



# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101

## INSTRUCTIONS TO PROPOSED GUARDIANS RE: GUARDIANSHIP INVESTIGATIONS

Prob. Code §1513 requires that, unless waived by the court, in each proposed appointment of guardian, an investigation must be made and a report submitted to the court. Investigations will be conducted by Family Court Services (FCS), County of San Diego Health and Human Services Agency (HHSA), or a Court Investigator (CI) as follows:

| Guardianship of:                  | Proposed Guardian:       | Agency: |
|-----------------------------------|--------------------------|---------|
| A. Person or Person/Estate        | Relative                 | FCS     |
| B. Person or Person/Estate        | Non-Relative             | HHSA    |
| C. Estate Only                    | Relative or Non-Relative | CI      |
| D. Estate Only – Waiver Requested | Relative or Non-Relative |         |

“Relative” is defined in Prob. Code § 1513(g) as a person who is a spouse, parent, step-parent, brother, sister, step-brother, step-sister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix “grand” or “great” or the spouse of any of these persons even after the marriage has been terminated by death or dissolution.

### AFTER FILING A PETITION FOR APPOINTMENT OF GUARDIAN, FOLLOW PROCEDURES BELOW FOR CORRESPONDING ITEMS ABOVE:

#### A. RELATIVE GUARDIAN - PERSON OR PERSON/ESTATE

1. If item 1a or 1b(1) is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), proceed to the FCS office located at 1100 Union Street, 4<sup>th</sup> floor, to make an appointment. **Appointments will only be made in person.** Bring conformed copies of the following documents with you:

- Petition for Appointment of Guardian of the Person (JC Form #GC-210)
- Order Directing or Waiving Investigation (SDSC Form #PR-063)
- Confidential Guardian Screening Form (JC Form #GC-212)
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (JC Form #FL-105/GC-120)

You must also complete a Guardianship Questionnaire (SDSC Form #FCS-045) and submit it to FCS when your appointment is made.

2. If item 1b(2) is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), no investigation is required.

#### B. NON-RELATIVE GUARDIAN - PERSON OR PERSON/ESTATE

1. If item 2a is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), mail conformed copies of the following forms to: Health and Human Services Agency Guardianship Unit, 8911 Balboa Ave., San Diego, CA 92123.

- Petition for Appointment of Guardian of the Person (JC Form #GC-210)
- Order Directing or Waiving Investigation (SDSC Form #PR-063)
- Confidential Guardian Screening Form (JC Form #GC-212)
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (JC Form #FL-105/GC-120)

HHSA will mail a packet of materials to complete and return prior to the investigation. For more information, contact HHSA at (858) 650-5712.

2. If item 2b is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063), no investigation is required.

#### C. RELATIVE OR NON-RELATIVE GUARDIAN - ESTATE ONLY

1. If item 3 is completed on the Order Directing or Waiving Investigation (SDSC Form #PR-063) a Court Investigator will contact you prior to the hearing.

#### D. RELATIVE OR NON-RELATIVE GUARDIAN - ESTATE ONLY - WAIVER REQUESTED

1. Submit an Ex Parte Coversheet (SDSC Form #PR-136), Application for Waiver of Investigation (SDSC Form #PR-062), and Order Directing or Waiving Investigation (SDSC Form #PR-063) to the Probate Business Office. Complete only the caption of the Order Directing or Waiving Investigation (SDSC Form #PR-063). The court will check the appropriate box after the application has been ruled on.
2. If the waiver is denied, a Court Investigator will contact you prior to the hearing.