

# GM-1 PETITION FOR GUARDIANSHIP OF A MINOR

You will need one petition per child.

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## **You may need additional packets to complete your petition if:**

- The child is 14 years or older (see packet GM-3).
- The natural parent(s) consent(s) to the guardianship (see packet GM-4).
- You do not know the location or identity of a parent (see packet GM-6).

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: Sign up for an electronic filing account.**

The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. Sign up for a free eFlex account in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

### **☐ Step 2: Fill out the following forms:**

- Petition for Appointment of Guardian(s) Over a Child
- Index of Exhibits
- Exhibit A, Exhibit B (if applicable), and Exhibit C

Note: You will be given a case number and department when your documents are filed with the court.

Complete the petition. If there is only one person petitioning for guardianship, please print “N/A” wherever the form asks for information about the proposed co-guardian.

#### **Exhibit A: List All of the Child’s Relatives**

List all known relatives of the proposed protected minor. Include addresses or mark “Address Unknown” or “Deceased” accordingly. If more room is needed, attach additional sheets of paper.

#### **Exhibit B: Information Regarding the Proposed Protected Minor’s Estate**

Complete this page only if you are requesting guardianship over the estate. Bank account numbers must be concealed (blacked out).

#### **Exhibit C: Age Identifying Documentation**

Attach a copy of the minor’s birth certificate or other age identifying documentation as Exhibit C. Social security numbers and driver’s license numbers must be concealed (blacked out).

If you would like to include additional documents to support your petition, each supporting document will need its own Exhibit Cover Page and must be listed on the Index of Exhibits.

### **☐ Step 3: Fill out the following form:**

- Confidential Information Sheet - Guardianship Required Information Sheet

You **must** include a copy of **one** of the following documents for each proposed guardian with the Confidential Information Sheet:

- Social Security card, birth certificate, valid driver’s license, valid identification card, valid passport, valid permanent resident card number, or a valid tribal identification card.

Note: Any personally identifiable information does not need to be concealed (blacked out) when it is included with the Confidential Information Sheet.

Also, include a copy of **one** of the following documents for the proposed protected minor:

- Social Security card, birth certificate, valid driver’s license, valid identification card, valid passport, valid permanent resident card number, or a valid tribal identification card.

Note: Any personally identifiable information does not need to be concealed (blacked out) when it is included with the Confidential Information Sheet.

If the minor’s required information or identification is not included with the petition, you must provide it to the court within 120 days after the appointment of a guardian, or as otherwise ordered by the court.

**☐ Step 4: Fill out the Citation to Appear and Show Cause.**

List the minor’s parents’ names. The “All Other Known Relatives of the Child” section must include the minor’s grandparents and siblings (over the age of 14), if living.

Complete the entire form except for the bottom half which begins with, “Date and Time of Court Appearance.” Court staff will complete page 2 by providing a hearing date and time once the citation has been filed into the guardianship case.

**☐ Step 5: File your forms.**

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them.

If you are petitioning to be the guardian of the person only, there will not be a filing fee.

If you are petitioning to be the guardian of the estate, and the amount of the estate exceeds \$2,500.00, there will be a filing fee of \$5.00. If you are paying the filing

fee with a credit card, the credit card must be added into eFlex before you electronically file your documents. Cash payments will need to be brought to the Resource Center.

#### ↳ Add a Credit Card to Your eFlex Account:

1. Sign into your eFlex account <https://wcefex.washoecourts.com/>
2. To pay the filing fee, you must add a credit card to your eFlex account.
3. Click on “My Profile.”
4. Under the “Wallets” section, go to “SECOND JUDICIAL DISTRICT COURT - STATE OF NEVADA - Family Court Fee Payments” and click the “Add” button.
5. Enter a description for the credit card you will be using.
6. Click “Create Credit Card Token.” Enter your credit card information and follow the prompts to save it to your account.

#### ↳ eFlex Filing Instructions

1. Log into your eFlex account <https://wcefex.washoecourts.com/>
2. To start the guardianship case, click “Home,” then click “New Case.”
3. Select “Family-Related: Guardianship” and “Guardianship of a Minor - GB.”
4. Enter the proposed guardian’s information as Party Type “Petitioner.” To add a proposed co-guardian, click “Add my Parties (Plaintiffs)” and add the proposed co-guardian’s name as Party Type “Petitioner.”
5. Click “Add my Parties (Plaintiffs)” and enter the proposed protected minor’s information as the Party Type “Protected Person.”
6. After all parties have been added, click “Next.”
7. To file each document, select the applicable Document Type, and click “Choose File.” Locate your document file on your computer, click “Add.”
8. Follow the prompts to upload the documents below.

Note: The eFlex Document Category field can be left blank

- Petition for Appointment of Guardian(s) Over a Child with the Index of Exhibits as the last page, all together as one PDF document.  
(Document Type: Pet Appoint Guardian – Minor No\$ **or** Pet Appt Gdn – Minor +2500, depending on the value of the minor’s estate)
- Exhibit Cover Page A and Exhibit A: List of Child’s Relatives all together as one PDF document.  
(Document Type: \*\*Continuation)

- When prompted to select which document you are attaching the Exhibit Cover Page A and Exhibit A: List of Child’s Relatives to, confirm that “Pet Appoint Guardian – Minor No\$ or Pet Appt Gdn – Minor +2500” is selected, click “Next.”

A helpful video for attaching exhibits can be found here:

<https://www.youtube.com/watch?v=6JRMIXxa8Pg>

- Repeat the same steps for Exhibit B (if applicable) & Exhibit C.
  - Exhibit Cover Page B and Exhibit B: Information Regarding the Proposed Protected Minor’s Estate all together as one PDF document. (Document Type: \*\*Continuation)
  - Exhibit Cover Page C and Exhibit C: the minor’s birth certificate or other age identifying documentation all together as one PDF. (Document Type: \*\*Continuation)
  - Confidential Information Sheet - Guardianship Required Information Sheet, including copies of identification for each proposed guardian and the proposed protected minor, all together as one PDF document. (Document Type: Guardianship Required Information Sheet)
  - Citation to Appear and Show Cause (Document Type: \*\*Document Issued by the Court)
9. When all documents have been uploaded, review each one by clicking on the hyperlinked file name in the “View Document” column. When you have confirmed everything is correct, click “Next.”
10. Estimated Fees: if a filing fee is displayed, select how you will satisfy the payment. If you have a credit card on file, select “Wallet Item.”
11. When you are ready to submit your documents to the court, click “Submit the Filing.”

#### **Step 6: Wait.**

Once all the documents are filed and accepted, you will be assigned a case number and a judge.

When court staff has filled out the Citation to Appear and Show Cause with a hearing date and time, you will receive an eFlex notification by email that the citation is available for download in your eFlex account.

□ **Step 7: Serve the documents.**

It is your responsibility to serve copies of the documents you have filed to everyone listed on the front of the Citation to Appear and Show Cause. The court will not serve the documents for you.

Print file-stamped copies of the petition, any exhibits, and citation from your eFlex account or visit the Resource Center to obtain copies.

If the proposed protected minor is over the age of 14, the minor must be served by personal service at least 10 days before the hearing. **Personal service cannot be completed by you** (more details below).

Service on everyone else listed on the Citation to Appear and Show Cause can be completed by certified mail at least 20 days before the hearing. Or service can be completed by personal service at least 10 days before the hearing.

You must also serve:

- The Director of the Department of Health and Human Service if the proposed protected minor has received or is receiving benefits from Medicaid
- Any other person taking care of the minor
- Anyone else who is listed under NRS [159A.034](#)

Service by certified mail:

Service may be made by certified mail, with a return receipt requested, at least 20 days before the hearing. When you serve by certified mail, keep the white slips and green return cards to attach to your Certificate of Mailing form.

Personal service:

Service may be made by personal service at least 10 days before the date of hearing. **Personal service cannot be completed by you.**

It 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 is not party to the case; or
- A private process service.

Personal service is completed by a person other than yourself by:

- Handing a copy to the respondent; or
- Leaving a copy at the respondent's home with a person of suitable age and discretion who lives there; or
- Delivering a copy to an agent authorized to receive service (such as an attorney)

**If you do not know the location or identity of relatives who are entitled to notice:**

You must make a serious attempt to locate everyone listed on the front of the Citation to Appear and Show Cause. If none of the people (excluding the Director of the Department of Health and Human Services, and minor child) entitled to notice of a hearing can be served after due diligence, you may file a GM-6 Request to Waive Service or Publish in the Newspaper.

If you request the court's permission to waive service or provide notice via publication in a newspaper, in your request you must list all your attempts to find each person. Just saying you do not know where the person is, and have not heard from them, is not enough for the court to allow you to waive service or to publish notice in the newspaper.

**□ Step 8: Fill out the following form(s):**

- Certificate of Mailing for the Petition for Appointment of Guardians
- Declaration of Service (if applicable)

When you serve by certified mail, keep the white slips and green return cards to attach to your Certificate of Mailing. List all the names and addresses of the people served by certified mail. If more room is needed, attach additional sheets.

For each person personally served, fill out the top portion of the Declaration of Service with your contact information, the proposed protected minor's name, case number and department. The rest of the Declaration of Service form must be completed by the person who served the documents (not you).

If you are serving multiple people by personal service, you will need a separate Declaration of Service form for each person.

**□ Step 9: File the Certificate of Mailing and the Declaration of Service (if applicable).**

Electronically file the Certificate of Mailing and the Declaration of Service (if applicable) yourself or bring them to the Resource Center to get help filing them.

↳ eFlex Filing Instructions:

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

Note: The eFlex Document Category field can be left blank.

- Certificate of Mailing for the Petition for Appointment of Guardians and include the signature receipts (green cards from the Post Office) all together as one PDF document.  
(Document Type: Certificate of Mailing)
  - Declaration of Service (if applicable)  
(Document Type: Declaration)
5. Review the documents by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your documents to the court, click “Next” then “Submit the Filing.”

**\*\*You are now ready for your hearing.\*\***

Note: Attend all scheduled hearings, or the guardianship case may be dismissed.

**□ Step 10: The Hearing**

Arrive early for your hearing. Be sure to plan enough time to park, get through security, and locate the courtroom before your case is called. The proposed protected minor must attend the hearing.

The judge will have questions for you. If full guardianship is granted, the judge will issue an Order Appointing Guardian.



## □ Step 11: The Acknowledgments of Duties and the Letters of Guardianship

After the court enters an order granting guardianship, court staff will provide you with the Acknowledgment of Duties and the Letters of Guardianship. Complete the Acknowledgment of Duties and either file it into the case yourself or bring it to the Resource Center to be filed.

Bring the Letters of Guardianship to the Resource Center to be issued by a Deputy Clerk.

If you are not sure how to proceed, Contact Department 14 at: 775-325-6788.

### **What Happens Now?**

After the guardianship is granted, there is additional paperwork that is required by NRS 159A. Some documents must be filed yearly. Please see your Guardian's Acknowledgment of Duties and Responsibilities of the Person (Minor) for a complete list of duties.

Need to find important deadlines in your case? Use the Milestone Tracker to search for them: <https://www.washoecourts.com/Milestones>

Additionally, the judge may order you to complete guardianship training. Information regarding your guardianship training class may be found in the court order appointing you guardian or Order for Guardian to Attend Required Minor Guardianship Training Class. For more information visit: <https://www.washoecourts.com/MinorGuardianship/Training>

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

**Resource Center  
1 South Sierra St., 3<sup>rd</sup> 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., 1<sup>st</sup> Floor  
Reno, NV 89501

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

<https://nnlegalaid.org>