

PETITION FOR APPOINTMENT OF GUARDIAN OF MINOR	Docket No. _____	Commonwealth of Massachusetts The Trial Court Probate and Family Court
In the Interests of: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> _____ _____ _____ </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> First Name Middle Name Last Name </div> Minor		<div style="text-align: right; margin-bottom: 10px;">_____ Division</div>

1. Information about the Minor:

 First Name M.I. Last Name Current age Date of Birth

 (Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

County of Residence: _____

2. The Petitioner is:

☐ a person or persons interested in the welfare of the Minor. **or** ☐ the Minor

3. Information about the Petitioner(s):

Name: _____

 First Name M.I. Last Name

 (Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

Primary Phone #: _____ Relationship to Minor: _____

Name: _____

 First Name M.I. Last Name

 (Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

Primary Phone #: _____ Relationship to Minor: _____

4. Information about the Biological Mother/parent one and Father/parent two:

 Mother's/Parent One Name M.I. Last Name ☐ Deceased

 (Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

 Father's/Parent Two Name M.I. Last Name ☐ Deceased

 (Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

5. Is there a nomination of a guardian by will or other writing signed by a parent or guardian? ☐ Yes ☐ No

If **Yes**, attach copy of document.

6. Venue for this proceeding is proper in this county/Division of the Probate and Family Court because

- ☐ the minor resides in the county/Division.
- ☐ the guardian was nominated in a will which was or could be probated in this county/Division.

7. The best interests of the Minor will be served by appointment of a guardian for the Minor.

8. The minor is unmarried and

- ☐ parent(s) consent to the appointment of a guardian. **Attach Notarized Consent of Parent(s).**
- ☐ all parental rights have been terminated by
- ☐ prior court order. **Attach a copy of the court order to this Petition.**
- ☐ a signed voluntary surrender. **Attach a copy of the surrender to this Petition.**
- ☐ death. If available, **attach a copy of the death certificate to this Petition.**
- ☐ Parent or parents are unavailable to exercise their parental rights because: (Briefly explain)
- ☐ Parent or parents are unfit to exercise their parental rights because: (Briefly explain)
- ☐ Guardianship has previously been granted to a third party who has died or become incapacitated, and the guardian has not appointed a successor guardian by will or written instrument. **Describe and attach order or any relevant documents.**

9. ☐ Petitioner is requesting to be appointed as Guardian and is not currently being investigated nor does he/she have charges pending for assault resulting in bodily injury to the minor. Petitioner is not being investigated and does not have charges pending for neglect of the minor.
10. ☐ I request that sureties required on the bond be waived by the court.
11. Petitioner is requesting the following person be appointed as Guardian:

Name: _____

_____ M.I. _____

First Name Last Name

(Address) (Apt. Unit, No. etc.) (City/Town) (State) (Zip)

Primary Phone #: Relationship to Minor:

- ☐ He/She has priority for appointment as guardian pursuant to G.L.c. 190B, § 5-207 because the proposed Guardian is nominated by the Minor and the Minor is 14 years of age or older. **Attach Nomination of Minor.**

Name: _____

_____ M.I. _____ Last Name

(Address) (Apt. Unit, No. etc.) (City/Town) (State) (Zip)

Primary Phone #: Relationship to Minor:

- ☐ He/She has priority for appointment as guardian pursuant to G.L.c. 190B, § 5-207 because the proposed Guardian is nominated by the Minor and the Minor is 14 years of age or older. **Attach Nomination of Minor.**

12. Who, other than you, had primary care and custody of the Minor during the 60 days prior to filing this Petition?
(G.L. c. 190B, §5-206): ☐ No one or ☐ Person listed below

The Petitioner shall provide notice to the parents, Minor if 14 years of age or older, and persons listed in paragraphs 11-13 of the time and place for a hearing on this Petition in accordance with Probate and Family Court Standing Order 4-09. Notice requirements may be different if an emergency guardianship is sought.

The Petitioner/Co-Petitioners is/are interested in the welfare and best interests of the Minor and request/s that an appointment of a guardian be made after notice and hearing.

In addition, I/We request that the Court:

SIGNED UNDER THE PENALTIES OF PERJURY

I affirm or swear under oath that I have read the foregoing petition and that the statements set forth therein are true and correct to the best of my knowledge.

Date _____

Signature of Petitioner

Date _____

Signature of Co-Petitioner (if applicable)

Attorney for Petitioner

Print Name

(Address)

(Apt, Unit, No. etc.)

(City/Town)

(State)

(Zip)

Primary Phone #: _____

BBO No.: _____