

# The Family Court of the State of Delaware

In and For  New Castle County  Kent County  Sussex County

## CONSENT ORDER – PERMANENT GUARDIANSHIP

Check the county in which you are filing.

**Petitioner**

**Respondent**

Name Anne C. Smith	D.O.B. 2/3/1964	Name Michelle Jones	D.O.B. 11/12/1967
Street Address 101 Oak Street		Street Address 123 State Street	
P.O. Box Number #123		P.O. Box Number	
City/State/Zip Code Dover, DE 19901		City/State/Zip Code Dover, DE 19901	
Phone Number (302)-555-1111		Phone Number (302)-445-6898	
Relation to Child(ren) Maternal Aunt		Relation to Child(ren) Mother	
Attorney Name None		Attorney Name None	
Interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Language		Language	

File Number CK04-0221
Petition Number 07-1553

**Petitioner (if any)**

**Respondent (if any)**

Name Scott R. Smith	D.O.B. 3/14/1964	Name Steven Harding	D.O.B. 9/14/1968
Street Address 123 State Street		Street Address 454 Main Street	
P.O. Box Number #123		P.O. Box Number	
City/State/Zip Code Dover, DE 19901		City/State/Zip Code Dover, DE 19901	
Phone Number (302)-445-6898		Phone Number (302)-998-4745	
Relation to Child(ren) Maternal Uncle		Relation to Child(ren) Father	
Attorney Name None		Attorney Name None	
Interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Language		Language	

**Guardian Ad Litem (if any)**

Name Jane Walker
Law Firm
Office Address 525 South Washington Street
City/State/Zip Code Dover, DE 19901
Phone Number (302)-465-9889

**IN THE INTEREST OF** the following child: Douglas A. Smith, 10/14/1991  
Name Date of Birth

The parties in the above entitled cause agree upon the following arrangement and do consent to the entry of an Order providing for same:

**PERMANENT GUARDIANSHIP AWARDED TO:** Anne and Scott Smith

Relationship to Child: Aunt and Uncle

Street Address	<u>101 Oak Street, Apartment</u>
P.O. Box Number	<u>#123</u>
City/State/Zip Code	<u>Dover, DE 19901</u>

**For Respondent:**

I understand the importance of my decision and fully realize the effects of granting permanent guardianship of my child to the above-named individuals;

I understand that I retain the following rights:

- a. The right to visitation, contact and information as ordered by the court;
- b. The right to inheritance by and from the child;
- c. The right to consent to termination of parental rights and/or adoption of the child; AND
- d. The right to seek modification of the visitation, contact and information portions of the permanent guardianship order.

**I understand that after this consent is signed by me and confirmed, I may not petition the Court to modify or terminate the Permanent Guardianship.**

I understand that I may still have the primary responsibility to support my child financially;

I know and understand that I have the right to be served with a copy of the petition for permanent guardianship, and have a hearing on that petition. I understand that the Family Court may conduct a hearing on this matter. I hereby waive my right to service and any notice of such hearing by checking the following box ;

I know that I will receive notice of the final order of the Court only if I check the following box ;

I have received a copy of my signed consent; and

I have signed this consent voluntarily and of my own free will. I have neither been promised nor received any money or anything else of value in exchange for this consent.

Describe the visitation schedule you have agreed upon in detail.

Respondent(s) shall have visitation as follows:

Mother shall have visitation with the children every other weekend beginning the first weekend in January 2006. Mother will pick up children from school on Friday afternoon and return the children to Aunt & Uncle's home by 4pm on Sunday.

Father shall have visitation with the children every other weekend beginning the second weekend in January, 2006. Father shall pick up the children from school on Friday afternoon and return the children to Aunt & uncle's home by 4pm on Sunday.

**BE IT REMEMBERED**, that on this date, December 15, 2005, Anne Smith and Scott Smith who, being duly sworn by me according to the law personally appeared before me, a Notary Public for the State and County declared above, did depose and say: We, the undersigned, hereby agree upon the following permanent guardianship agreement for the above-named child. We signed this consent agreement voluntarily and of our own free will.

**THE RESPONDENTS ACKNOWLEDGE THAT EACH WAS ADVISED THAT IF HE/SHE IS INDIGENT AND WISHES TO HAVE COURT APPOINTED COUNSEL REPRESENT HIM/HER IN THIS ACTION, COUNSEL MAY BE APPOINTED FOR HIM/HER IN THIS ACTION. HE/SHE FREELY AND VOLUNTARILY WAIVES HIS/HER RIGHT TO COUNSEL.**

**THE RESPONDENTS EACH ACKNOWLEDGE THAT BY SIGNING THIS DOCUMENT AND AUTHORIZING ITS FILING, HE/SHE IS ENTERING AN APPEARANCE AND AGREEING TO WAIVE SERVICE OF PROCESS OF THE PETITION FOR GUARDIANSHIP.**

**This agreement of the parties is subject to review of the parties' criminal histories by a hearing officer before entry as an order of the court.**

**If signed by a Commissioner, the parties hereby waive their right to a Review of a Commissioner's Order as this Order is entered pursuant to their voluntary agreement.**

Douglas A. Smith  
Child (if over 14 years of age)

Anne C. Smith  
Petitioner

Scott R. Smith  
2<sup>nd</sup> Petitioner (if any)

Michelle Jones  
Respondent

Steven Harding  
2<sup>nd</sup> Respondent (if any)



All parties must sign in the presence of a notary.

SWORN TO AND SUBSCRIBED  
before me this date,

Donna King

Donna King  
Notary Public/Clerk of Court

Signed by  
Notary or Court  
staff

SO ORDERED this 12th Day of December, 2005.

\_\_\_\_\_  
Judge/Commissioner