

Petition for Permanent Letters of Guardianship of Minor

NOTICE: UNLESS OTHERWISE DIRECTED BY THE COURT, THE FOLLOWING FORMS ARE
FOR PROBATE COURT STAFF TO COMPLETE

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

| | | |
|---------------|---|---------------------------------|
| IN RE: |) | ESTATE NO. _____ |
| _____ |) | |
| MINOR |) | PETITION FOR THE APPOINTMENT OF |
| |) | A GUARDIAN OF A MINOR |
| _____ |) | |
| PETITIONER(S) |) | |

ORDER FOR SERVICE, HEARING, AND APPOINTMENT OF GUARDIAN AD LITEM
(INITIAL ONE OR MORE OF THE FOLLOWING:)

_____ a. It appearing that the minor being born out of wedlock, the biological father of the minor is entitled to notice, therefore, IT IS ORDERED that citation issue and be served personally, if he resides in Georgia, by first class mail if he resides outside Georgia, or by publication if his address is unknown once per week for two weeks in the newspaper in this county in which sheriff's advertisements are published, together with a copy of the petition and this order, on said biological father.

_____ b. It appearing that one or more of the nearest adult relatives of the minor or one or more of the nominated guardian(s) residing *in* Georgia listed in the petition has/have not acknowledged service, IT IS ORDERED that citation issue and be served personally, together with a copy of the petition and this order, on each of the nearest adult blood relatives or nominated testamentary or permanent guardian(s) listed in the petition who has not acknowledged service.

_____ c. It appearing that one or more of the nearest adult relatives of the minor or one or more of the nominated testamentary or permanent guardian(s) residing *outside* Georgia listed in the petition has not acknowledged service, IT IS ORDERED that citation issue and be served by first class mail, together with a copy of the petition and this order, on each of the nearest adult blood relatives or nominated testamentary or permanent guardian(s) listed in the petition who has not acknowledged service.

_____ d. It appearing that the address of one or more of the adult relative(s) of the minor is unknown, IT IS ORDERED that citation issue and be published once per week for two weeks in the newspaper in this county in which sheriff's advertisements are published.

_____ e. The petitioner(s) seeking enhanced powers pursuant to O.C.G.A. §29-2-22(b), IT IS ORDERED that _____ is appointed guardian ad litem for the above minor. The clerk/deputy clerk shall serve said guardian ad litem with a copy of this Order and the above Petition. Upon said guardian ad litem's acceptance of same, said guardian ad litem shall make answer thereto.

IT IS FURTHER ORDERED that a hearing on the matter shall be held in this Probate Court in _____ County, courtroom _____, (address) _____, Georgia on _____,

20____ at _____ o'clock ____ m.

SO ORDERED this _____ day of _____, 20____.

Probate Judge

CITATION TO BIOLOGICAL FATHER

GEORGIA, _____ COUNTY ESTATE NO. _____

PROBATE COURT OF _____ COUNTY

Date of Mailing, or date of second publication: _____

TO: _____, biological father of
_____, a minor:
_____, Petitioner(s)

has/have applied to be appointed permanent guardian(s) of the above minor

(initial if applicable)

_____ and is/are seeking additional powers set forth in O.C.G.A. §29-2-22(b).

If you have any objection to the granting of this petition, you must: 1) file a written objection setting forth the grounds of any such objection with this Court within 14 days of the date you are personally served; the date that notice was mailed to you; or the day following the date of the second publication of this citation, AND you must 2) file a petition to legitimate the minor within 30 days of the hearing on your objection. If you fail to file a petition for legitimation within 30 days or your petition is dismissed for failure to prosecute, or if an order issues on your petition which does not name you as the father of the minor, you will have no further rights to receive notice or object to the appointment of a permanent guardian for the minor. All pleadings must be signed before a notary public or probate court clerk, and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact probate court personnel at the below address/telephone number for the required amount of filing fees. A hearing on this Petition shall be held in the Probate Court of _____ County, courtroom _____, (address) _____, Georgia on _____, 20____ at _____ o'clock ____m.

PROBATE JUDGE

By: _____
PROBATE CLERK/DEPUTY CLERK

ADDRESS

TELEPHONE

CITATION TO INTERESTED PARTIES

GEORGIA, _____ COUNTY ESTATE NO. _____

PROBATE COURT OF _____ COUNTY

TO: (WHOM IT MAY CONCERN) AND (_____)

_____, Petitioner(s) has/have applied to be appointed permanent guardian(s) of _____

_____, a minor:

Date of Second Publication, if any: _____ Date of Mailing, if any: _____

(initial if applicable)

_____ and is/are seeking additional powers set forth in O.C.G.A. §29-2-22(b).

If you have any objection to either the establishment of a permanent guardianship, or to the selection of the Petitioner(s) as permanent guardians, or both, you must file a written objection setting forth the grounds of any such objection with this Court within ten days of the date you are personally served; or within 14 days of the date that notice was mailed to you; or within 10 days following the date of the second publication of this citation. All pleadings must be signed before a notary public or probate court clerk, and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact probate court personnel at the below address/telephone number for the required amount of filing fees. A hearing on this Petition shall be held in this Probate Court in _____

County, courtroom _____, (address) _____, Georgia on _____, 20__ at ___ o'clock __m.

PROBATE JUDGE

By: _____
PROBATE CLERK/DEPUTY CLERK

ADDRESS

TELEPHONE

CERTIFICATE OF MAILING OF CITATION TO BIOLOGICAL FATHER

ESTATE NO. _____

This is to certify that I have this day served the biological father of the minor who resides outside Georgia, who was ordered to be served by first-class mail, with a copy of the petition, order, and citation, by placing a copy of same in an envelope addressed to him and depositing same in the U.S. Mail, first-class, with adequate postage thereon.

DATE

PROBATE CLERK/DEPUTY CLERK

CERTIFICATE OF MAILING OF CITATION TO INTERESTED PARTIES

ESTATE NO. _____

This is to certify that I have this day served the interested party(ies) shown in paragraph 10 of the petitioner who reside(s) outside Georgia, who was/were ordered to be served by first-class mail, with a copy of the petition, order, and citation, by placing a copy of same in an envelope addressed to each and depositing same in the U.S. Mail, first-class, with adequate postage thereon.

DATE

PROBATE CLERK/DEPUTY CLERK

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

| | | |
|---------------|---|---------------------------------|
| IN RE: |) | ESTATE NO. _____ |
| _____ , |) | |
| MINOR |) | PETITION FOR THE APPOINTMENT OF |
| |) | A GUARDIAN OF A MINOR |
| _____ , |) | |
| PETITIONER(S) |) | |

ORDER

Upon reading and considering the foregoing petition and it appearing that:

1.

there is no guardian of the minor, and notice was served upon the required adult relatives of the minor, and the biological father of the minor, if any, according to law, and no interested party has objected, and that:

2.

the following individual(s), being _____, should be named as permanent guardian(s), who was/were selected because she/he/they petitioned to be appointed, and no objections to the appointment have been made, and it appears to be in the best interest of the minor that said individual(s) be appointed,

3.

(initial if applicable)

_____ and the minor, being fourteen years of age or older, selecting the petitioner(s) as guardian,

THEREFORE IT IS ORDERED that _____, be, and hereby is/are, appointed permanent guardian(s) of the minor named above and that letters of guardianship issue to him/her/them upon taking the oath (and posting bond in the amount of _____), as required by law.

(initial if applicable)

_____ a. IT IS FURTHER ORDERED that, no objection being filed by the guardian ad litem and notice being provided according to law, the guardian(s) shall have the following powers set forth in O.C.G.A. §29-2-22(b) (initial all applicable):

- _____ (i) to establish the minor’s place of dwelling outside this state;
- _____ (ii) to change the jurisdiction of the guardianship to another Georgia county which is the county of the minor’s place of dwelling;
- _____ (iii) to change the domicile of the minor to the minor’s or guardian’s place of dwelling based on the tax ramifications and the succession and inheritance rights of the minor and other parties;
- _____ (iv) to consent to the marriage of the minor;
- _____ (v) to receive reasonable compensation from the estate of the minor for services rendered to the minor;
- _____ (vi) if there is no conservator appointed for the minor, to disclaim or renounce property or interest in property of the minor in accordance with O.C.G.A. §53-1-20;

_____ b. IT IS FURTHER ORDERED that, since the permanent guardian is not the conservator or there is not a conservator; the guardian(s) shall be permitted to utilize from the ward’s property \$ _____ per month to provide adequately for the minor’s support, care, education, health, and welfare, unless further Ordered by this Court.

IT IS FURTHER ORDERED that the guardian(s) shall promptly disclose to the Court any conflict of interest between himself/herself/themselves and the minor when such conflict of interest arises or becomes known to the guardian(s).

IT IS FURTHER ORDERED that the guardian(s) shall file personal status reports as required by law.

SO ORDERED this _____ day of _____, 20 _____.

Probate Judge

PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

| | | |
|---------------|---|---------------------------------|
| IN RE: |) | ESTATE NO. _____ |
| _____ , |) | |
| MINOR |) | PETITION FOR THE APPOINTMENT OF |
| |) | A GUARDIAN OF A MINOR |
| _____ , |) | |
| PETITIONER(S) |) | |

OATH

I do solemnly swear (or affirm) that I will well and truly perform the duties required of me as guardian of the minor named above and faithfully account to my ward for my ward's estate.

Sworn to and subscribed before
me this ____ day of _____, 20 ____.

Guardian

JUDGE/CLERK OF PROBATE COURT

Printed Name

Sworn to and subscribed before
me this ____ day of _____, 20 ____.

Co-Guardian, if any

JUDGE/CLERK OF PROBATE COURT

Printed Name

STATE OF GEORGIA

COUNTY OF _____ ESTATE NO. _____

LETTERS OF PERMANENT GUARDIANSHIP OF MINOR

From the Judge of the Probate Court of said County.

TO: _____, Guardian(s)

RE: _____, Minor

The above-named minor has been found by this Court to be in need of a guardian, and this Court has entered an order designating you as such guardian(s). You have assented to this appointment by taking your oath. In general, your duties as guardian are to protect and maintain the person of the minor and your power over the minor shall be the same as that of a parent over a child, the guardian(s) standing in place of the parent(s). A guardian shall at all times act as a fiduciary in the minor's best interest and exercise reasonable care, diligence, and prudence.

Special Instructions:

1. It is your duty to see that the minor is adequately fed, clothed, sheltered, educated, and cared for, and that the minor receives all necessary medical attention.
2. You must keep the Court informed of any change in your name or address.
3. You should inform the Court of any change of location of your minor.
4. You shall, within 60 days of appointment and within 60 days after each anniversary date of appointment, file with this Court and provide to the conservator of the minor, if any, a personal status report concerning the minor.
5. You shall promptly notify the court of any conflict of interest which may arise between you as guardian and the minor pursuant to O.C.G.A. §29-2-23.
6. The guardianship automatically terminates when the minor dies, reaches age 18, is adopted, or is emancipated.
7. You shall act in coordination and cooperation with the minor's conservator, if appointed, or if not, with others who have custody of the minor's property.
8. Please consult your attorney if you have any questions. Your authority to act pursuant to these Letters is subject to applicable statutes and to any special orders entered in this case.

Give under my hand and official seal, this _____ day of _____, 20_____.

Probate Judge

NOTE: The following must be signed if the judge does not sign the original of this document:

Issued by:

PROBATE CLERK/DEPUTY CLERK (Seal)