

IN RE: _____ : IN THE COURT OF COMMON PLEAS
 : OF ERIE COUNTY, PENNSYLVANIA
 :
 a Minor _____ : ORPHANS' COURT DIVISION
 :
 :
 : No. _____

**PETITION FOR APPOINTMENT OF GUARDIAN OF THE
 PERSON AND/OR ESTATE OF A MINOR**

1. **MINOR:** *(List the minor's name, age, date of birth, religious affiliation and full address)*

Name _____ Age _____ DOB _____ Religion _____

_____ *Street Address* _____ *City* _____ *State* _____ *Zip*

2. **PETITIONER(S):** *(List the name, date of birth, religious affiliation, marital status, address, employment, telephone numbers, and relationship of all petitioners).*

Name _____ Age _____ DOB _____ Religion _____

_____ *Street Address* _____ *City* _____ *State* _____ *Zip*

Marital Status _____ Home Phone _____

Place of Employment _____ Work Phone _____

Name _____ Age _____ DOB _____ Religion _____

_____ *Street Address* _____ *City* _____ *State* _____ *Zip*

Marital Status _____ Home Phone _____

Place of Employment _____ Work Phone _____

3. **PETITIONER'S HOUSEHOLD**

a. Are any of the Petitioners related to the Minor? Yes ___ No ___

b. Are there other adults living in the Petitioner's household? Yes ___ No ___

c. Please describe how and when the Minor was placed in your care:

4. **MINOR'S PARENTS:**

MOTHER: _____ If deceased, date of death _____

_____ *Street Address* _____ *City* _____ *State* _____ *Zip*

Religion _____

FATHER: _____ If deceased, date of death _____

_____ *Street Address* _____ *City* _____ *State* _____ *Zip*

Religion _____

5. **CONSENTS** (*Consent of Petitioners, both parents and the Minor, if over 14, must be obtained and attached to the Petition*)

a. Does the Minor's Mother consent to this guardianship? ___ Yes ___ No

b. Does the Minor's Father consent to this guardianship? ___ Yes ___ No

c. Is the Minor over the age of 14? ___ Yes ___ No

If yes, who does the Minor wish to have appointed as his/her guardian?

d. If the parental consents are not attached, state why the parent does not consent, or why their consent has not been obtained

6. **OTHER PROCEEDINGS**

a. Has there ever been a custody action for the Minor? Yes No

b. Has there ever been a Guardianship for the Minor? Yes No

If yes, list the date of death of the guardian or the date that the guardian was discharged/removed by the court with reference to any relevant court order

7. **AGENCIES**

a. Has any Children's Services/OCY Agency ever been involved with the Minor?

Yes No

b. Has any Children's Services/OCY Agency ever been involved with any

Petitioner? Yes No

c. If so, please provide details of that involvement and indicate whether the case is open or closed.

8. **REASON FOR GUARDIANSHIP** (*state why appointment of a guardian is necessary*)

9. If appointment of a guardian is necessary due to the death of the Minor's parent or legal guardian, did the parent or legal guardian appoint a guardian for the minor in his/her will or any other written instrument? Yes No

If yes, list the name of the guardian appointed by the parent or legal guardian

10. Does the proposed guardian have any interest adverse to that of the Minor (*include any estate in which the minor has an interest an in which the proposed guardian is a fiduciary, surety, or employee of a fiduciary or surety therein*)? Yes No

If so, state the nature of the adverse interest _____

11. FINANCIAL INFORMATION

a. Does the Minor have assets? Yes No
(other than clothing or small personal items)

b. Does the Minor have income of any type? Yes No

c. Does the Minor receive Social Security benefits of any type? Yes No

d. Is the Minor entitled to Veteran’s benefits from either parent? Yes No

If yes, notice of this Petition must be given to the United States Veterans’

Administration or its successor. Was such notice provided? Yes No

e. Is the Minor entitled to funds from an estate, civil action or any other court action or claim? Yes No

f. Is the Minor entitled to receive property under a will, deed or other written instrument conveying property? Yes No

If yes, list the name of the guardian designated in the written instrument to receive such property on behalf of the minor _____

g. If you answered yes to any of the questions in paragraphs a – f above, please provide specific information as to the Minor’s assets, income, benefits or other claims below:

Type of asset, income, benefits or claim	current value	location
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Type of asset, income, benefits or claim	current value	location
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Type of asset, income, benefits or claim	current value	location
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Type of asset, income, benefits or claim	current value	location
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Type of asset, income, benefits or claim	current value	location
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Wherefore, your Petitioner(s) request(s) to be appointed Guardian of the person and/or estate of the Minor.

Date: _____

Signature of Petitioner

Date: _____

Signature of Petitioner

Date: _____

Signature of Minor if 14 or older

IN RE:

_____,
a Minor

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:
:
:
:

IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

No. _____

CONSENT OF PARENTS

We, _____ the

Parent(s) of the above-captioned Minor hereby consent to the appointment of

_____ as Guardian(s)

of his/her Person and/or Estate, until the above-captioned Minor reaches the age of 18 years or
until further Order of Court.

Date: _____

(signature of Mother)

Date: _____

(signature of Father)

IN RE:

_____,
a Minor

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IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

No. _____

CONSENT OF MINOR OVER THE AGE OF 14

As a minor over the age of 14, I do hereby consent to the appointment of

as Guardian(s) of my Person and/or Estate, until I reach the age of 18 years, or until further
Order of Court.

Date: _____

(signature of Minor)

IN RE:

_____,
a Minor

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IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

No. _____

TEMPORARY ORDER OF COURT

AND NOW, to wit this _____ day of _____, 20____, upon consideration of the foregoing Petition for the Appointment of Guardian of the Person and/or Estate of a Minor, it is hereby **ORDERED, ADJUDGED & DECREED** that _____ is/are appointed Temporary Guardian(s) of the Person of _____, a Minor.

_____ 's powers as Temporary Guardian of the Person shall be valid until the Final Guardianship Hearing scheduled before the Honorable _____ on _____, 20____.

By the Court:

Judge

IN RE: _____, : IN THE COURT OF COMMON PLEAS
: OF ERIE COUNTY, PENNSYLVANIA
: a Minor : ORPHANS' COURT DIVISION
: :
: No. _____

RULE TO SHOW CAUSE

AND NOW, to-wit, this _____ day of _____, 20_____,
upon consideration of the foregoing Petition for Appointment of Guardian of the Person and/or
Estate of a Minor, a Rule is hereby granted to show cause why the prayer should not be granted.
Said Rule is returnable on _____, 20_____, at ____:_____.m.,
in Courtroom _____, Erie County Courthouse, 140 W. 6th Street, Erie, Pennsylvania before
_____. All parties, including the minor
child if 14 years of age or older, must be present at the hearing.

Petitioner(s) must provide proof that the Petition, as well as notice of the hearing has
been given to all parents and other parties in interest, such as an acceptance of service of the
Petition showing the recipient(s) have knowledge of the date, place, and time of the hearing.
Otherwise, this Petition will be subject to dismissal.

BY THE COURT:

Judge

AMERICANS WITH DISABILITIES ACT OF 1990 – The Court of Common Pleas of Erie County is
required by law to comply with the Americans with Disabilities Act of 1990. For information about
accessible facilities and reasonable accommodations available to disabled individuals having business
before the court, please contact the Court’s ADA Coordinator at the Erie County Court of Common Pleas,
140 West Sixth Street, Room 205, Erie, PA 16501, Phone (814) 451-6308, TDD (814) 451-6237, E-mail:
courtadacoordinator@eriecountypa.gov. Requests should be made as soon as possible or at least three
business days prior to any hearing or business of the court.

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	:	OF ERIE COUNTY, PENNSYLVANIA
_____ ,	:	ORPHANS' COURT DIVISION
a Minor	:	No. _____
	:	

FINAL GUARDIANSHIP ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the Petition for Appointment of Guardian of the Person and/or Estate of a Minor, and after a hearing and full consideration of the testimony and evidence presented, it is hereby **ORDERED**,

ADJUDGED and DECREED that:

1. _____ is hereby appointed as Guardian of the Person and the Estate of _____.

2. Within ninety (90) days of the date of this Order, the Guardian shall, pursuant to 20 Pa.C.S. §5142, file an Inventory listing all of the assets, income and anticipated assets of the Minor with the Clerk of the Orphans Court.

3. Within sixty (60) days after the Minor attains the age of eighteen (18), the Guardian shall file a Final Accounting with the Clerk of the Orphans Court, pursuant to 20 Pa.C.S. §5319(c).

BY THE COURT:

Judge