Self-Service Center

INSTRUCTIONS: COMPLETE THE FORMS TO ASK THE COURT TO APPOINT A PERMANENT GUARDIAN FOR AN ADULT

or a person at least 17.5 years old *to become effective at age 18*

NOTE: This process, from time of filing to the signing of the court order, may take at least two months. If there is an **urgent** situation that requires the actions of a Guardian in less than that amount of time **OR** guardianship will only be needed for a period of ***6 months or less***, see the Self-Service Center packet for "**TEMPORARY ORDERS**" for Guardianship/Conservatorship. Refer to the checklist in that packet to help determine whether you need to file for Temporary Orders *only*, or *in addition to* these papers for a "permanent" appointment of more than 6 months.

BE SURE YOU ONLY NEED TO ASK THE COURT TO APPOINT A *GUARDIAN* ONLY AND NOT A CONSERVATOR ALSO (or *instead*). If you are not sure, see the "Checklist" at the beginning of the "Forms" packet. Note that the Self-Service Center has separate packets to request appointment of a guardian, a conservator, or both a guardian and conservator.

The person you say needs a guardian may be referred to by *any* of the following terms in the court forms or instructions:

- **"the ward", "the proposed ward", or "the proposed protected person",**
- **"the person to be protected" or "the person needing protection",**
- **"the person needing a guardian".**

A. COMPLETE THE FORMS TO FILE WITH THE COURT:

Fill out all the forms completely and in **black ink**. Read and follow instructions on the individual forms.

FORM 1: PROBATE INFORMATION COVER SHEET (form PB10f)**.** (No copies required)

Fill in the information requested about:

- **the ward**, the person for whom the guardian is to be appointed,
- **the petitioner**, you, the person filling out and filing these forms, and
- **the fiduciary**, the person who is to serve as guardian.

Leave "Case Number" blank. A case number beginning with the letters "**PB**" will be stamped on the papers by the Clerk of the Court when you file the papers. Use this case number on all other papers you file with the court in this case.

- **Indicate whether an interpreter will be needed**, for **what language**, and **for whom;**
- Leave the boxes for "Reasons Fee Not Paid" *blank*, and
- For "**Nature of Action**", if filing for guardianship ***only*:** under #**230, "Guardianship**", mark #**232** to indicate for an adult (including those suffering from dementia or Alzheimer's) in need of protection, **OR** mark #**234** if requesting "mental health powers" including authority to put the protected person **in** a mental health facility for **inpatient** treatment.

FORM 2: PETITION FOR APPOINTMENT OF GUARDIAN (PBGA11f) **including request for appointment of attorney, health professional** (a physician or other medical professional to evaluate the physical and/or mental health of the proposed ward)**, and court investigator**. The Court will **always** appoint a physician or other medical professional to evaluate the mental and physical health of **an adult** said to need a ***guardian***, and ***may*** appoint one in matters of **conservatorship**, whether involving adults *or* minors.

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Regarding: ("A" and "B" below do *not* correspond to lettering on the Petition.)

A. Appointment of Attorney: A petition for appointment of a guardian must include a request for the court to appoint a lawyer to represent the person you say needs the guardian. **If** the proposed ward already has a lawyer **and** you want that lawyer to represent the ward in *this* matter, **list** the lawyer's name and address ***and explain any prior relationship or dealings between the lawyer and you, and between the lawyer and the person to be protected.***

If you are not providing the name of a specific lawyer you want to have appointed, call the **Office of Public Defense Services** after you file your Petition and other initial papers to get the name of a lawyer to be appointed by the court.

See the "Procedures" document in this packet for more specific information including the number to call and what to say when you call.

B. Persons Entitled to Notice. In this section, list every person (or agency) legally entitled to receive notice of your request to have a guardian appointed for the proposed ward. Arizona Revised Statutes **A.R.S. § 14-5309**, provides that in the matter of a guardianship for an adult, **notice shall be given to:**

1. **The proposed ward *and*** his or her **spouse and parents** or **adult children**.
2. **Any person who is serving as guardian or conservator** or who has the care and custody of the proposed ward.
3. ***In case no other person is notified under #1 or 2 above***, **notice must be given to at least one of the ward's closest adult relatives, if any can be found.**
4. **Any person who has filed a *Demand for Notice*** with the Clerk of the Court.

For more detailed information on **how** you are required or permitted by law to give Notice, refer to Self-Service Center packet #2 on "**SERVICE**".

FORM 3: **AFFIDAVIT OF PERSON TO BE APPOINTED** (PBGC13f). This document required by Arizona law **A.R.S. §14-5106(A),** must be completed ***by the proposed guardian*** and filed with the PETITION. The proposed guardian is usually, but not always, the same person as the Petitioner. **Read carefully, answer truthfully, and *attach explanations* as instructed on the document itself.**

B: COMPLETE OTHER COURT PAPERS: These forms are NOT filed with the Clerk, but you will need them later to schedule a court hearing.

- **PETITIONER'S INFORMATION SHEET TO COURT INVESTIGATOR** (PBGCA12f). This document provides important information to the Court Investigator which will aid the progress of your case. **Inaccurate or incomplete information may cause delay.** This is not filed but is needed before a hearing will be set.
- **NOTICE OF HEARING** (PBGC18F).*
- **WAIVER OF NOTICE** and **WAIVER OF SERVICEMEMBERS CIVIL RELIEF ACT *** (PBGC19F)

***See PBGC20h** in this packet and **Packet #2** on **"Service"** for how and when to use these.

NEXT: Read and follow instructions on the separate "**PROCEDURES**" document (**PBGA10p**) in this packet for what to do *after* you have completed these forms.

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