

Re: Petition for Letters of Guardianship of Property of Minor, by Natural Guardian, with Bond - Personal Property over \$5,000

INSTRUCTIONS

I. Specific Instructions

1. This form is to be used for filing a Petition for Letters of Guardianship of Property of Minor, by Natural Guardian, with Bond, in the following situations:

(a) A doubtful claim is being compromised and the net settlement amount is \$10,000.00 or more, or the gross settlement amount is over \$5,000.00 but the net settlement amount is less than \$10,000.00 and the judge declines to waive a formal guardianship pursuant to O.C.G.A. §29-2-16(d).

(b) In all other cases where the value of the property of the minor is \$10,000.00 or more, or the value of the property is greater than \$5,000.00 but less than \$10,000.00 and the judge declines to waive a formal guardianship pursuant to O.C.G.A. §29-4-2(b).

2. There is a separate standard form for filing a Petition for Order That Natural Guardian Not Be Required to Become Legally Qualified Guardian of the Property.

3. If both parents are alive, either parent is the natural guardian of a minor child. If a parent is dead or if the parents are legally separated or divorced, the parent having custody of the child is the natural guardian. O.C.G.A. §29-4-2(a).

4. The court may require the petitioner to submit additional information concerning the petitioner's qualifications to serve as guardian, in addition to the information required on this standard form.

5. The attached form consists of 2 pages.

II. General Instructions

General instructions applicable to all Georgia probate court standard forms appear in Volume 255 of the Georgia Reports and are available in each probate court.

**PETITION FOR LETTERS OF GUARDIANSHIP OF PROPERTY
OF MINOR, BY NATURAL GUARDIAN, WITH BOND -
PERSONAL PROPERTY OVER \$5,000**

STATE OF GEORGIA, _____ COUNTY

Re: _____, Minor

To the Honorable Judge of the Probate Court:

The petition of _____, a resident of said county, shows that petitioner is the natural guardian of the above-named minor, age _____, whose date of birth is _____; that said minor is entitled to personal property with the approximate value of _____ by reason of _____; that petitioner desires to demand and receive said property for said minor; and that petitioner has tendered to this Court a guardian's bond in the amount of said property.

WHEREFORE, petitioner prays that said bond be duly filed, accepted and recorded, and that petitioner be vested with authority as guardian of the property of said minor.

Attorney's

Address: _____

Attorney (or petitioner if pro se)

Telephone: _____

VERIFICATION

Personally appeared before me the undersigned petitioner who on oath states that the facts set forth in the foregoing petition are true.

Residence

Address: _____

Petitioner

Telephone: _____

Sworn to and subscribed before me, this _____ day of _____, _____.

Clerk, Probate Court/Notary Public

SELECTION

I, the undersigned minor, resident of _____ County, above the age of fourteen years, select _____ to be appointed guardian of my property, this _____ day of _____, _____.

Signature of Minor if age 14 or over

ORDER

PROBATE COURT OF _____ COUNTY

Re: _____, Minor

The foregoing petition having been read and considered, and it appearing that the facts stated therein are true.

IT IS ORDERED that said bond be recorded, and that the above petitioner be, and hereby is, vested with all the authority of guardian of the property of said minor, to receive same and manage it according to law, upon taking the required oath of office.

DATE

JUDGE OF THE PROBATE COURT

OATH

I do solemnly swear (or affirm) that I will well and truly perform the duties required of me a guardian of the minor named above, and faithfully account to my ward for my ward's estate. So help me God.

Guardian

Sworn to and subscribed before me, this _____ day of _____, _____.

Clerk of the Probate Court

**CERTIFICATE IN ACCORDANCE WITH
UNIFORM PROBATE COURT RULE 21(F)**

I certify that the content of the foregoing is identical in all material respects with Georgia probate court standard form entitled **Petition for Letters of Guardianship of Property of Minor, by Natural Guardian, with Bond - Personal Property over \$5,000**, except for additions or deletions indicated as required by the Uniform Probate Court Rules.

Date

Signature of Attorney
Address:

Telephone Number:
State Bar#: