_____ Adult Protected Person

**GUARDIANSHIP-CONSERVATOR
COMBINATION**

_____ Minor
_____ Adult Incapacitated Protected Adult

CONSERVATOR

_____ Minor
_____ Adult Person

REGISTRATION

_____ Guardianship/Conservatorship (Minor)
_____ Guardianship/Conservatorship (Adult)

NAMES OF ADDITIONAL WARDS

BIRTH DATES OF MINOR CHILDREN

There is an agreement as to the parenting arrangements of the minor children: YES NO

To the best of my knowledge, all information is true and correct.

Attorney / Pro Per Signature

NOTICE

Effective September 8, 1992 and pursuant to Superior Court (Pinal County), Administrative Order No. 92-15, the Superior Court requires that a "Cover Sheet," which categorizes the cause of action, accompany any new action filed with the Superior Court in Pinal County. For this purpose, this form has been developed. The cover sheet will result in increased accuracy of courts records and statistics, and in reduced processing time for new case filings.

Forms will be made available at the Clerk of the Superior Court's Filing Counter & website at www.pinalcountyz.gov/COSCFORMS

PLEASE DO NOT INCLUDE THIS FORM WITH CASES WHICH HAVE ALREADY BEEN FILED. This form can only be processed **at the time of filing** New Complaints and Petitions.

Thank you for assisting us with our efforts to improve service.

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of
 Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2

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

_____ an Adult a Minor

HONORABLE: _____

INSTRUCTIONS: The person who wants to be appointed the guardian and/or conservator must answer each statement as TRUE or FALSE. Each answer that is false must be explained in writing in an attachment to this affidavit. **Use only black ink.**

STATEMENTS MADE UNDER OATH TO THE COURT: Arizona law, A.R.S. §14-5106 requires the person seeking appointment to answer items 1-15.

1. True or False. I have not been convicted of a felony in any jurisdiction.
2. True or False. I have not acted as a guardian or conservator for another person for at least three years before I filed this Petition.
3. True or False. I know and understand the powers and duties I would have as a guardian and/or conservator pursuant to A.R.S. §14-5309 or §14-5312.
4. True or False. I have not had a power of attorney for anyone for at least three years before I filed this Petition.
5. True or False. I am not, to the best of my knowledge, listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.
6. True or False. To the best of my knowledge, no business in which I have an interest is listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.

7. True or False. Arizona law requires that a guardian/conservator file an annual report/accounting with the court. If I have been a guardian/conservator before, I either filed the required documents on time, or within 3 months of receiving a notice from the court that the report/accounting was due.
8. True or False. I have never been removed by the court as a guardian or conservator.
9. True or False. The nature of my relationship to the proposed ward or protected person is:

10. True or False. I met the proposed ward under the following circumstances:

11. True or False. I have never received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance 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.
12. True or False. No business in which I have an interest has ever received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
13. True or False. To the best of my knowledge, I am not named as a personal representative, trustee, beneficiary, 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.
14. True or False. To the best of my knowledge, no business in which I have an interest is named as a personal representative, trustee, beneficiary, 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.
15. True or False. I have no interest in any business that provides housing, health care, nursing care, residential care, assisted living, home health services, or comfort care services to any individual.

OATH OF THE PERSON SEEKING TO BE APPOINTED AS GUARDIAN AND/OR CONSERVATOR:

I have read, understood, and completed the above statements. If I marked "false" to any of the above statements, I have used the attached document for my written explanation. Everything I have said is true and correct to the best of my knowledge, information, and belief.

_____ **Date**

_____ **Signature**

State of Arizona)
)
County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

_____ **Commission Expires**

_____ **Notary Public**

EXPLANATIONS THAT MUST BE ADDED TO THE AFFIDAVIT OF PERSON WHO WANTS TO BE APPOINTED (Required by Arizona Law: A.R.S. § 14-5106)

You must explain the following as an attachment to your Affidavit for any statement which you marked "F" (false). **FILE THE EXPLANATIONS WITH THE AFFIDAVIT, BUT DO NOT FILE THIS INSTRUCTION SHEET.** All the information in the explanations is also under oath to the court.

1. As to 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 from appointment.

2. If you have acted as guardian or conservator within three years before filing this petition, list:
 - a. The names of individuals for whom you are currently serving, and court case numbers.
 - b. The names of individuals for whom your appointment has been terminated within the three-year period, and the court case number.

3. If you do not have the required information, please explain how you intend to obtain this information.

4. State the total number of persons for whom you have done this. If you have acted under a power of attorney for the proposed ward/protected person, explain:
 - a. The date the power of attorney was signed.
 - b. The place where it was signed.
 - c. The actions you have taken pursuant to the power of attorney.
 - d. Whether the power of attorney is currently in effect.

5. State the reason for such listing.
6. List the name(s) of the business(s) and the reason for each 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 in filing the required report.
8. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.
9. State the number of occasions on which you received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
10. State the number of occasions on which the business received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
11. State the number of occasions on which you have been so named.
12. State the number of occasions on which the business was named.
13. List the name and address of each business and the extent and nature of your interest.
14. List the name and address of each business and the extent and nature of your interest.
15. List the name and address of each business and the extent and nature of your interest.

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of
Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2

STATEMENT PURSUANT TO A.R.S. §14-5651

Minor(s)

HONORABLE: _____

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

SUPERIOR COURT OF ARIZONA IN PINAL COUNTY
Probate/Guardian/Conservator Information Sheet

IN THE MATTER OF: _____

CASE NUMBER GC 2 _____ **DATE** _____ (Please Print)

Description of Proposed Fiduciary / Guardian / Conservator *(The person to be appointed Guardian / Conservator OR person seeking appointment as Personal Representative of the estate of someone who died)*

Name: (First / Middle / Last)	Date of Birth:	
Mailing Address:	Social Security Number:	
Physical Address:	Race:	
Home telephone:	Height:	Weight:
Work Telephone:	Hair Color:	Eye Color:
Relationship to Proposed Ward or Deceased:		
Fiduciary Certification No.		

Information about the Person Needing Protection (Minor or Incapacitated Adult)

Name of Person Needing Protection: (First / Middle / Last)	Date of Birth:	
Mailing Address:	Social Security Number:	
Physical Address:	Home Telephone:	

If concerning an Estate matter (information of the Decedent, person who died)

Decedent's Name: (First / Middle / Last)	Decedent's Date of Birth:
--	---------------------------

I state to the court that the information I have provided is true and correct, under penalty of perjury.

 Petitioner or Attorney signature

NOTICE: This document is used by the Court for administrative purposes only and may be maintained in electronic form. **It is not part of the public record.**

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of
Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2

**CONSENT OF PARENT TO GUARDIANSHIP
AND/OR CONSERVATOR OF A MINOR CHILD AND
WAIVER OF NOTICE**

Minor(s)

HONORABLE: _____

REQUIRED INFORMATION FROM PARENT, UNDER OATH:

1. INFORMATION ABOUT ME:

Name: _____

Address: _____

Telephone: _____

Date of Birth: _____

I am the natural MOTHER or FATHER of the minor child(ren) named above, who needs a
 Guardian Conservator Guardian and Conservator.

2. I have read the Petition and consent to the appointment of (name) _____ to be the
appointed as Guardian Conservator Guardian and Conservator of the minor child(ren).

3. I waive notice of all further proceedings in this matter.

OATH OF THE PARENT

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Date

Signature

State of Arizona)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

Commission Expires

Notary Public

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of
 Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2

**NOTICE OF HEARING REGARDING
 PETITION FOR**

- Guardianship of a Minor
- Conservatorship of a Minor
- Guardianship and Conservatorship of a Minor

 Minor(s)

READ THIS NOTICE CAREFULLY - YOUR RIGHTS MAY BE AFFECTED.
 An important court proceeding that affects your rights has been scheduled. If you do not understand this Notice or the other court papers, contact an attorney for legal advice.

1. **NOTICE IS GIVEN** that the Petitioner has filed with the Court the following Petition and other court papers (List the title of the Petition and the title of all papers you filed with the court:
 1. *Petition for Guardianship of a Minor*
 2. *Affidavit of Proposed Guardian Conservator Pursuant to A.R.S. §14-5106*
 3. *Statement Pursuant to A.R.S. §14-5651*
 4. *Information Sheet*
 5. _____
 6. _____
 7. _____

2. **COURT HEARING.** A court hearing has been scheduled to consider the Petition and matters in the court papers as follows:

HONORABLE JUDGE: _____
DATE AND TIME: _____
PLACE: *Pinal County Justice Complex*
971 N. Jason Lopez Circle Bldg A, Florence AZ 85132

If you wish to object to any part of the Petition or Motion that accompanies this notice, you must file with the Court a written objection describing the legal basis for your objection at least three (3) days before the hearing or you must appear in person or through an attorney at the time and place set forth in the notice of hearing.

Note: There are filing fees associated with filing a written response, inquire with the Clerk of the Court.

 (Date)

 (Petitioner's Signature)

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

**In the Matter of
Guardianship and/or Conservatorship of:**

CASE NUMBER: GC 2

ORDER OF APPOINTMENT OF:

- Guardianship of a Minor**
- Conservatorship of a Minor**
- Guardianship and Conservatorship of a Minor**

(Minor(s))

HONORABLE: _____

The Court has read the sworn "**Petition for Appointment of a Guardian and/or Conservator**" and held a hearing to determine whether the Court should enter the Order requested in the Petition.

THE COURT FINDS:

- A.** Petitioner is entitled to file the petition under Arizona law, A.R.S. 14-5303(A) and 14-5404(A);
- B.** Petitioner has given "Notice of Hearing" as required by law or "Notice of Hearing" was waived by all interested parties;
- C.** Venue in this county is proper;
- D. GUARDIANSHIP AND/OR CONSERVATORSHIP:**

- 1. The above-captioned person is an unmarried minor born on _____.
- 2. All parental rights of legal decision-making have been terminated or suspended by prior court order, written consent of the parent or other circumstances. No guardian of the minor has been appointed by Will or any order of any court, and no other proceedings for the appointment of a guardian are pending in any other court. The welfare and best interests of the minor require the appointment of a guardian. A fingerprint report has been reviewed and the Court has concluded that it contains nothing to prevent the appointment or no fingerprint report was required.
- 3. Appointment of a conservator is necessary because the minor owns money or property that requires management or protection which cannot otherwise be provided or has or may have business affairs which may be jeopardized or prevented by his minority, or the minor needs funds for his or her education and protection is necessary or desirable to obtain or provide funds.
- 4. (Name) _____ is qualified to serve as guardian and/or conservator for the minor.

IT IS ORDERED: (check the boxes that apply)

- 1. **APPOINTMENT OF GUARDIAN AND CONSERVATOR:** The Court appoints:

NAME: _____ as Guardian Conservator **OR**
Guardian and Conservator for the minor as described in the caption above.

2. **BOND:** The guardian and conservator will serve without bond, restricted letters to issue to him or her upon acceptance of the appointment.
 Bond is set in the amount of \$_____.
3. **FUNDS:** The minor's funds are to be deposited in this jurisdiction, in a federally insured, interest bearing account titled "The Estate of (name of minor), a Minor, by (name of conservator), Conservator."
4. **RESTRICTED ACCOUNT:** The account is to be restricted, and no withdrawal of principal or interest shall be permitted by the depository except upon receipt of a certified copy of an order of this Court authorizing the withdrawal.
5. **REINVESTMENT:** The depository may, however, permit reinvestment of the funds within the depository without further order of the Court so long as the funds remain restricted in the same institution, at the same branch.
6. **PROOF OF RESTRICTED ACCOUNT:** The conservator may only hold funds in a depository which agrees to be bound by the terms of this order and to make written proof of its agreement to be bound, including such proof of the account, the account number, the amount of the deposit, the notarized signature of the depository branch manager, and the agreement not to permit any withdrawal unless it is first provided with a certified copy of this Court's order permitting the withdrawal.
7. **FILING PROOF OF RESTRICTED ACCOUNT.** The conservator or attorney for conservator or attorney for the minor is responsible for establishing the restricted account and filing the proof required by this order with the Court within 30 days of this order.
8. **ISSUANCE OF LETTERS:** Upon entrance of this order, "Letters of Guardianship and Conservatorship of a Minor" shall be issued by the Clerk of the Court, Probate Registrar, SUBJECT TO THE FOLLOWING RESTRICTIONS:
9. **ACCEPTANCE OF LETTERS:** The Guardian Conservator or Guardian and Conservator shall sign the "Acceptance of the Letters" under oath, and file the Acceptance with the Clerk of the Court, Probate Registrar.
10. **ANNUAL ACCOUNTING:**
 The conservator's annual accounting to this Court is waived.
 The conservator is required to file an annual accounting. The first annual accounting is due on or before _____.
11. **INVENTORY AND APPRAISEMENT:**
 Within 90 calendar days of this date, the conservator must prepare and file with the Clerk of the Court a detailed inventory of the protected person's assets indicating fair market value, as required by A.R.S. §14-5418. (OR)
 Inventory and Appraisalment is waived and is not required to be filed with the court.
12. **ESTATE MANAGEMENT PLAN.**
 Within 90 calendar days of this date and with each required annual accounting, the Conservator shall prepare and file with the Clerk of the Court an Estate Management Plan, as required by Local Rule 5.7(c). (OR)
 "Estate Management Plan" is waived and is not required to be filed with the court.

- 13. **ANNUAL REPORT OF GUARDIAN:** The guardian shall report to the Court on the status of the ward and the need to continue the guardianship at least annually by this date as required by A.R.S. §14-5315, by filing the required form with the Clerk of the Court.
- 14. **CHANGE OF ADDRESS:** The guardian and conservator shall immediately notify in writing the Court of any change in the address of him or herself or of the protected person/incapacitated person.
- 15. **OTHER DUTIES UNDER LAW:** The duties of the guardian and conservator as required by Arizona law and as set forth in this order and the order of instructions shall continue until the guardian and conservator is discharged from these duties by order of this court.
- 16. **DISCHARGE OF ATTORNEY:** The court-appointed attorney is discharged or is not discharged from further duties in this matter, the Court having found that the best interests of the protected person/incapacitated person require continuing representation by an attorney.
- 17. **IT IS FURTHER ORDERED** setting this matter for internal review within (no. of days) _____ to determine compliance.
- 18. **OTHER ORDERS:**

DONE IN OPEN COURT: _____

JUDGE/COMMISSIONER

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

In the Matter of
 Guardianship and/or Conservatorship of:

CASE NUMBER: GC 2
LETTERS OF APPOINTMENT AS PERMANENT
 Guardian
 Conservatorship
 Guardian and Conservatorship
AND ACCEPTANCE OF LETTERS OF APPOINTMENT

_____ an Adult a Minor

HONORABLE: _____

ISSUANCE OF LETTERS:

1. **This person is appointed: (name)** _____
 as Guardian Conservator or Guardian and Conservator for the above captioned adult or minor.
2. **Reasons for Appointment:** The above captioned a Adult a Minor is an incapacitated ward and/or protected person.
3. **Length of Appointment:** until further order of this court order: _____
4. **Restrictions** that apply to this permanent appointment by order of the court:

5. MENTAL HEALTH CARE:

OUTPATIENT MENTAL HEALTH CARE: The Guardian has the authority to consent for the Ward/Incapacitated Person to receive outpatient mental health care and treatment.

I, _____ accept the duties as permanent Guardian Conservator or Guardian and Conservator of (Name) _____ and I swear that I will perform these duties according to law.

Date

Signature

State of Arizona)
)
County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

Commission Expires

Notary Public