

**Petition for Letters of Conservatorship of Minor**

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used for filing a Petition for Letters of Conservatorship of Minor, with Bond, in the following situations:
  - (a) A doubtful claim is being compromised by a natural guardian and the net settlement amount is more than \$15,000.00. A natural guardian, defined pursuant to O.C.G.A. §29-2-3, is each parent, unless the parents are divorced and one parent has sole custody of the minor, in which case the sole custodian is the sole natural guardian. If the parents have joint legal custody, both parents are the natural guardians of the minor.
  - (b) All other cases where a minor is receiving property which requires management by a conservator.
2. The court may require the petitioner to submit additional information concerning the petitioner's qualifications to serve as conservator, in addition to the information required on this standard form.

II. General Instructions

General instructions applicable to all Georgia probate court standard forms appear in Volume 255 of the Georgia Reports and are available in each probate court.

PROBATE COURT OF \_\_\_\_\_ COUNTY

STATE OF GEORGIA

IN RE: \_\_\_\_\_ ) ESTATE NO. \_\_\_\_\_  
 )  
 )  
\_\_\_\_\_, )  
MINOR ) PETITION FOR LETTERS OF  
 ) CONSERVATORSHIP OF MINOR

TO THE HONORABLE JUDGE OF THE PROBATE COURT:

1.

The Petition of \_\_\_\_\_, who is/are domiciled in \_\_\_\_\_ county, and moves this Court to appoint a conservator/conservators for the above minor, age \_\_\_\_\_, whose date of birth is \_\_\_\_\_, whose social security number is \_\_\_\_\_; and who is found at (address) \_\_\_\_\_ in \_\_\_\_\_ County, Georgia, (initial if applicable)

\_\_\_\_\_ and who is a citizen of a foreign country, \_\_\_\_\_ (if a guardianship or conservatorship is granted, pursuant to The Vienna Convention, the Probate Court must notify the consul)

shows:

2.

Said minor is entitled to personal/real property with the approximate value of \$ \_\_\_\_\_ by reason of \_\_\_\_\_.

3.

Petitioner(s) move(s) the Court to appoint \_\_\_\_\_ as conservator(s), who is/are related to the minor as follows: \_\_\_\_\_ and who is/are domiciled at \_\_\_\_\_, \_\_\_\_\_ County, Georgia;

4.

(Initial if applicable:)

\_\_\_\_\_ There is a notarized or witnessed document made by a parent of the minor that deals with the conservatorship of the minor, and the nominated conservator is \_\_\_\_\_ whose address and telephone number are \_\_\_\_\_.

5.

Excluding the petitioner(s) and nominated conservator(s), the minor's nearest relatives whose whereabouts are known are as follows: (show parents whose rights have not been terminated; if none, adult siblings of the minor; if none, the grandparents of the minor; if none, any nearest relatives of the minor so that three individuals are named)

Name	Address	Telephone No.	Relationship to Minor
a. _____	_____	_____	_____
b. _____	_____	_____	_____
c. _____	_____	_____	_____

6.

Other than the assets shown in paragraph 2, the minor currently has the following assets (or "none"):  
 \_\_\_\_\_; has/will have the following income:  
 \_\_\_\_\_; has/will have the following sources of funds:  
 \_\_\_\_\_; and the following liabilities and expenses:  
 \_\_\_\_\_. The minor has an interest in real  
 property located in \_\_\_\_\_ County(ies), \_\_\_\_\_.

7.

The proposed conservator(s) has/have the following financial interest in relation to the minor's estate: \_\_\_\_\_; (i.e. joint ownership of property or any other type of financial interest in the minor's property or "n/a").

8.

The petitioner(s) request(s) that the proposed conservator(s) be granted the following powers pursuant to O.C.G.A. §29-3-22 (b) (initial those requested, and provide the reasons for the request below):

- \_\_\_\_\_ a. to invest the minor's property other than as authorized in Code Section 29-3-32 without further court approval in the following investments \_\_\_\_\_;
  - \_\_\_\_\_ b. to sell, rent, lease, exchange, or otherwise dispose of any or all of the minor's real or personal property without complying with the provisions of Code Section 29-3-35, other than the provisions for additional bond set forth in subsection (e) of Code Section 29-3-35;
  - \_\_\_\_\_ c. to continue the operation of any farm or business in which the minor has an interest.
- These powers are sought because \_\_\_\_\_

9.

The petitioner(s) request(s) that a guardian ad litem be appointed because the following powers pursuant to O.C.G.A. §29-3-22 (c) are sought: \_\_\_\_\_

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

10.

A surety bond in the amount of \$ \_\_\_\_\_ issued by (name of surety) \_\_\_\_\_ (agent's name, address, and telephone number)

\_\_\_\_\_ is being filed

as part of this Petition or will be provided to the Court prior to the issuance of Letters of Conservatorship.

11.

Regarding a guardian appointed for the minor (initial all that apply):

\_\_\_\_\_ a. No guardian has been appointed for the minor.

\_\_\_\_\_ b. There has been a guardian appointed for the minor, being \_\_\_\_\_ whose address is \_\_\_\_\_

\_\_\_\_\_ c. There is a Petition for Guardianship of the minor pending before the \_\_\_\_\_ County Probate Court.

12.

Additional Data: Where full particulars are lacking, state here the reasons for any such omission.

WHEREFORE, petitioner(s) pray(s) that

1. said bond be duly filed, accepted and recorded,
2. service be perfected as required by law; and
3. the nominated conservator(s) be vested with authority as conservator(s) of said minor.

\_\_\_\_\_  
Signature of first petitioner

\_\_\_\_\_  
Signature of second petitioner, if any

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

Signature of Attorney: \_\_\_\_\_

Typed/printed name of Attorney: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ State Bar # \_\_\_\_\_

**VERIFICATION**

GEORGIA, \_\_\_\_\_ COUNTY

Personally appeared before me the undersigned petitioner(s) who on oath state(s) that the facts set forth in the foregoing petition are true.

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
First Petitioner

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Second Petitioner, if any

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name



**ACKNOWLEDGMENT OF SERVICE  
AND ASSENT TO PETITION FOR APPOINTMENT OF CONSERVATOR**

IN RE: ESTATE OF \_\_\_\_\_ ESTATE NO. \_\_\_\_\_

We, the undersigned, being over 18 years of age, laboring under no legal disability and being interested persons named in the foregoing Petition, hereby acknowledge service of a copy of the petition, waive further service and notice, and hereby assent to the appointment of the nominated conservator(s) for the above minor without further delay.

SIGNATURE OF INTERESTED PERSON

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
NOTARY/CLERK OF PROBATE COURT  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name