INSTRUCTIONS FOR GUARDIANSHIP OF A MINOR WHEN ALL LIVING PARENTS AND INTERESTED PERSONS HAVE NOT CONSENTED

- Review the instructions in this packet. These instructions explain how to complete the forms listed below.
- If a court has issued an order on custody or placement of a child, then a a petition may need to be filed in that court.
- Make sure you read through the list below before you start your forms. At the end of the list, there is an explanation of other forms that you may be required to complete.
- You may choose to file your documents at the courthouse in the county in which the child lives. If you will file your paper documents at the courthouse, you will need to print them when you have finished filling them out. You can print by holding down the CTRL key and the "P" key on your computer at the same time.
- You may also choose to e-file. **If you choose to e-file**, instead of filing in person, make sure you review the instructions at this link: https://www.in.gov/judiciary/efile/tyler.html. Even if you e-file your documents, you will probably need to print and get paper copies of the Notice and Petition to all parents and interested persons after your documents are filed.
- **There is a filing fee of about \$181.00.** You might qualify for a fee waiver. You can learn more about filing for fee waiver here: https://indianalegalhelp.org/court-forms/forms-fee-waiver/

Forms Included In This Packet

☐ Appearance
☐ This is the document that tells the court how to contact you.
\square Verified Petition for Appointment of Guardian(s) of the Person Of the Minor
☐ This is the document that asks the court to give you guardianship.
☐ Guardianship Information Sheet
☐ ACR Form
☐ The Notice Of Verified Petition For Appointment Of Guardian(s) Of The Person Of The Minor
☐ You may need more than one copy of this form. One copy is included in this packet.
You can find extra Notice forms here: https://indianalegalhelp.org/court-
forms/guardianship/
☐ Order Setting Hearing
☐ A judicial officer will set a hearing. You will need to come back for the hearing at the
date and time the court writes on the Order Setting Hearing.
☐ After the court sets the hearing, you have to make reasonable efforts to get a copy of
the filed Verified Petition For Appointments of Guardian(s) of the Person of the
Minor, the Order Setting Hearing, and the Notice Of Verified Petition For
Appointment Of Guardian(s) of the Person of the Minor to all interested persons.
That means you must make reasonable efforts to find and give notice to the
following people:

- The minor child if the minor child you are seeking guardianship of is 14 years old or older.
- O Any living parent of the child. This means notice must be given to living parents, many times even if a parent is in jail or has never been active in the child's life. However, you do not have to notify a parent if the court has terminated that parent's parental rights.
- O Any person that the child has lived with during the 60 days before your *Verified Petition For Appointment of Guardian(s) of the Person of the Minor* is filed.
- o Be aware that the court may tell you that you need to notify other people.
- O You can pay to have the sheriff give the *Petition, Order Setting Hearing* and *Notice Of Verified Petition For Appointment Of Guardian(s)* to a person or you can mail the papers by <u>certified mail</u>. You can get help with certified mail at the post office.
- o It may be hard to find a parent or interested person, but you have to show the court that you *really tried*. If you cannot find a parent or interested person, make sure you have proof that you really looked for them. This might mean searching social media and using other online resources. The court *may* allow you to give notice by publishing in a newspaper. You can find links to more information on notice here: https://indianalegalhelp.org/court-forms/guardianship/

☐ Guardianship Order
☐ This is the document the judge or commissioner signs saying you may have
guardianship of the child.
☐ After this is signed, you will still need to take an oath and get your <i>Letters of</i>
Guardianship from the Clerk.
☐ Oath of Guardian
\square Bring this with you to the courthouse, but do not sign it until you are told to sign it in
front of the Clerk and after you take the oath.
☐ Letters of Guardianship
☐ After you fill out and swear to the Oath of Guardian, the Clerk will sign the Letters of
Guardianship.
Other Forms You May Need
Other Forms You May Need Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for
☐ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (<i>for minor children 14 years or older</i>)
☐ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) ☐ If the child you are asking to get guardianship of is 14 years old or older, you can
 ☐ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) ☐ If the child you are asking to get guardianship of is 14 years old or older, you can ask them to complete this form. If the child is less than 14 years old, you do not
☐ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) ☐ If the child you are asking to get guardianship of is 14 years old or older, you can
 □ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) □ If the child you are asking to get guardianship of is 14 years old or older, you can ask them to complete this form. If the child is less than 14 years old, you do not need to file this form. □ Application for Appointment of Guardian
 □ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) □ If the child you are asking to get guardianship of is 14 years old or older, you can ask them to complete this form. If the child is less than 14 years old, you do not need to file this form.
 □ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) □ If the child you are asking to get guardianship of is 14 years old or older, you can ask them to complete this form. If the child is less than 14 years old, you do not need to file this form. □ Application for Appointment of Guardian
 □ Minor Child's Notice of and Consent to Appointment of Guardian of the Person (for minor children 14 years or older) □ If the child you are asking to get guardianship of is 14 years old or older, you can ask them to complete this form. □ If the child is less than 14 years old, you do not need to file this form. □ Application for Appointment of Guardian □ This is not required in every county, but is required in some (like Marion County).

- ☐ This is required if any of the following are true:
 - A party to these guardianship proceedings in this case has been determined to be a perpetrator of a substantial report of child abuse or neglect.
 - The child(ren) named in the petition for guardianship in this case has/have been the subject of a substantiated report of child abuse or neglect;
 - The child(ren) named in the petition for guardianship in this case has/have been determined to be a child(ren) in need of services under IC 31-34;
 - The child(ren) named in the petition for guardianship in this case has/have been involved in an informal adjustment under IC 31-34-8

<u>Please</u> be aware that the court may ask a **guardian ad litem**, a person that investigates what solutions are in the best interests of a child, to investigate and report on whether the court should give you guardianship of the child before the court makes a decision.

STAT	TE OF INDIANA	IN THE COUNTY	COURT TYPE COURT (IF YOU DON'T KNOW IT LEAVE BLANK)
COU	NTY OF NAME OF COUNTY	CASE NO:	·
	E THE GUARDIANSHIP OF E OF THE MINOR CHILD APPEARANC	E BY UNREPRESEI	NTED PERSON
	MI EMM	E DI CINKLI KESEI	VIED LERSON
1.	My name is <u>YOUR NAME</u> by a lawyer.	and	in this case I am not represented
2.	My contact information for receiving required by Court Rules is: Address: YOUR ADDRESS	g legal service of docu	ments and case information as
TO CONTACT YOU ONLY BY EMAIL, CHECK THIS BOX	Phone: YOUR PHONE NUMBER OR, if in a related case, you have use	R Fax: N	YOUR FAX NUMBER, IF YOU HAVE ONE
YOU USE THE A.G.'S ——	Attorney General con This is a GU case type as defined in	fidential address Administrative Rule 8	e(B)(3).
IF THERE ARE 4. RELATED CASES, CHECK 'YES' AND LIST BELOW. IF NOT, CHECK 'NO.'	There are other cases related to this cases are selected to this cases. Yes Caption and case number of relates Caption:	No d cases:	dicate below) e No.:
	Caption:		e No.:
	Additional information as required by ANY ADDITIONAL INFORMATION REC	y local rule: QUIRED BY LOCAL RU	LE.
		SIGN HERE	
		Signature	
HOW YOU WILL	CERT by certify that I sent a copy of this doc current e-service using the e-filing system	TIFICATE OF SERV UMENT ON PERSON 1	TCE L SEND THIS TO THE HER INTERESTED by
GET THIS DOCUMENT TO THE PARENT OR OTHER INTERESTED PERSON	☐ first-class U.S. mail, postage prep☐ hand delivery to NAME OF PERSON THIS FORM WILL	aid	lowing address:

YOUR SIGNATURE

Signature

STATE OF INDIAN	ЛA	IN THE		COURT
COUNTY OF		CASE NO		
IN RE THE GUARI	DIANSHIP OF:	FOR THE SECTION AB FIRST FORM YOU FILI INFORMATION		
Minor Child		HERE.		
VERIFIED PETIT		DINTMENT OF GUARDI		
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respectfully petitions	the Court to app	oint Petitioner(s) as guardia	n(s) of	
NAME OF THE MINO	R CHILD	, a minor child. In	support of this reques	t, Petitioner(s)
would show the Cou		CHILD was hor	rn on CIIII DIS DATE OI	Z DIDTH ic
		CHILD was bord due to minority and reside		
CHILD'S ADDRESS				
IF CHILD IS LIVING WITH YOU, The COUNTY THE DATE THE BEGAN LIVING THE CHILD HAYOUR CARE	hild has been in tl	he physical custody and care	e of Petitioner(s) since	
		YOUR RELATIONSHIP TO	THE	·
		child's MINOR CHILD) has/have been
supporting and carin EXPLAIN TO THE	g for the child in t JUDGE HOW Y	the following ways: OU HAVE BEEN TAKING	G CARE OF THE CHI	LD
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CHECK THE BOX(ES) THAT IS/ARE TRUE ☐ ha	s been filed regard	rvices (CHINS) petition ding this child and is □ ope egarding this child.	en □ closed	
6. A pro CHECK THE BOX(ES) THAT IS/ARE TRUE □ ha	gram of informal s been filed regard		en □ closed	

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child: TELL THE JUDGE WH	ntment of a guardian is sought for the following reasons: Y YOU THINK YOU SHOULD HAVE GUARDIANSHIP OF THE CHILD
child: TELL THE JUDGE WH	
TELL THE JUDGE WH	ed as guardian(s) of the child, Petitioner(s) can provide the following for the
	AT YOU CAN PROVIDE TO THE CHILD IF YOU ARE APPOINTED AS

CHECK TI THAT IS T		13.		g fee for this een paid.	s proceeding: has not be	en paid.	☐ has been waived.		
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HOW YOU GET THIS DOCUME THE PARI OTHER INTERES' PERSON	U WILL S ENT TO ENT OR	☐ e-s ☐ firs ☐ har	service using st-class U. and delivery	ng the e-filings. mail, post	this document ag system cage prepaid WILL BE SENT TO ADDRESS THIS FOR	on INTERESTED	by by by by by blowing address:		
	SIGNAT	TURE OF (CO-GUARDIA	N, IF THERE IS C	ONE	YOUR SIGNATUI	RE		
	Signat	ture				Signature			

CONFIDENTIAL DOCUMENT *TREAT AS IF FILED ON GREEN PAPER*

Guardianship Registry Information Sheet-Trial Rule 3.1 (A)(10)

☐ Estate and Individual)

www.indianalegalhelp.org

☐ Estate

(🔼 Individual

		\square Minor \square Adult) Choose \square ases (List any cases in which the Protector			
				FOR THE FIF SECTION,	
	Petitioner	Relationship to Protected Pe	rson*	INCLUDE YOUR NAMI THE BLANK	
	Last:*	Suffix: First:*	Middle:		
			Hispanic?:		
				ASKING FOR GUARDIANS	
			Cell Phone:	WITH YOU, I	
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-	Attorney Name:	Bar Number:	App. Filed Date:		
	Protected Person		Estimated Value \$	_	
	Last:*	Suffix: First:*	Middle:	_	
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FORMATION		Hair Color: Height:			
ERE	Scars, Marks, and Ta	nttoos:		_	
	Address:*			_	
			Cell Phone:	_	
	Email Address:			_	
	Attorney Name:	Bar Number:	App. Filed Date:	_	
	Guardian Ad Litem Full Name:				
_	Interpreter required? Language:				
	Guardian Check if same as petitioner Certified (Only check if Federal or State Certified)				
THE CHILD RRENTLY	Last:*	Suffix: First:*	Middle:	_	
S A			Hispanic?:		
ARDIAN OT THE				_	
ILD'S RENT) FILL	Home Phone:	Work Phone:	Cell Phone:	_	
THE	Email Address:*				
ORMATION RE	Attorney Name:	Bar Number:	App. Filed Date:	_	
	Guardian Institution				
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NFORMATION					
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CONFIDENTIAL DOCUMENT *TREAT AS IF FILED ON GREEN PAPER*

Guardianship Registry Information Sheet- Trial Rule 3.1 (A)(10)

(Additional)

	Petitioner	Re	Relationship to Protected Person		
F ANOTHER PERSON IS	Last:*	Suffix:_	First:*	Middle:	<u> </u>
ASKING FOR CO-				Hispanic?:	
GUARDIANSHIP OF THE CHILD.					_
FILL IN THIS	Home Phone:	Work	Phone:	Cell Phone:	_
NFORMATION	Email Address:				_
				App. Filed Date:	
	Guardian Che	eck if same as petitioner	☐ Certifie	d (Only check if Federal or State Certified)	
IF THE CHILD	Last:*	Suffix:_	First:*	Middle:	_
HAS ANOTHER GUARDIAN				Hispanic?:	
(NOT THE CHILD'S					
PARENT AND NOT LISTED				Cell Phone:	_
ABOVE) FILL IN THIS					_
INFORMATION	Attorney Name:_		Bar Number:	App. Filed Date:	
Ī	al 51.: /5	1			-
	Close Relative (En	titled to Notice) Re	elationship to Prote	ected Person	
				Middle:	INCLUDE THE CHILD'S
	Gender:*	Race:* His	spanic?:		CLOSE RELATIVE'S
				Cell Phone:	
	Email Address:				SPACE ON THE NEXT PAGE
	Interested Party				
	Last:*	Suffix:_	First:*	Middle:	
FILL IN THE	Gender:*	Race:* His	spanic?:		
REMAINING BLANKS IF	Address:*				_
THERE ARE	Home Phone:	Work	Phone:	Cell Phone:	_
MORE INTERESTED PERSONS	Email Address:				-
	Interested Party				
•	Last:*	Suffix:	First:*	Middle:	<u> </u>
		Race:* His			
				Cell Phone:	

Email Address:

Form ACR (Access to Court Records)

STATE OF INDIANA	IN THE	COURT
COUNTY OF	CAUSE NO	
IN RE THE GUARDIANSHIP OF:	FIRST FORM YOU FILLED INFORMATION	E THE DOTTED LINE LOOK AT THE OUT AND ENTER THE SAME
Minor Child	HERE.	
	of Confidential Information : D WITH TRIAL COURT CL	
Contemporaneous with the filing of the confidential information under the Increase Records. YOUR NAME information is to remain excluded from	diana Rules on Access to Court, provides t	his notice that the confidential
Name or description of document	ACR grounds for	or exclusion
Guardianship Registry Information S		Records Rule 5(b)(2) GN HERE
	system	wing address:
I hereby certify that I sent a copy of the How you will get this document to the Parent or other interested person I hereby certify that I sent a copy of the e-service using the e-filing in first-class U.S. mail, postage hand delivery to NAME OF PERSON THIS FORM WILL ALL MANDE OF PERSON THIS FORM WILL M	system ge prepaid	wing address:
SIGNATURE OF CO-GUARDIAN, IF THERE IS Signature	S ONE YOUR SIGNATURE Signature	<u> </u>

In most cases, you have to notify the people listed below that you are asking the court to give you guardianship <u>and</u> when and where the hearing on your request for guardianship will be held.
Bring a completed <i>Notice Of Verified Petition For Appointment Of Guardian(s) Of The Person Of The Minor</i> for each of the people described below when you file your papers in court.
☐ All living parents
Any interested persons. This includes any person alleged to have had the principal care and custody of the minor during the sixty (60) days preceding the filing of the petition. Review I.C. § 29-3-6-1 at http://iga.in.gov/legislative/laws/2019/ic/titles/029#29-1-1-10
☐ The minor child if the child is 14 years old or older.
Only one <i>Notice of Verified Petition For Appointment Of Guardian(s) Of The Person Of The Minor</i> is included in this packet of forms, but you can get additional ones here: https://indianalegalhelp.org/court-forms/guardianship/

AND THE MINOR CHILD IF THE STATE OF INDIANA	IN THE	
COUNTY OF	CAUSE NO	
IN RE THE GUARDIANSHIP OF:	FOR THE SECTION ABOVE TO AT THE FIRST FORM YOU FIT INFORMATION HERE.	
Minor Child		
NOTICE OF VENEZED DETER	CON FOR A PRODUCT AFAIT OF	CITA DDIA N/C) OF
NOTICE OF VERIFIED PETITI	ON FOR APPOINTMENT OF (ERSON OF THE MINOR	GUARDIAN(S) OF
TO: NAME OF PARENT,	MINOR CHILD 14 YEARS OLD	OR OLDER, OR INTERESTE
PERSON		
	NT, MINOR CHILD 14 YEARS O	LD OR OLDER, OR
INTERESTED PERSO		
The following notice is given pursuan		(time) in
THIS INFORMAT	ION Whate Tat BE PROVID	DED ^{time} (city).
Indiana, t <mark>BY THE COURT</mark>		(name
and address of court) will hold a heari	ng to determine whether a guardian	should be appointed or
a protective order should be issued for		(name
of alleged incapacitated person or min		41
A copy of the petition requesti protective order is attached to this not	ng appointment of a guardian or for	the issuance of a
	etermine whether NAME OF MINO	OR CHILD
(name of alleged incapacitated person		
Indiana law. This proceeding may sub		
NAME OF MINOR CHILD		
	OF MINOR CHILD	
of alleged incapacitated person or min		
hearing shall also consider whether of proposed guardian, if any) should b		F THERE IS ONE) (name
NAME OF MINOR CHILD		f alleged incapacitated
person or minor). The court may, in it	· · · · · · · · · · · · · · · · · · ·	
guardian. The court may also, in its di		
allow NAME OF MINOR CHILD		name of alleged
incapacitated person or minor) to retain		
may also determine whether a protecting NAME OF MINOR CHILD		
	(name of alleged incapac l, appoint a guardian ad litem to rep	1
NAME OF MINOR CHILD		of alleged incapacitated
person or minor) at the hearing.	,	
	ion or on request of any interested I	person, postpone the
hearing to another date and time.	LEAVE DI ANIZ	
	LEAVE BLANK	

Clerk of the Court

Page 1 of 1

STATE OF INDIANA	IN THE	COURT
COUNTY OF	CAUSE NO	
IN RE THE GUARDIANSHIP OF:		YE THE DOTTED LINE LOOK AT THE DOUT AND ENTER THE SAME
Minor Child	HERE.	
ORDER SETTING HEARING (ON PETITION FOR APPOI	NTMENT OF GUARDIAN
Comes now, <u>YOUR NAME A</u> and files a Verified Petition for Apportunity NAME OF MINOR CHILD	AND NAME OF CO-GUARDIAN (ointment of Guardian of the Po	
The Court schedules the Verified Pe	tition for hearing on:	at
LEAV	E BLA	
Date:	Judicial Office	 er
	0 00010101 0 11110	
Distribution: YOUR NAME YOUR ADDRESS		

STATE OF INDIANA	IN THE	COURT
COUNTY OF	CAUSE NO	
IN RE THE GUARDIANSHIP OF:	FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE FIRST FORM YOU FILLED OUT AND ENTER THE SAME INFORMATION	
Minor Child	HERE. 	
ORDER APPO	INTING GUARDIAN FOR MIN	NOR
The Court now finds as follow 1. The individual for who 2. The appointment of a Common Child's physical person. IT IS THEREFORE ORDERED as for a minor Child's NAME of the common Child. 2. YOUR NAME AND NAME OF the common Child. 3. No bond is required experience.	rs: om the Guardian is sought is a min Guardian is necessary to provide ca ollows: is CO-GUARDIAN (IF THERE IS ONE)	or child. are and supervision of the s adjudicated a Minor s appointed Guardian.
SO ORDERED LEA	VEBLA Judicial Officer	NK
Distribution: YOUR NAME ADDRESS		

STATE OF INDIANA	IN THE	COURT
COUNTY OF	CAUSE NO	
IN RE THE GUARDIANSHIP OF:	FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE FIRST FORM YOU FILLED OUT AND ENTER THE SAME INFORMATION	
Minor Child	HERE.	
	ATH OF GUARDIAN	
	NAME OF CO-GUARDIAN (I	F THERE IS ONE)
swear and affirm that I/we will fa		
according to law.		
DO NOT SIGN THIS DOCUMENT IN FRONT OF A NOTARY PUBLI		-GUARDIAN (IF THERE IS ONE) ARE
NAME OF CO-GUARDIAN ,Gua	ardian YOUR NAME	.Guardian
Address: CO-GUARDIAN ADDRESS	Address: YOUR ADDR	ESS
Date of birth: CO-GUARDIAN DATE OF	Date of birth:	YOUR DATE OF BIRTH
STATE OF INDIANA		
COUNTY OF COUNTY	-	
COUNTY Cour		public in and for , personally appeared been first duly sworn upon
his/her oath, says that the facts all		
Date LEA	Jear Public	ANK
My Commission Expires:		

LETTERS OF GUARDIANSHIP OF THE PERSON

CAUSE NUMBER
STATE OF INDIANA, COUNTY COUNTY,
This is to CERTIFY that the Judge of the,
COUNTY County, Indiana, has this day granted to
YOUR NAME AND NAME OF CO-GUARDIAN , Guardian
The authority to administer to as Guardian, the guardianship of:
MINOR CHILD , Protected Person
A guardian of the person is authorized to exercise those powers set out in Indiana Code 29-3-8-2(a), Subsections (2), (3) and (4) only.
A guardian of the estate is authorized to exercise those powers set out in Indiana Code 29-3-8-4, Subsections 1-8 only.
A guardian has no authority to do any act not specifically authorized herein except with the prior written permission of the court.
Further limitations on the guardian's authority are as follows:
Said guardianship shall extend until terminated as provided by law, and the said guardian(s YOUR NAME AND NAME OF CO-GUARDIAN , having duly qualified as such, is authorized to take upon themselves the performance of their duties of the trusts of this Guardianship according to law.
Witness my hand and seal of the Court, as, Indiana.
This
Clerk, COUNTY County Court