Register in Chancery
Kent County
New Castle County
Sussex County
38 The Green
Dover, DE 19901
Wilmington, DE 19801
Georgetown, DE 19947
302-735-1930
Georgetown, DE 19947
302-856-5775

#### COSTS INVOLVED & GENERAL INFORMATION ON ACTING AS A PRO SE LITIGANT

# Petition for Appointment of Guardian(s) of a Minor's Property

You have elected to proceed without an attorney (pro se) to file petition for guardianship. Our office wants you to be completely aware of the fees that are associated with this type of filing.

The initial filing fee of \$135.00 and an additional \$2.00 per page scanning fee is required at the time you file your petition with our office. Note, we charge a \$1.50 per page for any documents that you may need xeroxed. You may choose to pay by either cash or check. Checks are to be made payable to "Register in Chancery."

When filing the Petition for the Appointment of a Guardian of a Minor's Property, you will need to submit the following documents to our office:

- 1) The complete petition with the petitioner's signature notarized.
- 2) The minor's birth certificate.
- 3) Notice to the next-of-kin (i.e. the other parent, siblings over the age of eighteen or grandparents if immediate family is no longer living).
  - a. Notarized consents or
  - b. If you are unable to obtain a consent, notice will need to be sent by certified mail. You will then need to complete the enclosed affidavit of mailing and file the green cards with our office.
- 4) If the money is being received due to someone's death, the death certificate will need to be filed.
- 5) If the money is being received through a life insurance policy, a letter needs to be filed from the insurance company to show that the minor is due to receive money.
- 6) If the minor is over the age of fourteen, he/she will need to sign a consent to the petition, with their signature notarized.

Should your petition to become guardian(s) be granted, you will receive additional documents and information from the Court.

Please Note: There is additional information and forms available on the Court's website at <a href="http://courts.delaware.gov/Chancery/guardianship/index.stm">http://courts.delaware.gov/Chancery/guardianship/index.stm</a>

IN THE MATTER OF:		:	
	,	: C.M. #	
A Minor	,	:	
A Willion		•	
PETITION TO A	APPOINT GUARDI	AN(S) OF THE MINOR'S PROPE	<u>RTY</u>
Petitioner(s),		, represents:	
1. Information abo	out Petitioner(s) (You	are the Petitioner):	
a. Current	address(es):		
b. Telepho	one Number(s):		
c. Relation	nship to the minor:		
2. Information abo	out the minor:		
a. Age:			
b. Date of	birth:		
c. Current	address:		
3. The minor's ne	xt-of-kin who would	be entitled to his/her estate in the even	t of the
minor's death a	are the following (suc	h as parents, siblings over the age of e	ighteen or
grandparents):			
Name of	Relationship to	Address and Phone number	Next-of-
Next-of-Kin	Minor	of next-of-kin	kin's age

4.	4. Specify the source of the property or funds the minor is entitled to receive, the approximate value of the property or amount of funds to be received, and the da upon which the minor expects to receive the property or award.				
5.	A	ll of	the following statements must be true before the Court of Chancery will		
	co	nsid	ler this petition. Check ALL of the following statements to acknowledge they are		
	trı	ıe:			
		a.	☐ There is currently no legal guardian for the minor's property		
		b.	☐ Attached is the minor's birth certificate		
		c.	☐ Attached is the death certificate of whoever passed away leaving funds to		
			the minor		
		d.	☐ Attached is a letter from the insurance company stating how much the		
			minor is to receive from the life insurance policy <b>OR</b> the decedent's will is		
			attached		
		e.	☐ Petitioner(s) consents to the Register in Chancery of the Court being		
			his/her/their agent for acceptance of service on behalf of the Petitioner(s) as to		
			any claim arising out of the guardianship if, by reason of the guardian's		
			absence(s) from this State, he/she/they cannot be personally served.		
		f.	☐ Petitioner(s) understands that the minor's money will be placed into a		
			guardianship bank account and the funds shall remain in the account until the		
			minor turns eighteen (18) at which time a Petition to Transfer Funds at		
			Majority must be filed with the Court. Petitioner(s) understands and agrees that		
			funds may not be withdrawn from the guardianship account without a court		
			order authorizing such withdrawal.		
V	VHI	ERE	<b>EFORE,</b> Petitioner(s) respectfully requests that:		
		1. T	his Court appoint him/her/them as guardian(s) of the minor's property.		
	,	2. T	he guardian(s) shall have the authority to receive \$ from		
		t	he Insurance Company/Estate. If the money is received from a life insurance		

(If Applicable)  Address: Address:	URT OF CHANCERY, MINOR,, GUARDIAN(S). URT" and to deposit all of
Bank to be titled, "COGUARDIANSHIP ACCOUNT FOR	URT OF CHANCERY, MINOR,, GUARDIAN(S). URT" and to deposit all of
GUARDIANSHIP ACCOUNT FOR	, MINOR, MINOR, GUARDIAN(S).  URT" and to deposit all of
WITHDRAWALS ONLY BY ORDER OF THE CO the minor's funds in the account.  4. Bond to be fixed for the guardianship without surety.  5. There be paid by the guardian the court costs of this per  Signature of Co-Petitioner (If Applicable)  Address: Address:	, GUARDIAN(S).  JRT" and to deposit all of
WITHDRAWALS ONLY BY ORDER OF THE CO the minor's funds in the account.  4. Bond to be fixed for the guardianship without surety.  5. There be paid by the guardian the court costs of this per  Signature of Co-Petitioner (If Applicable)  Address: Address:	JRT" and to deposit all of
the minor's funds in the account.  4. Bond to be fixed for the guardianship without surety.  5. There be paid by the guardian the court costs of this possible surety.  Signature of Co-Petitioner (If Applicable)  Address: Address:	
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5. There be paid by the guardian the court costs of this per Signature of Co-Petitioner (If Applicable)  Address: Address:	tition.
Signature of Co-Petitioner Signature  (If Applicable)  Address: Address:	tition.
(If Applicable)  Address: Address:	
	of Petitioner
Phone number: Phone number: _	
SWORN TO AND SUBSCRIBED before me, a notary/clerk of the State aforesaid, on the day of, 2	Court for the County and

N THE MATTER OI	F:	:
	,	: : C.M. #
a minor		: :
MINOR'S CO		ETITION FOR THE APPOINTMENT OF A
	GUARDIAN OF 1	THE MINOR'S PROPERTY
Ι,	(Name of minor)	, a minor over the age of
(1.4)	111 1	
ourteen (14) years (	old, nereby consent	to the appointment of(Petitioner's Name)
s the guardian of m	Minor's address:	Minor's signature
WORN AND SUB	SCRIBED before n	me the date and year aforesaid.
		Public Notary/Register in Chancery

# INSTRUCTIONS FOR NOTIFYING NEXT-OF KIN OF PETITION FOR GUARDIANSHIP

It is the petitioner's responsibility to notify the minor's next-of-kin (the other parent, siblings over the age of eighteen or grandparents) when a petition for guardianship is filed with the Court. This includes notifying all of the parties you listed on number three of the guardianship petition.

You, as the petitioner(s), can approach this requirement in one of two ways:

1. A copy of the attached "Waiver of Notice and Consent" can be signed and notarized by each of the minor's next-of- kin.

#### OR

- 2. You can send a copy of the completed "Notice of Petition" to all of the minor's next-of-kin, via certified mail. You will then file the following documents, which are due by noon two days before the scheduled hearing date, with the Court:
  - a. The attached "Affidavit of Mailing",
  - b. A copy of the "Notice of Petition" that was sent to the next-of-kin, and
  - c. The certified mail return receipts.

<u>PLEASE NOTE</u>: Any next-of-kin who has not signed a notarized consent must receive notice of your petition by certified mail at least thirteen (13) days before the Court hearing. This ensures that all next-of-kin have adequate time to contact the Court with any questions they may have or file any objection to the guardianship petition.

IN THE MATTER OF:	:
	: _, : C.M. #
a minor	: :
	TO THE PETITION FOR THE APPOINTMENT OF A N OF THE MINOR'S PROPERTY
I,(Name of	, whose relationship to
the minor is that of	, hereby consent to the minor)
Appointment of(Petition	as guardian of the minor's
property without further notice.	
Date Next-of-kin's addre	Next-of-kin's signature
SWORN AND SUBSCRIBED b	efore me the date and year aforesaid.
	Public Notary/Register in Chancery

☐Register in Chancery Kent County	☐Register in Chancery New Castle County	☐Register in Chancery Sussex County
38 The Green	500 N. King Street, St. 155	
Dover, DE 19901	Wilmington, DE 19801	Georgetown, DE 19947
302-735-1930	302-255-0544	302-856-5775
IN THE MATTER OF:	:	
	: , :	C.M. #
(Minor's name) A minor	: :	
NOTICE OF PETITION	ON FOR THE APPOINTMENT OF	F A GUARDIAN OF A MINOR'S
	<u>PROPERTY</u>	
NAME	ADDRESS OF INTERESTED PA	RTY
Dear Interested Parties:		
This is a notice that I am/we	are applying for guardianship of	's's
Property. Should you object	t, you must immediately send your wr	itten objections to the Register in
Chancery's Office that has b	een marked above.	
Petitioner's Signature		titioner's Signature
DATED:		

IN THE MATTER OF:	) ) ) C.M. #
a minor	)
AFFIDAV	VIT OF MAILING
1. The petitioner(s), with postage prepaid a le set forth in paragraph 2 informing them of the Property that has been filed in this matter.	, mailed on this date tter dated to the person(s) ne Petition for Appointment of Guardian of a Minor's
2. The person(s) to whom the le	tter above was mailed and their addresses are:
Name	Address
3. ATTACHED ARE: (Check b	ooth statements below to acknowledge both are
attached.)  A copy of the above referenced	d letter AND   The certified mail return receipts.
Petitioner	Co- Petitioner
SWORN TO AND SUBSCRIBED before a day of, 20	me, a notary/clerk of the Court, on the
	Notary Public/Chancery Court Clerk

# COURT OF CHANCERY PERSONAL INFORMATION SHEET

In the	matter of:	, an alleged disabled
person	n/minor	
Social	Security Number:	Date of Birth:
C.M. 7	#	Date:
appoir I must provid guardi locate	nted as guardian of the alleg t complete this form in full le the Court with sufficien ian and to assist the Court and make contact with me,	matter, I have applied to the Court of Chancery to be ged disabled person/minor named above. I understand that I or my guardianship petition may be denied. In order to it information to determine my qualification to serve as in assuring that the Court's staff will always be able to the following information and consent is given:  name:
renno	oner/Guardian's physical add	dress:
Petitio	oner/Guardian's mailing add	lress (if different):
Home	phone number:	Work phone number:
Cell p	hone number:	E-mail address:
Date of	of birth:	Social Security number:
Driver	r's License number and Stat	e:
Place	of employment and address	:
Name	of supervisor and telephone	e number:
Name	/Address/Telephone number	r of spouse (if not a co-petitioner/co-guardian):
locate	or contact me:	nber of at least two persons who should always be able to
	Phone number:	Relationship:
2.	Name:	
	Phone number:	Relationship:

I fully understand that it is my duty to keep the Court informed of my whereabouts and to provide the Court with any change in my name, physical address or mailing address. I hereby authorize the staff of this Court to contact any of the persons named above and authorize and direct any of the persons named above and my attorneys to provide to the Court any information which might assist the Court in locating or contacting me in the future. I also authorize the court staff to search government or public databases to locate me. I further agree that any federal, state, public, or private agency with information about my whereabouts, or the whereabouts of the disabled person or minor named above, may release that information to the Court and its staff, and I authorize and direct such persons to release that information. I release the Court and the Court's staff from all liability associated with efforts to determine my whereabouts or the whereabouts of the disabled person or minor over whom guardianship has been established.

Petitioner/Guardian's signature	
SWORN TO AND SUBSCRIBED bon the	efore me, a notary/clerk of the Court for the County
day of	, 20
	Notary Public/Chancery Court Clerk



Al	Alleged disabled person/Minor:					
	AFFIDAVIT OF PETITIONER'S HISTORY					
Pe	titioner's Name:					
1.	Have you ever declared bankruptcy?  Yes No If so, when?  If so, what type?					
2.	Have you ever been convicted of a misdemeanor?   Yes No  If so, describe which misdemeanor, when and in what jurisdiction you were convicted (i.e., State, County and Police Department).					
3.	Have you ever been convicted of a felony?  Yes No  If so, describe which felony, when and in what jurisdiction you were convicted (i.e., State, County and Police Department).					

	f so, describe which offense and when you were found guilty.	
•		
yo	Do you give the State of Delaware permission to conduct a criminal back you at any time during the consideration of your petition for guardianship any time during the period you are a guardian? Yes No	
•		
•		
	solemnly swear and affirm under penalty of law that the statements and bove are true to the best of my knowledge.	answers
	Signature	
SV	Signature SWORN TO AND SUBSCRIBED before me on this date:	
SW		

IN THE MA	TTER OF:	:			
	,	: :	C.M. #		
	a minor	: :			
OR	EDER TO APPOINT GUAR	DIAN(S) OF	THE MINOR'	S PROPE	<u>ERTY</u>
WHE	EREAS, the Petition for Appoi	intment of Gu	ardian(s) of the	Minor's Pi	roperty having
been presente	ed and duly considered by the	Court,			
IT IS HE	REBY ORDERED, this	day of			, as follows:
1.			_ is/are hereby	appointed	guardian(s) of
the property	of	, miı	nor and that the	guardian(s	) is/are
directed to re	eceive the sum of \$		from the lif	e insuranc	e policy/estate
of		·			
2.	The guardian(s) shall execu	ite a bond witl	h this Court in fa	avor of the	State of
Delaware wi	thout surety in the amount of	\$		·	
3.	The guardian(s) shall open	an interest bea	aring account or	certificate	at
	Bank, loc	cated in Delaw	are, entitled: "C	OURT OF	F CHANCERY
GUARDIAN	ISHIP OF				, MINOR,
				GL	JARDIAN(S),
WITHDRAV	WALS ONLY BY ORDER O	F THE COUR	T" and deposit	the funds t	o be received.
The guardian	n(s) may not make <b>ANY</b> with	draws from the	e account WITH	OUT first	having a
Court Order	to do so. The guardian(s) may	roll over or r	einvest the sums	s in similaı	accounts or
certificates in	n the same bank and under the	same limitati	ons on withdraw	vals	

- 4. The guardian(s) shall, within thirty (30) days of the date of this order, submit proof to the Register in Chancery's Office that the bank account(s) provided for in this Order have been opened in accordance with the provisions of this Order.
- 5. Subject to the further order of the Court, the guardianship funds of minor may **not** be used for everyday living expenses such as food, shelter, clothing, etc.
- 6. Your petitioner(s) consent to the Register in Chancery of this Court being his/her/their agent for the acceptance of service of process on behalf of the petitioner(s) as to any claim arising out of the guardianship if, by reason of the guardian's absence(s) from this state, he/she/they cannot be personally served.
- 7. The Register in Chancery or her designee as Administrator of the Account may from time to time inspect any account established for the benefit of the minor, and the financial institution holding said account(s) is authorized and directed to allow said inspection, and to supply a statement of the account, if requested, for the guardianship file. If the account is titled incorrectly, the financial institution is directed to make such corrections as per the original Order of this Court, and send a corrected copy to the guardian(s) and the Register in Chancery's Office.
- 8. The guardian(s) shall provide the Register in Chancery with the most recent bank statement, in lieu of an accounting, by January 15<sup>th</sup> of each year.
- 9. The guardian(s) must notify the Register in Chancery's Office of any address or phone number change within thirty days of occurrence.

Chancellor/Vice Chancellor/Master	