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IN THE DISTRICT COURT OF THE \_\_\_\_\_ JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF \_\_\_\_\_

In the Matter of

\_\_\_\_\_,  
DOB: \_\_\_\_\_  
a Minor.

Case No.: \_\_\_\_\_

PETITION FOR APPOINTMENT OF  
GUARDIAN OF A MINOR  
Fee Category:  
Filing Fee:

Petitioner, (name) \_\_\_\_\_, states and represents:

1. Petitioner, as (relationship) \_\_\_\_\_, is interested in the welfare of \_\_\_\_\_, who is a minor. [ ] Petitioner is not a family member, but adoption is not in the best interest of the minor because:  
\_\_\_\_\_  
\_\_\_\_\_.
2. The minor is \_\_\_\_\_ years of age, born on \_\_\_\_\_,
3. Venue for this proceeding is proper in this county because the minor resides or is present in this county.
4. The minor is unmarried and [ ] all parental rights of custody have been terminated by prior court order dated \_\_\_\_\_, **or** [ ] the minor has been neglected, abused or abandoned, **or** [ ] the minor's parents are unable to provide a stable home environment.
5. No testamentary appointment of a guardian has priority over petitioner's appointment.
6. Facts regarding nomination of petitioner:
  - a. \_\_\_\_\_ the minor is under 14 years of age.

- b.  the minor is 14 years of age or older and nominates petitioner.
- c.  the minor is 14 years of age and has failed to nominate a guardian.

7. The appointment of petitioner is in the best interests of the minor because:

\_\_\_\_\_  
\_\_\_\_\_

8. Notice of time and place of hearing on this petition is required to be given pursuant to I.C. 15-5-207(a) to the following persons:

- a) the minor, if 14 or more years of age;
- b) the person who has had the principal care and custody of the minor during the last 60 days;  (name) \_\_\_\_\_, (address)

\_\_\_\_\_  
relationship to minor \_\_\_\_\_.

- c) any person who has been the primary caregiver for and financial supporter of the minor and with whom the minor has resided for a minimum of six (6) months if the minor is under 3 and a minimum of one (1) year if the minor is over three;  (name) \_\_\_\_\_, (address)

\_\_\_\_\_  
relationship to minor \_\_\_\_\_.

- c) any living parent;  none,  (name) \_\_\_\_\_, (address) \_\_\_\_\_,  mother  father;  (name) \_\_\_\_\_, (address) \_\_\_\_\_.

9.  Due to the relationship between petitioner and the minor, petitioner believes the minor's interests will be adequately represented without the appointment of an attorney or guardian ad litem to represent the minor. Petitioner asks the court to find such appointment is not necessary to serve the best interests of the minor. or

the Idaho department of health and welfare has legal custody of the minor. Or

\_\_\_\_\_ should be appointed as  attorney  guardian ad litem for the minor.

10. The appointment of petitioner as a temporary guardian is also necessary because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, PETITIONER REQUESTS THAT:

1. The Court fix a time and place for hearing.
2. Notice be given as required by law.
3. The court find [ ] appointment of an attorney to represent the minor or guardian ad litem for the minor is not necessary to serve the best interests of the minor or [ ] the Idaho department of health and welfare has legal custody of the minor or [ ] appoint \_\_\_\_\_ as [ ] attorney [ ] guardian ad litem for the minor .
4. The Court appoint petitioner as guardian of the minor.
5. Letters of Guardianship be issued.
- [ ] 6. The Court appoint petitioner as temporary guardian of the minor until petitioner is appointed as guardian, or for a period of six months, whichever occurs first.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

**VERIFICATION**

STATE OF IDAHO )  
 ) :ss.  
County of \_\_\_\_\_ )

Petitioner, being sworn, says that the facts set forth in this document are true, accurate, and complete to the best of Petitioner's knowledge and belief.

\_\_\_\_\_  
Petitioner's signature

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

