

GA-15

PETITION TO RESIGN AS GUARDIAN

IMPORTANT: If you want to resign and are the only guardian, do not use this packet. Instead, file a GA-1 Petition for Appointment of Guardian to request a new Guardian be appointed.

Use this packet if all the following statements are true:

- There is an open guardianship case in Washoe County.
- The protected person is still in need of a guardian.
- There is another co-guardian who does not wish to resign as guardian.
- You wish to no longer be the guardian of the protected person.

This packet contains the following:

1. Instructions
2. Legal Assistance Information
3. Petition to Resign as Guardian(s)
4. Citation to Appear and Show Cause
5. Certificate of Service
6. Declaration of Service

Note: The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

Instructions:

- **Step 1:** The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. To file electronically, you must have an eFlex account which you can sign up for in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

- **Step 2:** Fill out the **Petition to Resign as Guardian(s)**.

You may either bring your **Petition to Resign as Guardian(s)** to the Resource Center to file it with the Court, or you can follow the instructions below to electronically file the document yourself.

If you take it to the Resource Center to file, skip to Step 3 once the petition has been filed.

If you would like to add exhibits to your Petition, additional steps are needed. Please contact the Law Library or Resource Center for details.

- **Step 2a:** Electronically file your document

- Log into your eFlex account: <https://wceflex.washoecourts.com/>.
- Click “Existing Cases.”
- Locate the Guardianship case you are filing into, click on the blue “eFile” link next to the case number.
- To file the document, select the applicable Document Type, and click “Choose File.” Locate your document file on your computer, then click “Add.”

Note: The Document Category field can be left blank.

- **Petition to Resign as Guardian(s)**
Document Type: “Petition”
- Review the document by clicking on the hyperlinked file name in the “View Document” column.
- When you are ready to submit your document to the court, click “Next” and then “Submit the Filing”.

□ **Step 3: Fill out the Citation to Appear and Show Cause**

Note: The “All Known Relatives of the Adult” section must include the following protected person’s family members:

- Mother
 - Father
 - Children (over the age of 14)
 - Grandparents
 - Siblings (over the age of 14)
 - Spouse
 - Grandchildren (over the age of 14)
- The court clerk will complete page 2 of the **Citation to Appear and Show Cause** in the next step.

□ **Step 4: Set the Hearing**

To schedule a hearing on your petition, you must contact the guardianship court clerk by calling: 775-328-3135, or emailing the **Citation to Appear and Show Cause** to: AdultGuardianship@washoecourts.us.

The clerk will provide you with a hearing date and will issue the completed **Citation to Appear and Show Cause** into your guardianship case.

□ **Step 5: Serve the documents**

You must serve everyone listed on the front of the **Citation to Appear and Show Cause** with one file-stamped copy of the **Petition to Resign as Guardian(s)** and a copy of the **Citation to Appear and Show Cause**.

You can print file-stamped copies of the documents you need to serve from your eFlex account or visit the Resource Center to obtain copies.

You will also need to serve:

- The Protected Person by personal service.
- The Protected Person’s attorney.
- The Director of the Department of Health and Human Service if the Protected Person has received or is receiving benefits from Medicaid:
Director of the Department of Health and Human Services
Division of Welfare and Supportive Services
1470 College Parkway
Carson City, Nevada 89706-7924

- The Department of Veteran Affairs if the Protected Person is receiving benefits from the VA:
 Department of Veteran's Affairs
 5460 Reno Corporate Drive
 Reno, Nevada 89511
- Anyone else who is listed under NRS 159.034.

Service:

- Service may be made by certified mail, with a return receipt requested, at least 20 days before the hearing, or by personal service at least 10 days before the date set for the hearing.
- When you serve by certified mail, keep the white slips and green return cards to attach to your **Certificate of Service**.
- The Protected Person must be served by personal service. **Personal service cannot be completed by you.**
- For Personal service, service may be completed by:
 - The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works; or
 - A responsible adult over the age of 18 years that does not need to be served the documents themselves; or
 - A private process service.

Step 6: Complete the **Certificate of Service** for all persons that were served through eFlex or by mail. If more room is needed, attach additional sheets.

Step 7: Complete the **Declaration of Service** for all persons that were personally served.

The Declaration of Service must be completed by the person who served the documents. The person who served the documents will need to date, sign, print their name, address, and phone number.

Step 8: Filing the **Certificate of Service** and **Declaration of Service**

You may either bring your **Certificate of Service** and **Declaration of Service** to the Resource Center to file them with the Court, or you can follow the instructions below to electronically file the documents yourself.

If you take them to the Resource Center to file, skip to Step 9 once they have been filed.

□ **Step 8a: File the Certificate of Service and the Declaration of Service**

- Log into your eFlex account: <https://wceflex.washoecourts.com/>. Click “Existing Cases” and click on the blue “eFile” link next to the Guardianship case you are filing into.
- To file your document(s), select the applicable Document Type, and click “Choose File.” Locate your document file on your computer, then click “Add.”

Note: The Document Category field can be left blank.

- **Certificate of Service** include the signature receipts (green cards from the Post Office)
Document Type: “Certificate of Service”
- **Declaration of Service**
Document Type: “Declaration”
- Review the documents by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your document(s) to the court, click “Next” and then “Submit the Filing”.
- Once the Certificate of Service and the Declaration of Service have been filed, you will need to mail a file-stamped copy to all the parties served.

□ **Step 9: The Hearing**

Your hearing will be virtual using Zoom. The Court will send you login instructions prior to the hearing. Log in approximately 15 minutes prior to your scheduled time for the hearing.

The Protected Person must attend the hearing. You must reasonably ensure the Protected Person is connected to the hearing.

For procedural questions, or help with electronically filing your documents, visit or contact:

Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731

Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>