

Minor Guardianship Petition Packet for Non-Indian Child*

<i>Form Number</i>	<i>Form Name</i>
WHERE CAN I FIND INSTRUCTIONS?	
<u>PG-605</u>	Instructions are available online at: www.courtrecords.alaska.gov/webdocs/forms/pg-605.pdf Printed copies are available for customers with limited or no internet access.
WHAT IS INCLUDED IN THIS PACKET?	
<u>PG-610</u>	Petition for Appointment of a Guardian for a Minor
<u>DR-150</u>	Child Custody Affidavit
<u>PG-630</u>	Acceptance of Appointment as Guardian of a Minor
<u>PG-615</u>	Parent's Consent (Include 2 Copies)
<u>PG-620</u>	Notice of Guardianship Hearing for Non-Indian Child
WHERE CAN I FIND MORE INFORMATION?	
<u>Online</u>	Court forms online: www.courts.alaska.gov/forms/index.htm
<u>Online</u>	Family Law Self-Help Center: www.courts.alaska.gov/shc/guardian-conservator/index.htm

**March 2016
Alaska Court System**

The statutes, court rules and most of the forms referenced in this packet are available on the court's website: www.courts.alaska.gov.

* Do **NOT** use this packet if the child is an "Indian child" as defined in the Indian Child Welfare Act. For an Indian child, use packet [PG-601](#) instead.

Father's Daytime Phone _____

Father's rights of custody have been

terminated by court order. Date of Order _____ Court Location _____
Case Number _____ Attach copy of order if possible.

suspended by court order. Date of Order _____ Court Location _____
Case Number _____ Attach copy of order if possible.

suspended by the following circumstances (*give specific details*): _____

[Attach extra page if needed. You can use form TF-941 for this extra page.]

4. For the past 60 days, the person who has had principal care and custody of the minor is

Mailing Address _____
(box or street number) (city) (state) (ZIP)

Daytime Phone _____

Physical Address of Minor (if different) _____

5. The minor is is not an Indian child as defined by the Indian Child Welfare Act.¹
If yes, name of tribe or village (if known) _____

6. The minor is is not married.

7. The minor's parents are both deceased, and

no guardian was named in either parent's will, or neither parent left a will.

_____ was appointed as guardian in the
will of the mother father, who was the minor's last surviving parent. A
copy of the will is attached. However,

the guardian has not accepted the appointment. The guardian was given
notice of the filing of this petition on: _____

the guardian's appointment was prevented or terminated due to the
minor's objection under AS 13.26.040.

¹ "Indian Child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe." 25 USC §1903(4). Note: "Indian tribe" includes Alaskan Native villages as defined in 43 USC 1602(c).

8. Has a guardian for the minor been appointed by any court? No. Yes. If yes, explain (include court location and case number, if known): _____

9. Are there any other proceedings for the appointment of a guardian pending in any court? No. Yes. If yes, explain (include court location and case number, if known): _____

10. Are there any other court proceedings involving this minor? No. Yes. If yes, explain (include court location and case number, if known): _____

11. Petitioner requests that the court appoint the following person as guardian:
 Petitioner
 Other Person: Name _____ Phone _____
Mailing Address _____
(box or street number) (city) (state) (ZIP)
Age _____ Relationship to Minor _____

12. I believe the welfare and best interests of the minor will be served by this appointment because _____

Date

Signature of Petitioner or Petitioner's Attorney
If attorney, print name and bar number: _____

Verification

I state on oath or affirm that I have read this petition and that all statements made in it are true to the best of my knowledge and belief.

Date

Petitioner's Signature

Subscribed and sworn to or affirmed before me at _____, Alaska
on _____
Date

(SEAL)

Clerk of Court, Notary Public, or other person
authorized to administer oaths.
My commission expires: _____

Child's Name		Place of Birth		Birthdate	Sex
Present Address (since ____ / ____ / ____):			Who Has Custody		Relationship
Prior Residences for past 5 years (dates)	City & State	Person Child Lived With (Name & Current Address)		Relationship	
to					

Child's Name		Place of Birth		Birthdate	Sex
Present Address (since ____ / ____ / ____)			Who Has Custody		Relationship
Prior Residences for past 5 years (dates)	City & State	Person Child Lived With (Name & Current Address)		Relationship	
to					

Child's Name		Place of Birth		Birthdate	Sex
Present Address (since ____ / ____ / ____)			Who Has Custody		Relationship
Prior Residences for past 5 years (dates)	City & State	Person Child Lived With (Name & Current Address)		Relationship	
to					

2. Have you participated as a party, a witness or in another capacity in another proceeding concerning the custody of any of the above children or visitation with them? Yes No

If yes, describe the previous child custody determination:

Name of Court _____ Case Number _____ Date _____

Court's Decision: _____

3. Do you know of a proceeding that could affect the current proceeding (including a proceeding relating to domestic violence, protective orders, termination of parental rights, adoption or enforcement of a court order)? Yes No

If so, describe: Name of Court _____ Case Number _____

Nature of Proceeding: _____

4. Do you know of any person not a party to this proceeding who has physical custody of any of the above children or claims to have the right to physical custody, legal custody, or visitation? Yes No

If so, list each person's name and address and what the person claims: _____

I swear or affirm under penalty of perjury that my statements in this affidavit are true to the best of my knowledge and belief.

Signature

Subscribed and sworn to or affirmed before me at _____, Alaska,
on _____.

Date

(SEAL)

Clerk of Court, Notary Public or other
person authorized to administer oaths.

My Commission Expires: _____

I certify that on _____
a copy of this affidavit was mailed to
the other party in this case (list name):

Signature: _____

Note: Each party has a continuing duty to inform the court of any other court proceeding in this state or any other state concerning any of the children listed above.

9. I understand that the court may make changes in the guardianship order in the future if the court decides it is in the child's best interests. I also understand that I can request a review hearing and ask the court to change or end the guardianship order. However, the court will decide whether or not to change or end the guardianship based on the child's best interests. [Form PG-190 can be used to make the request. Court addresses are on the court website: www.courts.alaska.gov.]

10. I understand that the court will hold a hearing to decide whether to appoint a guardian and that I am entitled to attend this hearing and to speak at the hearing.

I want to receive notice of the time and place of the hearing.

I do not want to receive notice about the hearing.

11. Indian Child or Parent.

a. The child named above is is not an Indian or Alaska Native child.¹

Name of child's tribe or Native village: _____

b. I am am not a member of an Indian tribe. Tribe Name _____

c. The child's other parent (name _____) is is not a member of an Indian tribe. Tribe Name _____

d. I understand that if the child is an Indian child (as defined in the Indian Child Welfare Act), notice of the guardianship hearing must be given to the child's tribe, and the tribe may intervene in the case. However, I also understand that it is not necessary to give notice to the tribe if the parents of the child agree in writing to the guardianship and file a statement that the tribe has not been served with notice in order to protect the privacy of the parents.

Please serve a notice of hearing on the child's tribe _____

In order to protect my privacy, please do not serve the tribe with notice.

Date
Subscribed and sworn to or affirmed before me at _____, Alaska
on _____.

Date

Signature of Parent

(SEAL)

Clerk of Court, Notary Public, or other person
authorized to administer oaths.
My commission expires: _____

¹ "Indian Child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe." 25 USC §1903(4). Note: "Indian tribe" includes Alaskan Native villages as defined in 43 USC 1602(c).

