

STANISLAUS COUNTY SUPERIOR COURT www.stanislaus.courts.ca.gov

(209)530-3100

Revised 7/12

TERMINATION OF GUARDIANSHIP PACKET

This packet contains forms required for Termination of Guardianship proceedings in Stanislaus County Superior Court.

Additional Judicial Council forms, local forms and information are available in the Clerk's Office, the Stanislaus County Law Library located at 1101 13th Street, Modesto, and on the following Websites:

Stanislaus County Superior Court: www.stanislaus.courts.ca.gov Judicial Council's Self Help: www.courts.ca.gov/selfhelp.htm Judicial Council Forms: www.courts.ca.gov/formsrules.htm

Superior Court Self-Help Center/Family Law Facilitator's Office 800 11th Street, Room 220, Modesto PROVIDING ASSISTANCE TO PARTIES REPRESENTING THEMSELVES

Both offices provide services on a first come, first serve basis
The Superior Court Clerk's Office is prohibited from giving referrals to specific attorneys or legal counsel. Lawyer Referral Service may be able to assist you in finding an attorney. Their telephone number is (209) 571-5727. There are books available on how to do a guardianship at the public library, the Law library and in bookstores. More information is available in the Stanislaus County Local Rules of Court. You may also refer to Probate Code 2250.

FREQUENTLY ASKED QUESTIONS

Persons handling their own cases (self–represented) are required to prepare and present their pleadings (court documents) in complete and proper form without help from the court staff. **This office is prohibited from giving legal advice in any manner**. Doing so would constitute acting as an attorney or legal counsel. This office is also prohibited from giving referrals to specific attorneys or legal counsel. Questions on legal matters regarding the appropriate form or its proper completion and presentation should be referred to an attorney.

PREPARATION

You are required to bring in one (1) original plus two (2) copies of all documents. You may need to make additional copies after filing the original depending on how many people need to be served in your case. However, the clerk will only conform two copies. Whether typed or hand printed, your papers must be completed in blue or black ink, be legible and dark enough to photocopy. The petitioner's name, address and telephone number must be placed in the space in the upper left hand corner of each form. Pleadings are to be dated and signed before being presented for filing. Each form must have the court name and location in the heading as indicated below:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS 1100 I Street, PO Box 1098 Modesto, CA 95353-1098

TERMINATION OF GUARDIANSHIP

The following forms are included in this packet:

Petition for Termination of Guardianship (GC-255)

Order Terminating Guardianship (GC-260)

Notice of Hearing-Guardianship or Conservatorship (GC-020)

Attachment to Notice of Hearing Proof of Service by Mail DE-120(MA)/GC-020(MA)

Petition for Termination of Guardianship

Fill out both sides of this form. The Clerk's Office will only conform two copies. You may need to make additional copies later for each person required to be served. The number of copies needed can vary case by case. Service by mail is required to the minor's parents, the current legal guardian(s), grandparents and any brothers/sisters.

Order Terminating Guardianship

This form needs to be filled out as much as possible. You will not know the answers to all the questions because some things (like the hearing) have not yet taken place. Fill in as much as you can now based on what you know about the case. This form will be kept in your file until the hearing or the Judge makes his/her decision.

Notice of Hearing

Fill out everything except the information box which tells when the hearing will happen. The clerk who files your documents will fill in this information. Bring the original and two (2) copies of this form to the Clerk's Office with the Petition and Order Terminating Guardianship. The clerk will enter the hearing information on the form and return it to you. You may need to make additional copies after filing depending on how many people you need to serve.

Please Note:

- Once you have filed your Petition, you are ready to have the Petition and Notice of Hearing served on the other people involved in your case. The person serving your documents must be at least 18 years old and not involved in your case. He/she must fill out the Proof of Service by Mail (located on the back of the Notice of Hearing) and then you must file the Notice of Hearing with the Court. If you have more than 3 people to serve you may use the Attachment to Notice of Hearing Proof of Service by Mail. It provides plenty of space for more names and addresses.
- A filing fee will be charged for the processing of your paperwork. You can request a fee waiver from the clerk if you would like to ask that your fees be deferred or reduced.

		GC-255
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY	
_		
TELEPHONE NO.: FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS	-	
street address: 1100 I Street		
MAILING ADDRESS: PO Box 1098		
city and zip code: Modesto, CA 95353-1098		
BRANCH NAME:		
GUARDIANSHIP OF THE PERSON ESTATE OF	CASE NUMBER:	
(Name):		
MINOR	HEARING DATE AND TIME:	DEPT.:
PETITION FOR TERMINATION OF GUARDIANSHIP	HEARING DATE AND TIME.	DEI I
	1	
1. Petitioner (name):	requests	s that
a the guardianship of the PERSON of <i>(minor):</i>	be term	ninated.
b the guardianship of the ESTATE of (minor):	be term	ninated.
(1) The estate has been entirely exhausted through expenditures or disburs	,	
(2) The estate falls within the provisions of Probate Code section 2628(b) (s have been required.	mall estate), and no accounts	
(3) Uther (specify):		
2. Petitioner is the minor minor's guardian minor's parent.		
<u> </u>	vas appointed guardian of the PER	SON
of the minor named in item 1a on (date):	3,4,4	
	vas appointed guardian of the EST	ATE
of the minor named in item 1b on (date):		
5. It is in the best interest of the minor that the guardianship of the person es	tate be terminated for the reasor	ns
stated in Attachment 5 stated below (specify):		
6. A request for special notice		
a has not been filed.b has been filed and notice will be given to (names):		
b has been filed and hotice will be given to (hames).		
7. Notice to the persons identified in Attachment 7 should be dispensed with because		
a. they cannot with reasonable diligence be given notice (specify names and e	fforts to locate in Attachment 7).	
b. other good cause exists to dispense with notice (specify names and reason	·	
8. Petitioner is the minor's guardian. Petitioner requests reasonable visitation with the r	·	
guardianship as specified in Attachment 8. A completed Declaration Under Uniform		
Enforcement Act (UCCJEA) form (FL-105/GC-120) is also attached.		
NOTICE: This guardianship will terminate automatically when the child reaches age	18. No petition or court order is	
necessary to terminate the guardianship at that time. Nevertheless, if this i	s a guardianship of the estate,	_
termination of the guardianship does not eliminate the requirement that a fi (See Prob. Code, § 1600.)	nai report or account must be file	ed.
(oee i ion. oode, 3 iooo.)		

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GUA	ARDIANSHIP OF THE	PERSON ESTA	TE OF (Nan	ne):	CASE NUMBER:
_				MINOR	
	he names and residence Guardian:	addresses of the guardian, n		nor's parents, brothe Brother or sister:	rs, sisters, and grandparents are (specify):
b.	Minor:		h.	Maternal grandfathe	er:
C.	Father:		i.	Maternal grandmoth	ner:
d.	Mother:		j.	Paternal grandfathe	r:
e.	Brother or sister:		k.	Paternal grandmoth	er:
f.	Brother or sister:		I. [Additional nam Attachment 9.	es and addresses continued in
10. N	umber of pages attached	d:			
Date:	:				
(Sign	ature of all petitioners also req	uired (Prob. Code, § 1020).)		(SIGNATURE OF AT	TORNEY OR PETITIONER WITHOUT AN ATTORNEY *)
decl Date:		jury under the laws of the Sta	te of Californi	a that the foregoing	is true and correct.
	(TYPE OR	PRINT NAME)			(SIGNATURE OF PETITIONER)
	(TYPE OR	PRINT NAME)		<u> </u>	(SIGNATURE OF PETITIONER)
	CONS	ENT TO TERMINATION AND	WAIVER OF	SERVICE AND NO	TICE OF HEARING
11. [nination of the guardianship of tice of the hearing on, this pet		person e	state of the minor and waive service
Date:	_	(TYPE OR PRINT NAM	ΛΕ)	(SIGNATURE C	OF MINOR* GUARDIAN PARENT OTHER)
Date:	: <u> </u>	(TVPF OR RRUT VVI	15)		
		(TYPE OR PRINT NAM	¶ ∟)	(SIGNATURE C	F MINOR * GUARDIAN PARENT OTHER)
Date:	<u> </u>	(TYPE OR PRINT NAM	ME)	(SIGNATURE C	OF MINOR * GUARDIAN PARENT OTHER)
Date:	_	(TYPE OR PRINT NAM	ME)	(SIGNATURE C	DF MINOR * GUARDIAN PARENT OTHER)
	Additional signatures	on Attachment 11.		* Minor ove	er 12 years of age.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
<u> </u>		
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLA	AUS	
street address: 1100 I Street MAILING ADDRESS: PO Box 1098		
city and zip code: Modesto, CA 95353-1098		
BRANCH NAME:		
)F	
(Name):		
	MINOR	
ORDER TERMINATING GUARDIA	NSHIP	CASE NUMBER:
The petition to terminate the guardianship came on for hearing	g as follows (check boxes c-l to	indicate personal presence):
a. Judicial Officer (name):		
b. Hearing date: Time c. Petitioner (name):	e: D	ept. Rm:
d. Attorney for petitioner <i>(name)</i> :		
e. Minor (name):		
f. Attorney for minor (name):		
g. Guardian of the person (name): h. Attorney for guardian of the person (name):		
i. Guardian of the estate (name):		
j. Attorney for guardian of the estate (name):		
k. Parent of minor (name):		
I Attorney for parent (name):		
THE COURT FINDS		
2. a. All notices required by law have been given.b. Notice of hearing has been should	be dispensed with to the follow	ing persons (specify):
b. Notice of flearing las been should	be dispensed with to the follow	ing persons (specify).
c. It is in the minor's best interest to terminate the guar	•	
d It is in the minor's best interest to terminate the guar(1) The estate has been entirely exhausted the		nents (Probate Code, § 2626).
(2) The estate falls within the provisions of Pr		
been required.		·
(3) Other reasons (specify):		
THE COURT ORDERS		
3. The guardianship of the PERSON of <i>(minor)</i> :		is terminated.
4. The guardianship of the ESTATE of <i>(minor):</i>		is terminated.
5. Notice of hearing to the persons named in item 2b is di	spensed with.	
6. Visitation between the minor and the guardian of	f the person of the estate	is ordered as provided in
Attachment 6.		
7. Other (specify):		
Continued on Attachment 7	· -	JUDICIAL OFFICER
Date:		CONSIDER OF FIGURE
	Signature fol	lows last attachment. Page 1 of 1

			GC-020
ATTORNEY OR PARTY WITHOUT ATTORNEY (Na	me, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.:	FAX NO. (O	intional):	
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (O	рионан.	
SUPERIOR COURT OF CALIFORNIA,	COUNTY OF STANISLAU	JS	
STREET ADDRESS: 1100 I S MAILING ADDRESS: PO BOX 1			
CITY AND ZIP CODE: Modesto,	CA 95353-1098		
	ERVATORSHIP OF THE	PERSON ESTA	TE
OF (Name):			
NOTION OF USABINA	MINOR	(PROPOSED) CONSERVATE	CASE NUMBER:
NOTICE OF HEARING	G—GUARDIANSHIP OR CO	ONSERVATORSHIP	
This notice does	This notice is not require you to appear in	required by law.	the hearing if you wish
Under some circumstances you	n file in this proceeding for mo or your attorney may be able		ıments filed with the court are confidentia confidential documents if you file papers
in the proceeding or apply to the The petition includes an Probate Code second Powers requested are	application for the independer	nt exercise of powers by a g Code section 2590. specified in Attachmen	
4. A HEARING on the matter will	pe held as follows:		
a. Date:	Time:	Dept.:	Room:
b. Address of court	same as noted above	is (specify):	
Assistive listening systems, cor available upon request if at leas			

Accommodations by Persons with Disabilities and Order (form MC-410). (Civil Code section 54.8.)



	GUARDIANSHIP	CONSERVATORSHIP	OF THE		PERSON	ESTATE	CASE NUMBER:
OF	(Name):		7		(DD 0D 005)		
			MINOR	NOT	•	D) CONSERVATEE	
has Copi pers guar eithe allow whice Thi perfe	the right under the law to les of this Notice may be onally served on certain dianships and conserva er service by mail or pows. The petitioner does the petitioner then files s page contains a proof orms the service must co	to be notified of the served by mail in persons; and coptorships. The petersonal service, this by arranging s with the original of service that mapping and sign	e date, time, no most situate vies of this Notioner (the public must should be notice). The control of the cont	place, tions. otice n person ow the else to only to sersonal	rship ("Notice and purpo In a guardice and purpo In a guardice and person to the court that to perform the show service, and service, and purpose and	se of a court hearing anship, however, concently served instead the court hearing copies of this Notice he service and come by mail. To show and each signed copy	d" on—delivered to—each person who g in a guardianship or conservatorship opies of this Notice must sometimes be ad of served by mail in both ng) may not personally perform the have been served in a way the law plete and sign a proof of service, a personal service, each person who y of that proof of service must be ersonal service of this Notice.
							y posting is desired, attach a copy of atorship. (See Prob. Code, § 2543(c).,
				-	RVICE BY		
				am a	resident of	or employed in the	county where the mailing occurred.
2. N	My residence or business	s address is (spec	city):				
a	depositing the with the postage of the depositing the with the postage of the deposition of the deposi	as shown below A sealed envelope e fully prepaid. velope for collect ces. I am readily n the same day	ND with the Unit ion and mail r familiar wit that corres	ed Sta ling on th this sponde	tes Postal at the date a business's nce is pla	Service on the date and at the place sh practice for collect ced for collection	and at the place shown in item 4 own in item 4 following our ordinary ting and processing correspondence and mailing, it is deposited in the elope with postage fully prepaid.
4. a	a. Date mailed:			b. Pla	ce mailed (city, state):	
5. [the Notice.	· ·	·	•			etition or other document referred to in
I dec	lare under penalty of pe	rjury under the lav	ws of the Sta	ite of C	California th	at the foregoing is t	rue and correct.
Date	:						
	(TYPE OR PRINT NAME OF	PERSON COMPLETING	THIS FORM)		<u> </u>	(SIGNATURE C	DF PERSON COMPLETING THIS FORM)
	NA	ME AND ADDRE	SS OF EAC	H PER	RSON TO V	VHOM NOTICE WA	AS MAILED
	Name of person se	<u>erved</u>		Ad	ldress (nun	nber, street, city, sta	ate, and zip code)
1.							
2.							
3.							
4.							
Ē	Continued on an att	tachment. (You n	nay use form	DE-12	20(MA)/GC	-020(MA) to show a	additional persons served.)

				DE-120(MA)/GC-020(MA)
ESTATE (Name):	GUARDIANSHIP	CONSERVATORSHIP MATTER	OF	CASE NUMBER:

ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL

(This Attachment is for use with forms DE-120 and GC-020.)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

<u>No.</u>	Name of person served	Address (number, street, city, and zip code)
[
[
_		
_		
_		
_		
_		
_		