

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Register in Chancery
Kent County
38 The Green, Ste. 208
Dover, DE 19901
302-735-1930

Register in Chancery
New Castle County
500 N. King Street, St. 11600
Wilmington, DE 19801
302-255-0544

Register in Chancery
Sussex County
34 The Circle
Georgetown, DE 19947
302-856-5775

Procedures for filing a Petition to Expend for a Minor

A petition to expend requires the following:

- **A completed petition.** The court clerk cannot complete the petition for you. The guardian's(s') signature(s) must be notarized. If the minor is fourteen years old or older, the minor's signature must be notarized. Signatures can be notarized by a court clerk in the Register's office if the person signing appears in person with identification and the correct paperwork.
- **A copy of the bank statement(s) dated within the thirty days prior to filing the petition.**
- **A completed and notarized "financial statement supporting petition to expend."** There may be times when a more detailed financial disclosure form will need to be completed and a promissory note signed. A promissory note is signed by the guardian(s) promising to repay the guardianship account the amount of money that is about to be borrowed, if authorized by the Judicial Officer. The court clerk will determine if a promissory note is necessary. A promissory note is an additional \$25.00.
- **A notarized letter from the minor (if minor is fourteen years old or older).** If the minor is fourteen years old or older, a letter will be required from the minor stating he/she understands what the money is being requested for and he/she understands the money will be taken from their guardianship account.
- **Supporting documentation.** Provide any receipts, invoices and other documentation that detail the expenses for which you are petitioning.
- **\$35 filing fee.** Thirty-five dollars filing fee in the form of a check or money order payable to "Register in Chancery." Cash is acceptable if appearing in person.
- If the petition to expend is to purchase a vehicle, please see the enclosed insert for additional instructions. If the request is for clothes, the guardian(s) must provide a layaway statement or the advertisement.
- It is the petitioner's responsibility to provide the Court with photocopies of all supporting documentation. If the Register in Chancery's office makes photocopies for you, we will charge a \$1.50 per page fee. When submitting your supporting documentation, it must be filed on regular 11 x 8.5 paper that can be easily scanned onto the computer.
- You may mail the completed petition to the Register in Chancery in the county where your guardianship case was established and the completed order will be mailed back to you.
- As part of the order, the guardian(s) will be responsible to file all receipts within twenty days. If the guardian(s) fail(s) to file the proper receipts, all future petitions may be denied.

INSTRUCTIONS FOR REQUESTING THE PURCHASE OF A VEHICLE

- If purchasing from a dealership, the guardian must provide the following:
 - The sales agreement which shows the agreed-upon final price including taxes and tags, VIN number, mileage, make, model and year. The name of the dealership must be printed on the sales agreement.
 - A printout from Kelley Blue Book or CarMax as to the value of the vehicle if purchasing a used vehicle

- If purchasing from a private seller, the guardian must provide the following:
 - A notarized letter from the seller with the vehicle information to include the VIN number, mileage, make, model, year and purchase price
 - A printout from Kelley Blue Book as to the value of the vehicle

- Both the guardian and the minor must provide copies of the following:
 - Their driver's licenses (no permits will be considered)
 - A copy of the current insurance information
 - A notarized letter from the minor stating they know what the funds are going to be used for

- The parent/guardian will be required to put the title of the vehicle in the minor's name as the owner and the parent/guardian can be listed as second owner

- If the petition is approved, the order will require the bank to issue the check payable to the seller

- The parent/guardian will be required to file copies of the receipt of purchase and the title to the vehicle within twenty (20) days or a Rule to Show Cause may be issued against you

FINANCIAL STATEMENT SUPPORTING PETITION TO EXPEND

Pursuant to Del Code Title 13 § 501, it is the parent's responsibility to provide financial support for the minor child until the age of 18.

Please select one of the following:

- natural parent/guardian non-parent/guardian

I receive the following monthly amounts of money for this child:

- SSI _____
 child support _____
 death benefit _____
 other _____

Why should this minor child pay for the items listed on the petition from his/her own funds?

Guardian

Co-Guardian (if there is one)

Register in Chancery/Notary

Date

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

In the Matter of: _____ :
 :
 :
 _____, : C.M. #: _____
 A Minor :
 :

PETITION TO EXPEND

1. _____ [Name of Guardian(s)]
was/were appointed guardian(s) of the property of _____ [Name
of Minor] by court order dated _____.
2. The minor is ____ years old and his/her date of birth is _____.
3. Information about the minor’s guardianship account(s):
 - a. Name of bank(s) where guardianship account(s) is/are: _____

 - b. Current balance of the guardianship account(s): \$ _____
4. Information about the money being requested:
 - a. Total amount requested: \$ _____
 - b. The money will be used for the following reason(s): _____

_____.
 - c. The money will be withdrawn from the guardianship account(s) at
_____ [Name of bank(s) where the money will

be withdrawn from], account number(s) ending in

_____ [last four digits of the account number(s)].

5. I/we understand if the order to expend is approved, I/we will be responsible for filing all receipts within twenty days of the court order.

Guardian's signature

Co-Guardian's signature

Complete address

Complete address

Phone Number

Phone Number

Minor's signature (if 14 years old or older)

The above named guardian(s), having been duly sworn, deposes and says that the facts above recited are true and correct. Sworn to and subscribed before me the _____ day of _____, _____.

Register in Chancery/Notary Public