

INSTRUCTIONS FOR COMPLETING PETITION FOR
GUARDIANSHIP OF A MINOR

Total Fee: \$99.00
(\$79 filing fee, plus \$20 notice fee)

Please read these instructions before you complete forms.

1. Fill out the attached forms completely before filing your petition. Print all required information. Fill in all blanks completely. If you are petitioning for guardianship of more than one minor, separate petitions must be completed. All petitions, however, will be filed under one case number.
2. If you are unable to pay the filing fee, affidavits to sue or defend as a poor person are available in the Circuit Clerk's office. All affidavits must be approved by the Probate Judge.
3. List both parents and their current or last-known addresses.
4. Any parent who does not sign an entry of appearance agreeing to the guardianship must be served with the petition and notice of hearing. Arrangements must be made with the Sheriff's Department for service. The required service fee must be paid to the Sheriff (unless you are authorized to proceed as a poor person).
5. If a parent's whereabouts are unknown, you must obtain service on him/her by publication in a local newspaper – unless excused by the court for cause.
6. You must submit a bond with surety unless the guardianship is of the person only.
7. Your hearing date will be approximately 3 to 4 weeks after your completed petition is filed with the Circuit Clerk.

**IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

In re the Matter of the Estate of:

CASE. NO. _____

_____, a Minor

date of birth: _____

Hearing on this Petition has been
set for _____ on _____

PLEASE PRINT ALL INFORMATION; FILL IN EACH AND EVERY PARAGRAPH.

PETITION FOR GUARDIAN

_____, Petitioner, a reputable citizen of Illinois, residing at
_____, telephone: _____

on oath states:

1. Petitioner is not related to the minor child.
 Petitioner is related to the minor child as _____.
2. It is necessary that a guardian be appointed for the minor child because

3. Petitioner asks that _____, aged _____ years, with
occupation of _____ who resides at
_____ be appointed guardian of the
_____ of the minor.

Person / Estate / Person and Estate

4. The minor currently resides at _____.
5. The person(s) having custody of the minor is/are _____
residing at _____.

6. To the best of my knowledge, no other guardian has been appointed for the minor by
any court.

- No other Court cases have been filed concerning this minor.
 The following Court cases are pending concerning this minor or have had

Orders entered concerning this minor: _____

7. The names and addresses of the nearest adult relatives of the minor are:

Mother: _____ who resides at _____.

Father: _____ who resides at _____.

_____ who resides at _____.

Spouse, if any, parents, and adult siblings must be listed above.

Other: _____ who resides at _____.

***Other relatives including nearest adult kindred are to be named only if they have physical custody of the minor, or if the parents are deceased, or their whereabouts are unknown.**

8. The approximate amount of the minor's personal estate is \$_____ and the amount of his/her anticipated gross annual income is \$_____.

9. No authority to compromise any action belonging to the minor is sought and no authority to sell, encumber or dispose of any asset in which the minor has an interest is sought unless by a separately filed Petition herein.

10. I further certify by my signature below under penalty of perjury that I know of no legal proceedings or orders concerning the possession, custody or guardianship of the minor in any Court in any State including Juvenile Court, Family Court, Probate Court or Order of Protection proceedings except as set forth hereinabove.

WHEREFORE, it is requested that the relief sought herein be granted by the Court.

PETITIONER

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

Notary Public / Deputy Clerk

Attorney for Petitioner

Address: _____

Phone: _____

IL Bar Registration NO. _____

NOTE: A minor 14 years of age or older may nominate a guardian for their person and/or estate subject to the Court's approval. (See separate nomination form).

NOTE: Notice of the hearing on this Petition must be given to the minor if over 14 years of age and to the parents, relatives and proposed guardian listed on the Petition.

**IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

In re the Matter of the Estate of

_____, A MINOR No. _____

PARENT'S ENTRY OF APPEARANCE

I, _____, being the natural father / mother (circle one) of the above minor, enter my appearance in this case for the appointment of a guardian for said minor and waive the necessity of notice on me. I approve of the Guardian being appointed as set forth in the Petition for Guardian.

I fully understand that if an Order is entered appointing a guardian for my child, that the Guardian(s) has the full custody of my child.

I further certify by my signature below under penalty of perjury that I know of no legal proceedings or orders concerning the possession, custody or guardianship of the minor in any Court in any State including Juvenile Court, Family Court, Probate Court or Order of Protection proceedings.

Parent's Signature

Name: _____

Address: _____

Telephone: _____

Signed and sworn to before me this
_____ day of _____, 20_____

Notary Public/Deputy Clerk

NOTICE: THIS IS A LEGAL DOCUMENT. IF YOU HAVE ANY QUESTIONS ABOUT THE LEGAL EFFECT OF SIGNING THIS DOCUMENT, YOU SHOULD SEEK LEGAL ADVICE FROM A LAWYER.

**IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON, COUNTY, ILLINOIS**

In re Matter of the Estate of

_____, A MINOR NO. _____

NOMINATION OF GUARDIAN BY MINOR

Being a minor over 14 years of age, residing at _____,

I nominate _____ as guardian of my _____
Person/Estate/Estate and Person

Date

Minor's Signature

Subscribed and sworn to before me

This _____ day of _____, 20__

Notary Public / Deputy Clerk

**IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**

In Re The Matter Of

_____)
_____)
_____)
_____)

Case No. _____

ORDER APPOINTING GUARDIANSHIP OF MINOR(S)

Matter comes before this Court on the Petition for the appointment of Guardian of the above Minor(s).

This Court being fully advised hereby **FINDS** as follows:

1. The minor(s) (does) (do) not have a living parent, adoptive parent, or adjudicated parent, whose whereabouts are known who is willing and able to make and carry out day to day child care decisions concerning the minors(s).

The _____ (has) (have) consented to the appointment of the Guardian of the Minor(s).

After receiving notice of this hearing pursuant to statute, _____ (has) (have) failed to appear and object to the appointment of a Guardian of the Minor(s).

2. The Petitioner(s) (is) (are) at least eighteen (18) years of age, resident(s) of the United States, not of unsound mind, not adjudicated disable person(s), and not convicted felon(s).

3. It is in the best interest of the Minor(s) that a Guardian be appointed

4. _____

Based upon the foregoing, it is therefore **ORDERED**:

A. _____ (is) (are) appointed the Guardian(s) of the _____ of the minor(s).

B. Letter of office to issue.

Date: _____

Judge Presiding