

GUARDIANSHIP OF A MINOR



DISCHARGE / TERMINATION **To Discharge or Terminate** **Appointment for a Minor**

How to End a Guardianship for a Minor
(Forms and Instructions)

SELF-SERVICE CENTER

DISCHARGE OR TERMINATION OF APPOINTMENT AS GUARDIAN OF A MINOR(S)

CHECKLIST

YOU MAY USE THE FORMS AND INSTRUCTIONS IN THIS PACKET IF:

- ✓ You are the guardian of a minor, and you want to end the guardianship because the Minor
 - has turned 18, OR
 - no longer needs a guardianship, OR
 - has died. **OR**
- ✓ You are **NOT** the guardian of the Minor and you think the guardianship should end.

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 Self-Service Center website.

SELF-SERVICE CENTER

PROCEDURES: HOW TO ASK THE COURT TO END A GUARDIANSHIP OF A MINOR

INSTRUCTIONS:

STEP 1 COMPLETE THE PETITION: Complete a PETITION FOR TERMINATION OF GUARDIANSHIP. Write neatly and use **black ink**. Sign the Petition in front of a notary public or a Clerk of the Superior Court.

2 FILE OR MAIL: File or mail the **original and 4 copies** of the following documents to Juvenile Court Administration at whichever address your case is pending:

- **Original and copies** of the Petition and copy of minor's birth certificate;
- **8 x 11" self-addressed, stamped envelope** so the hearing date can be mailed to you.
- (if you are mailing the documents) A letter explaining **what you are sending and why**.

The Juvenile Court Clerk will file the **original** of the Petition for you, and then schedule the case for a hearing. Juvenile Court will mail the hearing date and time notice and conformed (date-stamped) copies of the Petition back to you if you have provided a self-addressed, stamped envelope. You need to keep one copy, give another to the Commissioner who will hear your case, and the other copies are to give notice to all interested parties.

The Juvenile Court addresses are:

GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

3 GIVE NOTICE OF THE HEARING TO EVERYONE ENTITLED TO NOTICE:
You must give a **copy** of the Petition and Notice of Hearing to **all interested persons**. For more information about notice, see the Self-Service Center Information on Service and Notice.

You do not need to give formal notice by personal service, but you do need to **mail or deliver** the NOTICE OF HEARING. First class, prepaid postage mail is sufficient. Certified or Registered mail with return receipt is an extra step you can take to prove that the person you want to have notice received the notice.

You can also give notice by Publication in some cases. The following people should be given notice:

- the minor,
- If the minor is married, his/her spouse,
- If minor is unmarried, any living parent,
- the conservator, if the minor has one, unless the guardian is also the conservator,
- the guardian ad litem, if one was appointed by the Court.

- 4 COMPLETE AND FILE OTHER COURT PAPERS:** At least 15 days before the hearing is scheduled, complete the PROOF OF NOTICE stating how and when you gave notice to all interested persons. Make **2 extra copies** of each of the following documents. Then file or mail the **original and 2 copies** of the following to Juvenile Court Clerk's office and bring your copy to the hearing:

- NOTICE OF HEARING;
- PROOF OF NOTICE;
- WAIVER OF NOTICE (if any was signed by interested parties);

Juvenile Court will file the originals for you and deliver the copies to the Commissioner assigned to the hearing. Remember to bring copies of your documents to the hearing.

- 5 COME TO THE HEARING:** Be prepared to tell the Judge why the guardianship should end.

Note: If you or the minor live out-of-state, you may ask the Court in writing to allow you and/or the minor to appear telephonically. It is up to the Judge whether you can appear telephonically, or whether you and/or the minor must appear in person.

**ALL FORMS REFERRED TO IN THESE INSTRUCTIONS
ARE AVAILABLE FOR PURCHASE AT THE SELF-SERVICE CENTER, OR FOR
FREE ON THE WEB.**

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of the Guardianship of:

Case Number: _____

PETITION FOR TERMINATION OF GUARDIANSHIP OF A MINOR

_____ A Minor

1. INFORMATION ABOUT THE APPOINTMENT OF GUARDIAN:

Name _____ was appointed GUARDIAN and accepted the appointment on _____ (date).

Guardian's address: _____

2. INFORMATION ABOUT THE WARD: (the minor for whom Guardian was appointed)

_____ Date of Birth ____/____/____.
(Name of Minor)

One of the following documents is attached as proof of the Ward's age:

- ☐ A copy of the minor's birth certificate; or
☐ A copy of the minor's drivers license.

3. REASON FOR TERMINATION OF THE GUARDIANSHIP: (check one box)

- ☐ The Ward reached the age of 18, on _____ (date); OR
☐ The need for the Guardianship has terminated because the rights of the parents are no longer suspended or terminated by parental consent, or circumstances, or by prior court order because (explain):

OR

☐ **The need for the Guardianship has terminated because the Ward has died. The date of death was _____ (Attach copy of death certificate).**

THEREFORE, I ask the court to enter an order terminating the Guardianship and discharging the named Guardian in Case Number JG_____

OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER

By signing this document I state to the Court, under penalty of perjury, that I have read this Petition and that all the information contained in it is true, correct and complete to the best of my knowledge and belief.

Signature of Petitioner (may be the Ward, if 18 or older)

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

OATH OR AFFIRMATION AND VERIFICATION OF THE WARD

(if the Ward is not the Petitioner who signed above)

By signing this document, I state to the Court, under penalty of perjury, that I have read this Petition and that all the information contained in it is true, correct and complete to the best of my knowledge and belief.

Signature of (Former) Minor

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

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

FOR CLERK'S USE ONLY

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

Case No. _____

REQUEST FOR HEARING DATE FOR TERMINATION OF GUARDIANSHIP OF A MINOR and Instructions

1. **Court Documents:** After you file the Petition with the Clerk's Office, take the following documents to Juvenile Court Clerk at either of the addresses listed below:

- a. Two court-stamped copies of the Petition for Termination and Discharge, AND
- b. Two completed copies of this Request form

GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

2. **Scheduling your hearing:** Juvenile Court Administration will set a hearing date and time and write it on the line below, and will check the box of the location of the Judge or Commissioner assigned to hear this case.

BEFORE JUDGE/COMMISSIONER: _____

HEARING DATE AND TIME: _____, at _____ a.m. / p.m.

HEARING ADDRESS: GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

3. **Completing your Notice of Hearing Form:** After Juvenile Court Administration returns this form to you with the hearing date, you can complete your Notice of Hearing form by adding the date and the name of the commissioner who will hear the case. Then you are ready to serve or give notice of the Petition and all the required papers to all the required persons.

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

In the Matter of Guardianship of: _____

Case Number: _____

COURT ORDER TERMINATING GUARDIANSHIP OF MINOR

A Minor

THE COURT FINDS:

1. A sworn "***Petition for Termination***" of a Guardianship has been presented and reviewed.
2. Notice of the Petition was given as required by law or waived by all interested parties.
3. The Guardianship has ended because:
☐ The Minor had reached the age of eighteen (18), OR
☐ The rights of the parents to custody and care of the minor are no longer suspended or terminated by parental consent, or by circumstances or by prior court order.
☐ The Minor died on _____ (date).

THE COURT ORDERS:

1. ☐ Granting the "***Petition for Termination of the Guardianship***" and discharging the guardian.
2. ☐ ***Other orders*** as follows: _____

DONE IN OPEN COURT: _____
JUDGE/COMMISSIONER