



Overview of the Guardianship Process

Guardianship is a court proceeding in which a judge gives someone who is not the parent custody of a child under the age of 18. This type of Guardianship is called "Guardianship of the Person". To ask to become a guardian, you fill out and file papers in court. This packet will show you how. It explains seven steps. Read this whole page so you know where to start and what to do next. Establishing a Guardianship can become very complicated. The basic steps are listed below; however, you may need help with this process.

COMMONLY USED WORDS

Guardian: An adult who is appointed by the court to have custody of the minor.

Guardianship: A Court order that allows an adult who is not the parent of a minor, to have custody of the minor.

Minor (ward): The child whom the proposed Guardian wants the Guardianship over.

Diligent Search — an extensive effort to locate and document a person for service.

Probate Calendar Notes — written summary of your case prepared by a Probate File Examiner.

- ❑ **Step 1: Fill out the Court Forms** To begin, complete the necessary court forms. You can find these forms online at www.courts.ca.gov or at the courthouse. Turn to page 2 for a list of required papers and instructions on filling them out.
- ❑ **Step 2: Turn in (File) Your Documents** Submit your documents either in person, via drop box, or by mail to the William R. Ridgeway Family Relations Courthouse. You can also electronically file your documents.
- ❑ **Step 3: Create an Online Portal Account** Set up an online portal account to access your case file. You'll receive email notifications when new documents are added. Turn to page 3 for instructions.
- ❑ **Step 4: Notify Relevant Parties** Arrange for someone other than yourself to notify certain individuals about the petition and court hearing at least 15 days beforehand. You must do this even if you think they don't care or may disagree with you. Refer to page 4 for instructions.
- ❑ **Step 5: Court Investigation** A court investigator will conduct an in home visit, and provide a written report to the judicial officer, proposed guardian, minor (if 12 or older), parents, and grandparents.
- ❑ **Step 6: Clear Probate Calendar Notes.** You will receive a written review of your case by a Probate File Examiner through the Online Portal prior to your hearing. Follow instructions to address any issues before the hearing.
- ❑ **Step 7: Attend Your Hearing** Appear at your guardianship hearing where the judicial officer will decide based on the best interest of the minor. If approved, you'll receive the Order Appointing Guardian and Letters of Guardianship.



Consider Alternatives

Before filing for Guardianship, have you considered if an alternative to a formal court order would be appropriate? There are other ways that are efficient and easy to take responsibility for a minor without going through the legal process. The Caregivers Authorization, a notarized statement regarding physical custody, or asking the court to join an existing family law custody case are examples of alternatives.

Additional Information and Resources

1. The Self Help Center at the Sacramento County Superior Court offers a monthly workshop on the second Monday of each month. You may contact the Self Help Center through the Court's website or by visiting the Self Help Center in person. Current hours are posted on the Sacramento County Superior Court website. saccourt.ca.gov/family/self-help-center.aspx
2. The Sacramento County Public Law Library's Self Help at the Law Library (SH@LL) aids with completing guardianship forms. All assistance is provided by telephone appointment. To request an appointment, call: (916) 476-2731 or visit saclaw.org/services/civil-self-help
3. Additional legal resources including Alternatives to Guardianship can be found on the Judicial Council website: selfhelp.courts.ca.gov

Step 1: Forms



FILL OUT THE COURT FORMS:

- GC-020 — Notice of Hearing
Complete pg. 1, except item 4a, and only the top part of pg. 2
- GC-210(P) — Petition for Appointment of Guardian of the Person
- GC-210 (CA) — Child Information Attachment to Probate Guardianship Petition
One of these forms must be completed for each minor.
- ICWA-010(A) — Indian Child Inquiry Attachment
One of these forms must be completed for each minor.
- GC-212 — Confidential Guardian Screening Form
If more than one Guardian is requesting Guardianship, one of these forms must be completed by each Guar
- PR/E-LP-008 — Confidential Guardian Screen Form Additional Page
This is a local form.
- FL-105/GC-120 — Declaration Under Uniform Child Custody and Jurisdiction and Enforcement Act
- GC-248 — Duties of Guardian
Each Guardian must sign this form.
- GC-240 — Order Appointing Guardian
Complete the caption only.
- GC-250 — Letters of Guardianship
Complete the caption only.
- PR/E-LP-053 — Probate Case Participant Enrollment Form
Include a copy of your photo ID

You can get these forms in person at the courthouse in Room 214 or online at the California Courts webpage (courts.ca.org).

Step 2:

File



Case Number:

Hearing Date:

TURN IN (FILE) YOUR DOCUMENTS

There is a \$225 fee to file your forms. If you cannot afford the filing fees, you can ask the Court to waive the filing fees by completing the following forms:

FW-001-GC — Request to Waive Court Fees (Ward or Conservatee)

FW-003-GC — Order on Court Fee Waiver (Ward or Conservatee)

You may file your documents in person, via the drop box, or by mail at the William R. Ridgeway Family Relations Courthouse, 3341 Power Inn Road, Sacramento, CA 95826.

You can also e-file your documents at the web address below.

E-File: saccourt.ca.gov/probate/e-filing.aspx

What happens now that you have filed for Guardianship? A hearing date has been set for you to go to court. You will need to give notice to interested parties before your hearing date. See Step 4 for instructions and information.

Step 3:

Portal Access



CREATE AN PUBLIC PORTAL ACCOUNT

To access your case file online, you will need to create an account on the Public Portal.

Once you have created your account, you can set up notifications. When new documents are added to your case file, you will receive an email. For example, when the Probate File Examiner publishes the Probate Calendar Notes, you will get an email notification that they are available for your review.

You can also download documents from your case file through the Public Portal.

Scan the QR Code or visit the web address to set up your account:
prod-portal-sacramento-ca.journaltech.com/public-portal/?q=user/register

More information and instructions can be found on the Public Portal Access Assistance handout included in this packet.

Step 4: Service



NOTIFY RELEVANT PARTIES

After filing your case, the law says you must “give notice” to certain people at least 15 days before your hearing date . This means someone — **not you** — 18 years and older, must “serve” (give) copies of your Court forms either personally or by mail to those people and agencies so they will know you are asking to be child’s guardian. You are responsible for arranging service of these forms:

- Petition for Appointment of Guardianship of the Person (including any attachments), GC-020(P)
- Notice of Hearing (with the hearing date filled in), GC-020

THERE ARE TWO KINDS OF NOTICE: PERSONAL AND BY MAIL

Personal notice means the server personally hands the papers to someone.

You must give personal notice to:

- The parents (or the person(s) with legal custody of the child now)
- The child you want to be guardian to, if the child is 12 or over

Your server must personally serve (give) a copy of the Notice of Hearing and Petition for Appointment of Guardian and all other forms you filled out at least 15 days before the Court hearing.

Mail notice means the server can mail the papers to those people who need to receive notice.

You can use mail to give notice to:

- The child’s grandparents (parents of the child’s mother and parents of the child’s father)
- The child’s brothers and sisters, if they are 12 years or older
- Half-brothers and half-sisters (from either parent), if they are 12 years or older

Your server must serve (mail) a copy of the Notice of Hearing and Petition for Appointment of Guardian and all other forms you filled out at least 15 days before the Court hearing.

What do I do with the Proof of Service once the forms are served?

If the forms were served by personal delivery, the person who served the forms fills out a Proof of Personal Service of Notice of Hearing-Guardianship form (GC-020(P)). If the forms were served by mail, the person who served the forms fills out the Proof of Service by Mail on page 2 of the Notice of Hearing form (GC-020). After the forms have been properly filled out, signed and dated, make two copies and file the forms at least 5 days before your hearing.

Step 5: Investigation



COURT INVESTIGATION

An in person home visit will be conducted by a Probate Court Investigator prior to the hearing. Anybody who lives in the home may be interviewed.

The investigator will prepare a confidential written report and provide it to the judicial officer, the proposed guardian, the minor if 12 years or older, parents of the child, and grandparents.

There is a separate assessment fee for the investigation that is covered as part of a court granted fee waiver. The Investigator will make a recommendation to the Court to waive this assessment fee, regardless of fee waiver status.

Step 6: Probate Notes



CLEAR PROBATE CALENDAR NOTES

A written review of your case is prepared by a Probate File Examiner 10 to 12 days prior to your upcoming hearing. Below we have provided you with information on how to check for probate notes, what you will find in those notes, and how to respond to your notes.

At least 5 court days before your hearing date, you will need to file a response to the **probate calendar notes**. Follow these instructions to clear your probate notes:

- 1 Download Your Probate Notes**
Probate calendar notes can be accessed through the Public Portal. If you have not created an account, please see the included handout. Once you have downloaded your probate calendar notes, review them for deficiencies that need to be addressed before your hearing.



- 2 Complete the Required Forms**
For each needed item, you must let the court know what you have done or if documents have been filed. You can use local form **Response to Calendar Notes (PR/E-LP-022)** to respond to the court.
- 3 File Your Response**
When your Response to Probate Calendar Notes is finished, you will need to file it with the court at least 5 Court days before your hearing. You can file your documents in person at the courthouse or via e-filing. There is no fee to file your response.

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Step 6:

Probate Notes

Continued

Understanding Your Probate Notes

The Probate Calendar Notes contain an informational brief summary of the case, including the names of the parties involved, the reason for the hearing, and any deficiencies (errors or missing items). Some common deficiencies are missing proof of services, incomplete proposed orders, missing proposed orders, errors in the petitions that need to be addressed, etc.

The following is an explanation of the sections you will find when you review the calendar notes.

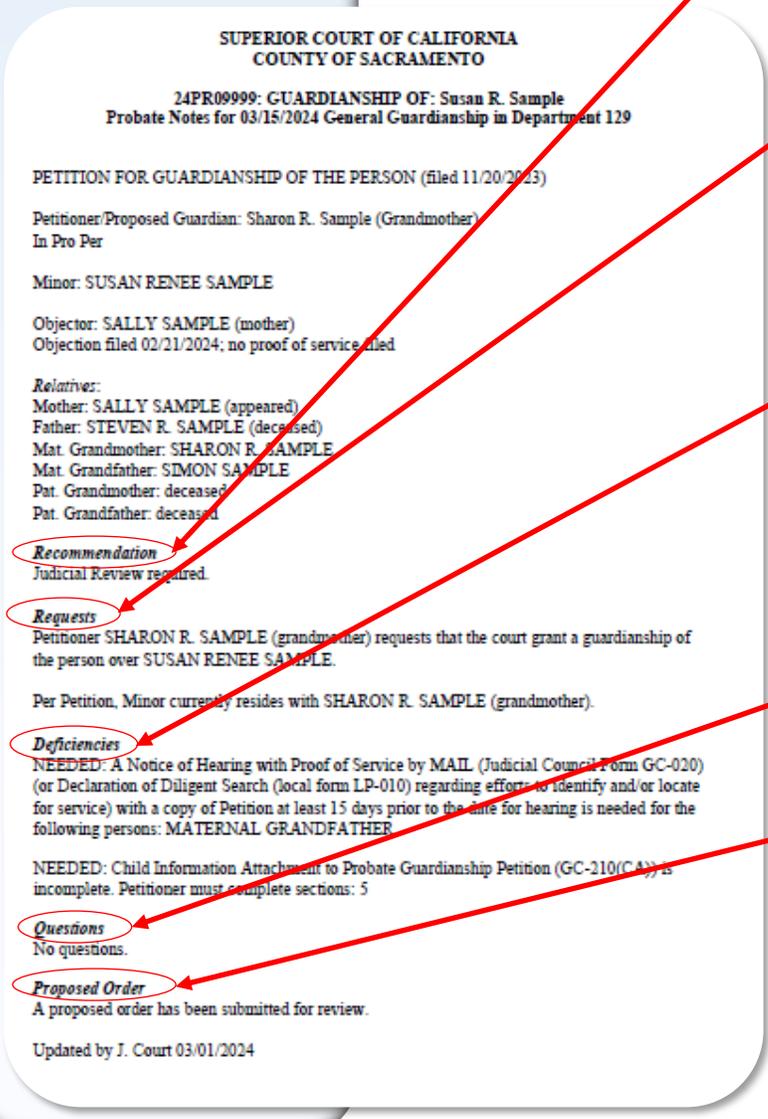
Recommendation: The Probate File Examiner will make a recommendation to the judicial officer for the hearing. They will advise the court if the case should be continued to allow you to correct any mistakes or to file the missing paperwork.

Requests: This section contains a short explanation of what the Petition for Guardianship is asking the court to make orders on. This section may also contain information on prior petitions or hearings associated with the parties or case.

Deficiencies: Items that are missing from your case file or errors on case documents will be detailed here. The Probate File Examiner will identify the item that is needed and provide some guidance on what needs to be corrected or completed to resolve the deficiency.

Questions: If the Probate File Examiner has any questions that need clarification, it will appear here.

Proposed Order: When you filed your Petition, you should have also filed a proposed order. The file examiner will let the court know if you have provided a proposed order in this section.



Step 7: Hearing



Scan for
Zoom Instructions



ATTEND YOUR HEARING

Guardianship hearings are held in Department 129, on the second floor of the courthouse, on Friday mornings at 9:00 a.m. We encourage you to attend in person. Assistance may be available in court if you do so. If you prefer to attend by Zoom, you do not need to file a Notice of Remote Appearance (RA-010) with the court.

At the hearing, the judicial officer will make a decision as to whether or not a guardianship is in the best interest of the minor. If the judicial officer decides a guardianship is appropriate, they will sign the **Order Appointing Guardian or Extending Guardianship of the Person (GC-240)**. Once signed, the deputy clerk can issue the **Letters of Guardianship (GC-250)** which provides proof you have been appointed as the guardian of the minor.

The **Letters of Guardianship (GC-250)** are a legal document that details out the powers (legal authority) that you have been given by being appointed as the guardian of the child. Once issued, you become legally responsible for the child and these letters provide you with the necessary legal documentation to enroll the minor in school, seek medical care, provide permission to get a driver's license, etc.

Tips for the Hearing

- Children under 18 are typically not allowed in the courtroom, unless the judge asks to speak with them. The child will need to either wait outside in the lobby (if supervised) or free child care is provided through the YMCA Child Care Center located on the first floor.
- You may need to wait for your hearing to be called. Other people also have hearings scheduled on the same day and time.
- When your case is called, you will sit at a table in front of the judicial officer. If the child's parents or objectors are present, they will also be seated at the table. If you aren't sure where to sit, ask a court staff person. Make sure to follow the bailiff's instructions on your hearing day.

Be prepared to answer questions during the hearing. All conversation should be directed to the Judicial Officer. The court may examine the person who is to be appointed a guardian, and they may question you based on your relationship to the minor, your background, and your willingness and qualifications to be the guardian. Write out what you plan to say or who you plan to bring with you.

COURTHOUSE INFORMATION

William R. Ridgeway Family Relations Courthouse

3341 Power Inn Road, Sacramento, CA 95826.

Business Hours: 8:30 a.m. to 4:00 p.m., Monday through Friday (excluding court holidays)

Building Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday

Public/Visitor parking is available in the lot east of the courthouse. The fee for parking is \$2.00 for the first two hours, and \$1.00 for each additional hour, with a maximum of \$8.00 per day.