

### **LIMITED GUARDIANSHIP INFORMATION**

1. Only the parent with “legal physical custody” of the child may request a limited guardianship for his/her child.
2. The parent requesting the action voluntarily consents to the suspension of his/her parental rights.
3. The Court must approve an agreed upon limited guardianship placement plan. The plan must contain the following:
  - a.) The reason why the parent(s) are requesting the appointment of a limited guardianship.
  - b.) The intended visitation and contact with the minor by parents(s) sufficient to maintain a parent/child relationship.
  - c.) Duration of the limited guardianship.
  - d.) Financial support for the minor.
  - e.) any other provisions that the parties agree to.
4. The “parties” to the plan, i.e., the parent with custody and the person(s) who desire to be appointed limited guardian must use the “Placement Plan” form obtainable from the Probate Court.
5. Substantial failure to comply with the plan without good cause may result in termination of the parents’ rights under the provisions of the Juvenile Code.
6. The plan must be attached to the Petition requesting the appointment of the limited guardian.
7. A copy of the minor’s birth certificate must be filed with the Petition.

## COURT PROCEDURE

1. Once Petition is filed, and \$162.00 filing fee is paid, Temporary Letters will be issued if needed, until the Court hearing.
2. Department of Human Services is ordered to conduct a home investigation. They will be allowed 30 days to make a written report to the Court.
3. A hearing is scheduled. Petitioner/Custodial parent must attend the Court hearing. At the hearing the Court will review the proposed Limited Guardianship placement plan and either: approve the plan, disapprove the plan, or modify the plan with the parties' consent. The modified plan must be filed with the court. Letters of Guardianship will be given upon entry of the Order.
4. A plan may be modified after the original plan's approval if all parties and the Court agree.

## GUARDIANSHIP REVIEWS

1. The Court will review all minor guardianships annually.
2. The Court will order the Department of Human Services to investigate and make a written report. After reviewing the report, the Court may continue the guardianship without a hearing or schedule and conduct a hearing on the status of the guardianship.