

**Procedures to Obtain Guardianship of the Person
for a Minor Child through the Probate Help Desk**

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 on the second floor of the Main Courthouse (down the hall from Probate Courtroom 201) and will be open on Fridays from 9:00 a.m. to 11:00 a.m.
3. You (Petitioner(s) **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.
3. The filing fee is \$144.00. If you are indigent, then an *Application for Waiver of Court Fees* must be filed. The Application will be presented to the Judge at the First Court Appearance to request waiver of the court fees.
4. You should report to the Help Desk located near to Courtroom C-201 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 C-201.
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 forms will be completed at the Help Desk and delivered 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 C-201.
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 going to be changed, or the minor'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.