

Procedures to Obtain Guardianship of the Person
for a Minor Child Without an Attorney

General

1. All of the representations you will be making to the Court will be under penalties of perjury. Be sure to make accurate and truthful statements.

2. The Help Desk assistance is free of charge and staffed by volunteers. The Help Desk is located outside the courtroom and will be open on Fridays from 9:00 a.m. to 11:30 a.m.
3. Petitioners (you) **must** meet with the Help Desk before each Court appearance.
4. Unless the Judge instructs otherwise, you are **not** required to bring the minor to Court.
5. You will be required to consent to a criminal record and DCFS background check.

First Court Appearance:

1. Before the First Court Appearance, a Petition for Appointment of Guardian for a Minor (“Petition for Guardianship”) must be completed and filed in the clerk’s office.
2. After the Petition for Guardianship is filed, the clerk will set a date for the First Court Appearance on the next available Friday morning. On the First Court Appearance date you will need to bring with you the minor’s birth certificate, parent’s death certificate or prior guardian’s death certificate if applicable.
3. The filing fee is \$96. If you are indigent, then a Petition and Order to Sue or Defend as an Indigent Person must be filed. The Petition will be presented to the Judge at the First Court Appearance to request waiver of the court fees. If the Judge does not waive the filing fee, it will need to be paid prior to the second court date.
4. You should report to the Help Desk located outside the Courtroom by 9:00 a.m. on your first court date. The Help Desk volunteers will assist you with the completion of the necessary forms to present to the Judge. Once the forms are completed, you will be instructed to go to Courtroom CBR.
5. You may request an order giving you the authority to obtain a birth/death certificate. (NOTE: the minor’s birth certificate in all cases and the death certificate for any deceased parent of the minor is necessary.)
6. If after a diligent search you cannot locate one or more of the living parents of the minor, the Court may authorize the service of the Petition on the parent(s) by publication. The necessary publication forms will be completed at the Help Desk and the Petitioner must deliver them to the newspaper.
7. If it is necessary to immediately establish the guardianship (such as, for example, to enroll the minor in school), you may request a temporary guardianship that will expire in a short period of time.
8. When your case is called, step up to the bench. The Judge will review the documents and may have some additional questions for you. The Judge will then sign the Order for Temporary Guardianship and you will receive copies of all of your paperwork from the Clerk. You will receive Temporary Letters of Office that will allow you to act on behalf of the minor.

9. The case will be assigned a second court appearance date for the return of the criminal background and DCFS checks, and to receive the notices, publications and birth/death certificates and other forms.

Second Court Appearance:

10. You must bring all of the completed documents noted on the Order for Temporary Guardianship to the second court appearance.
11. Failure to complete the publication or a missing document will result in a third court appearance.
12. You should report to the Help Desk at 9:00 a.m. on the second court appearance date so the volunteers can check your paperwork. The Help Desk volunteers will assist you with the completion of the necessary final forms to present to the Judge. Once the forms are completed, you will be instructed to go to Courtroom B.
13. When your case is called, step up to the bench. The Judge will review the documents and may have some additional questions for you. The Judge will then sign the Order Appointing Guardian and you will receive copies of all of your paperwork from the Clerk.
14. You will receive what is called Letters of Office from the Clerk's office after your final court appearance. You must show this document when exercising your authority as a Guardian.

NOTE: The Petition/Order Discharging Guardian for a minor is to be used if a guardian is appointed and thereafter the guardians are to be changed, or the minor's or natural parent's circumstances has changed so there is no longer a need for the guardianship and it is in the minor's best interests for it to be terminated.