

STATE OF MAINE

DISTRICT COURT

Location \_\_\_\_\_

Docket No. \_\_\_\_\_

In re: \_\_\_\_\_  
Minor

**PETITION FOR APPOINTMENT OF  
PERMANENT GUARDIAN OF MINOR**

FULL     LIMITED

18-A M.R.S. §§ 5-101, 5-105, 5-202-207

**1. Petitioner Information:**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Legal residence: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**2. Minor Subject of Guardianship Information:**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Legal residence: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_

3. Relationship of nominated guardian to the minor: \_\_\_\_\_

\_\_\_\_\_

4. Current location of minor (If same as item 2, enter "same"): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. These are the facts that support the need for a guardian: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Is there any person who may disagree with your opinion of the facts:  Yes  No.

If yes, explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Have you attached a child custody affidavit (GS-010) as required by 19-A M.R.S. § 1753?  Yes  No.

8. Do you believe a limited guardianship is sufficient in this case?  Yes  No.  
If yes, explain in detail the specific duties and powers you propose to have as the guardian and the specific parental rights and responsibilities you propose to be kept by the minor's parent(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Names, addresses, and telephone numbers of all persons who must be notified and relationship of each such person to the minor. (Indicate if waivers of notice have been or are to be filed.) The following must be notified:
- a. The minor if 14 or over unless the minor has consented or waived notice;
  - b. The person who has had principal care and custody of the minor during the 60-day period immediately preceding the date of petition;
  - c. Any living parent of the minor; and/or
  - d. Any other interested party as directed by the District Court Judge.

NAME	ADDRESS	RELATIONSHIP	WAIVERS
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

10. Which of these statements is true?
- a.  Each parent with parental rights and/or each legal custodian consents to the guardianship.
  - b.  A court has terminated or suspended all parental rights. (A certified copy of the order is attached.)
  - c.  All parental rights of custody have been terminated or suspended by circumstances. Explain. \_\_\_\_\_  
\_\_\_\_\_
  - d.  One parent is dead, and a court or other legal authority has determined that the surviving parent is incapacitated. Explain. \_\_\_\_\_  
\_\_\_\_\_
  - e.  Living with the parent(s) or custodian(s) creates an intolerable living situation for the child. Explain. \_\_\_\_\_  
\_\_\_\_\_
  - f.  Both parents have died without appointing a guardian for the child. (Copies of

the death certificates are attached.)

- g.  There is a demonstrated lack of consistent participation by the non-consenting parent or legal custodian of the minor and a *de facto* guardian whose name and address is:

Name: \_\_\_\_\_

Legal residence: \_\_\_\_\_

\_\_\_\_\_

11. NOMINATION AND CONSENT OF MINOR. I, \_\_\_\_\_ being 14 years of age or older do hereby nominate \_\_\_\_\_

\_\_\_\_\_ to be my (CHOOSE ONE)  **FULL**  **LIMITED** guardian and consent to his/her appointment as such without attending the hearing.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Minor

The petitioner believes that the appointment of a (CHOOSE ONE)  **FULL**  **LIMITED** guardian for the above-named minor is necessary and desirable and is in the minor's best interest.

Petitioner(s) requests that the court:

- determine that appointment of a (CHOOSE ONE)  **FULL**  **LIMITED** guardian for this minor is proper;
- make the requested appointment; and
- issue letters of appointment to the guardian.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner or Attorney

Attorney for Petitioner, if any:

\_\_\_\_\_  
Name and Maine Bar Registration Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
(Signature of Attorney and Maine Bar Registration Number)

Attorney for Other Party, if any:

\_\_\_\_\_  
Name and Maine Bar Registration Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**STATE OF MAINE**

\_\_\_\_\_  
COUNTY

Personally appeared the above-named \_\_\_\_\_, and  
made oath that the foregoing statements are true.

Before me,

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney at Law/Notary Public/Deputy Clerk

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\_\_\_\_\_  
COUNTY

Personally appeared the above-named \_\_\_\_\_, and  
made oath that the foregoing statements are true.

Before me,

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney at Law/Notary Public/Deputy Clerk