

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

Minor child(ren) under the age of eighteen (18) years.

PETITION FOR THE APPOINTMENT OF A PERMANENT GUARDIAN

COMES NOW, _____ (hereinafter "Petitioner"),

(relationship) of the above-named Minor Child(ren), pursuant to
O.C.G.A. § 15-11-241, and files this Petition for the Appointment of a Permanent Guardian, showing
to the Court the following in support thereof:

1.

_____ (hereinafter "Minor Child(ren)") was found to be (a)
dependent child(ren) on or about _____ (date), and at that time custody of the
Minor Child(ren) was granted to _____ (name). The Minor Child(ren)
currently reside(s) in the home of _____ (name) and has/have so resided
since _____ (date).

2.

Pursuant to O.C.G.A. § 15-11-240(a), jurisdiction is proper in this Court as a result of this
Court having (an) open dependency matter(s) as to the Minor Child(ren).

3.

The Minor Child(ren) have the name(s) and date(s) of birth as stated above.

4.

This Petition is being brought by _____ (name),

Advocate Attorney/Guardian ad Litem/Attorney or Relationship to Child(ren) _____,
whose address is _____,
_____ County.

5.

Petitioner nominates _____ (name), the
child(ren)'s _____ (relationship), who resides at
_____, _____
County to be appointed and serve as Permanent Guardian for the Minor Child(ren).

6.

The Minor Child(ren)'s mother is _____, who resides at
_____. The Minor
Child(ren) was (were) / was (were) not born out of wedlock. The Minor Child(ren)'s
legal/biological/putative father is _____, who resides at
_____.
_____ County.

7.

The legal parent(s) of the Minor Child(ren) consent to the requested permanent guardianship.
The parent(s) have executed the *Consent to Appointment of Permanent Guardian* which is/are attached
hereto as Exhibit "A".

OR

The names and addresses of the relatives whose whereabouts are known to the Petitioner
according to O.C.G.A. § 15-11-241(7) are as follows:

**(Insert names and addresses of adult siblings. If there are no adult siblings, insert names and
addresses of the grandparents of the child. If there are no adult siblings or grandparents, insert**

names and addresses of the nearest adult relatives of the child according to O.C.G.A. § 53-2-

1. You are not required to list more than three relatives.)

8.

Non-reunification and permanent guardianship are in the best interests of the Minor Child(ren). Reasonable efforts to reunify the Minor Child(ren) with his/her/their parents would be detrimental to the Minor Child(ren).

9.

Termination of parental rights and adoption are not in the best interests of the Minor Child(ren).

10.

The proposed guardian can provide a safe and permanent home for the Minor Child(ren).

11.

The appointment of a permanent guardian for the Minor Child(ren) is in the best interests of the Minor Child(ren) and the individual nominated herein to be such child(ren)'s guardian is the individual most appropriate to be the Minor Child(ren)'s permanent guardian taking into consideration the best interests of the Minor Child(ren).

(OR IF ANY CHILD IS 14 YEARS OR OLDER:)

The appointment of a permanent guardian for the child(ren) is in the best interests of the child(ren) and the individual nominated herein and chosen by the child(ren) is the most appropriate

individual to be such child(ren)'s permanent guardian taking into consideration the best interests of the child(ren). The child(ren) has/have executed the *Election of Permanent Guardian for Minor Child Aged Fourteen (14) Years or Older*, a copy of which is attached hereto as Exhibit "B".

12.

Petitioner has no knowledge of any notarized or witnessed documents made by a parent of the Minor Child(ren) that deals with the guardianship of the child(ren). If there is such a document, list the name and address of the designee identified therein: _____

_____.

13.

To Petitioner's knowledge, a temporary guardian has not been appointed for the Minor Child(ren) and no petition requesting the appointment of a temporary guardian has been filed or is being filed.

WHEREFORE, the Petitioner respectfully requests:

- (a) That this Court grant the above Petition to Appoint a Permanent Guardian and appoint _____ as permanent guardian of the Minor Child(ren) pursuant to O.C.G.A. § 15-11-242;
- (b) That the Court order a visitation schedule, child support, and appropriately distribute any other rights and duties attendant to this action; and
- (c) That this Court provide any further relief that it deems just and proper.

Respectfully submitted this _____ day of _____, 20_____.

Petitioner Address:

Phone Number: _____

Email address: _____

Print Name:

Georgia Bar No. (if applicable) _____

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Minor child(ren) under the age of eighteen (18) years.

VERIFICATION

Personally appeared before the undersigned, an officer duly authorized by law to administer oaths, _____, who, after being duly sworn, states under oath that he/she is legally competent to make this Verification and that the facts alleged in the attached Petition for the Appointment of a Permanent Guardian are true and correct to the best of his/her knowledge.

This ____ day of _____, 20__.

PETITIONER

Print Name:

Sworn to and subscribed before me
this ____ day of _____, 20__.

Notary Public

**IN THE JUVENILE COURT OF FORSYTH COUNTY
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DOB: _____ **AGE:** _____ **SEX:** _____ **CASE NO.** _____

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Minor child(ren) under the age of eighteen (18) years.

SUMMONS

TO: _____
ADDRESS: _____

A petition has been filed in this Court seeking the establishment of a Permanent Guardian for the above-named child(ren). A copy of the petition is attached to this summons. If the petition is granted, the person who will be appointed as Permanent Guardian of the Minor Child(ren) is _____.

FOR MOTHERS AND LEGAL FATHERS: You are entitled to object either to the establishment of any permanent guardianship or to the selection of the above-named person as permanent guardian, or both. Any objection shall be filed in writing with this Court within TEN (10) days of personal service of this Summons and Petition, within FOURTEEN (14) days of the mailing of this Summons and Petition, or, if this is a published Summons, within TEN (10) days of the date of the second publication.

FOR NON-LEGAL BIOLOGICAL OR PUTATIVE FATHERS: You will lose your right to object to the appointment of the above-named person as permanent guardian for the minor child if you do not file an objection with the court within FOURTEEN (14) days of your receipt of this Summons and Petition AND file a Petition to Legitimate the minor within THIRTY (30) days of the hearing on your objection.

Now therefore, you, the party named above, are commanded to be and appear before the Juvenile Court of Forsyth County, Georgia, located at 875 Lanier 400 Parkway, Cumming, GA 30040 on the _____ day of _____, 20____, at _____ o'clock ____m. and to remain in attendance for so long as said case may be continued and until discharged by the court. The legal custodian of the above child is likewise commanded to be and appear with the aforesaid child in said court at the time and place above stated to show cause why the prayers set forth in the attached petition should not be granted.

This _____ day of _____, 20____.

CLERK / DEPUTY CLERK
Forsyth County Juvenile Court

**IN THE JUVENILE COURT OF FORSYTH COUNTY
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In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

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Minor child(ren) under the age of eighteen (18) years.

**ACKNOWLEDGMENT OF SERVICE AND CONSENT TO VENUE AND
JURISDICTION**

I, _____, hereby submit to the personal jurisdiction of this Court and acknowledge that this Court has subject matter jurisdiction over this O.C.G.A. § 15-11-240 action to appoint a permanent guardian for the above-named Minor Child(ren). I hereby consent to venue in the Juvenile Court of Forsyth County, Georgia, and waive any and all further claims with regard to jurisdiction and venue. I acknowledge service of the *Petition to Appoint a Permanent Guardian* and waive any further notice, service, and issuance of process in conjunction with this action.

This ____ day of _____, 20__.

RESPONDENT
Print Name:

Sworn to and subscribed before me
this ____ day of _____, 20__.

Notary Public

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

Minor child(ren) under the age of eighteen (18) years.

CONSENT TO APPOINTMENT OF PERMANENT GUARDIAN

I, _____, _____ (relationship) of the Minor Child(ren) named above, have been fully advised of and understand my rights as to this proceeding. I hereby consent to the appointment of _____ as Permanent Guardian for the above-named Minor Child(ren). My consent is given freely and voluntarily, under no duress, and I have not been threatened or offered anything by any person in return for my consent.

This _____ day of _____, 20____.

RESPONDENT
Print Name:

Sworn to and subscribed before me
this ____ day of _____, 20____.

Notary Public

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

Minor child(ren) under the age of eighteen (18) years.

**ELECTION OF PERMANENT GUARDIAN FOR MINOR CHILD AGED FOURTEEN
(14) YEARS OR OLDER**

I, _____, Minor Child named above, have been fully advised
of and understand my rights as to this proceeding. I hereby elect and nominate
_____ to be my Permanent Guardian. I make this
election freely and voluntarily, under no duress, and I have not been threatened or offered anything
by any person in return for making this election.

This _____ day of _____, 20____.

MINOR CHILD
Print Name:

Sworn to and subscribed before me
this ____ day of _____, 20____.

Notary Public

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

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Minor child(ren) under the age of eighteen (18) years.

REQUEST FOR HEARING AND RULE NISI

Please complete this form and return it to:

Forsyth County Juvenile Court Clerk, 875 Lanier 400 Parkway, Cumming, Georgia 30040

- **This form must be filed in conjunction with a pleading for the relief requested.** No hearing will be assigned without a corresponding motion or pleading.
- All requested information must be provided or you will not be assigned a court date.
- **You are responsible for notifying all parties and attorneys of the assigned court date.**

Name of Party/Attorney Requesting Hearing: _____

☐ Petitioner ☐ Respondent ☐ Child Attorney/GAL ☐ Other: _____

Name of Opposing Attorneys or Parties/CASA/Guardian ad Litem:

Purpose of Hearing: _____

Submitted this _____ day of _____, 20____.

Signature: _____ **Print name:** _____

Email Address & Phone Number: _____

RULE NISI

A hearing having been requested in the above-styled matter on the issues raised above, the parties shall appear on the _____ day of _____, 20____ at ____:_____.m. at the Forsyth County Juvenile Court located at 875 Lanier 400 Parkway, Suite 100, Cumming, Georgia 30040.

This _____ day of _____, 20____.

Judge, Forsyth County Juvenile Court

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In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

Minor child(ren) under the age of eighteen (18) years.

ORDER APPOINTING PERMANENT GUARDIAN

This matter having come before the Court on _____, 20_____,
on a Petition brought by _____ (hereinafter
“Petitioner”) for the appointment of a Permanent Guardian for the above-named Minor Child(ren),
and the Court having considered said petition and all evidence and argument presented, the Court
hereby finds as follows:

1.

_____ (hereinafter “Minor Child(ren)”) was found to be (a)
dependent child(ren) on or about _____, and at that time custody of the Minor
Child(ren) was granted to _____. The Minor
Child(ren) is/are currently placed in the home of _____ and
has/have so resided since _____.

2.

Jurisdiction is proper in this Court as a result of this Court having an open dependency matter
as to the Minor Child(ren).

3.

The Minor Child(ren) is/are _____, born in ____ (and _____, born in _____). The Minor Child(ren) reside(s) at _____.

4.

The Mother of the Minor Child(ren) is _____ and the Legal/Biological/Putative Father of the Minor Child(ren) is _____.

5.

The Mother and/or Father consent to the appointment of _____ as Permanent Guardian of the Minor Child(ren).

6.

The proposed guardian, _____, is the _____ of the Minor Child(ren) with whom the Minor Child(ren) presently reside(s) and has/have so resided since _____.

7.

Reasonable efforts to reunify the Minor Child(ren) with his/her/their parents would be detrimental to the Minor Child(ren).

8.

Termination of parental rights and adoption is not in the best interests of the Minor Child(ren).

9.

The proposed guardian can provide a safe and permanent home for the Minor Child(ren).

10.

The appointment of a permanent guardian for the Minor Child(ren) is in the best interests of the child(ren) and _____ is the individual most appropriate to be the

Minor Child(ren)'s permanent guardian taking into consideration the best interests of the Minor Child(ren).

OR

The appointment of a permanent guardian for the Minor Child(ren) is in the best interests of the child(ren) and the individual chosen by such child(ren) as the child(ren)'s permanent guardian is the most appropriate individual to be such child(ren)'s permanent guardian taking into consideration the best interests of the child(ren). The child(ren) has/have executed and filed an *Election of Permanent Guardian for Minor Child Aged Fourteen (14) Years or Older* wherein the child(ren) elect(s) _____ as his/her/their Permanent Guardian.

THEREFORE, IT IS HEREBY ORDERED that _____ is hereby appointed to serve as Permanent Guardian of the Minor Child(ren) _____ until the child(ren) reach(es) the age of eighteen (18) years, die(s), marry(ies), or otherwise become(s) emancipated.

IT IS FURTHER ORDERED that _____ shall have the rights and duties as set forth in O.C.G.A. §§ 15-11-242, 29-2-21, and 29-2-22, including, but not limited to, the right to receive all information and make all decisions related to the child's residence, education, healthcare, extracurricular activities, and legal interests, as well as the duty to protect the child's welfare and fiduciary interests.

IT IS FURTHER ORDERED that _____ shall be entitled to receive government benefits and entitlements on behalf of the Minor Child(ren) until such time as the Minor Child(ren) reach(es) the age of majority. All government benefits being paid on behalf of the Minor Child(ren) _____ shall be transferred and paid to _____.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this guardianship

action for the purpose of enforcing or reviewing child support or visitation and for the purpose of entering an order following the filing of a petition to modify, vacate, or revoke the guardianship and to appoint a new guardian subject to the provisions of O.C.G.A. §§ 15-11-240 and 15-11-241.

IT IS FURTHER ORDERED that visitation will be as follows:

SO ORDERED this _____ day of _____, _____.

Honorable
Judge, Juvenile Court of Forsyth County

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STATE OF GEORGIA**

In the Interest of:

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

DOB: _____ **AGE:** ____ **SEX:** ____ **CASE NO.** _____

Minor child(ren) under the age of eighteen (18) years.

OATH OF PERMANENT GUARDIAN

I do solemnly swear and affirm that I will well and truly perform the duties required of me as guardian of the minor child(ren) named above as set forth in O.C.G.A. §§ 29-2-21, 29-2-22, 29-2-23 and 29-2-24.

This _____ day of _____, 20____.

GUARDIAN
Print Name:

Sworn and subscribed before me
this ____ day of _____, 20____.

Notary Public
My commission expires: