

## FILING FOR GUARDIANSHIP OF A MINOR

There is a filing fee payable at the time you file a petition for guardianship. The filing fee is listed in the Fee Schedule or you may call 541-247-4511 for updated information.

**IF THERE IS MORE THAN ONE CHILD FOR WHOM YOU ARE SEEKING GUARDIANSHIP, THERE MUST BE A SEPARATE FILING FOR EACH CHILD.**

You will need a separate packet for each child.

When you sign the Petition, you are swearing that the contents are true. You will choose to file **either** Form A or B, depending upon whether there is to be a sole Guardian or Co-Guardians.

Oregon law requires you to provide written notice to the following persons:

- **The minor child if 14 years of age or older**
- **The mother if she is living**
- **The father if he is living**
- The person or persons most closely related to the child if both parents are deceased
- Any person nominated to act as fiduciary for the child in a will or other written document by a parent
- The person or persons who have had principal care and custody of the child during the 60 days before the filing of the petition
- Any person with whom the minor is living who has an interest in the minor's welfare

**Notice to the minor child and the parents must be personally served.** Notice to any other persons may be mailed.

This packet contains the following forms:

- FORM A: Petition for Appointment of Guardian
- FORM B: Petition for Appointment of Co-Guardians
- FORM C: Notice of Filing of Petition
- FORM D: Consent to Guardianship by Minor 14 years or older (Exhibit B)
- FORM E: Consent by Parent to Guardianship (Exhibit A)
- FORM F: Proof of Personal Service of Petition
- FORM G: Proof of Service of Petition by Mail
- FORM H: Objection to Petition
- FORM I: Request for Notice
- FORM J: Limited Judgment Appointing Guardian with Certificate of Readiness

Fill out the forms completely. Be sure all names are spelled correctly. You will need a copy of either Form A or B, and Form C, Form H, and Form I for each person served.

Each parent, unless the parent has already signed Form E (Consent), must be **personally** served with the Notice (Form C) and must also receive a copy of the Petition (Form A or B), a copy of the Objection (Form H), and a copy of the Request for Notice (Form I). **You must arrange for service to be done by someone else.** An exact duplicate of what was served on the person must be returned to the Court with the Proof of Service (Form F) which is to be signed by the person who did the service.

If the minor is 14 years of age or older, unless the child has already signed Form D (Consent), he/she must be **personally** served with the Notice (Form C) and must also receive a copy of the Petition (Form A or B), a copy of the Objection (Form H), and a copy of the Request for Notice (Form I). **You must arrange for service to be done by someone else.** An exact duplicate of what was served on the person must be returned to the Court with the Proof of Service (Form F) which is to be signed by the person who did the service.

Every other person entitled to notice can be served by mail. Each person must receive a copy of the Notice (Form C), a copy of the Petition (Form A or B), a copy of the Objection (Form H), and a copy of the Request for Notice (Form I). An exact duplicate of what was served on any person must be returned to the Court with the Proof of Service (Form G). (If personally served, Form F should be used instead of Form G.)

**It is your responsibility to make sure all copies are made and attached to the Notices.**

The deadline for filing objections needs to be inserted by you into the Notice (Form C). That deadline must be **more than** 15 days after the person was served with notice.

If an objection is filed, a hearing will be set by the Court. You and the objecting party will receive notice in the mail of the date, time and place of the hearing.

If there have been no objections, you must mail or bring the Judgment (Form J) back to the court after the time for objections has expired and proofs of notice or consents have been filed. You will need to sign on page 2 before submitting it to the court. (The Judge signs on page 1.) The Clerk will send you a copy of the signed Judgment along with the court-prepared "Letter of Guardianship." The Guardianship will continue until the child reaches 18 years of age unless an earlier termination has been requested.

All documents should be mailed to Curry County Circuit Court, 94235 Moore St. STE 200 Gold Beach, OR 97444 **OR** hand delivered to the Courthouse at 29821 Ellensburg Ave. Gold Beach

**CAUTION: This packet is not appropriate to be used for a petition that seeks the appointment of a guardian for a minor 16 years or older which is intended to continue or is likely to be continued after the child becomes an adult.** In those instances, there are additional requirements under the law which are not included in this packet.