

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

In the Matter of
Guardianship and Conservatorship of:

Case Number: _____

_____ A Minor

**PETITION FOR PERMANENT
APPOINTMENT OF GUARDIAN
AND CONSERVATOR FOR A MINOR
A.R.S. § 14-5201, § 14-5401**

UNDER OATH OR BY AFFIRMATION

INFORMATION REQUIRED BY ARIZONA LAW (A.R.S. § 14-5401)

1. INFORMATION ABOUT THE PETITIONER (the person filing this petition)

(My) Name: _____

Address: _____

Telephone: _____ Date of Birth: _____

My interest in or relationship to the person(s) to be protected is: _____

_____ (examples: mother, father, sister, brother, grandparent, legal guardian)

2. INFORMATION ABOUT THE MINOR(S) TO BE PROTECTED (also known as the "proposed protected Minor", "the Ward" or "the proposed Ward").

Name: _____ is married

Address: _____

Telephone: _____ Date of Birth: _____

Name: _____ is married

Address: _____

Telephone: _____ Date of Birth: _____

Name: _____ is married

Address: _____

Telephone: _____ Date of Birth: _____

Continues on attachment titled "Additional Minors to be Protected", made part of this document by reference.

3. INFORMATION ABOUT THE PROPOSED GUARDIAN-CONSERVATOR: (Complete this **only** if the proposed guardian-conservator is **not** the same person as the Petitioner.)

Name: _____

Address: _____

Telephone: _____ Date of Birth: _____

Relationship to the proposed Ward(s): _____
(examples: mother, father, sister, brother, grandparent, legal guardian)

A. The proposed guardian-conservator has priority for appointment as a CONSERVATOR under Arizona law A.R.S. § 14-5410, because he or she is:

- (Already) An appointed conservator, guardian or other similar fiduciary appointed or recognized by the appropriate court of *any other jurisdiction* in which the person to be protected resides.
- An individual or corporation nominated by the protected person if the protected person is at least fourteen years of age and has, in the opinion of the court, sufficient mental capacity to make an intelligent choice.
- The spouse of the protected minor.
- A person nominated by the will of a deceased parent.
- Any non-parent relative of the protected person with whom the protected minor has resided for more than six months before the filing of the petition.
- A person nominated by someone who is caring for or paying benefits to the protected minor.
- A fiduciary who is licensed pursuant to Arizona law **A.R.S. § 14-5651**, other than a public fiduciary.
- A public fiduciary who is licensed pursuant to Arizona law **A.R.S. § 14-5651**.
- OTHER. Explain:** _____

B. The proposed guardian-conservator qualifies for appointment as a GUARDIAN under Arizona law, A.R.S. §14-5202 (and sections that follow) because: (Check all that apply)

- Proposed appointee was selected by the WILL of a deceased parent.
- Proposed appointee was selected by the Minor who is 14 or more years of age.
- Proposed appointee is a relative of the Minor and has had care and custody of the Minor for at least six (6) months prior to filing this Petition.
- Proposed appointee was chosen to be the guardian by someone who is caring for the Minor or is paying benefits for the Minor.
- Proposed appointee is a public fiduciary, a professional guardian, conservator, or the Arizona Veterans' Service Commission.
- The proposed appointee is not related by blood to the Minor and the person will submit a full set of fingerprints to the court required by **A.R.S. § 14-5206 within five (5) days** of filing this Petition.

4. REASONS FOR CONSERVATORSHIP: A Conservator is needed because the Minor(s):
(Check all that apply):

- Owns money or property that requires management or protection which cannot otherwise be provided;
- May have business affairs which may be jeopardized or prevented by his or her minority;
- Needs funds for his or her support and education, and protection is necessary or desirable to obtain or provide funds.

5. ASSETS OF THE MINOR(S) TO BE PROTECTED:

(Check one box)

- There are currently no substantial assets or income belonging to the proposed ward(s), but appointment is necessary to protect expected or potential income or assets.**

OR

- The proposed ward(s) has/have assets and/or annual income in the approximate amount of \$ _____ List/Describe:**

6. REASONS FOR GUARDIANSHIP: The appointment of a guardian for the Minor is necessary or desirable to provide continuing care and supervision of the Minor, and is in the best interests of the minor because:

7. PARENTAL RIGHTS. All parental rights of custody regarding the Minor have been terminated or suspended by:

- Written consent** of the parent(s) to the guardianship.
- Prior court order.** (You must provide the court with a certified copy of the order.)
- Abandonment** of the Minor for at least six (6) months prior to the filing of this Petition.
- Other circumstances.** Explain:

8. DISABILITY OR INCAPACITATION. Is the Minor (or any proposed protected Minor) disabled or incapacitated to the extent that he or she will continue to need a guardian or conservator AFTER reaching the age of 18?

- NO.** No proposed protected minor will need a guardian or conservator after the age of 18.
- YES.** At least one proposed protected minor **WILL** need a guardian or conservator after the age of 18.

If "yes", and protection is proposed for *more than one* Minor in this petition, the names of those who will continue to need a guardian or conservator *after* the age of 18 are:

9. INFORMATION ABOUT OTHER CONSERVATOR OR GUARDIAN):

To the best of my knowledge: (Check one box.)

No Guardian or Conservator has been appointed in any other court, and no court proceedings are pending for such appointment;

OR

Someone *has* been appointed Guardian or Conservator, or court proceedings are pending. (If "yes", provide details below.)

Name: _____

Address: _____

Telephone: _____ Date of Birth: _____

Relationship to the person to be protected is: _____

Was appointed GUARDIAN CONSERVATOR for the ward named in #2 above in:

Name of Court: _____ Located in:

City and State: _____

Date Appointed: _____ Other Details: _____

10. INFORMATION ABOUT OTHER COURT CASES OR AGENCY INVOLVEMENT

There are or were other court cases or involvement with government, social services or law enforcement agencies involving the ward. (Describe below, including type of case, name of court or agency involved (such as DCS (Arizona Department of Child Safety)), location, and date).

Continues on attachment "Additional Cases or Agency Matters", made part of this document by reference.

11. INFORMATION ABOUT NEAREST RELATIVE:

The nearest known relative is the petitioner the proposed conservator NEITHER.

Name: _____

Address: _____

Telephone: _____

Relationship to the person to be protected is: _____

12. OTHER CLAIMS TO CHILD(REN): (Provide the information requested **IF** there are persons [or agencies] with whom the child(ren) have lived or others who might claim rights to the child(ren).)

Name: _____

Address: _____

Telephone: _____

Relationship to the person to be protected is: _____

Continues on attachment titled "Additional Claims", made part of this document by reference. (The following statement is required to appear on all petitions for guardianship. A.R.S. § 14-5303(B))

Authority granted to a guardian may include the authority to withhold or withdraw life sustaining treatment, including artificial food and fluid.

NOTICE

ARIZONA LAW § 14-5405 requires that notice of the hearing on a matter of *conservatorship* shall be given to each of the following:

1. The protected person or the person allegedly in need of protection if that person is fourteen years of age or older.
2. The spouse, parents and adult children of the protected person or person allegedly in need of protection, or if no spouse, parents or adult children can be located, at least one adult relative of the protected person or the person allegedly in need of protection, if such a relative can be found.
3. Any person who is serving as guardian or conservator or who has the care and custody of the protected person or person allegedly in need of protection.
4. Any person who has filed a demand for notice.

13. PERSONS ENTITLED TO NOTICE:

I WILL PROVIDE NOTICE OF THIS MATTER TO THE FOLLOWING PERSONS:

	Name	Address (Street Address, City, State, Zip)
Proposed Ward: (required if over 14)		
Attorney for Ward: (if applicable)		
Mother of the Ward*		
Father of the Ward*		
Current Guardian: (State relation to the Ward, if any)		
Person the Ward recently lived with:		
Other: (State relation to Ward, if any)		
Other: (State relation to Ward, if any)		

*if parental rights have not been permanently severed/terminated by court order.

14. REQUIRED STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION: (Check the box for each TRUE statement. If any of these statements are not true, do NOT file this Petition unless you have been directed to do so by an attorney licensed to practice in Arizona.)

- This court is the proper **venue** for this case because the Minor(s) who needs protection lives in or is present in this county, or has assets in this county.
- The proposed guardian-conservator has completed an **“Affidavit of Person to be Appointed”** as required by Arizona law, A.R.S. § 14-5106, which is filed with this Petition.
- The person proposed is a suitable and proper person to act as guardian-conservator and is entitled to consideration for appointment under Arizona law, including A.R.S. §§ 14-5106, 5206, 5311, and/or 5410.

REQUESTS TO THE COURT: Petitioner asks the Court to:

1. Schedule a hearing to determine if a guardianship and conservatorship is appropriate;
2. After Petitioner gives notice of the hearing to all entitled or required by law to receive notice, hold a hearing to determine if the Court should order a guardianship and conservatorship;
3. Make a finding that the person needs protection under law including a guardian-conservator;
4. Appoint a permanent guardian-conservator for the proposed ward or wards;
5. Make any other orders the Court decides are in the best interests of the minor(s) to be protected,

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Petitioner’s Signature

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public