

**STEP-BY-STEP CHECKLIST
FOR OBTAINING GUARDIANSHIP OF A MINOR**

The key to being successful with this process is organization, as it involves a lot of paperwork. Keeping your paperwork organized will help the process seem less overwhelming. Take the process one step at a time. Take your time and complete each task before moving on to the next one.

It is recommended that you use file folders to organize all the paperwork, and that you label three folders as follows:

- Folder #1: Take to courthouse to file
- Folder #2: Take to have notarized/make copies
- Folder #3: Important documents to keep

**BACKGROUND CHECKS WILL BE REQUIRED FOR THE PERSON(S)
SEEKING GUARDIANSHIP AND ANY PERSON OVER THE AGE OF 18
WHO IS OR WILL BE LIVING IN THE SAME HOME AS THE MINOR CHILD.**

FOR EMERGENCY GUARDIANSHIP ONLY

- Complete Emergency Application and follow instructions contained on the Application.
- Go to STEP 1 on the following page

STEP 1- Find the form PETITION FOR LETTERS OF GUARDIANSHIP (MINOR)

- You are the petitioner and the child is the ward
- Don't sign it yet. You will sign in front of a notary and have your signature notarized.
- Put the completed form in the folder #2 named "Take to have notarized/make copies".

**STEP 2- Find the form OKLAHOMA SEX OFFENDERS REGISTRATION ACT-
AFFIDAVIT (EXHIBIT A)**

- Put the child's name on the top where it says: In the matter of the Guardianship of _____
- Don't sign it yet. You will sign in front of a notary and have your signature notarized.
- Put the form in folder #2 named "Take to have notarized/make copies"

**STEP 3- Find the form UNIFORM CHILD CUSTODY JURISDICTION AND
ENFORCEMENT ACT AFFIDAVIT (EXHIBIT B)**

- Enter your name as Petitioner
- Fill in the rest of the blanks
- Don't sign it yet. You will sign in front of a notary and have your signature notarized.
- Put the form in folder #2 named "Take to have notarized/make copies.

STEP 4-Find the form PLAN FOR THE CARE AND TREATMENT OF THE WARD(S)

- Fill in the form.
- It is okay to sign it now.
- Put form in folder #2

**STEP 5- Find the form PLAN FOR THE MANAGEMENT OF THE PROPERTY OF THE
WARD(S)**

- Fill in the form
- If the child does not have any property, just say so.
- Put the form in folder #2

STEP 6-Take the documents in folder #2 to a notary (a notary can be found at your local post office, tag agency, or bank, and your local courthouse law library may also have a notary)

- Sign in front of the notary and have Notary sign and notarize:

- 1) PETITION FOR LETTERS OF GUARDIANSHIP
- 2) OKLAHOMA SEX OFFENDER REGISTRATION
ACT AFFIDAVIT (EXHIBIT A)
- 3) UNIFORM CHILD CUSTODY JURISDICTION AND
ENFORCEMENT ACT AFFIDAVIT (EXHIBIT B)

- Put all notarized documents back into folder #2.
- Take note that these documents are the originals. **POINTER:** Unless the Notary signs in blue ink or uses a blue, red, or green notarial stamp, you may want to make a PENCIL mark at the bottom of these documents to indicate that they are originals.

STEP 7- Take the original documents in **folder #2** to where you can make copies.

-Determine how many copies you will need:

-For the PETITION with the OKLAHOMA SEX OFFENDER AFFIDAVIT (Exhibit A) and UNIFORM CHILD CUSTODY JURISDICTION ACT AFFIDAVIT (Exhibit B) attached, you will need:

- | | |
|--|----------------------------------|
| <input type="checkbox"/> One copy for you | 1 |
| <input type="checkbox"/> One copy for the background search | 1 |
| <input type="checkbox"/> Two copies for the Judge's staff | 2 |
| <input type="checkbox"/> One copy for natural mother | 1 |
| <input type="checkbox"/> One copy for natural father | 1 |
| <input type="checkbox"/> One copy for each grandparent | 1 |
| <input type="checkbox"/> One copy for each adult sister of child | _____ (enter # needed) |
| <input type="checkbox"/> One copy for each adult brother of child | _____ (enter # needed) |
| <input type="checkbox"/> One copy for any person having custody of or with whom the child resides | _____ (enter # needed) |
| <input type="checkbox"/> One copy for all persons known to you who claims any rights to custody or visitation with child | _____ (enter # needed) |
|
Total number of copies of PETITION with Exhibit A and Exhibit B |
_____ (enter total # needed) |

Total number of copies of **PLAN FOR CARE AND TREATMENT OF THE WARD** 3

Total number of copies of **MANAGEMENT OF PROPERTY OF THE WARD** 3

-Put all originals and copies in **folder #1** named Take to Courthouse to file.

STEP 8- Prepare for your first trip to the county courthouse

-You will need to file the Guardianship Petition in one of the following counties:

- o The County in which the child resides;
- o The County in which you live if you are a member of the child's family;

-There is a filing fee to file the Guardianship Petition. You will need to bring cash or a personal check with you when you file the Petition. There are some circumstances when the filing fee may be waived, see below:

*The court filing fee **MAY** be waived if you have no money (file a **PAUPER'S AFFIDAVIT**), if the child is receiving TANIF, SoonerCare, or social security benefits, or if you are a relative of the child and the child's natural parents have abandoned the child.

-Take all the documents in folder #1 with you to the appropriate county courthouse.
-Put the following documents into folder #2: ORDER FOR HEARING PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN), NOTICE OF HEARING PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN), AFFIDAVIT OF SERVICE. Take these with you to the courthouse.

- A. Find the Cashier window in the Court Clerk's office. (Depending on the County in which you are filing your case and the size of the courthouse, there may not be a separate cashier's office, and the court clerk may be able to handle your case filing and payment.)
 1. Hand the cashier the original PETITION and ask to file a new guardianship case for a minor child.
 2. You will be assigned a Judge and given a case number.
 3. You will pay the required court filing fee, unless waived for any of the reasons addressed above.
 4. Put the case number on each copy of the PETITION.
- B. Find a court clerk in the clerk's office who is free to help you.
 1. Hand the clerk the original PETITION with Exhibit A and Exhibit B attached, **PLUS:**
 2. Hand the copies of the PETITION to the court clerk.
 3. The court clerk will file stamp the original and all copies. The clerk will keep the original and return the copies to you.
- STEP 9- Schedule the Court Hearing on the Guardianship
 - Find the name of the Judge who is assigned to your case. Look up their name on the courthouse directory to find the Judge's office.
 - Go to the Judge's office. The Judge's assistant will help you. Tell the assistant that you need to schedule a minor guardianship hearing and hand the assistant a copy of the file-stamped PETITION.
 - Schedule the hearing at least 2 weeks from the day you contact the Judge's assistant. You will need to allow time to mail notices to the appropriate persons at least ten (10) days prior to the hearing date.
 - Write down the date and time of the hearing on the Order for Hearing and Notice of Hearing
- STEP 10- Find the form ORDER FOR HEARING PETITION FOR GUARDIANSHIP OF MINOR in folder #1.
 - Fill out the information
 - Make one copy of the original.
 - Hand the original and the copy to the Court Clerk
 - The Clerk will stamp the Judge's name and file stamp both the original and copy. You will get the copy back and the clerk will keep the original.
 - Put the copy in folder #2.

STEP 11- Find the form NOTICE OF HEARING PETITION FOR GUARDIANSHIP OF MINOR CHILD

- Fill in the date and time of the hearing you scheduled.
- Make at least one copy of the original.
- Hand the original and the copy to the Court Clerk
- The Clerk will stamp the Judge's name and file stamp both the original and copy. You will get the copy back and the clerk will keep the original.
- Put the copy in folder #2.

STEP 12-Prepare for mailing copies of the PETITION, copies of the ORDER and NOTICE OF HEARING (contents of folder #2) to make copies and get notarized.

- You are required by law to notify all persons who claim any right to child by mailing them copies of the PETITION, ORDER, and NOTICE OF HEARING.
- Keep a list of the name and addresses of everyone entitled to notice about the guardianship- every person you listed as needing copies of the PETITION (on page 3).
- Make enough copies of the ORDER and NOTICE so that each person on your list gets one.
- You will need business size envelopes. Put the name and address of on each envelope and add stamp.
- Put the addressed, stamped envelopes with the copies of the PETITION, ORDER, and NOTICE of the hearing in the mail.
- Find the form AFFIDAVIT OF SERVICE
- Fill in the names of everyone you sent documents to.
- Sign in front of notary and have your signature notarized.
- Make a copy and put original and copy in folder #1.

**STEP 13: Prepare to go to courthouse to file documents prior to hearing.
PLEASE NOTE THAT YOU MAY BYPASS STEPS 10 AND STEPS 11 IF YOU HAVE A WAIVER OF NOTICE &/OR CONSENT**

- Folder #1 should contain the notarized AFFIDAVIT plus at least one copy, the PLAN FOR THE CARE AND TREATMENT OF THE WARD plus at least one copy, and the MANAGEMENT OF THE PROPERTY OF THE WARD plus at least one copy.
- Take to the Court Clerk's office.
- Find a clerk who is free to help you.
- Hand the clerk both the original and the copy of each document.
- The clerk will file stamp both documents, keep the original and hand you back the file-stamped copy.
- Put all file-stamped copies in folder #3.

STEP 14- BACKGROUND CHECKS

The State wants to be sure that your home is safe for a child. To do this, you must follow the steps below to have the necessary background checks done for yourself and each person over the age of 18 who lives in the home with the child for whom you seek guardianship. The State will want checks from different agencies. You must provide the completed background check results to the Court. Please refer to the last three (3) pages of this checklist for a "GUIDE TO OBTAINING

REQUIRED BACKGROUND CHECKS FOR GUARDIANSHIP OF A MINOR”, and follow the steps there.

STEP 15-Prepare to attend the hearing

-Put the following documents in folder #1:

- ORDER APPOINTING GUARDIAN OF MINOR CHILD(REN)
- LETTERS OF GUARDIANSHIP
- ORDER APPROVING PLAN

-Attend the hearing. Give the documents in folder #1 to the Judge to review and sign.

STEP 16-Make 5 copies of each document the Judge signed.

-Hand the originals and copies to the clerk. Ask the court clerk to file the Orders and Letters signed by the Judge and get certified copies.

GUIDE TO OBTAINING REQUIRED BACKGROUND CHECKS FOR GUARDIANSHIP OF A MINOR

Pursuant to 30 O.S. § 2-101, you must complete the following background checks prior to obtaining guardianship of a minor child. NOTE: The Court may grant emergency guardianship pending completion of these requirements, but in order to obtain ongoing guardianship, you must fulfill these requirements as to the prospective guardian(s) and all other household members eighteen (18) years of age and older.

- A. (“OSBI”) name-based criminal history background check with Sex Offender search.

OSBI Search Option 1: Online Submission.

You may submit your request online at <https://chirp.osbi.ok.gov/>.

- Select “Name Based” and “Sex Offender” in the “Type of Search Requested” box.
- Where it asks the purpose of your request, choose “Personal Review”.
- You must complete a separate form for each person.
- You must pay a separate fee for each request.
- Each search with these selections should cost \$17.00 per person.
- Online submission results will be emailed to you.
- You must file the results with the court clerk. (If you search with your social security number, it would be wise to strike all but the last four digits of before filing with the court clerk.)

OSBI Search Option 2: In-Person Submission

You can submit your request in-person and (typically) receive the results the same day

- The OSBI is located at 6600 North Harvey Place, Oklahoma City, OK 73116.
- Select “Name Based” and “Sex Offender” in the “Type of Search Requested” box.
- Where it asks the purpose of your request, choose “Personal Review”.
- You must complete a separate form for each person.
- You must pay a separate fee for each request.
- Each search with these selections should cost \$17.00 per person.
- In-Person submission results will be given to you, typically the same day or after a short wait.
- You must file the results with the court clerk. (If you search with your social security number, it would be wise to strike all but the last four digits of before filing with the court clerk.)

OSBI Search Option 3: Submission by United States Mail

You can mail your request to: OSBI – Criminal History Record Information Request
6600 North Harvey Place
Oklahoma City, OK 73116

- Select "Name Based" and "Sex Offender" in the "Type of Search Requested" box.
- Where it asks the purpose of your request, choose "Personal Review".
- You must complete a separate form for each person.
- You must pay a separate fee for each request.
- Each search with these selections should cost \$17.00 per person.
- You must include a return envelope, with your address and postage prepaid on the envelope with your request.
- The results will be mailed back to you.
- You must file the results with the court clerk. (If you search with your social security number, it would be wise to strike all but the last four digits of before filing with the court clerk.)

OSBI Search Option 4: By Fax

You can fax your completed form to 405-879-2503.

- Select "Name Based" and "Sex Offender" in the "Type of Search Requested" box.
- Where it asks the purpose of your request, choose "Personal Review".
- You must complete a separate form for each person.
- You must pay a separate fee for each request.
- Each search with these selections should cost \$17.00 per person.
- If you submit the form by fax, you must be able to receive your results by return fax and you **MUST** include **credit card** payment information on the form.
- You must file the results with the court clerk. (If you search with your social security number, it would be wise to strike all but the last four digits of before filing with the court clerk.)

B. DHS child abuse and neglect information system (CANIS) search

Complete the Request for Child Abuse and Neglect Information System for Guardianship and return submit it as noted on the form.

BE SURE YOU INCLUDE THE REQUIRED DOCUMENTS ALONG WITH THE COMPLETED FORM.

You can list all adults in your household on one form.

DHS will file the results directly with the court clerk.

IT CAN TAKE A LONG TIME TO RECEIVE THESE RESULTS, SO IT IS IMPORTANT TO SUBMIT THEM AS SOON AS YOU HAVE FILED YOUR CASE AND HAVE THE CASE NUMBER.

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

PETITION FOR LETTERS OF GUARDIANSHIP (MINOR)

COME(S) NOW, THE Petitioner(s) _____,

of lawful age, respectfully state to the Court as follows:

(Child 1)

1. That _____, is a minor child, _____ years of age, having been born on _____, _____, in the City of _____, State of _____.

2. That _____ is the natural mother who resides at: _____.

3. That _____ is the natural father who resides at: _____.

(Child 2 - If applicable)

4. That _____, is a minor child, _____ years of age, having been born on _____, _____, in the City of _____, State of _____.

5. That _____ is the natural mother who resides at: _____.

6. That _____ is the natural father who resides at: _____.

(Child 3- If applicable)

7. That _____, is a minor child, _____ years of age, having been born on _____, _____, in the City of _____, State of _____.

8. That _____ is the natural mother who resides at: _____

9. That _____ is the natural father who resides at: _____

Add further child(ren) information here (For each Additional Child: Name; DOB; Age; Name/Address Natural Mother; Name/Address Natural Father):

10. The Petitioner's relationship with the child(ren) is: _____

11. Has the Petitioner ever been convicted of a felony crime or a crime involving domestic violence? YES NO (Check One)

12. Petitioner is not insolvent; has not declared bankruptcy during the five (5) years prior to the filing of this Petition; is not obligated or indebted to said child(ren); that said minor is in need of care and supervision by an adult person; that it is in the best interests of said minor that Petitioner(s) be appointed as guardian of the person and the estate of said minor.

13. The child(ren)'s assets do not exceed the value of \$ _____.

14. That Petitioner(s) is not a person subject to registration under the Oklahoma Sex Offender Registration Act and has read and approved the attached "Exhibit A".

15. That Petitioner(s) has read and approved the attached "Exhibit B" Uniform Child Custody Jurisdiction and Enforcement Act.

16. The guardianship is out of: necessity convenience (Check One)

17. If the guardianship is being sought out of alleged necessity (i.e. parents not presently able to properly care for the child(ren)) briefly explain the reason(s) that prevents the parents from providing proper care:

18. Is/Are the child(ren) in Petitioner(s)'s physical custody? Yes No
If yes, explain how the child(ren) came to be in Petitioner(s) physical custody:

If no, is Petitioner(s) seeking physical custody of the child(ren)? Yes No (Check One)

19. Has Petitioner(s) used any other name in an official capacity (i.e. maiden name)

20. Has a DHS representative contacted Petitioner(s) in regard to filing of a Guardianship on behalf of the child(ren)? If yes, explain:

21. That the children ARE ARE NOT (circle one) Indian children as defined by the Federal and State Indian Child Welfare Act.

If Applicable

Name of Child	Member of Tribe	Eligible for Membership & Parent is Member
---------------	-----------------	--

WHEREFORE, Petitioner(s), being duly sworn upon oath, states that he/she has read the above allegations and knows the contents thereof to be true and correct, and prays that he/she be appointed as guardian of the person, the estate or both the guardian of the person and estate of said minor child(ren).

(Signature)

(Address)

(City, State, Zip Code)

(Telephone Number)

Subscribed and sworn to before me this _____ day of _____ 20____.

(Notary Public)

My Commission Number is: _____

My Commission Expires: _____

VERIFICATION

STATE OF OKLAHOMA)
) SS.
COUNTY OF _____)

I, _____, of lawful age, being first duly sworn upon oath depose and state that I am the Petitioner named above; that I have read the foregoing Petition and understand its contents; that I hereby state that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge and belief.

Signature of Petitioner

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My Commission Number is: _____

My Commission Expires: _____

PETITION EXHIBIT "A"

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

OKLAHOMA SEX OFFENDERS REGISTRATION ACT - AFFIDAVIT

I am not a person subject to registration under the Oklahoma Sex Offenders Registration Act. I am not married to or living with such a person, or a person who has been convicted of, or has charges pending for, a felony or any relevant misdemeanor, to include acts of domestic violence, nor is anyone living with me or frequently present in my home previously been convicted of, or has charges pending for, a felony or any relevant misdemeanor, to include acts of domestic violence.

That as guardian of the above minor child, under no circumstances shall I permit the child to be left in the custody or direct care of a person who is known to me to be subject to registration under the Oklahoma Sex Offenders Registration Act. Nor shall I permit the child(ren) to be left in the custody of a person married or living with such a person, or with any individual who has been convicted of any crime involving domestic abuse. Nor shall these children be placed in the custody of a person who has previously been convicted of, or has charges pending for, a felony or any relevant misdemeanor or acts of domestic violence.

(Signature)

(Address)

(City, State, Zip Code)

(Telephone Number)

Subscribed and sworn to before me this _____ day of _____ 20____.

(Notary Public)
PETITION EXHIBIT "B"

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT
AFFIDAVIT

_____, Petitioner in the above-styled and numbered
guardianship proceeding, being first duly sworn upon oath, deposes and states:

1. The child(ren)

Presently resides at _____
(Address/City/State/Zip Code)

2. The child(ren) has resided at the following address during the last five (5) years:
(Address/City/State/Zip Code/Dates)

3. The names and present addresses of all person(s) with whom the child(ren) has resided
during the last five (5) years are: (Name/Address/City/State/Zip Code)

4. Have you participated as a party, witness or otherwise been involved in a legal proceeding concerning the custody of, or visitation with, said minor (to include previous guardianship cases, if any): Yes No

If Yes, identify the court, case number, and date of participation:

5. I have knowledge of the following proceedings pertaining to the divorce of the minor's parents, custody proceedings of the child(ren), proceedings involving domestic violence or abuse, issuance of protective orders, termination of parental rights, adoption, or Department of Human Services (DHS) involvement or other court proceedings involving the child(ren):
(Court/Case Number/Dates)

6. I have knowledge that the following name persons claim a right to custody or a right to visitation with said child(ren): (Name/Address/City/State/Zip Code)

7. I acknowledge that I have a continuing duty under the law to inform the Court, in writing, of any additional information acquired by me after executing this "Affidavit".

(Signature)

(Address)

(City, State, Zip Code)

(Telephone Number)

Subscribed and sworn to before me this _____ day of _____ 20____.

(Notary Public)

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

PLAN FOR THE CARE AND TREATMENT OF THE WARD(S)

I/We _____ (print name(s)),
the guardian(s) of the person and/or estate of the minor child(ren):

_____ ward's name(s)

_____ ward's address, city, state, zip code

hereby submit this Guardianship Plan for the Care and Treatment of the above-listed ward(s).

1. I believe the services necessary for the physical health and safety of the ward(s) are as follows: (Please explain what you do to provide care for the named minor child and how you will obtain those services)

2. A separate guardian of the property of the ward(s) has has not (check one) been appointed. If a separate guardian of the property has been appointed, I will share with the guardian of the property all decisions as to the care and treatment of the ward. If a separate guardian of the property has not been appointed, I will make all such decisions consistent with the Orders of the Court.

3. I believe the following services will assist in fulfilling the needs of the ward(s) and in implementing the terms of the most recent dispositional order. Please check all that apply:

authority to enroll in school and participate in school activities requiring a parents approval

authority to determine the residence of the ward(s)

authority to consent to medical and psychological for the ward(s)

Other: _____

(Signature) _____
(Address) _____
(City/State/Zip) _____
(Telephone) _____

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

PLAN FOR THE MANAGEMENT OF THE PROPERTY OF THE WARD(S)

I/We _____ (print name(s)),
the guardian(s) of the person and/or estate of the minor child(ren):

ward's name(s) _____

ward's address, city, state, zip code _____

hereby submit this: initial annual (check one)

Guardianship Plan for the Management of the Property of the above-listed ward(s).

1. This child receives a monthly check (such as insurance proceeds or social security benefits) as follows: _____

2. I plan to care for the minor child's property as follows (include how you will obtain and/or provide these services): _____

3. The decisions as to the management of the property of the ward will be shared with the Guardian of the Person, if a separate Guardian of the Person has been appointed. Otherwise, I will make all such decisions consistent with the Orders of this Court.

4. I believe the following services will assist in fulfilling the needs of the ward(s) and in implementing the terms of the Orders of this Court: _____

Signed this _____ day of _____, 20____.

(Signature) _____
(Address) _____
(City/State/Zip) _____
(Telephone) _____

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)

Case No.:

A Minor Child(ren)

WAIVER OF NOTICE AND/OR CONSENT TO THE APPOINTMENT OF GUARDIAN

I, _____,
of _____,
(address) being _____ years of age, state under oath that I am:

- the above-named minor
- one of the above-named minor children
- the mother of the above-named minor child(ren)
- the father of the above-named minor child(ren)
- the maternal grandparent of the above-named minor child(ren)
- the paternal grandparent of the above-named minor child(ren)
- an adult sibling of the above-named minor child(ren)
- a person currently having custody of or with whom the above-named minor child(ren) currently reside
- a person who claims a right to custody of the above-named child(ren)
- a person who claims a right to visitation with the above-named minor child(ren)

And that I do hereby consent to the appointment of the Petitioner(s) as guardian of the person and estate of the above-named minor child(ren)

Signed this _____ day of _____, 20_____.

Signature

Subscribed and sworn to before me this _____ day of _____, 20_____.

JUDGE/Notary Public

My Commission Number is: _____

My Commission Expires: _____

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

NOMINATION OF GUARDIAN BY A MINOR FOURTEEN
YEARS OF AGE OR ABOVE

1. I, _____, a minor, _____ years of age, having been born on _____, 20____, in which Petitioner seeks the appointment of the Petitioner(s) as guardian of of my person of my person of my property (check all that apply);

2. I am aware of my right to nominate a guardian to be appointed for me, and that the Court will appoint the person(s) I nominate if the Court approves that Petition; and,

3. I hereby nominate _____

(print full names of persons nominated) as guardian(s) of my of my person of my property (check all that apply) if the Court determines that my nominees qualify under the law.

Signature of Minor

Subscribed and sworn to before me this _____ day of _____, 20_____.

Court Clerk/Notary/Judge

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of)
_____))
_____))
_____))
_____))
A Minor Child(ren)

Case No.:

INFORMATION SHEET

TO: ALL APPLICANTS FOR GUARDIANSHIP OF A MINOR

THE COURT REQUIRES THAT THE FOLLOWING INFORMATION BE PROVIDED
PRIOR TO THE COURT CONSIDERING YOUR APPLICATION FOR A GUARDIANSHIP:

1. The name(s) of the child(ren) that you seek guardianship of and date of birth:

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

2. The name(s) of EACH AND EVERY PERSON (including yourself and the child(ren)
subject to the guardianship) currently living or stays in your home. Include date of birth:

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

3. If you currently do not have physical custody of the minor child(ren) subject to this case and are seeking physical custody, please explain (1) who currently has custody of the child(ren); and (2) why does the Court need to remove the child from their care?

4. If either parent is living in your home with the child(ren), please explain why you believe a guardianship is necessary if you are allowing the child(ren) and the child(ren)'s parent to live in the same house:

5. When was the last time the child(ren) saw their natural mother? _____
Where did they see her? Address? Was it her residence? _____

6. When was the last time the child(ren) saw their natural father? _____
Where did they see him? Address? Was it his residence? _____

7. Has this child ever had involvement with DHS, or has DHS spoken with you in regard to the child(ren)? Yes No If yes, please explain: _____

8. Has there been a guardianship on this child(ren) or a sibling of this child(ren)? Yes No If yes, please explain: _____

9. Have you or anyone living in your home, ever been charged and/or arrested with a felony crime, or a crime involving domestic violence? Yes No If Yes, provide name and case no. _____

WHEREFORE, Petitioner(s), being duly sworn upon oath, states that he/she has read the above and reports his/her answers to be true and correct.

(Signature)

(Print Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of

)
)
)
)
)

Case No.:

A Minor Child(ren)

GUARDIAN AD LITEM DATA SHEET

1. YOUR Name and address:

(First) (Middle) (Last)

2. Please list any other names YOU have used (i.e. maiden name):

3. YOUR Date of Birth: _____ YOUR Social Security No: _____

4. Address where minor will live: _____

5. The name(s) of EACH AND EVERY PERSON (over the age of 18) currently living or stays in your home. Include date of birth:

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

6. Has this child ever had involvement with DHS, or has DHS spoken with you in regard to the child(ren)? Yes No If yes, please explain:

(Signature) (Signature)

(Address) (Address)

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A minor child(ren)

Case No.:

NOTICE FOR HEARING PETITION FOR APPOINTMENT OF GUARDIAN

You are hereby notified that

_____ has petitioned this Court to be appointed guardian of the person and/or estate of the above-named minor(s),

_____ and that said Petition will be heard in the courtroom of Judge _____, Room _____ in the _____ County Courthouse located at _____, on the _____ day of _____, 20____, at _____ o'clock am pm at which time you may appear and show cause if any, why said Petition should not be granted.

Witness my hand and seal of said Court this _____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

(Print Name)

(Address)

(City, State, Zip Code)

(Telephone No.)

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

ORDER FOR HEARING PETITION FOR APPOINTMENT OF GUARDIAN

Whereas, the Petition of _____ having been filed in this Court on the ____ day of _____, 20____, and it appearing that this Court has jurisdiction and is the proper venue for the matters alleged therein, the Court hereby orders and directs that said Petition be set for hearing on the ____ day of _____, 20____, at ____ o'clock am pm in the courtroom of Judge _____ of the District Court, Courtroom No. _____.

Notice hereof shall be given by first class mail, with postage prepaid, sent to the last known address of each of the following no less than ten (10) days prior to the hearing date:

- (1) the minor, if fourteen (14) years of age or older;
- (2) both parents of the minor;
- (3) all grandparents of the minor;
- (4) all adult brothers and sisters of the minor;
- (5) any person having custody or with whom the minor resides; and,
- (6) all persons known to Petitioner who claims any rights to custody or visitation with the minor.

The Petitioner(s) is/are required to prove to the Court his/her compliance with these notice requirements. Witness my hand and seal of said Court this ____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

(Print Name)

(Address)

(City, State, Zip Code)

(Telephone No.)

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE GUARDIANSHIP OF)
_____)
_____)
_____)
a minor child(ren).)

PG- _____

EMERGENCY APPLICACION FOR TEMPORARY ORDER OF GUARDIANSHIP

COMES NOW _____, Petitioner, and pursuant to Okla. Stat. tit. 30, § 1-114(B)(7) and Okla. Stat. tit. 43, §107.4, and requests this Court to enter a Temporary Order of Guardianship appointing Petitioner as the temporary guardian of the person and estate of _____

In support of this Motion, Petitioner states that:

1. RULE 13 COMPLIANCE. All persons who are entitled to custody of the child(ren) herein are not represented by an attorney, and if all persons entitled to custody are represented by an attorney, that attorney has been contacted and given adequate notice of the presentation of this Motion for today's date and time.
2. A Temporary Order of Guardianship is necessary to be entered as an ex parte emergency order without prior notice to the parents or the person(s) who have legal custody of the child(ren) for the following reasons, to wit:

YOU MUST ATTACH A POLICE REPORT OR AN OKDHS REPORT INDICATING THE CHILD(REN) IS/ARE IN SURROUNDINGS WHICH ENDANGER THE SAFETY OF THE CHILD AND THAT IF SUCH CONDITIONS CONTINUE, THE CHILD WOULD MOST LIKELY SUFFER IRREPRABLE HARM. IF THERE IS NOT A REPORT AVAILABLE, YOU MUST HAVE PERSONAL KNOWLEDGE (NOT SOMETHING SOMEONE TOLD YOU) OR PRESENT A WITNESS WITH PERSONAL KNOWLEDGE OF THE FACTS AND CIRCUMSTANCES THAT ENDANGER THE SAFETY OF THE CHILD THAT WILL RESULT IN IRREPRABLE HARM.

- REPORT ATTACHED
- AFFIDAVIT OF PERSONAL KNOWLEDGE, TO WIT:

WHEREFORE, Petitioner pray this Court enter a Temporary Order of Guardianship and Temporary Letters of Guardianship pending further hearing of this matter within twenty (20) days, with notice to all persons entitled to notice of these proceedings having been shown.

VERIFICATION

I do hereby swear or affirm under penalty of perjury of the law of the State of Oklahoma that the statements made herein are true and correct.

Petitioner

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

In the Matter of the Guardianship of

)
)
)
)
)

CASE NO. PG-20 _____

TEMPORARY LETTERS OF GUARDIANSHIP

_____ is/are hereby appointed as
temporary guardian of the person and/or estate of _____

These letters shall expire on the _____ day of _____, 20____, unless
otherwise extended by the Court.

WITNESS the undersigned Judge of the District Court of Oklahoma County, State of Oklahoma,
this _____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

OATH OF GUARDIAN(S)

I/we, _____, do
solemnly swear that I/we will discharge all and singular the duties of Temporary Guardian of the person
and/or estate of _____
according to the law, and to the best of my/our ability.

Guardian

Guardian

JUDGE OF THE DISTRICT COURT

_____ (Print Name)

_____ (Address)

_____ (City, State, Zip Code)

_____ (Telephone)

_____ (Email)

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

In the Matter of the Guardianship of

)
)
)
)
)

CASE NO. PG-20 _____ - _____

DECREE AND ORDER APPOINTING TEMPORARY GUARDIAN

NOW on this _____ day of _____, 20_____, this cause coming on to be heard upon the Petition of _____

_____ to be appointed as guardian(s) of the person and/or estate of said minor child(ren). Petitioners appearing in person and without legal counsel and the minor appearing in person or appearing not.

The Court, having reviewed the file herein, together with any testimony and evidence present and finds that all notices required by law have been given, that the Court has jurisdiction over the parties and subject matter hereof, and that Oklahoma County is the proper venue for this action and to otherwise being fully advised in the premises, finds that the Emergency Application/Petition is sustained temporarily in accordance with the Temporary Letters of Guardianship and any Extensions filed herein, and subject to the time restrictions therein imposed and finds that a guardianship is temporarily necessary and the parental unfitness/impediment alleged is found to exist or convenient and with parental consent and there is no finding of parental unfitness/impediment.

And that it is in the best interest of said minor(s) that a temporary guardian be appointed. It is therefore ORDERED, ADJUDGED, and DECREED by the Court that _____

_____ is appointed guardian of the person and/or estate of _____

_____ a minor(s). This appointment shall be effective from the time the guardian executes the oath required by law, and shall end on the time specified in the Temporary Letters of Guardianships unless extended by the Court. The Court finds that the requirement of bond is temporarily ordered or waived.

(If applicable) The Court finds that bond in the amount of _____ (\$ _____) shall be posted and signed by a surety company.

As guardian, those named herein shall have the authority and responsibility to supervise, insure and direct that the health, safety, welfare, and educational needs of the minor child(ren) are properly served and satisfactorily met and make such decisions in relation thereto as may be necessary. As custodial/non-custodial guardian, the authority of said guardian shall/shall not supersede the authority of the parent(s) regarding the health, safety, welfare, and educational needs of the minor(s).

JUDGE OF THE DISTRICT COURT

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

In the Matter of the Guardianship of

)
)
)
)
)
)

PG- _____

INVENTORY OF ESTATE

I/We, _____

_____, General Guardians herein, of the person
and estate of the following child(ren), to wit:

CHILD 1: _____
CHILD 2: _____
CHILD 3: _____
CHILD 4: _____
CHILD 5: _____

hereby submit an inventory of the estates of the child(ren) named herein (STATE THE TYPE OF
PROPERTY AND ITS APPROXIMATE VALUE)

CHILD 1: _____
CHILD 2: _____
CHILD 3: _____
CHILD 4: _____
CHILD 5: _____

-OR-

THE PROPERTY OF THE CHILD(REN) DOES NOT EXCEED THREE HUNDRED DOLLARS

Signed this ___ day of _____, 20_____.

Guardian _____
Address: _____
City, State, Zip: _____
Phone #: _____

Guardian _____
Address: _____
City, State, Zip: _____
Phone #: _____

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

In the matter of the Guardianship of _____)
_____)
_____)
_____)
A Minor Child(ren)

Case No.:

DECREE AND ORDER APPOINTING GUARDIAN

Now on this _____ day of _____, 20____, this cause coming on to be heard upon the Petition of _____ to be appointed as guardian(s) of the person and/or estate of said minor child(ren). Petition(s) appearing in person without legal counsel and the minor appearing in person appearing not.

The Court having reviewed the file herein, together with any testimony and evidence presented and finds that all notices required by law have been given; that the Court has jurisdiction over the parties and subject matter hereof, and that Oklahoma County is the proper venue for this action and otherwise being fully advised in the premises, finds that the Petition, is sustained and that a guardianship is: necessary and the parental unfitness/impediment alleged is found to exist convenient and with parental consent and there is no finding of parental unfitness/impediment

And that it is in the best interest of said minor(s) that a guardian be appointed. It is therefore ORDERED ADJUDGED AND DECREED by the Court that _____ be and hereby is appointed guardian of the person and/or guardian of the estate of _____

_____, a minor. This appointment shall be effective from and after said guardian executes the oath required by law. The Court finds that the requirement of bond is ORDERED WAIVED. (Court indicate)

(If applicable) The Court finds that bond in the amount of _____ (\$ _____) shall be posted and signed by a surety company.

As guardian _____ shall have the authority and responsibility to supervise, insure and direct that the health, safety, welfare, and educational needs of the minor child(ren) are properly served and satisfactorily met and make such decisions in relation thereto as may be necessary. As custodial/non-custodial guardian, the authority of said guardian shall/shall not supersede the authority of the parent(s) regarding the health, safety, welfare, and education needs of the minor child(ren). Annual reporting IS REQUIRED. The first review will be a placement review.

JUDGE OF THE DISTRICT COURT

This form is from A Handbook For Guardians Of Minor Children prepared by the Oklahoma Bar Association Estate Planning, Probate & Trusts Section Guardianship Handbook Subcommittee | June 2022

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

In the Matter of the Guardianship of

)
)
)
)
)

CASE NO. PG-20 _____

LETTERS OF GUARDIANSHIP

_____ is/are hereby appointed as temporary guardian of the person and/or estate of _____

WITNESS the undersigned Judge of the District Court of Oklahoma County, State of Oklahoma, this _____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

OATH OF GUARDIAN(S)

I/we, _____ do solemnly swear that I/we will discharge all and singular the duties of Temporary Guardian of the person and/or estate of _____ according to the law, and to the best of my/our ability.

Guardian

Guardian

JUDGE OF THE DISTRICT COURT

(Print Name)

(Address)

(City, State, Zip Code)

(Telephone)

(Email)