

F.C.A. § 661
S.C.P.A. §§ 1701-1704

Form 6-1
Appointment as Guardian
of a Person
3/2009
NCFC 5/2013

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

.....
Proceeding for the Appointment of a Guardian of
the Person of

PETITION for Appointment as
Guardian of a Person

_____,
First M.I. Last

A Person Under the Age of 21
.....

FILE # _____
DOCKET # _____
(Court use only)

TO THE FAMILY COURT:

The petitioner respectfully alleges to this court that:

1. I(We) am(are) submitting this petition in order to be appointed guardian of _____ ,
a person under the age of 21, who is "the subject" of this petition.

2. Petitioner (1) - Information:
Name: _____
Date of Birth: _____
*Address: _____

Relationship to *the subject*:

Petitioner (2) - Information, if applicable:
Name: _____
Date of Birth: _____
*Address: _____

Relationship to *the subject*:

***If address is confidential, print the word CONFIDENTIAL above and print your address on the NCFC Information Sheet only.**

3. The person under the age of 21, who is *the subject* of this petition - Information:
Name: _____
Date of Birth: _____
Sex: Male Female
**Address: _____

****If address is confidential, print the word CONFIDENTIAL above and print *the subject's* address on an additional NCFC Information Sheet only.**

4. Is *the subject* of this petition a Native American child subject to the Indian Child Welfare Act of 1978 (25 U.S.C. § § 1901-1963)?

Yes No

If no, skip this section and go to number 5.

If yes, the parent(s) and/or custodian(s) and the tribe/nation are all required to be notified of this petition. Specify the names and the dates of the notification. If any of this information is unknown, the United States Secretary of the Interior is required to be notified of this petition. Specify the date of the notification.

Name of the parent(s): _____

Date of notification: _____

Name of the custodian(s): _____

Date of notification: _____

Name of the tribe/nation: _____

Date of notification: _____

United States Secretary of the Interior:

Date of notification: _____

5. The name(s) and relationship(s) of the person(s) with whom *the subject* of this petition resides:

Name(s): _____

Relationship(s) to *the subject*: _____

6. Upon information and belief, the religion of *the subject* of this petition is _____.

7. Fill in the following information completely. If the information is unknown, print the word UNKNOWN under the Name column. If the information does not apply, print N/A under the Name column.

Relationship	Name	Address	Deceased? Yes/No
7a. Birth mother:			
7b. Birth father: Paternity established: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			

Relationship	Name	Address	Deceased? Yes/No
7c. Person with whom <i>the subject</i> resides, if other than the parents or petitioner:			
7d. Adult next of kin, if birth parents are deceased:			
7e. Person who has adopted or received legal guardianship or custody of <i>the subject</i> :			

8a. State why you, the petitioner(s), should be appointed the guardian of *the subject* of this petition:

8b. State why this would be in the best interest of *the subject*, and how this would preserve his/her legal rights:

8c. Specify the facts regarding your suitability, ability and commitment as the petitioner(s) to assume full legal responsibility and raise him/her to adulthood:

9. Upon information and belief, has there been any person previously appointed guardian of *the subject* of this petition, pursuant to will or deed, or guardian of the person pursuant to Social Services Law § 384 or § 384-b?

Yes No

If yes, specify name of guardian: _____

10. Petitioner (1) - Name: _____

Upon information and belief, [check all applicable boxes]:

10a. Petitioner (1)

I have never been named in an indicated report, as such term is defined in the Social Services Law §412, that has been filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant Social Services Law §422.

- I was named in an indicated report, as defined in the Social Services Law §412, that was filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422.

Date of the report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

- Yes No

- I am currently named in a report, as defined in the Social Services Law §412, filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422, that remains under investigation.

Date of the report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

- Yes No

10b. Petitioner (1)

- I have never been named in, or was a respondent in, a child protective proceeding pursuant to Article 10 of the Family Court Act.

- I have been named in, or was a respondent in, a child protective proceeding pursuant to Article 10 of the Family Court Act.

Did the proceeding result in an order finding that a child was/children were abused or neglected?

- Yes No

Date of the proceeding: _____

What is the status and what were the circumstances of the proceeding to the extent known?

Was *the subject* of this petition the subject of the proceeding?

- Yes No

10c. Petitioner (1)

I have never been named in an Order of Protection or Temporary Order of Protection in any Criminal, Matrimonial or Family Court proceeding(s).

I have been named in an Order of Protection or Temporary Order of Protection in a Criminal, Matrimonial or Family Court proceeding(s) as follows:

The court name: _____

Docket/Index #: _____

Were you protected or restrained by the order?

Protected Restrained

Date of order: _____

Expiration date of order: _____

Next court date: _____

What is the status and what were the circumstances of the order to the extent known?

Was the subject of this petition the subject of the order?

Yes No

If more than one order, fill out the above with the most recent order. For additional orders, all requested information should be provided on a separate page and attached.

10. Petitioner (2) - Name: _____

Upon information and belief, [check all applicable boxes]:

10a. Petitioner (2)

I have never been named in an indicated report, as such term is defined in the Social Services Law §412, that has been filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant Social Services Law §422.

I was named in an indicated report, as defined in the Social Services Law §412, that was filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422.

Date of the report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

Yes No

- I am currently named in a report, as defined in the Social Services Law §412, filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422, that remains under investigation.

Date of the report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

Yes No

10b. Petitioner (2)

- I have never been named in, or was a respondent in, a child protective proceeding pursuant to Article 10 of the Family Court Act.

- I have been named in, or was a respondent in, a child protective proceeding pursuant to Article 10 of the Family Court Act.

Did the proceeding result in an order finding that a child was/children were abused or neglected?

Yes No

Date of the proceeding: _____

What is the status and what were the circumstances of the proceeding to the extent known?

Was *the subject* of this petition the subject of the proceeding?

Yes No

10c. Petitioner (2)

- I have never been named in an Order of Protection or Temporary Order of Protection in any criminal, matrimonial or family court proceeding(s).

- I have been named in an Order of Protection or Temporary Order of Protection in a criminal, matrimonial or family court proceeding(s) as follows:

The court name: _____

Docket/Index #: _____

Were you protected or restrained by the order?

Protected Restrained

Date of order: _____

Expiration date of order: _____

Next court date: _____

What is the status and what were the circumstances of the order to the extent known?

Was *the subject* of this petition the subject of the order?

Yes No

If more than one order, fill out the above with the most recent order. For additional orders, all requested information should be provided on a separate page and attached.

11. Are there any other adults who are 18 or older who live in your home?

Yes No

If no, skip this section and go to number 12.

If yes, provide the requested information for all the other adults who are 18 or older, who live in your home:

1. Name: _____

Date of Birth: _____

Relationship to *the subject*: _____

2. Name: _____

Date of Birth: _____

Relationship to *the subject*: _____

If more than two adults, all requested information for each additional adult should be provided on a separate page and attached.

11a. None of the adults 18 or older living in my home have ever been the subjects of any indicated reports, as defined in the Social Services Law §412, that were filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422.

The following adults 18 or older living in my home have been the subjects of indicated reports, as defined in the Social Services Law §412, that were filed with the Statewide Register of Child

Abuse and Maltreatment pursuant to Social Services Law §422:

Name: _____

Date of report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

Yes No

If more than one report, fill out the above with the most recent report. For additional reports, all requested information should be provided on a separate page and attached.

- The following adults 18 or older living in my home are the subjects of reports, as defined in the Social Services Law §412, filed with the Statewide Central Register of Child Abuse and Maltreatment pursuant to Social Services Law §422, that remain under investigation:

Name: _____

Date of report: _____

What is the status and what were the circumstances of the report to the extent known?

Was *the subject* of this petition the subject of the report?

Yes No

If more than one report, fill out the above with the most recent report. For additional reports, all requested information should be provided on a separate page and attached.

- 11b.** None of the adults 18 or older living in my home have ever been named in , or were the respondents in child protective proceedings pursuant to Article 10 of the Family Court Act.
- The following adults 18 or older living in my home have been named in, or were the respondents in child protective proceedings pursuant to Article 10 of the Family Court Act:
- Name: _____
- Did the proceedings result in orders finding that the child is an abused or neglected child?
- Yes No
- Date of proceedings: _____

What is the status and what were the circumstances of the proceeding to the extent known?

Was *the subject* of this petition the subject of the proceedings?

Yes No

If more than one case, fill out the above with the most recent case. For additional cases, all requested information should be provided on a separate page and attached.

11c. None of the adults 18 or older living in my home have ever been named in Orders of Protection or Temporary Orders of Protection in any criminal, matrimonial or family court proceeding(s).

The following adults 18 or older living in my home have been named in Orders of Protection or Temporary Orders of Protection in criminal, matrimonial or family court proceeding(s):

Name: _____

Was this adult protected or restrained by the order?

Protected Restrained

Docket/Index #: _____ Date of order: _____

What is the status and what were the circumstances of the order to the extent known?

Was *the subject* of this petition the subject of the order?

Yes No

If more than one order, fill out the above with the most recent order. For additional orders, all requested information should be provided on a separate page and attached.

12. The birth parents of *the subject* of this petition [specify names of parents]:
 _____, although living, should not be appointed guardian of *the subject* because:

13a. Is the person who is *the subject* of this petition over the age of 18, and has he/she consented to the appointment of the guardian?

Yes and a copy of the consent form is attached No

13b. Is the person who is *the subject* of this petition over 14 years of age, but less than 18, and has he/she expressed a preference for the appointment of the guardian?

- Yes and a copy of the preference form is attached
- No

14. There are no persons interested in this petition other than those already listed.

15. Has there been any application made to any court, including a Native American tribunal, for the relief requested herein?

- Yes
- No

Name of Court: _____

Date of application: _____

16. Check one box:

- Wherefore, petitioner requests that an order be entered appointing me(us) to be the guardian(s) of the person until *the subject* reaches the age of 18 and that letters of guardianship issue.
- Wherefore, petitioner requests that an order be entered appointing me(us) to be the guardian(s) of the person until *the subject* reaches the age of 21 (if *the subject* is 18 or over) upon his/her consent, and that letters of guardianship issue.

Dated: _____

Petitioner (1) [sign name]

Petitioner (1) [print name]

Petitioner (2) [sign name]

Petitioner (2) [print name]

VERIFICATION

STATE OF)

:ss.:

COUNTY OF)

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Petitioner (1) [sign name before notary]

Sworn to before me this _____

day of _____, 20__

Notary Public

VERIFICATION

STATE OF)

:ss.:

COUNTY OF)

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Petitioner (2) [sign name before notary]

Sworn to before me this _____

day of _____, 20__

Notary Public