

GUARDIANSHIP OF A MINOR

Do not copy
or file this page

3

Response

(Forms and Instructions)

Response to a petition about guardianship of a minor

CHECKLIST

Use the forms packet only if the following factors apply to your situation:

- ✓ You received petition or other papers relating to a guardianship of a minor, AND
- ✓ You disagree with the Petition or other papers and want to object to what the Petitioner told the Court, or to the contents of other documents filed.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

Response to a petition about a guardian for a minor

This packet contains court forms and instructions to file an objection to a court petition about a guardian for a minor. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

Helpful Information: How to file a response or objection to a petition about a guardianship

1. Who can file a response: Generally, you must have some valid interest in the case to be able to file a Response to a Petition about a guardianship. If you received copies of the court papers from the Petitioner or his/her attorney, you will probably be allowed to file a Response.

Fees: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center and Clerk of Superior Court.

2. When must a response be filed: You must file the Response no later than 5 (five) days before the Court hearing is scheduled.
3. Who gets copies of the response: Mail or hand-deliver a copy of your Response to the Petitioner or his/her attorney, and the office of the Judge who is scheduled to hold the hearing. If you do not copy the Judge's office, the Judge might not get the paperwork on time, and your Response might not be considered.

You should also mail or hand-deliver copies to the Minor who has or will have the guardian and everyone else to whom the petitioner gave notice of the court matter. Ask the Petitioner for the names and address of these people or go to the Clerk's Office to request the file and look at the copy of the Proof of Notice filed by the Petitioner that will give you all this information.

4. What to say in the response: Tell the Judge as simply as you can what you object to, and why. Write neatly in black ink and be sure you give enough detail about why you disagree with the Petition.
5. Going to the hearing: If you file the Response, you should go to the Court hearing to be available to tell the Judge why you disagree with the Petition and to answer any questions the Judge might have. It is up to the Judge to let you testify or not. The Judge will make this decision based upon your relationship with the Minor, the nature of your objections, time available, and other factors.
6. Other help: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys." Also, the Law Library Resource Center has a list of lawyers who will help you help yourself. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. Visit the Law Library Resource Center to get the names of some of the lawyers on this list.

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

In the Matter of Guardianship of:

Case Number: _____

a Minor

RESPONSE TO PETITION FOR APPOINTMENT OF GUARDIAN OF A MINOR, or

☐ OTHER: _____

The following statements are made under oath or affirmation. I want to tell the Court the following in response to what is written in the Petition:

1. NAME OF DOCUMENT. The Petition I object to is called: _____
2. HEARING DATE. The date and time of hearing, and the name of the Judge assigned to this matter is:
Date of Hearing: _____
Time of Hearing: _____
Name of Judge or Commissioner: _____
3. RELATIONSHIP. My relationship to the minor child(ren) is:

4. REASONS WHY I OBJECT: What I want the court to do, and what I want to say about the statements made in the Petition: (use additional sheets of paper, if needed):

5. **MAILING.** I mailed a copy of this Objection (after it was filled out by me) to the following individuals at the following addresses: the Petitioner or his/her attorney, the person who has or will have a Guardian and everyone to whom Petitioner gave a copy of the Notice of Hearing.

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

Name: _____
Street Address: _____
City, State, Zip: _____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public