INSTRUCTIONS

How Long Does It Take?: It takes at least two months to be appointed guardian and/or conservator.

Notaries: Notaries are at the Self-Help Center in the Courthouse and at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

Filing Forms with the Court: Take or mail forms to be filed to the Clerk of Superior Court, 200 N. San Francisco St., Flagstaff, AZ 86001. Submit the original, one copy for yourself, and one copy for each person you must give a copy to. The Clerk will stamp your copies with the filing date and return them to you. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copies.

DOCUMENTATION CHECKLIST

In addition to the forms in this packet, you need the following.

[ ] If you're asking for guardianship: **A Certificate of Completion of guardianship training**
[ ] If you're asking for conservatorship: **A Certificate of Completion of conservatorship training**
[ ] **A complete set of fingerprints** for Petitioners not related by blood to the minor
[ ] **A birth certificate** for the minor
[ ] **A death certificate** for each deceased parent of the minor
[ ] **A will** for each deceased parent of the minor
[ ] **A certified copy of the court order terminating parental rights**, if you have it, for each parent whose rights have been terminated by court order

STEP 1: TAKE THE GUARDIANSHIP AND/OR CONSERVATORSHIP TRAINING

If you're asking for guardianship, take the guardianship training. If you're asking for conservatorship, take the conservatorship training. If you're asking for both guardianship and conservatorship, take both trainings. The trainings are online at http://www.azcourts.gov/probate/Training.aspx. If you don't have internet access, you can do the training at the Law Library. The training takes 45 minutes. You'll get a Certificate of Completion when you finish the training.

STEP 2: IF YOU ARE NOT RELATED BY BLOOD TO THE MINOR: GET A SET OF FINGERPRINTS

If you are not related by blood to the minor, Arizona law requires a fingerprint check by the state Department of Public Safety and the F.B.I. Get a complete set of fingerprints as follows.

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Where: Flagstaff Police Department, 911 E. Sawmill Rd., Flagstaff
When: Tuesday or Thursday noon to 5, or Wednesday 8:30 to noon
Cost: $5.00

STEP 3: FILL IN ALL THE INFORMATION YOU KNOW ON THE GUARDIAN/CONSERVATOR COVER SHEET

STEP 4: FILL OUT THE PROBATE INFORMATION SHEET

STEP 5: FILL OUT THE PETITION FOR GUARDIANSHIP AND/OR CONSERVATORSHIP OF A MINOR

STEP 6: FOR EACH PETITIONER, FILL OUT AN AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN AND/OR CONSERVATOR

STEP 7: PREPARE THE ATTACHMENT TO THE AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN AND/OR CONSERVATOR

For each Affidavit of Person to be Appointed Guardian and/or Conservator, prepare an attachment explaining each "False" checked in Numbers 1-10. The Attachment is part of the Affidavit, and you are still under oath when you fill it out.

At the top of a blank piece of paper, type or print "ATTACHMENT TO THE AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN AND/OR CONSERVATOR". Then type or print the following information for the corresponding Numbers on the Affidavit. List the information only for the Numbers you checked as "False" on the Affidavit.

1. For each felony you have been convicted of, list:
   a. The nature of the offense
   b. The name and address of the sentencing court
   c. The case number
   d. The conviction date
   e. The terms of the sentence
   f. The name and phone number of any current probation or parole officer
   g. Why the conviction should not disqualify you from appointment
2. List:
   a. The ward's names for whom you are currently serving and the court case numbers
   b. The ward's names for whom your appointment has been terminated within the three-year period and the court case numbers
3. State how you intend to obtain this information.
4. State the total number of persons for whom you have acted in a fiduciary capacity pursuant to a power of attorney within three years of filing the Petition. If you have acted under a power of attorney for the proposed ward, list:

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a. The date it was signed.
b. The actions you have taken under it
c. Where it was signed
d. Whether it is currently in effect

5. State why you are listed in the Elder Abuse Registry, or list the name of each business and why they are listed in the Elder Abuse Registry.
6. List the name and location of the court and the name and case number of the files in which you were delinquent in filing the required report.
7. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.
8. State the number of times you received such gifts; list the gifts, the dates they were received, and the value of each; and describe the gifts.
9. State the number of occasions on which you have been so named.
10. List the name and address of each business and the extent and nature of your interest.

STEP 8: FOR EACH PARENT WHO WILL SIGN ONE, FILL OUT A CONSENT OF PARENT TO GUARDIANSHIP AND/OR CONSERVATORSHIP OF A MINOR AND WAIVER OF NOTICE

STEP 9: FILL OUT THE NOTICE OF HEARING

STEP 10: FILL OUT THE ORDER APPOINTING A GUARDIAN AND/OR CONSERVATOR OF A MINOR

STEP 11: FILL OUT THE ORDER TO GUARDIAN AND/OR CONSERVATOR AND ACKNOWLEDGMENT

STEP 12: FILL OUT THE LETTERS OF GUARDIANSHIP AND/OR CONSERVATORSHIP AND ACCEPTANCE OF LETTERS

STEP 13: FILE THE FOLLOWING WITH THE COURT

[ ] Guardian/Conservator Cover Sheet
[ ] Probate Information Sheet
[ ] Petition for Guardianship and/or Conservatorship of a Minor, with the following attached if applicable:
  [ ] Certificate of Completion of guardianship training (if you're asking for guardianship)
  [ ] Certificate of Completion of conservatorship training (if you're asking for conservatorship)
  [ ] A copy of the minor's birth certificate
  [ ] A full set of fingerprints for Petitioners not related by blood to the minor, and a $22 check made payable to "Arizona Department of Public Safety" for a background check
  [ ] A copy of each deceased parent's death certificate
  [ ] A copy of each deceased parent's will
  [ ] A certified copy of each court order terminating parental rights to custody

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[ ] Each Petitioner's Affidavit of Person to be Appointed Guardian and/or Conservator, with Attachment if applicable
[ ] Each parent's Consent of Parent to Guardianship and/or Conservatorship of a Minor and Waiver of Notice
[ ] Notice of Hearing
[ ] Order Appointing a Guardian and/or Conservator of a Minor
[ ] Order to Guardian and/or Conservator and Acknowledgment
[ ] Letters of Guardianship and/or Conservatorship and Acceptance of Letters
[ ] Order Appointing a Temporary Guardian and/or Conservator (blank)
[ ] Letters and Their Acceptance for Temporary Guardianship and/or Conservatorship (blank)

There is a $278 filing fee. The Clerk's Office accepts cash, money orders, and cashier's checks payable to "Clerk of Superior Court". If you can't afford the fee, see the Self-Help Center packet *Getting Help With a Filing Fee*.

STEP 14: THE COURT WILL MAIL YOU THE SIGNED NOTICE OF HEARING

STEP 15: GIVE NOTICE OF THE HEARING TO THE REQUIRED PEOPLE

See the INSTRUCTIONS: GIVING NOTICE OF THE HEARING in this packet. Giving notice can be complicated and time-consuming. Make sure you understand the procedures before beginning the guardianship/conservatorship process.

STEP 16: AFTER YOU GIVE NOTICE:
FILL OUT THE PROOF OF NOTICE

STEP 17: FILE THE PROOF OF NOTICE WITH THE COURT BEFORE THE HEARING

STEP 18: GO TO THE HEARING

Bring the following:

[ ] The minor over 13
[ ] Any witnesses that may support your case
[ ] The original and three copies of any evidence that may support your case
[ ] A blank copy of the Order Appointing a Guardian and/or Conservator

Be prepared to tell the judge why you think the court should grant your requests.

Before the court date, watch the courts video *How to Represent Yourself in Court* online at http://www.youtube.com/watch?v=SfSclA2BkCk to learn about procedures in court.

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STEP 19: THE COURT WILL MAIL YOU THE SIGNED ORDERS

If the judge grants your requests, the court will complete, sign, and mail you a copy of the following. Read each form carefully, and make sure you understand everything written on them.

[ ] Order Appointing a Guardian and/or Conservator
[ ] Order to Guardian and/or Conservator and Acknowledgment
[ ] Letters of Guardianship and/or Conservatorship and Acceptance of Letters (unless bond was ordered -- See FILE BOND IF THE COURT ORDERED IT, below)

STEP 20: FILE PROOF OF BOND IF THE COURT ORDERED IT

Look at the Order Appointing a Guardian and/or Conservator to see if the court waived or ordered bond. If bond is ordered, the court will not sign the Letters of Guardianship and/or Conservatorship until you file proof of bond. If the court ordered bond:

1. Find a bonding company in the Yellow Pages, call them, and purchase the bond in the amount shown on the Order Appointing a Guardian and/or Conservator.

2. Fill out the Proof of Bond.

   Staple to the Proof of Bond the original receipt, a copy of the bond, or other proof of bond from the bonding company, showing the amount and details of the bond.

3. File the Proof of Bond with the court.

Once the Proof of Bond is filed, the Clerk will fill out and sign the Letters of Guardianship and/or Conservatorship and mail them to you.

STEP 21: GET A CERTIFIED COPY OF THE LETTERS FROM THE CLERK

The Letters of Guardianship and/or Conservatorship are your proof of your court-ordered authority. You must keep a “certified copy” of the Letters with you whenever acting as guardian and/or conservator. A certified copy is not the same as the “conformed copy” the court mailed you. Many agencies, such as banks or the Social Security Administration, accept only certified copies. You can get a certified copy from the Clerk of Court for a fee.

STEP 22: IF YOU ARE APPOINTED CONSERVATOR: COMPLETE THE INVENTORY OF ESTATE

You must file the Inventory of Estate within 90 business days after the judge signs the Order Appointing a Guardian and/or Conservator.

1. Fill out the Inventory of Estate
   (1) Enter your name, address, and phone number.

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(2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.

(3) Enter the case number as it appears on the Petition that started this case.

(4) Enter the balance of the ward's cash. If the ward is an adult, check the box if anyone else also owns or has access to the cash.

(5) For each of the ward's bank or other accounts that you have access to (including stocks, bonds, mutual funds, life insurance, pensions, retirement funds, profit sharing plans, stock plans, 401K plans, etc.), enter the bank or institution name, an account description (such as "savings", "checking", "money market", etc.), and the value. If the ward is an adult, check the box next to each account that anyone else also owns or has access to.

(8) Add the Non-Property Assets values, and enter the total.

(9) Real estate includes properties, homes, cemetery plots, timeshares, etc. Find the value of each piece of the ward's real estate on the county assessor's Notice of Value. For each piece of real estate, enter the address, legal description on the deed (example: "Lot 77, Pine Tree Acres, According to Book 111 of Maps"), and value. If the ward is an adult, check the box next to each property that anyone else also owns or has an interest in.

(10) Household goods include home furnishings, furniture, jewelry, etc. Have valuable household goods like antiques and jewelery appraised. (In the future, you must re-appraise only when they are to be sold.) For each of the ward's household goods, enter the description and value. If the ward is an adult, check the box next to each household good that anyone else also owns or has an interest in.

(11) Motor vehicles include all vehicles licensed by the state. Find the value of each of the ward's motor vehicles in the Kelley Blue Book, available online at www.kbb.com or at most libraries. For each motor vehicle, enter the make, model, lienholder, last four digits of the vehicle identification number, and value. If the ward is an adult, check the box next to each vehicle that anyone else also owns or has an interest in.

(12) For each of the ward's property assets not covered above, enter the description and value. If the ward is an adult, check the box next to each asset that anyone else also owns or has an interest in.

(13) Add the Property Assets values, and enter the total.

(14) Debt includes amounts owed on real estate, furniture, credit cards, etc. For each of the ward's debts, enter the description and amount owed. If the ward is an adult, check the box next to each debt that anyone else also owes or has an interest in.

(15) Add the Debts amounts owed, and enter the total.

(16) For each asset and debt you checked as having a joint interest, enter the description of the asset or debt, the other interested person's name, and their relationship to the ward.

(17) If anyone owes or will owe the ward a debt, enter a description of the debt, the name of the person who owes or will owe it, and the amount.

(18) Describe any fund the ward is a beneficiary to and you do not have access to.

(19) Enter the Total Non-Property Assets listed on this Inventory.

(20) Enter the Total Property Assets listed on this Inventory.

(21) Enter the Total Debts listed on this Inventory.

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(22) Add the Total Non-Property Assets and Total Property Assets, subtract the Total Debts, and enter the total.
(23) Enter the total estimated value of the assets you checked as having a joint interest.
(24) Enter the name and address of 1) any ward over 13, 2) if the ward lives with a parent or guardian, the parent or guardian, and 3) the ward's attorney if they have one.
(25) Sign in front of a notary.

2. File the Inventory of Estate with the court.

3. On the date you file it with the court, mail or hand-deliver a copy of the Inventory of Estate to each person listed under "Certificate of Delivery" on the Inventory.

STEP 23: IF THE COURT ORDERS A CONSERVATORSHIP ESTATE BUDGET: COMPLETE AND FILE THE CONSERVATORSHIP ESTATE BUDGET

Read the Order Appointing a Guardian and/or Conservator to learn where to find this form.

STEP 24: IF THE COURT ORDERS A RESTRICTED ACCOUNT: COMPLETE THE PROOF OF RESTRICTED ACCOUNT

If the Order Appointing a Guardian and/or Conservator orders some or all of the ward's money put into a restricted account, follow these steps.

1. Fill out the Proof of Restricted Account.
   (1) Enter your name, address, and phone number.
   (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
   (3) Enter the case number as it appears on the Petition that started this case.
   (4) Enter the bank or financial institution's name and address.
   (5) Enter the ward's name.
   (6) Enter the conservator's name.
   (7) Enter the date the judge signed the Order Appointing a Guardian and/or Conservator.

2. Take the following to a bank or other financial institution:
   [ ] The money to be put in a restricted account
   [ ] A certified copy of the Letters of Guardianship and/or Conservatorship
   [ ] A copy of the Order Appointing a Guardian and/or Conservator
   [ ] The original Proof of Restricted Account

   Have the bank or financial institution put the money into a restricted account as explained in the Order. Have the bank or institution manager fill out the rest of the Proof of Restricted Account. Keep the original Proof of Restricted Account to file with the court.

3. File the Proof of Restricted Account with the court.

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STEP 25: COMPLETE THE GUARDIAN'S REPORT AND/OR CONSERVATOR'S ACCOUNTING

Read the Order Appointing a Guardian and/or Conservator to learn when these forms are due and where to find them.

STEP 26: IF YOU WANT GUARDIANSHIP AND/OR CONSERVATORSHIP TO CONTINUE WHEN THE WARD TURNS 18: SEE THE SELF-HELP PACKET *GUARDIANSHIP AND/OR CONSERVATORSHIP OF AN ADULT*

Guardianship and/or conservatorship does not automatically continue when a minor ward turns 18. You must ask the court to appoint you guardian and/or conservator of the adult ward. Start the packet early enough to finish the process by the ward's 18th birthday. The whole process takes at least two months.

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