

GM-1 PETITION FOR GUARDIANSHIP OF A MINOR

You will need one packet per child.

This packet contains the following:

1. Instructions
2. Legal Assistance Information
3. EFile User Agreement
4. Petition for Appointment of Guardian(s) Over a Child
 - a. Index of Exhibits
 - b. Exhibit Cover Page A and List of Minor's Relatives
 - c. Exhibit Cover Page B and Information Regarding the Protected Minor's Estate (if applicable)
 - d. Exhibit Cover Page C
5. Confidential Information Sheet - Guardianship Required Information Sheet
6. Citation to Appear and Show Cause
7. Certificate of Mailing for the Petition for Appointment of Guardians
8. Declaration of Service
9. Guardian's Acknowledgment of Duties and Responsibilities of the Person (Minor)

You may need additional packets to complete your Petition for Guardianship of a Minor if:

- The child is 14 years or older (see packet GM-3).
- The natural parent(s) consent to the guardianship (see packet GM-4).
- You do not know the location or identity of a parent (see packet GM-6).

Note: The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

Instructions:

- **Step 1:** The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. To file electronically, you must have an eFlex account which you can sign up for in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

- **Step 2:** Fill out the **Petition for Appointment of Guardian(s) Over a Child, Exhibit A, Exhibit B (if applicable), and Exhibit C.**

Note: You will be given a case number and department when your documents are filed with the court.

Complete the Petition. If there is only one person petitioning for guardianship, please print “N/A” wherever the form asks for information about the second petitioner.

Exhibit A: List All of the Child’s Relatives

List all known relatives of the proposed protected minor. Include address or mark “Address Unknown” or “Deceased” accordingly. If more room is needed, attach additional sheets of paper.

Exhibit B: Information Regarding the Proposed Protected Minor’s Estate

Complete this page only if you are requesting guardianship over the estate.

Exhibit C: Age Identifying Documentation

Attach a copy of the Minor’s birth certificate or other age identifying documentation as Exhibit C. Social security numbers must be redacted.

If you would like to include additional documents to support your petition, each exhibit will need its own Exhibit Cover Page.

- **Step 3:** Fill out the **Confidential Information Sheet - Guardianship Required Information Sheet.**

You **must** attach a copy of **one** of the following documents for each proposed guardian:

- Social Security card, birth certificate, valid driver’s license, valid identification card, valid passport, valid permanent resident card number; or a valid tribal identification card.

Also, attach a copy of **one** of the following documents for the Proposed Protected Minor:

- Social Security card, birth certificate, valid driver’s license, valid identification card, valid passport, valid permanent resident card number; or a valid tribal identification card.

If the minor’s required information or identification is not included with the petition, it must be provided to the court not later than 120 days after the appointment of a guardian or as otherwise ordered by the court.

Step 4: Fill out the Citation to Appear and Show Cause.

List the child’s parents’ names. The “All Other Known Relatives of the Child” section must include the child’s grandparents and siblings (over the age of 14), if living.

Complete the entire form except for the bottom half which begins with, “Date and Time of Court Appearance.” Court staff will complete page 2 by providing a hearing date and time once the Citation has been filed into the guardianship case.

Step 5: File the Petition for Appointment of Guardian(s) Over A Child, Exhibits, Confidential Information Sheet - Guardianship Required Information Sheet, and Citation to Appear and Show Cause.

Electronically file the documents yourself following Step 5a-5c or bring your completed documents to the Resource Center to get help filing them. If you take them to the Resource Center to file, skip to Step 6 once they have been filed.

Step 5a: Sign into your eFlex account using the username and password created in Step 1: <https://wcefex.washoecourts.com/>.

Step 5b: Payment:

If you are petitioning to be the guardian of the person only, there will **not** be a filing fee.

If you are petitioning to be the guardian of the the estate, and the amount of the estate exceeds \$2,500.00, there will be a filing fee of \$5.00.

- To pay the filing fee, you must add a credit card to your eFlex account.
- Click on “My Profile.”

- Under the “Wallets” section, go to “SECOND JUDICIAL DISTRICT COURT - STATE OF NEVADA – Family Court Fee Payments” and click the “Add” button.
- Enter a description for the credit card you will be using.
- Click “Create Credit Card Token.” Enter your credit card information and follow the prompts to save it to your account.

□ Step 5c: Electronically filing your documents:

- To start the guardianship case, click “Home,” then click “New Case.”
- Select “Family-Related: Guardianship” and “Guardianship of a Minor - GB.”
- Click “Add my Parties” and enter the proposed guardian’s information as the Party Type “Petitioner.” Enter the proposed protected minor’s information as Party Type “Protected Person.”
- After all parties have been added, click “Next.”
- To file each of the documents below, select the applicable Document Type, and click “Choose File.” Locate your document file on your computer, then click “Add.”

Note: The Document Category field can be left blank.

- **Petition for Appointment of Guardian(s) Over A Child** including the **Index of Exhibits** as the last page
(Document Type: “Pet Appoint Guardian – Minor No\$ or Pet Appt Gdn Minor +2500” depending on the value of the minor’s estate)
- **Exhibit Cover Page A and Exhibit A: List of Minor’s Relatives** all together as one PDF document
(Document Type: “**Continuation”)
- Exhibit Cover Page A and Exhibit A: List of Minor’s Relatives get attached to the Petition by selecting Document Type: “**Continuation.”
- Upon attaching Exhibit Cover Page A and Exhibit A: List of Minor’s Relatives you will be prompted to select which document you are attaching it to; confirm that “Pet Appoint Guardian –

Minor No\$ or Pet Appt Gdn Minor +2500” is selected, and click “Next.”

- Repeat the same steps for **Exhibit B** (*if applicable*) & **Exhibit C**.
- **Exhibit Cover Page B** and **Exhibit B: Information Regarding the Protected Minor’s Estate** all together as one PDF document (Document Type: “**Continuation”)
- **Exhibit Cover Page C** and **Exhibit C: Minor’s Birth Certificate** or other age identifying documentation all together as one PDF document (Document Type: “**Continuation”)

A helpful video for attaching exhibits can be found here:

<https://www.youtube.com/watch?v=6JRMIXxa8Pg>

- **Confidential Information Sheet - Guardianship Required Information Sheet** including copies of identification for each guardian and the proposed protected minor all together as one PDF document (Document Type: “Guardianship Required Information Sheet”)
- **Citation to Appear and Show Cause** (Document Type: “**Document to be Issued”)

When the documents have been uploaded, review each one by clicking on the hyperlinked file name in the “View Document” column. When you have confirmed everything is correct, click “Next.”

If there is a filing fee listed next to “Estimated Fees,” select “Wallet Item” for the credit card added in Step 5b. If there is no fee, select “No fee required.”

When you are ready to submit your documents to the court, click “Submit the Filing.”

- Step 6: Wait. Once all the documents are filed and accepted, you will be assigned a case number and a judge.
- Step 7: Serve the documents.

You must serve everyone listed on the front of the Citation to Appear and Show Cause with one file-stamped copy of:

- **Petition for Appointment of Guardian(s) Over A Minor** including any exhibits
- **Citation to Appear and Show Cause**

Print file-stamped copies of these documents from your eFlex account or visit the Resource Center to obtain copies.

You will also need to serve:

- The Proposed Protected Minor if over the age of 14.
- The Proposed Protected Minor's attorney.
- The Director of the Department of Health and Human Service if the Proposed Protected Minor has received or is receiving benefits from Medicaid.
- Any other person taking care of the minor.
- Anyone else who is listed under NRS 159A.034.

Service may be made by certified mail, with a return receipt requested, at least 20 days before the hearing, or by personal service at least 10 days before the date of the hearing.

When you serve by certified mail, keep the white slips and green return cards to attach to your Certificate of Mailing for the Petition for Appointment of Guardians.

Personal Service cannot be completed by you.

It may be completed by:

- The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works; or
- A responsible adult over the age of 18 years that is not party to the case; or
- A private process service.

If you are serving multiple people by personal service, you will need additional forms. Contact the Law Library or Resource Center for more information.

Service by publication in a newspaper:

You must make a serious attempt to locate everyone listed on the front of the Citation to Appear and Show Cause. If none of the people (excluding the Director of the Department of Health and Human Services and the minor child) entitled to

notice of a hearing can be served after due diligence, you may need to file an Ex Parte Motion for Publication.

If you request the Court's permission to provide notice via publication, you must list all your attempts to find each person in your request. Just by saying you do not know where the person is and have not heard from them is not enough for a court order to publish in the newspaper.

- **Step 8:** Complete the **Certificate of Mailing for the Petition for Appointment of Guardians** for all persons that were served by certified mail.

List all the names and addresses of the people served by certified mail. If more room is needed, attach additional sheets.

- **Step 9:** Complete the **Declaration of Service** for all persons that were personally served (*if applicable*).

Fill out the top left portion of the Declaration of Service with your contact information. Fill in the proposed protected minor's name, case number and department. The rest of the Declaration form must be completed by the person who served the documents (not you). The person who served the documents will need to print their name, address, phone number and date and sign the Declaration.

- **Step 10:** File the **Certificate of Mailing** and **Declaration of Service** (*if applicable*).

Bring the Certificate of Mailing and the Declaration of Service to the Resource Center to get help filing the documents or follow Step 10a to file the documents yourself.

- **Step 10a:** Electronically filing your documents:

- Log into your eFlex account: <https://wceflex.washoecourts.com/>.
- Click "Existing Cases."
- Locate the Guardianship case you are filing into, click on the blue "eFile" link.
- To file each of the documents, select the applicable Document Type, and click "Choose File." Locate your document file on your computer, then click "Add."

Note: The Document Category field can be left blank.

- **Certificate of Mailing for the Petition for Appointment of Guardians** and include the signature receipts (green cards from the Post Office) all together as one PDF document (Document Type: “Certificate of Mailing”)
- **Declaration of Service** (*if applicable*) (Document Type: “Declaration”)

Once the Certificate of Mailing and the Declaration of Service have been filed, you will need to mail a file-stamped copy to all the parties served.

****You are now ready for your hearing.****

Step 11: The Hearing

Your hearing will be virtual using Zoom. The Court will send you login instructions prior to the hearing. Log in approximately 15 minutes prior to your scheduled time for the hearing. The Proposed Protected Minor must attend the hearing. You must reasonably ensure the Proposed Protected Minor is connected to the hearing.

The Judge will have questions for you. If full guardianship is granted, the Judge will issue an Order Appointing Guardian.

Step 12: The Acknowledgments of Duties and the Letters of Guardianship

After the Court enters an order granting guardianship, court staff will provide you with the Acknowledgment of Duties and the Letters of Guardianship. Complete the Acknowledgment of Duties and either file it into the case yourself or bring it to the Resource Center to be filed.

Bring the Letters of Guardianship to the Resource Center to be issued by a deputy clerk.

If you are not sure how to proceed, Contact Department 14 at: 775-325-6788.

What Happens Now?

After the guardianship is granted, there is additional paperwork that is required by NRS 159A. Some documents must be filed yearly. Please see your Guardian's Acknowledgment of Duties and Responsibilities of the Person (Minor) for a complete list of duties.

Need to find important deadlines in your case? Use the Milestone Tracker to search for them: <https://www.washoecourts.com/Milestones>

Additionally, the Judge may order you to complete the Court's online guardianship training, which can be found on www.washoecourts.com.

**For procedural questions, or help with electronically filing your documents,
visit or contact:**

**Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731**

**Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250**

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>