

# MARION COUNTY CIRCUIT COURT

Marion County Circuit Court, Probate Department,  
PO BOX 12869, Salem, OR. 97309; Ph: (503) 588-5141

## FAQ'S ABOUT GUARDIANSHIPS OF MINORS

### 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 respondent is a minor in need of a guardian or the respondent is incapacitated.
- ☐ 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* can be found online at the court website or purchased in the Probate Department.

### Fees and Costs:

- ☐ Guardianship cases require a filing fee- please see the most current Circuit Court fee schedule
  - o Fee deferral paperwork is available for payment plans to pay filing fees
- ☐ Copies: .25 Cents per page
- ☐ Certified Copies: \$5.00 for the certification **plus** .25 Cents per page

### Helpful Websites:

<http://courts.oregon.gov/Marion>

<https://www.courts.oregon.gov/courts/marion/programs-services/Pages/probate.aspx>

# MARION COUNTY CIRCUIT COURT

## GUARDIANSHIP OF A MINOR

Marion County Circuit Court, Probate Department  
PO BOX 12869, Salem, OR. 97309  
Ph: (503) 588-5141

When filing a Petition for Guardianship of a Minor, there is a filing fee payable at the time you file your documents. You may file your documents in the Probate Department. Please note that a case will not be opened unless you submit the proper starting document.

You will need to provide proof of identification, including your current name. This identification should also include your signature.

**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) persons most closely related to the minor (if the parents are deceased), and any person living with the minor who has an interest in the affairs or welfare of the minor. If the minor is receiving any type of financial assistance, you may need to provide notice to the respective agency providing the assistance.**

When you sign the Petition, you are stating that the contents are true.

This packet contains the following forms:

**FORM A: Petition for Appointment of Guardian (starting document)**  
**FORM B: Notice to Respondent of Petition to Appoint Guardian**  
**FORM C: Respondent's Objection Form**  
**FORM D: Consent to Guardianship by Minor (14 years and older)**  
**FORM E: Notice to Interested Parties of Petition to Appoint Guardian**  
**FORM F: Consent to Guardianship by Father**  
**FORM G: Consent to Guardianship by Mother**  
**FORM H: Proof of Service**  
**FORM I: Objection to Petition for Guardianship**  
**FORM J: Request for Notice**  
**FORM K: Order Appointing Visitor**  
**FORM L: Limited Judgment Appointing Guardian**  
**FORM M: Acceptance of Appointment as Guardian**

***Fill out the forms completely. Be sure all names are spelled correctly.***

Once you have purchased this packet, you need to determine whether you will be able to obtain the consent of the persons mentioned above or if the Notice(s) needs to be sent. **Please note that even if the minor consents to the guardianship, they cannot waive notice (ORS 125.060(9), and must be personally served ORS 126.065(1), if they are 14 years of age or older.**

- **If you obtain the consents, you need to file the following documents with the court:**
  - Petition (**FORM A**) along with the filing fee
  - Notice to Respondent of Petition to Appoint Guardian (**FORM B**) and blank Respondent's

- Objection Form (**FORM C**) that is provided to the minor with the Notice to Minor
  - Proof of Service (**FORM H**) for service on the minor(s), and any other person(s) entitled to notice other than parents, with the appropriate paperwork attached, respectively.
  - Consents (**FORM F, G**, and if the child(ren) are 14 years of age or older, **FORM D**)
  - Notice to Interested Parties (**FORM E**) and blank Objection to Petition for Guardianship (**FORM I**) and blank Request for Notice (**FORM J**) to interested parties (if applicable)
  - Order Appointing Court Visitor (**FORM K**)
  - Limited Judgment (**FORM L**)
- **If you are unable to obtain consents, you will be required to send Notice(s), and you need to file the following documents with the court:**
  - Petition (**FORM A**) along with the filing fee;
  - Notice to Respondent of Petition to Appoint Guardian (**FORM B**) and blank Respondent's Objection to Petition for Guardianship (**FORM C**) that is provided to the minor with the attached to the Notice
  - Notice to Interested Parties (**FORM E**) and blank Objection to Petition for Guardianship (**FORM I**) and blank Request for Notice (**FORM J**) to parents/interested parties
  - Proof of Service (**FORM H**) for service on the minor, each parent, and any other person(s) entitled to notice, with the appropriate paperwork attached, respectively
  - Order Appointing Court Visitor (**FORM K**)
  - Once the time(s) for objections is/are up (or the required parties file consent(s), you may file the Judgment (**FORM L**))

**For Service on Minor(s):**

This packet contains a Notice to Respondent (**FORM B**). One copy of the Notice must be served on all minors 14 years of age or older. When a minor is **personally served**, they receive a copy of the *Notice* (**FORM B**), with the *Petition for Appointment of Guardian* (**FORM A**) attached, a copy of the blank *Respondent's Objection to Petition for Guardianship* (**FORM C**) attached, and if applicable, a blank *Consent* (**FORM D**). **An exact duplicate of the Notice with the Petition and blank Respondent's Objection attached which was served on the minor, must be returned to the Court with the Proof of Service (FORM H).**

**For Service on Parents and/or Parties Entitled to Notice:**

This packet contains a Notice to Interested Parties (**FORM E**). One copy of the Notice must be served on each parent or party(ies) entitled to Notice. When a parent or party is served, they receive a copy of the *Notice* (**FORM E**), a copy of the *Petition for Appointment of Guardian* (**FORM A**), a blank *Consent* (**FORM F or G**), a blank *Objection to Petition for Guardianship* (**FORM I**) and a blank *Request for Notice* (**FORM J**). **An exact duplicate of the Notice with the Petition attached which was served must be returned to the Court with the Proof of Service (FORM H).**

**For Service on a Tribe:**

If you have reason to know that the child is or may be an Indian child or have Indian heritage, please request a ICWA notice packet. If the child has Indian heritage, the tribe should be notified and may have rights in this case.

ORS 125.070 requires a copy of the Petition for Guardianship to accompany the Notice to each person notified; a statement of where objections may be filed and the deadline for filing those objections (**15 days from the date of service**); and the name, address, telephone number, and the relationship of the petitioner to the minor. It is your responsibility to make sure all copies are made and attached to the Notice(s). The documents may be served by the Sheriff, Process Server or any disinterested party. If the documents are served by a Process Server or other person, they must complete the *Proof of Service (FORM H)* and file this, along with the Notice and required attachments, with the Marion County Circuit Court.

***NOTE: It is the Petitioner's responsibility to ensure proper notice to all required parties.***

If an Objection is filed, the matter will be set for a hearing. 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. Your failure to appear may result in your Petition being denied.

Prior to granting the guardianship, the Court will require the appointment of a Court Visitor: The Court in its discretion, will likely require a visitor in this proceeding. It is the Petitioner's responsibility to contact a court-approved visitor from the Visitor's List provided on the court's website: <http://courts.oregon.gov/Marion/Services/pages/probateindex.aspx>. Petitioner must make arrangements with the Visitor prior to submitting the Order Appointing Court Visitor to the court. If the Court does require a Visitor's Report, the Limited Judgment appointing the guardian will not be signed until after the visitor's report/recommendation is received by the court.

If you recently underwent a home study through the Dept. of Human Services, you may submit proof of the home study; the court will determine whether the home study may be used in lieu of requiring a Visitor's Report.

The case is then sent to the Probate Commissioner and/or Judge for the Limited Judgment to be signed. The Clerk will send a copy of the signed Limited Judgment along with a Letter of Guardianship to the Petitioner (the Letter of Guardianship is a Court generated document and is not in your packet). The guardianship will continue until the minor reaches 18 years of age or when the Petitioner requests the Court to terminate the Guardianship because the minor has returned to the person who has custody of him/her.

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

In the Matter of the Guardianship of:	)	Case Number: _____
	)	
_____	)	PETITION FOR APPOINTMENT
Minor Child(ren)	)	OF GUARDIAN
	)	
	)	

\_\_\_\_\_ 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/date of birth, residence address and current location of the minor is:

Name: \_\_\_\_\_  
Age: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
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 the Petitioner to the minor is:

Name: \_\_\_\_\_  
Age: \_\_\_\_\_  
Residence Address: \_\_\_\_\_  
Interest: \_\_\_\_\_

4.

THAT the name, age, address, and relationship of the proposed guardian to the minor are:

Name: \_\_\_\_\_

Age: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Relationship to Minor: \_\_\_\_\_

5.

THAT the proposed guardian is competent, willing, and able to serve as guardian.

6.

Is the proposed guardian a public or private agency (or an employee of that agency) that provides services to the minor? ☐ yes ☐ no

7.

THAT the proposed guardian ☐ has ☐ has not been convicted of a crime.

THAT the proposed guardian ☐ has ☐ has not filed for or received protection under the bankruptcy laws.

THAT the proposed guardian ☐ has ☐ has not had a professional or occupational license revoked or cancelled.

If the 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:

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8.

Does the proposed guardian intend on placing the child in a mental health treatment facility, nursing home, or other residential facility? ☐ yes ☐ no

9.

Is the 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 the petitioner since \_\_\_\_\_ and before that he/she was living with: \_\_\_\_\_

11.

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

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Does Petitioner request the proposed guardian be granted plenary authority: ☐ yes ☐ no

If “no”, what specific limited authority should the proposed guardian be granted: \_\_\_\_\_

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Have any less restrictive alternatives to guardianship been considered: ☐ yes ☐ no

If “yes”, what specific less restrictive alternatives to guardianship have been considered and why are those less restrictive alternatives to guardianship inadequate: \_\_\_\_\_

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12.

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

Mother’s Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Father’s Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

13.

THAT the minor's written consent (if the minor is over 14 years of age) is attached hereto marked "Exhibit A", and by this reference is incorporated herein.

THAT the natural parent(s) written consent is attached hereto, marked "Exhibit B", and by this reference is incorporated herein.

14.

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: \_\_\_\_\_

DHS ☐ has ☐ has not given Petitioner a deadline to file for guardianship of Respondent in lieu of removal and placement of Respondent into DHS' custody. If yes, date given: \_\_\_\_\_

15.

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)
_____	_____	_____
_____	_____	_____
_____	_____	_____

16.

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

17.

THAT the amounts of the minor's assets

are: 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\_\_\_\_\_.

18.

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 Date of

\_\_\_\_\_  
Print Name and Date of Birth Contact

\_\_\_\_\_  
Birth Contact Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
Contact Telephone

\_\_\_\_\_  
Contact

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
Telephone E-

mail

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

In the Matter of the Guardianship of:

\_\_\_\_\_  
Minor Child(ren)

)  
)  
)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

NOTICE TO RESPONDENT OF  
PETITION TO APPOINT GUARDIAN  
FOR A MINOR  
(ORS 125.065, ORS 125.070)

**NOTICE IS HEREBY GIVEN** that on \_\_\_\_\_, 20\_\_\_\_\_, the Petitioner,  
\_\_\_\_\_ filed a petition for appointment of \_\_\_\_\_ as  
GUARDIAN of the minor child(ren) listed above. **A copy of that petition accompanies this notice.**

The relationship of the petitioner to the child(ren) is \_\_\_\_\_.  
The Petitioner's address and telephone number are listed below.

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:  
Marion County Circuit Court, PO Box 12869, Salem OR 97309. 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 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: **Marion Circuit Court, PO BOX 12869, Salem, OR. 97309.**

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.

#### 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:

The judge will 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, 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 whom 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 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:

Marion /Polk County Legal Aid  
1655 State Street  
Salem, OR. 97301  
Ph: (503) 581-5265

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

and ask to talk to people who can help you find legal services or other types of services.

#### OBJECTION FORM:

You can mark the (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 objection form 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: \_\_\_\_\_

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 MARION**

In the Matter of the Guardianship of:                     )  
   )  
   )  
\_\_\_\_\_,   )  
a minor.   )

Case Number: \_\_\_\_\_

**RESPONDENT’S OBJECTION**

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 \_\_\_\_\_ making any decisions for me.

\_\_\_ I do not want \_\_\_\_\_ to make the following decisions for me:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ .

\_\_\_\_\_  
(Signature of Respondent)

\_\_\_\_\_  
(Date)

GIVE TO THE VISITOR OR MAIL TO: Marion County Circuit Court, Probate Department, PO BOX 12869, Salem, OR. 97309. You may bring this Objection form to the court in person at 100 High Street NE, Salem, OR. 97301.

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

In the Matter of the Guardianship of:

\_\_\_\_\_  
Minor Child(ren)

)  
)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

CONSENT TO GUARDIANSHIP  
BY MINOR (OVER 14 YEARS OF AGE)

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 MARION**

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

**NOTICE IS HEREBY GIVEN** that on \_\_\_\_\_, 20\_\_\_\_\_, the Petitioner, \_\_\_\_\_ filed a petition for appointment of \_\_\_\_\_ as GUARDIAN of the minor child(ren) listed above. **A copy of that petition accompanies this notice.**

The relationship of the petitioner to the child(ren) is \_\_\_\_\_.  
The Petitioner's address and telephone number are listed below.

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: Marion County Circuit Court, PO Box 12869, Salem OR 97309. 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(s) named as petitioner(s) in this notice. You must inform the Court by filing a request for notice and paying any applicable fee. Check with the Probate Clerk to determine if fees are due. 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 telephone number and the case number listed in the caption above. You must notify the person(s) named as petitioner(s) by mailing a copy of the request to the petitioner(s) at the address listed below. Unless you take these steps, you will receive no further copies of filings in this 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) 588-5141.

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 MARION**

In the Matter of the Guardianship of:

\_\_\_\_\_  
Minor Child(ren)

)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

CONSENT TO GUARDIANSHIP BY  
FATHER

I, \_\_\_\_\_, the undersigned, being the natural  
father of (Father's name)

\_\_\_\_\_, a minor of the age of \_\_\_\_\_ years, do hereby consent to and  
request the (Minor's name)

appointment of \_\_\_\_\_ as guardian of my minor child. I hereby  
waive (Proposed Guardian's name)

notice of hearing and waive any time to object to the petition of \_\_\_\_\_ for the  
(Petitioner's name)  
appointment of a guardian for my minor child.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Father

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

\_\_\_\_\_  
Notary Public for Oregon/Court Clerk

My Commission Expires: \_\_\_\_\_

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

In the Matter of the Guardianship of:

\_\_\_\_\_  
Minor Child(ren)

)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

CONSENT TO GUARDIANSHIP BY  
MOTHER

I, \_\_\_\_\_, the undersigned, being the natural  
mother of (Mother's name)

\_\_\_\_\_, a minor of the age of \_\_\_\_\_ years, do hereby consent to and  
request the (Minor's name)

appointment of \_\_\_\_\_ as guardian of my minor child. I hereby  
waive (Proposed Guardian's name)

notice of hearing and waive any time to object to the petition of \_\_\_\_\_ for the  
(Petitioner's name)  
appointment of a guardian for my minor child.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Mother

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

\_\_\_\_\_  
Notary Public for Oregon/Court Clerk

My Commission Expires: \_\_\_\_\_

Case Number: \_\_\_\_\_

PROOF OF SERVICE OF  
NOTICE OF PETITION TO APPOINT  
GUARDIAN FOR A MINOR  
ORS 125.065 (*Complete after Personal  
Service on Parent(s) of Minor and Minor  
(14 or older)*)

STATE OF OREGON                    )  
  ) ss.  
County of Marion                    )

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 \_\_\_\_\_.

- ☐ **FORM A:** *Petition for Appointment of Guardian by*
- ☐ **FORM B:** *Notice to Respondent of Petition to Appoint Guardian*
- ☐ **FORM C:** *Respondent's Objection to Petition to Appoint Guardian of a Minor*
- ☐ **FORM D:** *Consent to Guardianship by Minor*
- ☐ **FORM E:** *Notice to Interested Parties of Notice Petition to Appoint Guardian of a Minor*
- ☐ **FORM F:** *Consent to Guardianship by Father*
- ☐ **FORM G:** *Consent to Guardianship by Mother*
- ☐ **FORM I:** *Blank Objection to Petition to Appoint Guardian of a Minor*
- ☐ **FORM J:** *Request for*

NAME: \_\_\_\_\_ NAME: \_\_\_\_\_

**ADDRESS:**

**Date and Time of Personal Service:**

**Date of Service via US MAIL:** \_\_\_\_\_ **Date of Service via US MAIL:** \_\_\_\_\_

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)

Signed and Sworn to before me, this\_\_\_\_day of\_\_\_\_\_, 20\_\_\_\_\_.

Notary Public for\_\_\_\_\_/Court Clerk

My Commission Expires: \_\_\_\_\_

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

In the Matter of the Guardianship of: \_\_\_\_\_ ) Case Number: \_\_\_\_\_  
\_\_\_\_\_) )  
\_\_\_\_\_) ) **OBJECTION TO PETITION FOR**  
Minor Child(ren)/Respondent ) **GUARDIANSHIP**

I, \_\_\_\_\_, object to the Petition for Guardianship for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Note: A minor child (over 14 years of age) or a respondent who files an objection to guardianship incurs no filing fee. Others pay a filing fee for 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 of Guardianship* in the United States Postal Service mail addressed to:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_

Return this form with the appropriate fee to:

MARION COUNTY CIRCUIT COURT

PO BOX 12869

SALEM, OR. 97309

Confirm current filing fee by calling the Probate Department, (503) 588-5141 -or- Accounting Department (503) 588-5601.

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

In the Matter of the Guardianship of: ) Case Number: \_\_\_\_\_  
)  
) REQUEST FOR NOTICE  
)  
Minor Child(ren)/Respondent )

I, \_\_\_\_\_, request to be provided with copies of all future filings in this proceeding and to receive notice of any hearing scheduled in this case. I have mailed a copy of this request to the petitioner in this proceeding. I have submitted the applicable fee to the Court unless I am the protected Minor or the respondent in this case.

☐ If a Visitor is appointed in this case and prepares a report, this is also a request for copies of that report.

*Note: A minor child (over 14 years of age) or a respondent is entitled to notice of any hearing and to be served with documents by Petitioner, without the need for filing a "Request for Notice". All others who file a Request for Notice shall pay the required filing fee.*

Respectfully submitted by:

\_\_\_\_\_  
Signature of Interested Person

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City/State/Zip Code

\_\_\_\_\_  
Contact Telephone

\_\_\_\_\_  
E-mail

Return this form with the appropriate fee to:  
MARION COUNTY CIRCUIT COURT  
PO BOX 12869  
SALEM, OR 97309

Confirm current filing fee by calling the Probate Department, (503) 588-5141 -or- Accounting Department (503) 588-5601.

)
)
)
)
)

## ORDER APPOINTING VISITOR

IT IS HEREBY ORDERED that \_\_\_\_\_, is  
(Visitor's name)  
appointed as Visitor in this matter and shall conduct interviews and shall prepare a written  
report for the court within fifteen (15) days of appointment.

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

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

In the Matter of the Guardianship of:

\_\_\_\_\_,  
a minor.

)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

LIMITED JUDGMENT  
APPOINTING GUARDIAN

THIS MATTER coming before this Court upon the Petition of \_\_\_\_\_,  
(Petitioner's  
name) and the Court being satisfied that the allegations of the Petition are sufficient in  
law and that a

Guardian for \_\_\_\_\_, the minor, should be  
(Minor's name)  
appointed and that the proposed Guardian herein is competent, qualified and willing to  
serve as such, now therefore,

IT IS HEREBY ORDERED that \_\_\_\_\_, is  
(Guardian's name)  
appointed as Guardian of the above-named minor, and

IT IS FURTHER ORDERED that Letters of Guardianship shall issue from the above-  
named Court to \_\_\_\_\_, the Guardian herein, and  
(Guardian's name)

IT IS FURTHER ORDERED that:

The 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.

Bond in this matter is waived. This judgment does not give the guardian authority to  
receive, manage, or expend respondent's financial assets. However, the guardian is not  
prohibited from doing so under other lawful authority.

Pursuant to the order of the Marion County Presiding Judge, the Guardian shall

register for the guardian training class provided by Guardian Partners within 20 days from the date of appointment, and shall provide proof to the court of completion of said class within 90 days from the date of appointment. For general information regarding the program, please contact: Guardian Partners, (971) 409-1359, or visit their website at: <http://www.guardian-partners.org/>.

---

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

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

In the Matter of the Guardianship of:

\_\_\_\_\_  
a minor.

)  
)  
)  
)  
)

Case Number: \_\_\_\_\_

ACCEPTANCE OF APPOINTMENT AS  
GUARDIAN

I, \_\_\_\_\_, am nominated to serve as Guardian in this matter. If appointed, I will accept said appointment and will fulfill the legal duties and obligations of that position. I further represent that I am qualified, willing, and able to serve as Guardian.

\_\_\_\_\_  
Signature of proposed guardian

Submitted by:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number