

## SELF-SERVICE CENTER

### PROCEDURES: HOW TO FILE A PETITION FOR APPOINTMENT OF GUARDIAN AND/OR CONSERVATOR OF AN ADULT

#### TO FILE THE PAPERS AT THE COURT:

**STEP 1 DETERMINE WHERE TO FILE THE COURT FORMS:** You must file the court forms in the superior court of the county where the alleged incapacitated person lives. To find a court, **go to [www.AZCourts.Gov](http://www.AZCourts.Gov) and then click on “AZ Courts”, then “Court Locator”.**

**STEP 2 COPIES:** You should contact the Clerk of the Court to verify the number of copies needed.

**STEP 3 TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED:** Take the **originals** and the required number of copies **of the following documents** to the Clerk of the Superior Court in **the county where the alleged incapacitated person lives:**

- Petition for Appointment of Guardian and/or Conservator
- Guardian / Conservator Cover Sheet
- Affidavit of Person to be Appointed (A.R.S. §14-5106(A))
- Guardian / Conservator Information Sheet
- Consent and Waiver (if any)
- Certificate of Completion of Online Training

Along with additional original forms that will be needed for future use:

- Order of Appointment of Permanent Guardian and/or Conservator
- Letters of Appointment and Acceptance of Appointment
- Guidelines for Physician’s Report

**STEP 4 FILING FEE** There is a filing fee for filing this Application and there may be other charges associated with this case. Inquire with the Clerk of the Court regarding the filing fee amount and the accepted methods of payment. If you cannot pay these fees, you may request the fee(s) be deferred or waived. The Clerk of the Superior Court has the necessary forms to ask for a fee deferral or waiver.

**Note:** With the Application for Fee Deferral, you must provide proof of income.

**STEP 5 NOTE YOUR CASE NUMBER:** The Clerk will file the originals and stamp the copies for you with the case number and conform file stamp showing the date the original documents were filed. Make sure to reference the court case number on all future filings.

**STEP 6 HOW YOU WILL GET NOTICE OF APPOINTMENT OF AN ATTORNEY & COURT INVESTIGATOR:** The Clerk’s office staff will forward the original documents to the Court. The

Court will appoint a court investigator and an attorney as required. A copy of appointments and hearing date will be mailed to you.

**Note: Make sure to follow any further instructions from the court.**

**STEP 7 GETTING A HEARING DATE:** The Court will set a hearing date when appointing an Attorney, and Court Investigator. A Minute Entry stating the hearing date will be mailed to you so that you can proceed in giving notice to other parties entitled to know about this court case.

**STEP 8 SERVICE OF COURT PAPERS:** Now you are ready to give notice of the court papers and the hearing to everyone who is entitled to know about the court case before the hearing date. There are important procedures and time lines for this that you must follow. You should check the Self-Service Center of the superior court in your county for forms and information.

[NOTE: A.R.S. §§ 14-5309 and 14-5405 requires that at least 14 days before hearing the court papers and notice of hearing be served personally on the proposed ward or protected person and that person’s spouse and parents.]

Information about serving court papers in Maricopa County can be found at [www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter](http://www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter). Then click on “Service of Court Papers.”

You may also find helpful information at [www.azcourthelp.org/faq/serving-papers-to-others](http://www.azcourthelp.org/faq/serving-papers-to-others).

You must also give the appointed physician the GUIDELINES FOR PHYSICIAN REPORT. Be sure to get the completed report from the physician and give copies to the APPOINTED ATTORNEY and COURT INVESTIGATOR.

**STEP 9 OTHER HELP:** If you still have questions about this procedure, you can ask an attorney for legal advice. The State Bar of Arizona’s website has an attorney locator at [www.azbar.org/FindALawyer](http://www.azbar.org/FindALawyer).