

Temporary Guardianship of the Person Packet

The forms in this packet may be used to request or petition the Court for a temporary guardianship of the person. These forms must be filed in conjunction with the corresponding petition.

To Petition for Temporary Guardianship of the Person:

- Complete all of the Mandatory Forms included in this packet in addition to all of the Mandatory Forms in the Guardianship of the Person Packet.
- Once you have completed and reviewed the packet, make two (2) photocopies of all documents (every page), staple each document separately. Place the copies of each document in order behind the corresponding original.
- Bring the completed originals from both packets (Temporary Guardianship of the Person and Guardianship of the Person) and two (2) photocopies to the Probate Clerk's Office at the B.F. Sisk Courthouse, 3rd Floor
- The Probate Clerk will file your originals, once filed, your copy will have the case number and hearing date filled in.
- Someone over 18 years of age and not party to the case (not you) must personally serve or hand-deliver a copy of the Petition, all of the attachments, a Notice of Hearing and the Comparison of Guardians with Other Nonparent Caregivers (GC-207) to the parents and to the child if they are age 12 or older.
- You will also need to have all grandparents and any siblings of the child that are age 12 or older served with copies. They can be served by mail.
- Service must be completed at least 5 days before your hearing date, if a hearing is set by the Court.
- The person who serves the documents for you must fill out and sign the proof of service on the Notice of Hearing. Then bring the Notice of Hearing back to the Probate Clerk's Office with the proof(s) filled out. This must be filed before your hearing date.

Mandatory Forms Checklist:

- Petition for Appointment of Guardian of Minor and required attachments (obtained from the Guardianship of the Person Packet)
- Petition for Appointment of Temporary Guardian of the Person (GC-110(p))
- Notice of Hearing – Guardianship or Conservatorship (GC-020)
- Proof of Personal Service of Notice of Hearing – Guardianship or Conservatorship (GC-020(P))
- Order Appointing Temporary Guardian of Minor (GC-140)
- Letters of Temporary Guardianship (GC-150)

GC-110(P)

Petition for Appointment of Temporary Guardian of the Person

Clerk stamps date here when form is filed.

Temporary guardianship of (all children's names): _____

You may use this form or Petition for Appointment of Temporary Guardian or Conservator (form GC-110) to ask the court to appoint a temporary guardian of the person for a minor child. (You must use form GC-110 to ask for appointment of a temporary guardian of a minor child's estate or person and estate.) You may use this form to request appointment of a temporary guardian for one or more than one child. A petition for appointment of a (general) guardian concerning this child or these children (form GC-210 or form GC-210(P)) must have already been filed in this case or filed with this petition.

Fill in court name and street address:

Superior Court of California, County of
Fresno
1130 O Street
Fresno, CA. 93724

Clerk fills in case number when form is filed.

Case Number:

1 Your name (include the names of all persons who are requesting the court to appoint them or the person named in **4** as temporary guardian of the child or children named above and in **6**. All must sign this form.):

- a. _____
- b. _____

2 Your address and telephone number:

Street: _____ Apt.: _____
City: _____
State: _____ Zip: _____ Phone: _____

3 Your lawyer (if you have one):

Name: _____ Bar No.: _____
Firm name, if any: _____
Street: _____ Suite: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax (optional): _____ E-mail (optional): _____

4 I/We want to be the temporary guardian of the child or children named in **6**. (Go to **5**.)

I/We want the person or persons named here to be the temporary guardian of the child or children named above. Tell the court about the proposed guardian(s) below.

Name(s): _____

Street: _____ Apt.: _____

City: _____ State: _____ Zip: _____

Phone: _____

I am the child or one of the children named in **6** and one of the persons named in **1**.

I am at least 12 years old. I want the person named here to be my temporary guardian.

My date of birth is (month/day/year): _____



5 The relationship of the proposed temporary guardian named in 1 or 4 to the child or children named in 6 is (check all that apply):

- Grandmother (father's mother) Aunt
- Grandfather (father's father) Uncle
- Grandmother (mother's mother) Brother (adult)
- Grandfather (mother's father) Sister (adult)
- Other Relative (explain relationship to child or children): _____

Not related to the child or children (explain proposed guardian's interest in or connection to the child):

6 The child or children who need a temporary guardian are:

a. Child's full legal name: _____
Child's current address: _____

Child's current phone number: _____

b. Child's full legal name: _____
Child's current address: _____

Child's current phone number: _____

Check here if you want a temporary guardian for additional children. Give the information asked above for each additional child on a separate sheet of paper. Write "Form GC-110(P)—Attachment 6: Additional Children" at the top of the paper and attach it to this form.

7 Why do the child or children in 6 need a temporary guardian right now?

The child or children need temporary care, maintenance, and support right now because (explain):

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "GC-110(P)—Item 7: Reasons for Appointment of Temporary Guardian" at the top of the paper and attach it to this form.



Temporary guardianship of (all children's names): _____

Case Number: _____

8 Do I/we believe the child or children in 6 will go to the court hearing? Yes No

9 I/We ask the court to:

- a. Appoint the person named in 1 or 4 temporary guardian of the person of the child or children named in 6 and issue Letters of Temporary Guardianship of the Person.
- b. Order that I am/we are excused from having to give notice of the hearing on this petition for appointment of temporary guardian to *(review the information given on the next page and check all items that apply below):*
 - (1) The child or children in 6.
 - (2) The child's father (name): _____
 - (3) The child's mother (name): _____
 - (4) A person other than a parent who has a court order for visitation with the child (name): _____

Good cause exists for this request for the following reasons *(explain, and include in your explanation efforts to find a person who could not be found)*: _____

Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-110(P)—Attachment 9: Request for a Good Cause Exception to Giving Notice" at the top of the paper and attach it to this form.

Temporary guardianship of (all children's names): _____

Case Number: _____

INFORMATION ABOUT GIVING NOTICE OF THE HEARING ON YOUR PETITION AND REQUESTING A GOOD CAUSE EXCEPTION TO GIVING NOTICE

You must give at least five days advance written notice of the court hearing on your petition for appointment of a temporary guardian. The written notice must be personally delivered to (1) the child if he or she is at least 12 years old, (2) the child's parents, and (3) any person who has a valid and effective visitation order with the child. Written notice is given by delivering a filled-in copy of this petition and a filled-in copy of a *Notice of Hearing—Guardianship or Conservatorship* (form GC-020), showing the date, time, and place of the hearing and the title of this petition. See *What Is "Proof of Service" in a Guardianship?* (form GC-510) for more information on how to give notice in a guardianship and how to prove that you have given notice. The instructions in that form for personal service apply here, but the time limits for giving notice mentioned in that form do not apply to a temporary guardianship. There is much less time to complete this task when a petition for appointment of a temporary guardian is involved.

The court may waive (excuse) or change the requirement of giving notice if you can show the court good cause why an exception should be made to the requirement of giving notice. This showing may be made by completing item 9b on page 3 of this form.

If you want the court to waive notice to someone because he or she cannot be found, you must show the court that you have made reasonable efforts to find that person. See rules 7.52 and 7.1012 of the California Rules of Court for information on making reasonable efforts to find a person and on the good cause exception to notice of the hearing on a petition for appointment of a temporary guardian.

10 All attachments are made part of this form as though placed here.
There are _____ pages attached to this form. (If none, write "0.")

All persons named in **1 (petitioners) and their attorney (if they have one) must read and sign below.**

Date: _____
Petitioner's Attorney types or prints name here *Petitioner's Attorney signs here*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____
Petitioner types or prints name here *Petitioner signs here*

Date: _____
Petitioner types or prints name here *Petitioner signs here*

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno STREET ADDRESS: 1130 O Street MAILING ADDRESS: CITY AND ZIP CODE: Fresno, CA. 93724 BRANCH NAME: Probate Division	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>): <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	
NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP	CASE NUMBER: _____

**This notice is required by law.
This notice does not require you to appear in court, but you may attend the hearing if you wish.**

1. NOTICE is given that (*name*):
(*representative capacity, if any*):
has filed (*specify*):

2. You may refer to documents on file in this proceeding for more information. (*Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.*)

3. The petition includes an application for the independent exercise of powers by a guardian or conservator under
 Probate Code section 2108 Probate Code section 2590.
 Powers requested are specified below specified in Attachment 3.

4. A HEARING on the matter will be held as follows:

a. Date:	Time: 9:00 a.m.	<input checked="" type="checkbox"/>	Dept.: 97A	<input type="checkbox"/>	Room:
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b. Address of court same as noted above is (*specify*):
 Traffic Courthouse
 2317 Tuolumne Street Fresno, CA. 93721

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):	CASE NUMBER:
<input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	

PROOF OF PERSONAL SERVICE OF NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP

(Attach a separate completed and signed copy of this form or other proof of personal service to Notice of Hearing-Guardianship or Conservatorship for each person who personally served a copy of the Notice.)

1. I am over the age of 18 and not a party to this cause.
2. I served the attached *Notice of Hearing—Guardianship or Conservatorship* by personally delivering a copy to each person listed below at the address and on the date and time indicated below.
3. I served with the attached *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.
4. I served with the attached Notice of Hearing—Guardianship or Conservatorship copies of the following documents (*specify*):

 Continued on Attachment 4.
5. I am (*check all that apply*):
 - a. not a registered California process server.
 - b. a California sheriff or marshal.
 - c. a registered California process server.
 - d. an employee or independent contractor of a registered California process server.
 - e. exempt from registration (Bus. & Prof. Code, § 22350(b)).
6. My name, address, telephone number, and, if applicable, county of registration and number, are (*specify*):

NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE

	Name	Address where served (<i>number, street, city, and state</i>)	Date and time service made
1.			Date: _____ Time: _____
2.			Date: _____ Time: _____
3.			Date: _____ Time: _____
4.			Date: _____ Time: _____


List of names and addresses of persons personally served by the undersigned continued on an attachment.
(You may use Attachment to Notice of Hearing Proof of Personal Service, form DE-120(PA)/GC-020(PA), for this purpose.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date: _____

 (SIGNATURE)

Date: _____

 (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno STREET ADDRESS: 1130 O Street MAILING ADDRESS: CITY AND ZIP CODE: Fresno, CA. 93724 BRANCH NAME: Probate Division	
TEMPORARY GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (<i>Name</i>): _____	MINOR
ORDER APPOINTING TEMPORARY GUARDIAN	CASE NUMBER: _____
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.	

1. The petition for appointment of a temporary guardian came on for hearing as follows (*check boxes c-l to indicate personal presence*):

- a. Judicial officer (*name*): _____
- b. Hearing date: _____ Time: _____ Dept.: _____ Room: _____
- c. Petitioner (*name*): _____
- d. Attorney for petitioner (*name*): _____
- e. Minor (*name*): _____
- f. Attorney for minor (*name*): _____
- g. Minor's parents (*names*): _____
- h. Attorney for minor's parents (*names*): _____
- i. Person with valid visitation order (*name*): _____
- j. Attorney for person with valid visitation order (*name*): _____
- k. Public Guardian (*name*): _____
- l. Attorney for Public Guardian (*name*): _____

THE COURT FINDS

- 2. a. Notice of the time and place of hearing has been given as required by law.
- b. Notice of the time and place of hearing has been should be dispensed with for (*names*): _____

- 3. It is necessary that a temporary guardian be appointed to provide for temporary care, maintenance, and support
 protect property from loss or injury pending the hearing on the petition for appointment of a general guardian.
 pending an appeal under Probate Code section 1301. during the suspension of powers of the guardian.

THE COURT ORDERS

- 4. a. (*Name*): _____
 (*Address*): _____ (*Telephone*): _____
 is appointed temporary guardian of the PERSON of (*name*): _____
 and Letters shall issue upon qualification.

- b. (*Name*): _____
 (*Address*): _____ (*Telephone*): _____
 is appointed temporary guardian of the ESTATE of (*name*): _____
 and Letters shall issue upon qualification.

TEMPORARY GUARDIANSHIP OF (Name): _____ MINOR	CASE NUMBER: _____
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5. Notice of hearing to the persons named in item 2b is dispensed with.
6. a. Bond is not required.
- b. Bond is fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law.
- c. Deposits of: \$ _____ are ordered to be placed in a blocked account at *(specify institution and location)*: _____ and receipts shall be filed. No withdrawals shall be made without a court order. Additional orders in attachment 6c.
- d. The temporary guardian is not authorized to take possession of money or any other property without a specific court order.
7. In addition to the powers granted by law, the temporary guardian is granted other powers. These powers are specified in attachment 7. below *(specify)*: _____

8. Other orders as specified in attachment 8 are granted.
9. Unless modified by further order of the court, this order expires on *(date)*: _____
10. Number of boxes checked in items 4–9: _____
11. Number of pages attached: _____
- Date: _____

JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):
After recording, return to:

TEL NO.: FAX NO. (optional):
E-MAIL ADDRESS (optional):
ATTORNEY FOR (name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno
STREET ADDRESS: 1130 O Street
MAILING ADDRESS:
CITY AND ZIP CODE: Fresno, CA. 93724
BRANCH NAME: Probate Division

FOR RECORDER'S USE ONLY

TEMPORARY GUARDIANSHIP CONSERVATORSHIP
OF (name): MINOR CONSERVATEE

CASE NUMBER:

LETTERS OF TEMPORARY GUARDIANSHIP CONSERVATORSHIP
 Person Estate

FOR COURT USE ONLY

LETTERS

- 1. (Name):
is appointed temporary guardian conservator of the person
 estate of (name):
- 2. Other powers that have been granted or restrictions imposed on the temporary
 guardian conservator are specified in Attachment 2.
 specified below:

- 3. These Letters shall expire
a. on (date): or upon earlier issuance of Letters to a general guardian or conservator.
b. on other date (specify):

4. The temporary guardian conservator is not authorized to take possession of money or any other property without a specific court order.

5. Number of pages attached:

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date: _____
Clerk, by _____, Deputy

This form may be recorded as notice of the establishment of a temporary conservatorship of the estate as provided in Probate Code section 1875.

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (name):	CASE NUMBER:
<input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE	

NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS
(Probate Code sections 2890–2893)

When these *Letters of Temporary Guardianship* or *Letters of Temporary Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the temporary guardian or temporary conservator of the estate (1) to take possession or control of an asset of the minor or conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship or conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The temporary guardian or temporary conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is www.courts.ca.gov/forms/. Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter, or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe deposit box held by the financial institution. A single form may be filed for all affected accounts or safe deposit boxes held by the financial institution.

LETTERS OF TEMPORARY GUARDIANSHIP CONSERVATORSHIP
AFFIRMATION

I solemnly affirm that I will perform according to law the duties of temporary guardian. conservator.

Executed on (date): _____, at (place): _____

_____ (TYPE OR PRINT NAME)	_____ (SIGNATURE OF APPOINTEE)
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CERTIFICATION

I certify that this document, including any attachments, is a correct copy of the original on file in my office and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

(SEAL)

Date: _____

Clerk, by _____, Deputy