

TEMPORARY GUARDIAN OF MINORS

Court personnel cannot assist with completing this petition

At the time of filing this petition you must have physical custody of the minor

This petition is for minors from birth to 17 years of age. For these individuals who are still in high school, and have reached the age of 18, you must contact the Gwinnett County Board of Education at 678-301-7270 for special enrollment for adults in a Gwinnett County High School.

GUARDIAN AD LITEM

At the time the petition is offered for filing if both parents have not consented to the petition by selecting the guardian for the minor the court will appoint Guardian ad Litem for the minor. **This fee is \$125.00.** The guardian ad litem will investigate as to whether the petitioners should be appointed as guardian(s).

FEES

PETITION FOR TEMPORARY GUARDIANSHIP OF MINOR

Required Fees

(made payable to Gwinnett County Probate Court, Check, Cash, Money Order)

Petition **95.00**

Fees Required in Certain Cases:

TYPE OF FEE	WHEN REQUIRED	HOW MUCH
Sheriff Service	When parent has not acknowledged service of the petition and must be personally served with the petition.	\$25.00 per person to be served made payable to the Sheriff's Department of the County in which <u>the person to be served</u> is located
1st Class mail out of state	When parent(s) has/have known address outside GA	\$2.00 per parent <u>payable to Gwinnett County Probate Court</u>
Mail out of country	When parent(s) has/have known address outside USA	\$4.00 per parent <u>payable to Gwinnett County Probate Court</u>
Publication	When the location of the parent(s) is/are unknown	\$60.00 <u>payable to Gwinnett Daily Post</u>
Guardian ad litem	When the location of either parents is unknown OR parent(s) who has/have not consented and live(s) outside of Georgia and/or U.S.A.	\$125.00 <u>payable to Gwinnett County Probate Court</u>

Each petitioner must review the petition throughly before completing Page 5, if the minor is 14 years of age or older they minor must sign and date page 5
All parents signatures must be notarized on page 6
If you are planning on residing out of state with the minor you must have the parent(s) consent to this by initialing page 6 in the provided section. **You cannot remove the minor out of state without a court order**
If parent(s) have consented and their signature date is past 90 days when the petition is filed, you will have to provide a new consent by the parent(s)
Page 7 (Assumption of Obligation to Support) should be completed **if desired for insurance purposes**

CRIMINAL HISTORY

Every petitioner must complete the consent form attached to this petition for a criminal background check. **All household members living in the petitioner(s) home who are 18 years of age and older, must also complete a consent form.**

REQUIRED DOCUMENTATION

Proper Identification for petitioner(s) **Valid Georgia drivers license or Valid Georgia I.D.**
If your drivers licenses has an out of county address you must provide proof of residency with a utility bill issued in your name.

Proof of legal status in the United States by providing either a **U.S. Birth Certificate, U.S. Passport, Naturalization Certificate, Valid Resident Alien Card, or I-94 Work Visa**

Birth Certificate of Minor and Death Certificate for a deceased parent

GENERAL INFORMATION

For the parents who have not consented to this petition the court will appoint a guardian ad litem for the minor and serve the parents according to their domicile. As long as one parent has consented to your petition, the court may not appoint a guardian ad litem and only serve the other parent if living. The court may schedule a hearing if the guardian ad litem report deems this.

Each parent has the absolute right, at any time, to file a petition with the court to terminate the guardianship upon notice to the guardians. See O.C.G.A. §29-2-14

Guardianship cannot be granted between parents if the parents are divorced.

If you are filing for guardianship for more than one minor, a petition is required for each minor

Generally, if the minor has an appointed guardian or custodian from another court this court cannot grant your petition for guardianship.