

Chemehuevi Indian Tribe-Tribal Court

P.O. Box 1930, Havasu Lake, CA 92363
1990 Palo Verde Drive, Havasu Lake, CA 92363

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Petition for Guardianship Instructions

Complete form this form and return it to the court staff. It is your responsibility to keep your contact information up to date especially your mailing address and phone number.

Here are some things to keep in mind:

Petitioner- The petitioner is the individual asking the court to do something. For example, if you are requesting the court grant you temporary custody of a person, you are the petitioner. There can be more than one petitioner.

Respondent- The respondent is the individual who is in need of guardianship which can be an incapacitated adult or minor. If the individual is a minor, the information of the parent or current guardian would be entered here.

Guardianship of a person- For minors or adults, the court may order the appointment of a legal guardian. The guardian is responsible for the care of the individual.

Guardianship of an estate- This is commonly called conservatorship. A guardian is appointed by a judge to manage the financial affairs and/or daily life of another due to physical or mental limitations, or old age. The conservator takes charge of overseeing the daily activities, such as health care or living arrangements of the individual.

Length of Guardianship- Guardianship can be temporary or permanent. Temporary guardianship is for a short period of time such as six months. Permanent guardianship is longer, such as until a minor reaches the legal age of adulthood. A legal guardian will remain in that position until the time is completed or when the court determines the current guardian is failing to carry out the duties and responsibilities as outlined in the guardianship order.

Applicable/Not Applicable (N/A) - Applicable means this question or section is related to your request, case, or situation. Not applicable means just the opposite, the question is not related to your situation. The abbreviation for this is N/A.

How to complete this form-

A., B., C., and D. will be **completed by court staff**.

E. In RE Guardianship of- Enter the full names and dates of birth for all individuals you are seeking guardianship for. If they are not adults, 17 and younger, mark the minor box next to their name.

F. Begin this section by entering your full name on the first line, following the word "I".

1. To establish this court has jurisdiction, complete the following four lines:

a. Choose if the individual(s) listed are enrolled or eligible for enrollment and with which tribe. If they are not, select N/A, for not applicable.

b. Next, enter the reservation name that the individual resides on. If the individual is not living on a reservation choose N/A, for not applicable.

c. Mark if the petitioner is an enrolled member and write the name of the tribe. Next, circle if the petitioner does or does not live on that reservation. If the petitioner is not enrolled, choose N/A, for not applicable.

d. Mark if the respondent is an enrolled member and write the name of the tribe. Next, circle if the respondent does or does not live on that reservation. If the respondent is not enrolled, choose N/A, for not applicable.

2. This is for the petitioner to complete. This is most likely going to be your information. Select if you are the mother, father, or other. If other, fill in what your relationship is to the individual(s) you are seeking guardianship of.

3. To the best of your knowledge fill in the biological mother's information including name, address, and employer. If you know that the mother is consenting to the guardianship, choose that option. If the mother is deceased, unknown, or if you are the mother, choose the appropriate check box at the end of the sentence.

4. To the best of your knowledge fill in the biological father's information including name, address, and employer. If you know that the father is consenting to the guardianship, choose that option. If the father is deceased, unknown, or if you are the father, choose the appropriate check box at the end of the sentence.

5. To the best of your knowledge enter the address of where the individual(s) are currently living and for how long they have been living there.

6. Read the requirements for appropriate care, and if you believe you are able to provide them, check the box.

7. Circle which type of guardianship you are asking the court for, then describe why you are seeking guardianship. If this is for an adult, include the medical reasons for why they are incompetent.

8. If your request is for adult guardianship or conservatorship, you may need to submit medical records for support. Mark the box appropriately. If this does not apply, choose N/A, for not applicable.

9. If another court has already determined guardianship for this case please include all of the information you have. If another court has not heard this case mark "has not".

10. Choose which one you are asking the court to do. If you would like to have this heard in front of a judge to determine guardianship, choose the first option. If you are asking for emergency guardianship, choose the second option and be sure to include the reasons why. This is also an opportunity to include any other requests you may have. Use the additional space to do this.

11. Mark the box to confirm you have completed the form honestly, then print, sign and date it. Return the completed form to court staff.