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| File a Petition to Remove a Guardian for a Minor |

Congratulations {{ users }}! You have finished all the forms you need to file a Petition for the Removal of a Guardian of a Minor MPC 240. The rest of the pages in this packet are the documents you will file with the court.

## Next steps

1. Keep a copy for yourself.
2. File this petition with the court now.
3. Deliver a copy to the guardian(s), minor child if they are over 14, or their attorneys. {{ showifdef('other\_parties[0]') }}.
4. **Complete and file the Return of Service**
5. Appear at the hearing on your petition.

## To file your petition right away

1. Look over the forms below, one more time. Make sure everything is correct.
2. Call the {{ trial\_court }} {{ showifdef('trial\_court.phone\_number') }} to find out how they want you to send your forms to them, such as mailing or bringing the documents to the courthouse.
3. {%p if defined('trial\_court.address.address') %} The address of your court, if you need it, is:   
   {{ trial\_court.address.on\_one\_line() }}.
4. {%p endif %}

## Delivering a copy of your petition

After you file, the court will give or send you a Notice and Order. This paper tells you when your next court hearing is and who needs to be given a copy of your petition.

This notice will tell you how to give them a copy, like in person, by mail, or by publishing the notice in a newspaper. It will also give you a deadline for when you need to give them a copy by.

The Notice will have a page called “Return of Service.” You complete this page after you give copies to everyone and explain how you gave each person a copy. This Return of Service needs to be filed with the Court.

## What happens at the hearing?

The judge reads your petition. They may ask you to explain why you think the guardianship should end. The judge may ask you questions about why you are ready to take over parenting for the child again.

If the guardian does not agree to ending the guardianship, they will have the chance to tell the judge why they do not agree. Be prepared to tell the judge why you believe they are wrong.

## What happens after the hearing?

The judge can do 2 things:

* + - 1. Order that the guardianship ends.
      2. Schedule another hearing to give you, the guardian(s), and the child if they are over 14 time to get more information so they can make their decision.

## What can I do if the judge doesn’t end the guardianship at the hearing?

You should prepare to show the judge why you are ready to be a parent again.

## If I included a request for a temporary guardian, will the judge consider my request?

It depends on the court.

Some courts in Massachusetts may not accept a petition to appoint a temporary guardian in a case to remove an already-existing guardian.

You will need to contact the {{ trial\_court }} to confirm whether this applies to your case.

## Learn more

Learn more about child guardianship at [**https://www.masslegalhelp.org/children-families-divorce/guardians-other-caregivers/guardianship-minor-overview**](https://www.masslegalhelp.org/children-families-divorce/guardians-other-caregivers/guardianship-minor-overview) or follow the QR Code below.

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