

Temporary Guardianship of Minor

Temporary Guardianship orders authorize individuals to care for minor children when parents are unable to care for their children temporarily. A guardianship order is often required for a single parent to enter into the military. Guardianship orders may be required to register the minor child in school and authorize medical treatment for a child. Guardianships are not granted by this Court from one parent to another parent. Such cases are handled through Superior Court or Juvenile Court.

Requirements:

To begin the process, a petition must be filed seeking guardianship of the child(ren) by the person(s) who wish to be named guardian(s). The Guardianship Questionnaire must be completed and filed with the petition. The filing fees must be paid upon filing the petition. There is an additional cost if the Court determines a Citation has to be published and/or the Sheriff has to serve notice on a parent. The person seeking guardianship must complete all pages of the petition. If the parents are willing to sign the acknowledgement and consent to the petition, their signature **MUST** be notarized or witnessed by a Probate Clerk/Notary Public. We cannot accept notarized letters from a parent. You will need a certified copy of the minor's birth certificate. If a parent is deceased, you will need to bring in a death certificate, obituary, or funeral program. If the guardianship is needed for more than one minor, and the minors have the same mother and father, you can file one petition. If the minors have different parents, you will have to file a petition for each minor and pay the required filing fees for each petition. To qualify as a guardian of a minor, you must be a U.S. citizen, permanent resident, or have proof of permanent status in the U.S.

Court Process:

The Petition must be filed and the filing fees must be paid upon filing. If everything in the petition looks complete, the clerk calls the petitioner for a hearing date. The clerk determines whether or not a citation has to be issued, prepares any needed citation or notice, and has the same published or served. If a parent of a minor is a minor themselves, the court will appoint a Guardian Ad Litem to represent the minor parent. Criminal background checks are done on all potential guardians as well as the parents of the minor. If a parent objects to the petition, the Petition is dismissed. If no objection is filed by a parent, the petitioner(s) will appear in Court and upon the Judge's determination, Orders, Oath and Guardianship Letters are signed.