



# Superior Court of the State of California County of Kings

1426 South Drive, Hanford, CA 93230



## Termination of Guardianship

Packet Purchase Price: \$ 4.00

THERE WILL BE ABSOLUTELY NO REFUNDS OR EXCHANGES ON THE PURCHASE OF SUPERIOR COURT FORMS OR PACKETS

### ? How do I ask the court to end a guardianship?

The petition (in this packet) may be filed by the guardian or the minor’s parent. The order terminating guardianship, however, is not automatically granted upon filing the petition. The court must be satisfied that the guardianship is no longer necessary and the **best interests of the minor** require termination of the guardianship.

### ? Can a guardianship terminate automatically?

Yes, when the minor child reaches the age of 18. No petition or court order is necessary to terminate the guardianship at that time. However, if the guardianship is for the estate of the minor, termination of the guardianship **does not** eliminate the requirement that a final report or account be filed (*Probate Code 1600*). If the child has not reached the age of 18 and termination is requested, a court order is required, and a petition for termination of guardianship must be filed with the court.

### ? Do I have to "give notice" that I want to end the guardianship?

Yes. You have to give notice by mail to all the people that got notice when the case started (when the guardianship was filed).

You must give notice at least 15 days before the hearing.

### ? Are there any fees when I turn in my paperwork? \*

Petition for Termination of Guardian of a person .....	\$ 225.00
Investigation fee .....	\$ 300.00

\* If eligible, these fees may be waived. Ask the clerk for a Fee Waiver Packet.

## Online assistance:

<a href="http://www.courts.ca.gov">www.courts.ca.gov</a> State of California Self-help website	<a href="http://www.leginfo.ca.gov">www.leginfo.ca.gov</a> Official California Legislative Information website
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# Step 1

## Complete the forms:

1.  [Petition for Termination of Guardianship GC 255](#)
2.  [Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act \(UCCJEA\) GC 120](#)
  - a.  [Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act \(UCCJEA\) GC 120\(A\)](#)

01-01-06
01-01-07
01-01-09

- This form is only used when you have *more than two* children to list.

*Complete the following forms. Once submitted, the clerk will be lodge them into the file until after the hearing:*

3.  [Order Terminating Guardianship GC 260](#)

01-01-06
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# Step 2

## Obtain a court hearing and noticing parties:

There are two ways to retrieve a court hearing date:

1. "Reserve a date"- Prior to delivering your Notice of Hearing to the court, contact the calendar desk at the clerk's office -(559) 582-1010 ext. 3076.
2. Deliver your Notice of Hearing forms to the court, the court clerk's office along with your petition.

*Once you have received the court date, it is placed on the Notice of Hearing Guardianship, GC020. Service is performed.*

Form name and number:	Last revised on:
1. <input type="checkbox"/> <a href="#">Notice of Hearing Guardianship or Conservatorship GC 020</a>	07-01-05

*If applicable, the following forms are attached to the Notice of Hearing (GC 020):*

*If more than four people were served by mail:*

- a.  [Attachment to Notice of Hearing Proof of Service by Mail GC 020\(MA\)](#)

07-01-05
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*If one or more parties were served by personal service:*

- b.  [Proof of Personal Service of Notice of Hearing GC 020\(P\)](#)

07-01-05
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- i.  [Attachment to Notice of Hearing Proof of Personal Service GC 020\(PA\)](#)

07-01-05
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- This form is only used if more than four people were served personally.

# Step 2 (continued)

## Obtain a court hearing and noticing parties:

*A copy of the Notice of Hearing, Petition and any other paperwork you filed must be served. Once each party has been noticed, have the server complete the proper proof of service. If all parties have not been served or service has not been attempted, the hearing will not be held.*

- 2.  [Declaration of Diligent Search](#) (local form) 06-05-08
  - This form is used to list information as to any parties that did not get served.
- 3.  [Proof of Service for Personal Service or by Notice and Acknowledgment of Receipt](#) (local form) 07-01-08

### **? Who is served with the Notice of Hearing and Petition?**

The people who are entitled to service are: Biological Mother, Biological Father, Biological Paternal Grandparents, Biological Maternal Grandparents, and any siblings over the age of 12.

### **? What if all parties do not get served?**

The hearing will not be held if all parties have not been served or service has not been attempted.

The form “**Declaration of Diligent Search**” is provided in this packet for parties that cannot be located/served.

# Step 3

## Copy and assemble your forms for filing:

It is very important that you assemble your paperwork **prior to submitting them to the Clerk’s Office**. After assembling your original documents you must make copies.

To assist you with how do do this, read the [Tips For Filling Out & Handling Your Court Forms](#) (two page sheet is located after the last page of this coversheet)

### **? How many copies do I make and where do I file my paperwork?**

You will need to make a copy for each party to be served, as well as a copy for yourself.

Kings County has four Superior Court locations:			
<b>AVENAL</b> 501 E. Kings St. Avenal, CA 93204 (559) 386-5225	<b>CORCORAN</b> 1000 Chittenden Ave. Corcoran, CA 93212 (559) 992-5193	<b>HANFORD</b> 1426 South Drive Hanford, CA 93230 (559) 582-1010	<b>LEMOORE</b> 449 “C” St. Lemoore, CA 93245 (559) 924-7757
Hours of Operation:			
<b>Business Days: Monday – Friday</b> <b>Business Hours: 8:00 a.m. to 4:00 p.m.</b>			

# Step 4

## Guardianship Investigation ONLY for a Relative Guardianship case

### ? What is the investigation fee for a relative guardianship termination case?

The **investigation fee** is \$ 300.00. This fee is paid when the completed investigation packet is submitted to the court. Please be aware there is an **annual investigation fee** of \$ 150.00.

### ? When is the investigation packet submitted?

The investigation packet should be submitted with the Guardianship Termination forms **or** soon after the forms have been filed. The investigation will be delayed if the investigation fee and all the investigation forms have not been submitted.

### ? What does the Court Investigator do?

Once the court has appointed a Court Investigator to your case the investigation can begin. An investigator will review the questionnaires and insure all items and/or forms have been submitted. The investigation fee must have been paid for at this point.

The Court Investigator will set up a formal home study. The investigator will:

- Visit the home where the child will live,
- Interview the child and the proposed guardian,
- Interview the parents if needed,
- Review documents about the child (like school records and medical records), and
- Do a background check on you and all adults living in the home to see if any of you has a record of neglect, abuse or a criminal record.

## Complete the forms needed for an investigation on a Relative Guardianship Termination case to take place

*Before an investigation can be set up on your relative guardianship case you must deliver to the clerk the following forms:*

Form name and number:	Last revised on:
1. <input type="checkbox"/> <a href="#">Guardianship Investigation Letter, local form</a> <ul style="list-style-type: none"><li>• This letter is only a checklist of what is required to be delivered to the court prior to your investigation to take place.</li><li>• Do not make copies of this form to file or to serve, it is strictly for your information.</li></ul>	6-3-11
2. <input type="checkbox"/> <a href="#">Guardianship Termination Questionnaire, local form</a> <ul style="list-style-type: none"><li>• Shall be completed by each petitioner requesting guardianship of the minor(s).</li><li>• Two (2) questionnaires are provided in this packet.</li></ul>	4-19-11
3. <input type="checkbox"/> <a href="#">Personal Reference Questionnaire, local form</a> <ul style="list-style-type: none"><li>• Shall be completed by six (6) individuals who will vouch for your qualifications as a suitable</li></ul>	4-15-11

candidate for the guardianship of the minor(s).

- Six (6) questionnaires are provided in this packet.