

******INSTRUCTIONS******

PLEASE read the following instructions.

**By not providing the required information,
your hearing may be denied or the hearing date postponed.**

**Petition to REVOKE or MODIFY Appointment of Guardian of Minor
Presented by pro se Petitioner(s)**

Completing the Petition:

- An example of the Petition is located on our website www.eriecountypa.gov. At the home page under "County Services" click on "Records"; click on "Register of Wills"; click on "Forms"; click on "Petition to Revoke or Modify Appointment of Guardian." You can fill in the form Petition online and then print it out. It is important that you include all information and forms as requested within said petition. If you are unable to fill out the Petition or have any legal questions, you will need to consult an attorney.
- Sign and date the Petition in ALL applicable places. Petitioner(s) will need to provide complete addresses for biological/adoptive parents and/or current guardians(s).

Obtaining a Hearing Date:

- Once the Petition is completed and signed, take the original Petition to the Office of Court Administration (Room 205) to obtain a hearing date. Court Administration will make copies of the Petition for you to serve on all interested parties (including the parents and/or current guardian(s)).
- Once you have a hearing date, bring the fully completed Petition, including signed and completed Rule to Show Cause scheduling the hearing to the Register of Wills office (Room #122). You *may* need to pay the filing fee as follows: \$50.00 for the Petition, \$40.25 JCP fee and \$5.00 Automation fee. The Clerk will advise if you owe a filing fee.

****PLEASE NOTE: YOUR CASE WILL NOT MOVE FORWARD WITHOUT
BEING FILED AT THE REGISTER OF WILLS****

Service of the Petition & Rule to Show Cause:

- After you obtain your hearing date and you have filed the Petition with the Register of Wills, you **must** serve copies of the Petition to Revoke or Modify Guardianship and Rule to Show Cause scheduling the hearing on all interested parties (including the minor's biological and/or adoptive parent(s) and/or current guardian(s)). This must be done at least 20 days prior to the hearing date.
- You can serve by Petition and Rule to Show cause by sending one copy to each individual via first-class U.S. mail or by handing a copy of the Petition and Rule to Show Cause to the party.

- You need to prove to the Court that you served the Petition and Rule to Show Cause. You may use the Certificate of Service form that is attached to these instructions. You must, however, make sure that you include on the Certificate of Service form the date, time, place, manner of service and identity of the person served, as well as ensure that the person who provided service signs the same.
- Proof of Service and/or Acceptance of Service of the Petition and Rule to Show Cause *must* be filed in the Register of Wills Office prior to the hearing and a copy must be presented to the Judge at the time of the hearing. (See attached Certificate of Service)

Guardianship Hearing:

- Please arrive on time for your scheduled hearing.
- If the minor is 14 years of age or older, the minor(s) must be present at the hearing.
- If the guardianship is modified, certified copies of that order (\$1.25 each) or a Guardianship certificate (\$5.00 each) confirming that you are the guardian of that child(ren) are available through the Register of Wills Office.

Important: Failure to comply with these instructions may result in the hearing being rescheduled or the relief requested being denied.

IN RE:

IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

_____, Minor

No. _____

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petition to Revoke or Modify Guardianship and Rule to Show Cause scheduling the revocation hearing were served on the following individuals

(name and address where served) _____

_____ and in the

following manner *(describe manner of service and attach any proof of service)*

Respectfully submitted,

Date: _____

(Signature of Petitioner)

Date: _____

(Signature of Petitioner)