

**COLUMBIA COUNTY CIRCUIT COURT
GUARDIANSHIP OF A MINOR
230 Strand Street, St. Helens, Oregon 97051
503.397.2327**

**FORMS & INSTRUCTIONS
For Appointment of Guardian for Minor Child
Under ORS 125**

**Read and Review Oregon Revised Statutes (ORS)
Chapter 125 Protective Proceedings**

**When you sign the Petition for Appointment of Guardian for a Minor Child,
you are stating that the contents of the petition are true.**

Oregon Statute (ORS 125.060) requires you to provide written notice to the following persons: the minor child (only if the minor child is 14 years of age or older), parents of the minor, the person or persons who have had the principal care and custody of the minor for the 60 days preceding the date of this petition, the person(s) most closely related to the minor (if the parents are deceased), or any person living with the minor who has an interest in the affairs or welfare of the minor.

FORMS PROVIDED IN PACKET:

Form A:	Petition for Appointment of Guardian for Minor Child.
Form B:	Notice to Respondent of Petition to Appoint Guardian for Minor Child <i>(Only given to the minor if 14 years of age or older)</i>
Form C:	Respondent's Objection to Appoint Guardian for Minor Child (Blue paper) <i>(Only given to the minor if 14 years of age or older)</i>
Form D:	Consent to Guardianship by Minor Child <i>(14 years of age or older)</i>
Form E:	Notice to Parent of Petition to Appoint Guardian for Minor Child
Form F:	Notice to Interested Parties of Petition to Appoint Guardian for Minor Child
Form G:	Consent to Guardianship by Parent(s)
Form H:	Objection to Petition for Guardianship of Minor Child.
Form I:	Proof of Service of Notice of Petition to Appoint Guardian for Minor Child
Form J:	Request for Notice to Appoint Guardian for Minor Child
Form K:	Limited Judgment Establishing Guardianship of Minor Child under ORS 125.305 Duties of a Guardian FAQ about Guardianships

FEES:

When filing a Petition for Appointment of Guardian for Minor Child, there is a filing

fee payable at the time you file your petition. The current filing fee is \$124.00.

USE BLUE OR BLACK INK ONLY ON THE FORMS

INSTRUCTIONS:

Fill out the forms completely. Be sure all names are spelled correctly. These are legal documents and must not contain mistakes. **Do not alter the documents.**

At the time of filing, you will need to provide valid proof of identification, including your current name. The identification is to include your signature.

NOTE: Even if the minor consents to the guardianship, they cannot waive notice (ORS 125.060(9)), and must be personally served ORS 125.065(1), if they are 14 years of age or older. Refer to ORS 125.060 and 125.065 for additional service and notice requirements.

If the minor child is under the age of 14, service and consent are not required.

**BEFORE YOU FILE THE PETITION FOR APPOINTMENT OF
GUARDIAN FOR A MINOR CHILD.**

STEP 1: STARTING THE GUARDIANSHIP CASE

- (Form A) Complete the Petition for Appointment of Guardian for Minor Child
 - Make sure the Petition for Appointment of Guardian for Minor Child has been completed before filing at the courthouse.
- Complete the following forms but leave the objection deadline blank on these forms. You will add the objection deadline date when you are at the courthouse.
 - (form B) the Notice to Respondent of Petition to Appoint Guardian for Minor Child;
 - (form E) Notice to Parent of Petition to Appoint Guardian for Minor Child; and
 - (form F) Notice to Interested Parties of Petition to Appoint Guardian for Minor Child, *if applicable*.

Fill in the case name on the upper portion of the paperwork for the following forms:

Form C:	Respondent's Objection to Appoint Guardian for Minor Child (Blue paper) <i>(Only given to the minor if 14 years of age or older)</i>
Form D:	Consent to Guardianship by Minor Child <i>(14 years of age or older)</i>
Form E:	Notice to Parent of Petition to Appoint Guardian for Minor Child
Form F:	Notice to Interested Parties of Petition to Appoint Guardian for Minor Child
Form G:	Consent to Guardianship by Parent
Form H:	Objection to Petition for Guardianship of Minor Child
Form I:	Proof of Service of Notice of Petition to Appoint Guardian for Minor Child.
Form J:	Request for Notice to Appoint Guardian for Minor Child
Form K:	Limited Judgment Establishing Guardianship of Minor Child under ORS 125.305

FILING THE PETITION AT THE COURTHOUSE

STEP 2: FILING YOUR CASE

- Bring **ALL** the forms with you to the courthouse (forms A through K).
- File the following document with the clerk:
 - The completed (form A) Petition for Appointment of Guardian for Minor Child.
 - The clerk will collect the fee, open the case and give you the assigned case number. Labels will be provided with the case number to place on each of your documents.
- You will add the objection date deadline when you are at the courthouse to the following forms:
 - (form B) the Notice to Respondent of Petition to Appoint Guardian for Minor Child;
 - (form E) Notice to Parent of Petition to Appoint Guardian for Minor Child; and
 - (form F) Notice to Interested Parties of Petition to Appoint Guardian for Minor Child.

- The objection deadline is no sooner than 21 days from the date of personal service of the Notices for the minor child if 14 years of age or older, and parent(s) and required mailing of the Notices to Interested Parties.
- A certified copy of the documents will be given to you for personal service for the respondent, if 14 years of age or older, and the parents of the minor child. True copies for any required mailing for any interested parties will be provided.

SERVICE AND NOTICE

Oregon Statute (ORS 125.060) requires you to provide written notice. Read ORS 125.060, 125.065, 125.605 to review the proper notification of Minor Child if 14 years of age or older, parents and other interested parties.

STEP 3: SERVICE ON RESPONDENT, PARENTS, AND INTERESTED PARTIES

Notice of the filing of a petition must be personally served on any respondent who has attained 14 years of age or older. If the respondent has consented to the guardianship, personal service is still required.

Notice of a petition must be personally served on the parent(s) of a respondent. If the parent(s) have consented to the guardianship, personal service is still required.

Refer to ORS 125.060 and 125.065 for additional service and notice requirements. If service is not completed correctly, this may cause the case to be delayed and possibly dismissed. It is your responsibility to make sure proper service and notice are completed as required under the statute.

Upon completion of personal service and/or notice, file the following:

- (form D) Consent to Guardianship by Minor (14 years of age or older) *(if applicable)*
- (form G) Consent to Guardianship by Parent *(if applicable)*
- (form I) Proof of Service of Notice of Petition to Appoint Guardian for Minor Child, (if 14 years of age or older)
- (form I) Proof of Service of Notice of Petition to Appoint Guardian for Minor Child for service on the Parents.

NOTE: Respondent, if 14 years of age or older, and parents will still need to be served, even if they have filed consents. Refer to ORS 125.060 and 125.065 for additional service and notice requirements.

Review ORS 125.070 for service requirements, this is your responsibility.

The documents may be served by the Sheriff, Process Server or any disinterested party over the age of 18 who understands the service rules and laws. If the documents are served by a Process Server or other person, they must complete the *Proof of Service* (form I) and file with the court when personal service has been completed.

TIME FOR OBJECTIONS

STEP 4: WAITING FOR OBJECTIONS

If objections are made to the appointment of a guardian or to the extension of a guardian's authority under ORS 125.600, the court shall hear the objections within two judicial days after the date on which the objections are filed. The Court will mail you and the party who is objecting a *Notice of Hearing* which will provide you with the date, time and place of the hearing.

When the objection period has expired, and no objections were filed, you will file the Limited Judgment Establishing Guardianship of a Minor Child (form K) with the court.

COURT VISITOR

A court visitor appointment is required if 16 years of age or older and the court determines that there is the likelihood that a petition will be filed for an adult guardianship.

LIMITED JUDGMENT ESTABLISHING GUARDIANSHIP OF MINOR CHILD

STEP 5: LIMITED JUDGMENT

The Court will issue a Limited Judgment Establishing Guardianship of a Minor Child and issue Letters of Guardianship if the guardianship is allowed.

The guardianship will be appointed for a period of time not to exceed thirty (30) days. The court may extend the period of the guardian's authority for an additional period not to exceed thirty (30) days upon motion and good cause shown.

LETTERS OF GUARDIANSHIP

STEP 6: LETTERS OF GUARDIANSHIP

Letters of Guardianship will be prepared and issued by the Court upon the signing of the Limited Judgment Establishing Guardianship of Minor Child. The Letters of Guardianship will be mailed to the guardian.

Additional Resources:

If you are finding this process complicated and need legal assistance, the following resources may be available to you.

<p><u>Oregon State Bar</u> http://osbar.org Lawyer referral: 1 (800) 452-7636 Modest Means (low income): 1 (800) 452-7636 Tel-law: 1 (800) 452-4776</p> <p><u>Oregon Law Help</u> (free legal info for low income Oregonians) http://www.oregonlawhelp.org</p>	<p><u>Oregon Law Center</u> Columbia County Office: Monday, Tuesday and Thursday 9:30am to 2:30pm Wednesday 9:30am to 12pm</p> <p>Saint Helens Office 503.397.1628</p> <p>Hillsboro Regional Office: 503.640.4115 1.877.296.4076</p>
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Duties of a Guardian

A guardian undertakes serious duties and responsibilities that are required by the laws of Oregon. Chapter 125 of the Oregon Revised Statutes governs guardianships and outlines those responsibilities.

A guardian must:

- Promptly report to the Court any change of the guardian's name, residence, or mailing address.
- Follow the laws about being a guardian (see Chapter 125).
- File a guardian's report every year (explained below).
- Get Court approval before using the protected person's funds for room and board that the guardian or the guardian's spouse, parent, or child has furnished to the protected person.
- File a statement with the Court and notify the protected person before placing an adult protected person in a residential facility (explained below).
- Tell the Court if the guardianship is no longer needed because the protected person has died or for other reasons.

Definitions as used in ORS 125.005

(1) “Conservator” means a person appointed as a conservator under the provisions of this chapter.

(2) “Fiduciary” means a guardian or conservator appointed under the provisions of this chapter or any other person appointed by a court to assume duties with respect to a protected person under the provisions of this chapter.

(3) “Financially incapable” means a condition in which a person is unable to manage financial resources of the person effectively for reasons including, but not limited to, mental illness, mental retardation, physical illness or disability, chronic use of drugs or controlled substances, chronic intoxication, confinement, detention by a foreign power or disappearance. “Manage financial resources” means those actions necessary to obtain, administer and dispose of real and personal property, intangible property, business property, benefits and income.

(4) “Guardian” means a person appointed as a guardian under the provisions of this chapter.

(5) “Incapacitated” means a condition in which a person’s ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person’s physical health or safety. “Meeting the essential requirements for physical health and safety” means those actions necessary to provide the health care, food, shelter, clothing, personal hygiene and other care without which serious physical injury or illness is likely to occur.

(6) “Minor” means any person who has not attained 18 years of age.

- (7) “Protected person” means a person for whom a protective order has been entered.
- (8) “Protective order” means an order of a court appointing a fiduciary or any other order of the court entered for the purpose of protecting the person or estate of a respondent or protected person.
- (9) “Protective proceeding” means a proceeding under this chapter.
- (10) “Respondent” means a person for whom entry of a protective order is sought in a petition filed under ORS 125.055.
- (11) “Visitor” means a person appointed by the court under ORS 125.150 for the purpose of interviewing and evaluating a respondent or protected person.

Guardian's Report

- The report must be filed 30 days after the anniversary of the guardian's appointment each year, unless the Court grants an extension of time.
- Columbia County does require a guardian's report for guardianships of minor children. (Some counties do require annual reports.)
- The law requires the guardian to send copies of the report to certain people. These people are:
 - the protected person;
 - the protected person's conservator, if any; and
 - any person who has filed with the Court a request for notice of the proceedings. (To find out who has requested notice, contact the Trial Court Administrators office of the Columbia County Courthouse.)
- Each year, the guardian should fill out and send to the Court a proof of mailing to show that the guardian sent the copies of the report as required by law.

Placement in a Residential Facility

- The guardian must file a statement with the Court before placing an adult protected person in a residential facility. (A "residential facility" includes a foster care home, a nursing home, a mental health treatment facility, and so on.)
- The statement tells the Court where the guardian intends to place the protected person.
- The guardian must also give notice of the placement to the protected person and others as required by statute before placing the protected person. The guardian must give the Court proof that this notice was made.
- Failure to provide notice to the Court or the interested parties is grounds for removing the guardian.

COLUMBIA COUNTY CIRCUIT COURT
230 Strand Street
St Helens, Oregon 97051
503.397.2327

FAQ'S ABOUT GUARDIANSHIPS

What is a guardianship?

A guardianship is the process of appointing someone (the Guardian) to help and protect someone (the Respondent) who cannot adequately care for him or herself because of age, disability, debility, or for some other reason. The person who requests appointment of the guardian is the Petitioner.

What powers does a guardian have?

A guardian retains all legal and civil rights provided by law except those that have been expressly limited by court order or specifically granted to the guardian by the Court.

When is a guardian appointed?

- The appointment is necessary as a means of providing continuing care and supervision of the respondent.
- The nominated person is both qualified and suitable and is willing to serve.

What are Letters of Guardianship?

The Court shall issue *Letters of Guardianship* with a copy of the Order Appointing the Guardian. These letters are proof of guardianship. Copies or court certified copies of the *Letters of Guardianship* might be required for health care professional services, or school districts and financial institutions. The appointed guardian should keep the original letters.

What is a guardian required to do?

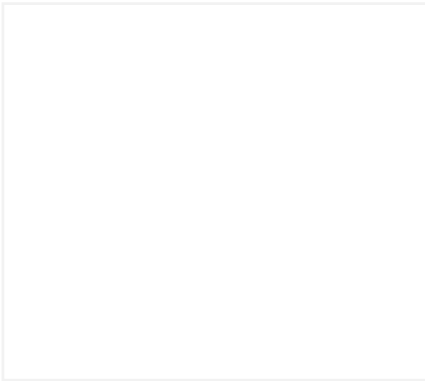
- The guardian shall provide for the care, comfort and maintenance of the protected person or persons and, whenever appropriate shall arrange for training and education of the protected person or persons.
- The guardian shall take reasonable care of the protected person or person's clothing, furniture and other personal effects.
- The guardian shall maintain health care and necessities for the protected person or persons.
- The guardian shall maintain a clean and safe environment for the protected person or persons.

What is a Guardian's Report?

Within 30 days after each anniversary of appointment, the guardian shall file with the Court a written report. The *Guardian's Report* may be purchased at the Trial Court Administrator's Office.

Fees and Costs:

- Guardianship cases require a filing fee of: \$124.00.
 - Fee deferral paperwork is available for payment plans to pay filing fees if you qualify.
- Copies: .25 cents per page.
- Certified Copies: \$5.00 for the certification **plus** .25 cents per page.



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of:)	
)	
	)	Case Number: _____
)	
_____)	
Minor Child/Respondent	)	PETITION FOR APPOINTMENT OF GUARDIAN FOR MINOR CHILD
)	
)	

_____ petitions for the appointment of guardian of the minor,
(Petitioner's name)

_____, and respectfully represents to the Court as follows:
(Minor's name)

1.

THAT the name, age/year of birth, residence address and current location of the minor is:

Name: _____

Age: _____ Birth year: _____

Residence Address: _____

Current Location: _____

2.

THAT the minor is a resident of _____ County, Oregon, and is also physically present in the State of Oregon.

THAT no other court in the State of Oregon has acquired jurisdiction of this matter, no protective proceeding has been established in another state, and no guardian has been heretofore appointed for the minor.

3.

THAT the name, age, address and interest of Petitioner to the minor is:

Name: _____ Age: _____

Residence Address: _____

Interest: _____

4.

THAT the name, age, address, and relationship of Proposed Guardian to the minor is:

Name: _____ Age: _____

Residence Address: _____

Relationship to Minor: _____

5.

THAT Proposed Guardian is competent, willing and able to serve as guardian.

6.

Is Proposed Guardian a public or private agency (or an employee of that agency) that provides services to the minor? Yes No

7.

THAT Proposed Guardian has has not been convicted of a crime.

THAT Proposed Guardian has has not filed for or received protection under the bankruptcy laws.

THAT Proposed Guardian has has not caused any loss resulting in a surcharge under ORS125.025 (3)(e) or a similar statute of another jurisdiction.

THAT Proposed Guardian has has not been removed as a fiduciary under ORS125.225;

THAT Proposed Guardian has has not had a professional or occupational license revoked or cancelled.

If Proposed Guardian has been convicted of a crime, filed for or received protection under the bankruptcy laws, or has had a professional or occupational license revoked or cancelled, please explain: _____

8.

Does Proposed Guardian intend on placing the child in a mental health treatment facility, nursing home, or other residential facility? Yes No

9.

Is Proposed Guardian a professional that acts as a fiduciary for three or more persons unrelated to the fiduciary? Yes No

10.

The name and address of the minor's treating physician is: _____

The name and address of any other person providing care to the minor is: _____

The name and address of any fiduciary appointed by the Court for the minor is:

The name and address of any trustee for a trust established for or by the minor is:

The name and address of any appointed health care representative for the minor is:

The name and address of any attorney-in-fact for the minor is:

The minor has been living with Petitioner since _____ and before that he/she was living with: _____.

11.

THAT it is necessary to establish a guardianship for the following reasons: _____

12.

THAT the name and address of the natural parent(s) of the minor are:

Mother's Name: _____	Father's Name: _____
Year of Birth: _____	Year of Birth: _____
Address: _____	Address: _____
_____	_____

13.

I understand that I must inform the Court if I find out about another custody proceeding concerning this minor filed in this, or another state.

I have have not been involved in any other court proceeding concerning custody of the minor (if so, list County, State, and case number).

County: _____ State: _____ Case Number: _____

14.

I know do not know, of any person other than _____ who has physical custody of the minor or claims to have custody or visitation rights with minor.

(If so, list that person): _____

THAT the minor has lived with the following person(s) for the past five years:

NAME OF PERSON ADDRESS AT THAT TIME CURRENT ADDRESS (if different)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

15.

Does the minor have any Native American or Alaskan Native Ancestry, wherein the Indian Child Welfare Act (ICWA) may apply? Yes No

16.

Savings Account: \$ _____ Trust Fund: \$ _____

Real Property: \$ _____ Other: \$ _____

Is the minor receiving any AFS benefits through the Department of Human Services? Yes No

Is the minor receiving any Veterans benefits? Yes No

Will the proposed guardian exercise any control over the estate of the minor? Yes No

The monthly income of the minor is _____.

The source(s) of the minor's monthly income is/are _____.

The amount of moneys that the proposed guardian will be holding for the minor at the time of appointment is _____.

17.

WHEREFORE, Petitioner prays for appointment of _____
as guardian of the minor, _____.

I hereby declare that the above statement is true to the best of my knowledge and belief,
and that I understand it is made for use as evidence in court and is subject to penalty
for perjury.

DATED this _____ day of _____, 20_____.

Signature of Petitioner

Signature of Co-Petitioner *(if applicable)*

Print Name and Year of Birth

Print Name and Year of Birth

Contact Address

Contact Address

City/State/Zip Code

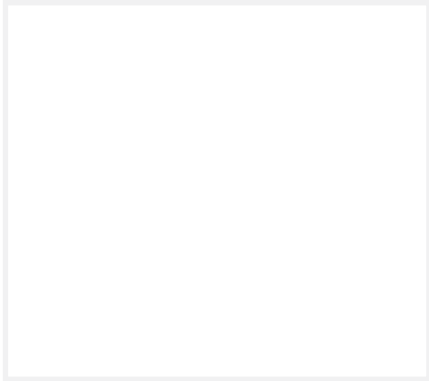
City/State/Zip Code

Contact Phone Number

Contact Phone Number

Email Address

Email Address



IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of the Guardianship of:)

)

) Case Number: _____

)

)

Minor Child/Respondent)

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**NOTICE TO RESPONDENT
OF PETITION TO APPOINT
GUARDIAN FOR MINOR CHILD**
(required if 14 years of age or older)
(ORS 125.065, ORS 125.070)

NOTICE TO RESPONDENT

To: Respondent _____:

_____, Petitioner, who is your _____ (relationship to respondent), or that is an agency or business that provides guardianship services, has asked a judge for the power to make decisions for you. The judge has been asked to give this person, agency or business the authority to make the following decisions for you (mark the appropriate spaces):

Medical and health care decisions, including decisions on which doctors you will see and what medications and treatments you will receive.

Residential decisions, including decisions on whether you can stay where you are currently living or be moved to another place.

Financial decisions, including decisions on paying your bills and decisions about how your money is spent.

Other decisions: _____.

YOUR MONEY MAY BE USED IF THE JUDGE APPOINTS A GUARDIAN FOR YOU. YOU MAY BE ASKED TO PAY FOR THE TIME AND EXPENSES OF THE GUARDIAN, THE TIME AND EXPENSES OF THE PETITIONER'S ATTORNEY, THE TIME AND EXPENSES OF YOUR ATTORNEY, FILING FEES AND OTHER COSTS.
YOU MUST TELL SOMEONE AT THE COURTHOUSE
BEFORE _____ (DATE) _____
IF YOU OPPOSE HAVING SOMEONE ELSE MAKE THESE DECISIONS FOR YOU.

OBJECTIONS:

You can write to the judge if you do not want someone else making decisions for you. The judge's address is: Columbia Circuit Court, 230 Strand Street, St Helens, Oregon 97051.

You have the right to object to the appointment of a guardian by saying you want to continue to make your own decisions. If you do not want another person, agency or business making decisions for you, you can object. If you do not want _____ (Proposed Guardian) to make these decisions for you, you can object. If you do not want your money to be used to pay for these expenses, you can object.

You can object any time after the judge has appointed a guardian. You can ask the judge at any time to limit the kinds of decisions that the guardian makes for you so that you can make more decisions for yourself. You can also ask the judge at any time to end the guardianship.

If you object a hearing will be set and an attorney will be assigned to represent you. After the hearing the court will request more information about your finances and decide how the attorney will be paid.

If you are unable to complete the *Respondent's Objection* form for any reason, do not want the court to appoint an attorney for you or have your own attorney, please call 503-397-2327, extension 24017 or come to the court office located at 230 Strand Street, St. Helens, Oregon 97051, and someone will assist you.

THE HEARING:

The judge will hold a hearing if you do not want a guardian, do not want this particular person to act as your guardian or do not want your money used this way. At the hearing, the judge will listen to what you and others have to say about whether you need someone else to make decisions for you, who that person should be and whether your money should be spent on these things. You can have your witnesses tell the judge why you do not need a guardian and you can bring in records and other information about why you think that you do not need a guardian. You can ask your witnesses questions and other witnesses questions.

THE COURT VISITOR:

COURT VISITOR APPOINTMENT IS REQUIRED IF 16 YEARS OF AGE OR OLDER AND THE COURT DETERMINES THAT THERE IS THE LIKELIHOOD THAT A PETITION WILL BE FILED FOR AN ADULT GUARDIANSHIP:

The judge will (*may*) appoint someone to investigate whether you need a guardian to make decisions for you. This person is called a "visitor." The visitor works for the judge and does not work for the person who filed the petition asking the judge to appoint a guardian, for you or for any other party. The visitor will come and talk to you about the guardianship process, about whether you think that you need a guardian and about who you would want to be your guardian if the judge decides that you need a guardian. The visitor will talk to other people who have information about whether you need a guardian. The visitor will make a report to the judge about whether what the petition says is true, whether the visitor thinks that you need a guardian, whether

FORM B

the person proposed as your guardian is able and willing to be your guardian, who would be the best guardian for you and what decisions the guardian should make for you. If there is a hearing about whether to appoint a guardian for you, the visitor will be in court to testify.

You can tell the visitor if you don't want someone else making decisions for you when the visitor comes to talk with you about this matter.

LEGAL SERVICES:

You can call a lawyer if you don't want someone else making decisions for you. If you don't have a lawyer, you can ask the judge whether a lawyer can be appointed for you.

There may be free or low-cost legal services or other relevant services in your local area that may be helpful to you in the guardianship proceeding. For information about these services, you can call the following telephone numbers and ask to talk to people who can help you find legal services or other types of services.

The Oregon Law Center
270 South 1st Street
St. Helens, OR 97051
503-397-1628

St. Andrew Legal Clinic
232 NE Lincoln Street Ste H
Hillsboro, OR 97124
503-648-1600

Oregon State Bar
Lawyer Referral Service
Portland Metro: 503-684-3763
Greater Oregon: 800-452-7636

OBJECTION FORM:

You can mark the blue sheet (Respondent's Objection) that is attached to this form if you do not want someone else to make your decisions for you. You can give the blue sheet to the visitor when the visitor comes to talk with you about this, you can show it to your attorney, or you can mail it to the judge.

Dated this _____ day of _____, 20_____.

Signature of Petitioner

Proposed Guardian:

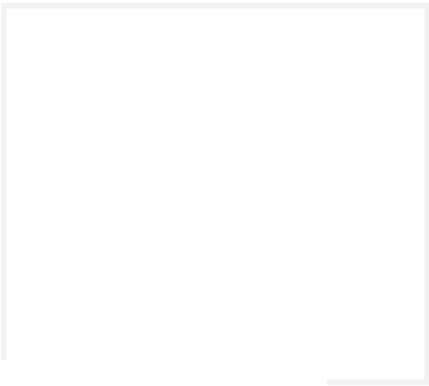
Name: _____ Phone: _____

Address or Contact Address City/State/ Zip Code Phone #

Submitted by Petitioner (The following contact information is required by ORS 125.070)

Print Name

Address or Contact Address City/State/ Zip Code Phone #



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of:)

)

)

Case Number: _____

)

)

**RESPONDENT'S OBJECTION
TO APPOINT GUARDIAN FOR
MINOR CHILD**

Minor Child/Respondent

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)

(14 years of age, or older)

)

I object to the petition for the following reasons:

- I do not want anyone else making any of my decisions for me.
- I do not want _____ to make any decisions for me.
- I do not want _____ to make the following decisions for me:

Respectfully submitted by:

Dated: _____

Signature

Print Name

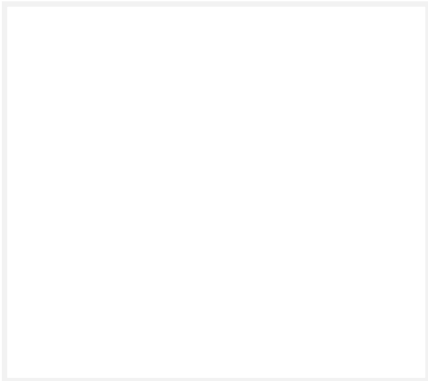
Contact Address

City, State, Zip Code

Contact Telephone

MAIL OR BRING THIS OBJECTION TO:

**Columbia County Circuit Court
230 Strand Street
St Helens, Oregon 97051**



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of:)

)

) Case Number: _____

)

Minor Child/Respondent)

)

)

)

**CONSENT TO GUARDIANSHIP
BY MINOR CHILD
(14 years of age or older)**

I, _____, the undersigned, being the above-named minor, do
(Minor's name)

hereby consent to and request the appointment of _____ as my
(Proposed Guardian's name)

guardian. I hereby waive any time to object to the Petition of _____ for
(Petitioner's name)

appointment of a guardian.

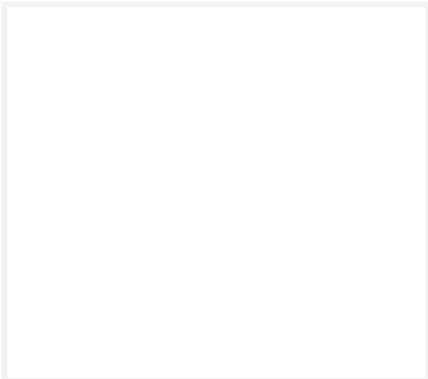
DATED this _____ day of _____, 20_____.

Minor's Signature

SUBSCRIBED and SWORN to before me this _____ day of _____, 20_____.

Notary Public of Oregon/Court Clerk

My Commission Expires: _____



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

)	
)	
In the Matter of the Guardianship of:	)	Case Number: _____
)	
)	
)	
_____	)	NOTICE TO PARENT(S)
Minor Child/Respondent	)	OF PETITION TO APPOINT
	)	GUARDIAN FOR MINOR CHILD
	)	<i>(ORS 125.065, ORS 125.070)</i>

NOTICE IS HEREBY GIVEN that on _____, 20_____, the Petitioner, _____ filed a Petition for Appointment of _____ as GUARDIAN of the minor child listed above. **A certified copy of that petition accompanies this notice.**

The relationship of the petitioner to the child is _____.

Petitioner's address and telephone number are listed at the end of this Notice.

Any objection to the granting of this GUARDIANSHIP must be filed in the above court on or before _____, 20_____.

An objection and/or request for notice form is attached. Written objection may be made delivering the objection and any filing fee due, to: Columbia County Circuit Court, 230 Strand Street, St Helens, Oregon 97051. A copy should also be sent to the petitioner. **FAILURE TO FILE AN OBJECTION MAY RESULT IN APPOINTMENT OF A GUARDIAN FOR THE MINOR WITHOUT FURTHER HEARING.** Hearings are not scheduled unless a timely objection is filed.

NOTICE: If you wish to receive copies of future filings in this case, you must inform the court and the person named as petitioner in this notice. You must inform the court by filing a request for notice and paying any applicable fee. The request for notice must be in writing, must clearly indicate that you wish to receive future filings in the proceedings and must contain your name, address and phone number. You must notify the person named as

petitioner by mailing a copy of the request to the petitioner. Unless you take these steps, you will receive no further copies of the filings in the case.

Further information about objections: Check with the probate clerk for information on where to file your objection, or to determine if fees are due, by calling: (503) 397-2327.

Dated this ____ day of _____, 20 ____.

Signature of Petitioner

Proposed Guardian:

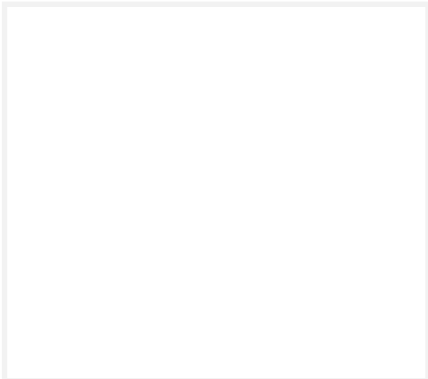
Name: _____ Phone: _____

Address: _____

Submitted by Petitioner (The following contact information is required by ORS 125.070):

Print Name

Address or Contact Address City, State, Zip Code Telephone or Contact #



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

)	
)	
In the Matter of the Guardianship of:	)	Case Number: _____
)	
)	
)	
_____	)	NOTICE TO PARENT(S)
Minor Child/Respondent	)	OF PETITION TO APPOINT
	)	GUARDIAN FOR MINOR CHILD
	)	<i>(ORS 125.065, ORS 125.070)</i>

NOTICE IS HEREBY GIVEN that on _____, 20_____, the Petitioner, _____ filed a Petition for Appointment of _____ as GUARDIAN of the minor child listed above. **A certified copy of that petition accompanies this notice.**

The relationship of the petitioner to the child is _____.

Petitioner's address and telephone number are listed at the end of this Notice.

Any objection to the granting of this GUARDIANSHIP must be filed in the above court on or before _____, 20_____.

An objection and/or request for notice form is attached. Written objection may be made delivering the objection and any filing fee due, to: Columbia County Circuit Court, 230 Strand Street, St Helens, Oregon 97051. A copy should also be sent to the petitioner. **FAILURE TO FILE AN OBJECTION MAY RESULT IN APPOINTMENT OF A GUARDIAN FOR THE MINOR WITHOUT FURTHER HEARING.** Hearings are not scheduled unless a timely objection is filed.

NOTICE: If you wish to receive copies of future filings in this case, you must inform the court and the person named as petitioner in this notice. You must inform the court by filing a request for notice and paying any applicable fee. The request for notice must be in writing, must clearly indicate that you wish to receive future filings in the proceedings and must contain your name, address and phone number. You must notify the person named as

petitioner by mailing a copy of the request to the petitioner. Unless you take these steps, you will receive no further copies of the filings in the case.

Further information about objections: Check with the probate clerk for information on where to file your objection, or to determine if fees are due, by calling: (503) 397-2327.

Dated this ____ day of _____, 20 ____.

Signature of Petitioner

Proposed Guardian:

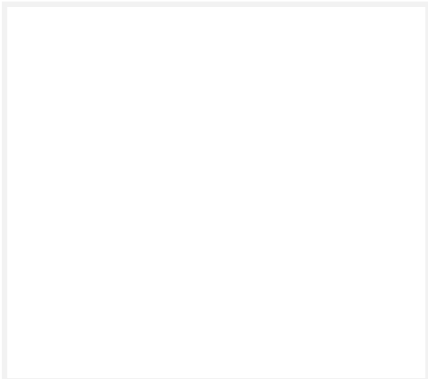
Name: _____ Phone: _____

Address: _____

Submitted by Petitioner (The following contact information is required by ORS 125.070):

Print Name

Address or Contact Address City, State, Zip Code Telephone or Contact #



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of:)
)
) Case Number: _____
)
)
)
) **NOTICE OF INTERESTED PARTIES**
) **OF PETITION TO APPOINT**
) **GUARDIAN FOR MINOR CHILD**
) *(ORS 125.065, ORS 125.070)*
)

 Minor Child/Respondent

NOTICE IS HEREBY GIVEN that on _____, 20_____, the Petitioner, _____ filed a Petition for Appointment of _____ as GUARDIAN of the minor child listed above. **A true and correct copy of that petition accompanies this notice.**

The relationship of the petitioner to the child is _____.

Petitioner's address and telephone number are listed at the end of this Notice.

Any objection to the granting of this GUARDIANSHIP must be filed in the above court on or before _____, 20_____.

An objection and/or request for notice form is attached. Written objection may be made delivering the objection and any filing fee due, to: Columbia County Circuit Court, 230 Strand Street, St Helens, Oregon 97051. A copy should also be sent to the petitioner. **FAILURE TO FILE AN OBJECTION MAY RESULT IN APPOINTMENT OF A GUARDIAN FOR THE MINOR WITHOUT FURTHER HEARING.** Hearings are not scheduled unless a timely objection is filed.

NOTICE: If you wish to receive copies of future filings in this case, you must inform the court and the person named as petitioner in this notice. You must inform the court by filing a request for notice and paying any applicable fee. The request for notice must be in writing, must clearly indicate that you wish to receive future filings in the proceedings and must contain your name, address and phone number. You must notify the person named as

petitioner by mailing a copy of the request to the petitioner. Unless you take these steps, you will receive no further copies of the filings in the case.

Further information about objections: Check with the probate clerk for information on where to file your objection, or to determine if fees are due, by calling: (503) 397-2327.

Dated this ____ day of _____, 20 ____.

Signature of Petitioner

Proposed Guardian:

Name: _____ Phone: _____

Address: _____

Submitted by Petitioner (The following contact information is required by ORS 125.070):

Print Name

Address or Contact Address City, State, Zip Code Telephone or Contact #

*****CERTIFICATE OF SERVICE*****

I certify that on _____, 20____, I placed a true and exact copy of this *Notice of Interested Parties of Petition to Appoint a Guardian for Minor Child* in the United States Postal Service mail addressed to:

Name _____ Address _____

Name _____ Address _____

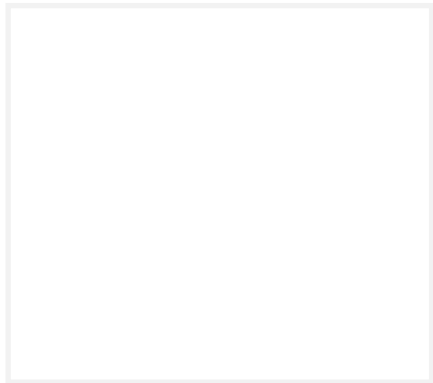
Name _____ Address _____

I hereby declare that the above-entitled statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Dated this ____ day of _____ 20 ____.

(Signature)

(Print name)



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of: _____
Minor Child/Respondent _____
)
)
) Case Number: _____
)
)
) **OBJECTION TO PETITION**
) **FOR APPOINTMENT OF GUARDIAN**
) **OF MINOR CHILD**
)

I _____, object to the Petition for Guardianship for the following reasons:

Note: A minor child (over 14 years of age) and/or a respondent who files an objection to guardianship incurs no filing fee. All other parties pay a filing fee for the Objection.

Respectfully submitted by:

Signature *Print Name*

Contact Address *City, State, Zip Code* *Contact Telephone*

*******CERTIFICATE OF SERVICE*******

I certify that on _____, 20____, I placed a true and exact copy of this *Objection to Petition for Appointment of Guardian for Minor Child* in the United States Postal Service mail addressed to:

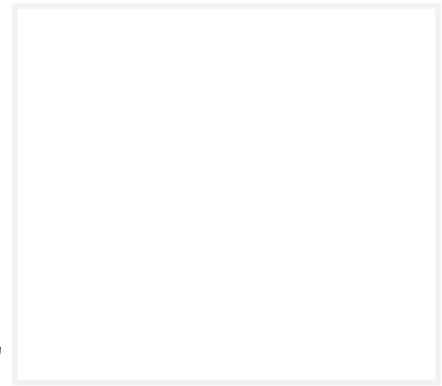
Name _____ Address _____

Name _____ Address _____

I hereby declare that the above-entitled statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Dated this ____ day of _____ 20 _____. _____
(Signature)

(Print name)



**IN THE CIRCUIT COURT OF THE
STATE OF OREGON
FOR THE COUNTY OF COLUMBIA**

In the Matter of the Guardianship of:)	
)	
	)	Case Number: _____
)	
_____	)	PROOF OF SERVICE OF NOTICE OF
Minor Child/Respondent	)	PETITION TO APPOINT GUARDIAN
	)	FOR MINOR CHILD ORS 125.065
)	

STATE OF OREGON)
) ss.
 County of Columbia)

I, _____, being first duly sworn, under oath, say:

I am a competent person, 18 years of age or older.

I am not a party in this proceeding, nor am I an attorney in this proceeding.

I am not an officer, director or employee of a party in this proceeding.

I am a resident of Oregon (or the state in which personal service occurred.)

Specifically, I reside in the County of: _____ State of _____.

I served a true copy of the following documents:

- **Notice to Parent of Petition to Appoint Guardian for Minor Child**
- **Petition for Appointment of Guardian for Minor Child**
- **Objection to Petition for Guardianship of Minor Child**
- **Request for Notice to Appoint Guardian for Minor Child**

By delivering them to the following person(s) at the address(es) listed below, on the date(s) and time(s) listed:

Parent: _____ **Parent:** _____

Date and Time of Personal Service: _____ **Date and Time of Personal Service:** _____

I served a true copy of the following documents: (only if minor is 14 years of age or older):

- **Notice to Respondent of Petition to Appoint Guardian for Minor Child**
- **Petition for Appointment of Guardian for Minor Child**
- **Respondent’s Objection to Appoint Guardian for Minor Child**
- **Request for Notice to Appoint Guardian for Minor Child**

By delivering them to the following person(s) at the address(es) listed below, on the date(s) and time(s) listed:

Minor Child: _____

Date and Time of Personal Service:

The original Petition had already been filed with the Court at that time. The copy served was identical to the one on file with the Court.

Signature of Server (Affiant)

SUBSCRIBED and SWORN to before me this ____ day of _____, 20____.

Notary Public of Oregon/Court Clerk

My Commission Expires: _____

however, a conservatorship will be required if the guardian is to receive assets for the child. The guardian shall not enter into any settlements on behalf of the minor(s) without the specific approval of this Court.

A guardian is authorized to receive minor amounts of money on behalf of the child and to hold the money and apply the monies for the benefit of the child. A guardian may not use the child's money to pay himself/herself for services provided to the child except for actual expenses incurred in providing food, shelter, education, etc.

A legal guardian is required to file an annual report with the court within 30 days after each anniversary date of the Court's appointment of the guardianship. A guardian must promptly inform the court of any change of address. If problems arise regarding a guardian's ability or willingness to continue to serve in the role of legal guardian, it is the guardian's responsibility to request a hearing before the court.

The child shall remain in the custody of the legal guardian and shall not be returned to the parents or placed with any person without the express approval of the court.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED; THAT:

- _____ is appointed legal guardian(s) for the above-named child effective immediately without a hearing and without requirement of a surety bond.
- The guardian/s shall have all of the statutory powers and duties of a guardian pursuant to ORS 125. Physical custody of the minor(s) is hereby awarded to the Guardian/s.
- Legal custody of the minor(s) is hereby awarded to the Guardian/s.
- Guardian may not cause or permit the protected person to reside outside of the State of Oregon without further order of this Court. This provision does not prohibit travel for vacation or visits to family and friends. This Court's Judgment shall not be registered in any other state or transferred to any other state without an order of this Court approving such registration or transfer.
- Letters of guardianship shall be issued to _____.

This Judgment does not give Guardian authority to receive, manage, or expend respondent's financial assets. However, Guardian is not prohibited from doing so under other lawful authority.

Submitted by:

Name

Contact Address

City, State, Zip

Phone Number

Certificate of Readiness (UTCR 5.100)

The proposed Order or Judgment is ready for Judicial signature because:

- Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted
- Each opposing party affected by this order or judgment has approved the order or judgment, as shown by the signature on the document being submitted or by written confirmation of approval sent to me.
- Each opposing party affected by this order or judgment, through their attorney, has approved the order or judgment, as shown by signatures of their attorneys on the document being submitted or by written confirmation of approval sent to me.
- I have served a copy of this order or judgment on all parties entitled to service and provided written notice of the seven (7) day objection period set out in subsection (2)(a)(ii) of this rule and:
 - no objection has been served on me within that time frame.
 - I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the Court a copy of the objections I received and indicated which objections remain unresolved.
 - after conferring about objections, [role and name of opposing party] agreed to file any remaining objections with the Court by [date], which predated my submission.
- The relief sought is against an opposing party who has been found to be in default.
- An order of default is being requested with this proposed order or judgment.
- Service is not required pursuant to subsection (3)(b) of this rule (uncontested probate or protective proceeding).
- This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victim's Assistance Section as required by subsection (1)(d) of this rule.

Signature