

Packet 14

Appointment of a Guardian – Minor

Forms and Procedures

For Wyoming

PETITIONER

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LIST OF FORMS – PACKET 14
GUARDIANSHIP OF A MINOR -- PETITIONER

1. List of Forms – Petitioner
2. Information and Instructions for Appointment of Guardian of a Minor
3. Civil Cover Sheet
4. Petition for Appointment of Guardian of a Minor
5. Summons and Return
6. Acknowledgement and Acceptance of Service
7. Parental Consent to Appointment of Guardian
8. Consent to Guardianship or Nomination of a Guardian by a Minor
9. Affidavit in Support of Default
10. Motion for Entry of Default
11. Entry of Default
12. Request for Setting
13. Order Setting Hearing
14. Pretrial Disclosures
15. Order Appointing Guardian for Minor(s)
16. Visitation Order for Guardianship
17. Oath of Guardian
18. Letters of Guardianship
19. Guardian's Report

* Other forms may be required by your Court.

INSTRUCTIONS FOR APPOINTMENT OF A GUARDIAN – MINOR

These standard instructions are for informational purposes only and are not meant to be legal advice about your specific case. If you choose to represent yourself, you must follow the same procedures and rules as an attorney.

GENERAL INFORMATION

1. Usually, you must file a guardianship case in the District Court in the county where the child lives. BUT, if there is already a child custody case with orders affecting the child in another county, you **MUST** file the guardianship petition in that same county and court where the custody orders exist. That way, there will not be two different courts issuing custody orders about the minor that could conflict with each other. You can find a directory of the District Courts here: <https://www.courts.state.wy.us/district-courts/district-court-locations/>
2. Any person may file the case. NOTE: If you are the biological or adoptive parent (legal parent) of the minor child, these forms are not for you. If you are responding to a guardianship petition, there is a separate packet available. If you want to terminate (end) a guardianship, you would need to file a Motion to Terminate Guardianship. If you are the child's biological parent and you are seeking custody and visitation from the other biological or adoptive parent, you would need to file a Petition to Establish Custody or Paternity.
3. If the Minor has a large amount of income or assets, such as real estate or stocks, you may also need to file for conservatorship in order to manage the money or assets.
4. The Court may appoint a Guardian for a child if the Court finds the appointment would be in the best interests of the child. If there is a living parent (or parents) and he or she still has parental rights but has not agreed (consented) to the guardianship, then you must also prove to the Court that the parent is unwilling or unable to care for his or her child. The person requesting the guardianship must be prepared to testify and give enough evidence to prove that the parents are unfit, not just that the person asking to be guardian would be a better caregiver, and that the guardianship is in the child's best interest.
5. You can read **Frequently Asked Questions** on pages 11-14, or access **Common Questions about Guardianship for a Minor** at <http://www.legalhelpwy.org/index.php/get-legal-help/self-help-2/family-law/guardianships/guardianship-of-a-minor-child/common-questions/> . These may help you to better understand the Guardianship process.
6. For additional information, please review Wyoming Statutes 3-1-101 through 3-2-303.

COMMON TERMS

1. The “Petitioner” is the person who filed the Petition for Appointment of Guardian of a Minor (if you are filing the Petition to be appointed Guardian, then you are the Petitioner).
2. The “Respondent” or “Interested Party” is the person answering the Petition. This may be a parent, or current guardian, or another person such as a relative or caregiver who does not want you to be the guardian.
3. “Guardian” means a person who has been appointed by the court to exercise the powers granted by the court. The term includes a plenary (full), limited, emergency and standby guardian, but does not include a Guardian ad Litem.
4. “Ward” means an individual for whom a guardian or conservator has been appointed by the court. In this case, it will be the minor child or children.
5. “Minor” means a child under the age of 18 that has not been emancipated.
6. A “Legal Parent” is a person who has established a parent-child relationship with the child. A legal parent-child relationship can be established through biological relationship or through an adoption or paternity order issued by a court. A woman who gives birth to a child is the child’s legal mother, unless her parental rights have been terminated by court order, such as through an order of termination or adoption by another person. A man who is married to a woman at the time of the child’s birth will usually be presumed to be the legal father of a child and will be included on the birth certificate. A man who is the biological father of a child, but who is not married to the mother of the child at the time of birth, can sign an acknowledgement of paternity to establish a legal parent-child relationship or there may be a paternity order from a court establishing the parent-child relationship. Any legal parents for the child must be served with the Petition for Appointment of Guardian of a Minor.
7. “Order” means the official decree signed by the judge. If you are granted Guardianship of a minor child, you will want to keep this document handy at all times to prove that you are the legal guardian.
8. “Letters” means formal notice identifying your authority as Guardian. You will need this proof to enroll the child in school, apply for public benefits, add him or her to your insurance, get medical care, and other legal situations.

FEES

A filing fee of \$70.00-\$100.00 is required. Call the local District Court Clerk in your county for the exact amount. If you feel you are unable to pay, you must complete the *Affidavit of Indigency and Request for Waiver of Filing Fees and all Fees Associated Therewith*. You can get a copy of this form and the Order from the District Court Clerk’s office. This form can also be found on the Supreme Court’s website, <https://www.courts.state.wy.us/legal-assistances-and-forms/court-self-help-forms/>, Family Law Forms, Packet 18 (Miscellaneous Forms for Guardianship Actions).

FORMS

Read these instructions carefully to determine what forms you may need. You may not need all of the listed forms. **Check with the District Court** where you plan to file your case to determine if they have any special requirements. You can find a directory of the District Courts here:

<https://www.courts.state.wy.us/district-courts/district-court-locations/> .

STEPS TO FILING YOUR CASE

Step 1: Complete the Forms.

Before you file, make sure that you make copies of all the forms listed. NOTE: You can only use the forms for more than one child if the children have the SAME legal parents. If they have different parents, you MUST file separate forms.

- **Civil Cover Sheet**

- ✓ For part I, fill in the Petitioner's name address and names of minor children just like the caption on the other forms. You will receive the docket number when you file.
- ✓ For part II, you should check the box for "Guardianship" listed under "Probate."
- ✓ For part III, list any related cases.
- ✓ For part IV, you may leave the "Amount in Controversy" blank.

- **Petition for Appointment of Guardian of a Minor**

- ✓ The Petitioner must complete all applicable sections on the form.
- ✓ If the child's father is not known (no name appears on the birth certificate), then a copy of the birth certificate of the child should be attached to the Petition. If the parental rights have been terminated or the parents are deceased, copies of the termination papers or the death certificates should be attached to the Petition.

- **Summons and Return**

- ✓ This completed form will need to be served upon any parent of the minor child who is living and whose rights have not been terminated. If the child or children are not residing with a parent, then you must also serve any current guardian or custodian of the child.

- ✓ Some courts may require you to also serve the child with the guardianship documents. You may ask the local District Court Clerk in your county if you need to serve the child.
- ✓ You must provide a file-stamped copy of the Petition to each person served. See below in the **Frequently Asked Questions** section for more information on “service.”
- **Parental Consent to Appointment of a Guardian**
 - ✓ The Minor’s parent(s) or legal guardian can consent (agree) to the appointment by completing this form.
 - ✓ If the parent or legal guardian signs this form, it must be signed **in the presence of a Court Clerk or Notarial Officer (Notary Public).**
- **Consent to Guardianship or Nomination of a Guardian by a Minor**
 - ✓ A Minor over the age of 14 can consent to the appointment or nominate a guardian by using this form. The Minor’s wishes may be considered in the appointment of a guardian.
 - ✓ If the Minor signs this form, it must be signed **in the presence of a Court Clerk or Notarial Officer (Notary Public).**

Step 2: You are Ready to File your Papers with the Court.

Provide the Court with the documents completed as described in Step 1 above and pay the filing fee. You will need to make copies of the documents for each of the following persons (Interested Persons) and give them notice of the filing (see below for how to serve):

- a. Any person who has the primary care and custody of the Minor.
- b. Each living parent of the Minor or, if there is none, the adult nearest in kinship that can be found.
- c. Any appointee of a parent whose appointment has not been terminated.
- d. Any Guardian or Conservator currently acting for the Minor in this state or elsewhere.

Step 3: Notice to Parents and Other Interested Persons, if any.

If you know where the parents or other interested persons (above) are located, you will need to have them served. Service is required for the *Petition for Appointment of Guardian*

of a Minor and Summons so the Court has proof that the other party received the papers. Personal service of the *Petition for Appointment of Guardian of a Minor* and the *Summons* are required to be made on the Respondent by a Sheriff, unless the Respondent completes an *Acknowledgment and Acceptance of Service* form. Other forms of service exist, but these are the two easiest methods that meet the formal service requirement for a Guardianship. If you cannot serve the Respondent by either of these methods, you may request alternative methods of service, such as service by publication, in limited circumstances.

You MUST give the Respondent official notice that you have filed the *Petition for Appointment of Guardian of a Minor* **within 90 days** from the date you filed the *Petition*. This is done by serving a file-stamped copy of the *Summons* and *Petition for Appointment of Guardian of a Minor* upon the opposing parties or by having them sign an *Acknowledgment and Acceptance of Service* form stating that copies of those documents were received. If you do not serve the Respondents within 90 days, your case can be dismissed by the Court.

See below in the **Frequently Asked Questions** section for more information on service. In addition to copies of the above forms, you will also need to prepare this form:

- **Return (second page of the Summons)**
 - ✓ This document must be filled out by the sheriff or process server that serves the *Petition* upon the parents and/or other interested persons. It must be notarized or signed by the District Court Clerk and filed with the District Court Clerk after service is completed.

OR

You can avoid paying for personal service if the parent(s) and/or other interested persons agree to the service. Each person who agrees must complete the following form:

- **Acknowledgment and Acceptance of Service**
 - ✓ This form may be signed by the minor child's parent or other interested person who is required to receive notice of the filing of the *Petition*. If the respondent parent or other person agrees, you will not need to have the *Summons* and *Petition* formally served on him or her. See the **Frequently Asked Questions** section below for more information on "service."
 - ✓ You must still provide file-stamped copies of the *Summons* and *Petition* to the parent or other person even if they accept service with this form.
 - ✓ If the parent or other interested person signs this form, it must be signed **in the presence of a Court Clerk or Notarial Officer (Notary Public)**.

OR

If you do not have a current address for the parents or other interested persons, or if their identity is not known and cannot be found with reasonable efforts (diligence), you must publish the notice of the Petition in the newspaper. You will have to prove to the court that you tried to locate the person. You should look in the phone book, search the internet and Facebook, contact prior employers, family, friends, etc. to locate a current address. You will need these forms:

- **Motion and Affidavit to Allow Service by Publication (Form available in Packet 18)**
 - ✓ If you do not know how to locate the parents or other interested person, you will need to complete this form and the next two forms. You will need to fully complete these forms, except for the Clerk's signature.
 - ✓ You must detail the efforts you made to obtain an address.
- **Order for Service by Publication (Form available in Packet 18)**
 - ✓ Fill out the top part of this form. The Judge will sign and date the order.
- **Notice of Publication (Form available in Packet 18)**
 - ✓ Complete this form and have it published for four (4) consecutive weeks in a newspaper of general circulation in the county where the hearing is to be held.
 - ✓ Do not sign where the Clerk needs to sign. **The Clerk must sign the Notice of Publication BEFORE you take it to the newspaper.**
- **Affidavit Following Service by Publication (Form available in Packet 18)**
 - ✓ You will complete this form after you have published the notice in the newspaper for four (4) consecutive weeks, and obtained the **Affidavit of Publisher** from the newspaper.

Step 4: Wait for the Answer Period to Expire.

Once the parent(s) and/or other interested persons have been properly served, you must wait for the answer period to expire. If the other party was personally served or acknowledged service, he or she has **20 days to respond, or 30 days if served out of state**. If the other party was served by publication, he or she has **30 days after the last day of publication** to respond. Once the time to file an Answer has expired, you can move forward with your case.

Step 5: Default.

If the parent(s) or other interested persons were served, but did not sign a notarized consent or did not respond to the Petition, then you will want to have the Clerk enter a default into the case record before the hearing. An entry of default does not guarantee that the court will approve the guardianship. You are not required to enter a default if the Respondent doesn't file an answer and you may skip this step and request a hearing. If you want to have a default entered against the Respondent, you should prepare and file these forms with the District Court Clerk:

- **Affidavit in Support of Default**
 - ✓ This form must be signed by the Petitioner **in the presence of a Court Clerk or Notarial Officer (Notary Public).**
- **Motion for Entry of Default**
 - ✓ Make sure you give the correct date when the person was served or signed the affidavit acknowledging service.
- **Entry of Default**
 - ✓ If you know the Respondent's address, you must give it to the Clerk, along with a pre-addressed, stamped envelope.

Step 6: Ask for a Hearing Date

Most guardianship cases will require a hearing, even if both parents or other interested persons agree (consent) and no one files an answer or objection. File a Request to Set Hearing. The Judge's office will tell you if a hearing is required. **DO NOT ASSUME THAT THE HEARING WILL BE SCHEDULED AUTOMATICALLY.** Once the answer period has expired (see above), you will have to formally request a hearing date from the Court.

Your court may have forms to request a hearing date, or you can fill out these forms to request a hearing date:

- **Request for Setting**
- **Order Setting Hearing**
 - ✓ The District Court Clerk or Judicial Assistant will fill in the date, time and courtroom/Judge for the hearing.
 - ✓ You must send a copy of the Order Setting Hearing to all interested parties who consent or respond, Guardian ad Litem, or anyone else required by the Judge.

- ✓ You will probably need to send the Order Setting Hearing to:
 - Any parents or legal guardians who consented to the Petition (although they do not need to attend the hearing);
 - Any other interested persons who responded to the Petition and do not have an entry of default against them (See above);
 - Any Guardian ad Litem assigned to the case; and
 - Any other person required by the Judge or Court.

NOTE: Individual courts have different policies on scheduling, so it is important to contact the court where your case is filed to determine when and how to schedule your appearance in front of the Judge.

Step 7: Before the Hearing.

Pretrial Disclosures. If someone responded to the Petition and is objecting to the guardianship, you will need to prepare your evidence in advance. See below for more information about the evidence you should present at the hearing. Prior to the hearing, the Judge may order that you send a list of your witnesses and other evidence to the Court and other parties to the case a certain number of days before the hearing or by a specific date. If you do not follow these instructions, the judge may not allow you to use your witnesses or other evidence. You can use this form to prepare your evidence lists for the other parties:

- **Pretrial Disclosures form**

- ✓ Fill in the information at the top of the first page. The names, case number and court information should match the information on the Petition for Appointment of Guardian of a Minor.
- ✓ Enter the names and contact information for any witnesses in the first table on page 4.
- ✓ For each witness, check whether you expect to use them or if you will only use them if necessary.
- ✓ In the second table, enter a name for each piece of evidence (“Document or Exhibit”) you might want to show the court. Example: “Exhibit A: Ward’s Medical Records.”
- ✓ Enter a short description (“Summary of Evidence”) for each piece of evidence. Example: “These medical records describe the child’s special care needs.”

- ✓ For each piece of evidence, check whether you expect to use it or if you will only use it if necessary.
 - ✓ Sign the Pretrial Disclosures form.
 - ✓ Complete the Certificate of Service section on the same day you file the document.
1. Make at least two copies of the completed form (one for yourself and one for the Respondent). Hand deliver, fax, or use first class mail to send a copy of the Pretrial Disclosures form to the Respondent. If the Respondent has a lawyer, you would send the form to his or her lawyer instead.

Step 8: Prepare for the Hearing.

Regardless of whether anyone objects or not, you will need to complete these forms to bring to the hearing:

- **Order Appointing Guardian for Minor(s) and Visitation Order**
 - ✓ The Judge will fill out and sign these forms, or you may be asked to fill out the Orders after the hearing. Complete only the top portion (case name and number) of these forms before the hearing.
 - ✓ Bring them to the court hearing and present them to the Judge or Clerk when he or she requests it.
- **Oath of Guardian**
 - ✓ **Do not sign the Oath of Guardian** until the day of the hearing. Fill out the top portion only. After the hearing, you will take it over to the District Court Clerk, and sign it in her/his presence.
- **Letters of Guardianship**
 - ✓ Fill out the top portion. This form will be signed by the District Court Clerk, and indicates when the guardianship expires, and is proof that you are the legal guardian of the minor child.
 - ✓ **If you are filing for more than one child, prepare one for each child.**

You will also want to prepare your evidence. See below for information about the evidence you should bring to your hearing.

Step 9: The Hearing

The Petitioner must appear at the hearing and should be prepared to present evidence as to why the Guardianship is in the child's best interest, even if no one has objected to the guardianship.

- a. Be prepared to take notes.
- b. Be prepared to present evidence showing that the parents are aware of the proceedings and that they agree to the Guardianship.
- c. If the Petitioner cannot prove that the parents agree to the Guardianship, then he/she must be prepared to present evidence showing that the parents are either unwilling or unable to take care of the child or that their parental rights have been terminated.
- d. You must prove to the court that the parents are unfit. You cannot merely demonstrate that you are the better person to care for the child. Be prepared to offer exhibits such as medical records, social services records, and testimony of witnesses such as friends, family, or medical professionals, educators and babysitters.
- e. If the Court appoints a Guardian, the Court will issue Letters of Guardianship as a formal notice of the appointment and will provide you with a copy of the Order Appointing Guardian for Minor(s). The Judge may ask you to complete the Letters and Order forms and other documents. Make sure that you listen carefully and write down exactly what the Judge says when the Judge makes his or her decision.

Step 10: After the Hearing

1. The District Court Clerk is required to send a copy of the Order to all parties and interested persons in the case. This includes:
 - a. Any parents or guardians who consented to the Petition (even if they did not attend the hearing);
 - b. Any parents, guardians or other interested persons who received notice of the Petition and do not have an Entry of Default against them (See above);
 - c. Any Guardian ad Litem assigned to the case; and
 - d. Any other person required by the Judge or Court.

You may have to provide or pay for copies of the final Order sent to these additional parties.

2. You may need certified copies of the Letters and Order. The number needed will vary, depending on your circumstances. The District Court Clerk can make certified copies for you as needed (there will be a fee for extra certified copies).

Step 11: Reporting Requirements after the Court Appoints a Guardian.

Forms:

- **Guardian's Report**

- ✓ You will be required to file the reports:
 - Within six months of your appointment as guardian;
 - Every six months following the initial report;
 - Within thirty days of your removal or resignation from, or the termination of, the guardianship; and/or
 - At other times as the court may order.
- ✓ The Guardian's Report must be provided to the persons listed in the Order of Appointment within **ten (10) days** of filing the Report with the Court.

If the Court or Judge has a form they want you to use, then you should use that one.

The purpose of the six-month report is to inform the Court and other interested persons such as the parents about the well-being of the Minor. The Guardian's Report must describe the physical condition, including level of disability or functional incapacity, principal residence, treatment, care and activities of the Minor, as well as providing a description of those actions the Guardian has taken on behalf of the Minor.

If you do not file a report, the Judge will enter an order for you to show cause why you, the Guardian, should not be held in contempt. The Judge could also terminate (cancel) your guardianship of the child/children.

FREQUENTLY ASKED QUESTIONS:

1. **What is "Service" in a Guardianship?**

When you are involved in a court case, you are responsible for delivery (service) of copies of important papers you file with the court to other people involved in the case (like the Minor's parents or current legal guardian, for example). Depending on the circumstances, the papers must be served by personal delivery (called personal service), or if the person agrees, they can waive personal delivery with a notarized statement. In limited circumstances, you may

be allowed to serve by publishing a notice in a newspaper or by registered mail. Service lets these persons know that you are asking the court to appoint a guardian for the child named in the Petition, the person you want the court to appoint as guardian, and the date and time when they must respond to your request.

2. **How to Serve the Respondent.** Choose **ONLY ONE** of the following options to serve each Respondent:

Option 1 – Service by Sheriff

Summons. It is recommended to have a Sheriff in the county where the Respondent can be found serve him or her with the papers. There will be a separate **service fee** (usually fifty (\$50.00) dollars in Wyoming). You can contact the Sheriff’s department in the county where the Respondent lives to determine the fee charged by the Sheriff. This is also true if the Respondent is going to be served in a different state. You will need to provide the Sheriff with a file-stamped copy of the *Summons* and *Petition* to be served on the Respondent.

Proof of Service. The Sheriff’s office will complete the last page of the *Summons* called the “*Return*” (or they may have their own form - an “*Affidavit of Service*”) and will usually file the original with the District Court Clerk’s office and send you a copy. If you receive what looks like the original “*Return*” or “*Affidavit of Service*” from the Sheriff, call the Clerk’s office to make sure the original has been filed. If it has not, then file the original with the Clerk’s office and keep a copy for yourself. This is the proof that the Respondent was given proper notice.

Note: Once the Respondent has been served, you **MUST** file the original *Summons* and the original *Return* (or *Affidavit of Service*) with the District Court Clerk’s office so that the Judge knows that proper service was made.

Option 2 – Acknowledgement and Acceptance of Service.

If the Respondent agrees, he or she may sign a form stating that a copy of the *Summons* and *Petition* were received. If the Respondent agrees, you will need to fill out an *Acknowledgement and Acceptance of Service* form. The Respondent must sign this document in front of a Court Clerk or Notarial Officer (Notary Public).

Proof of Service. Once the *Acknowledgement and Acceptance of Service* form is signed, take the original and two (2) copies of the signed form to the District Court Clerk’s office for filing. You should keep one copy for your records and provide the other copy to the Respondent.

Note: You must file the signed *Acknowledgment and Acceptance of Service* form and the original *Summons* with the District Court Clerk's office so that the Judge knows that proper service was made on the Respondent.

Option 3 – Service by publication if you cannot find a Respondent.

If you were unable to serve the Respondent either by the Sheriff or by obtaining an *Acknowledgement or Acceptance of Service*, then you may make a request to serve the Respondent by publication. **(Forms available in Packet 18)**

There are additional fees for service by publication and it will take more time. If you are unsure whether or not you are allowed to serve the Respondent by publication, you need to consult with a lawyer. However, if you can demonstrate that you have made every effort to find the respondent's address, completely fill out a *Motion and Affidavit to Allow Service by Publication* and *Notice of Publication*.

After the District Court Clerk signs and files the *Notice of Publication*, it is your responsibility to contact the appropriate newspaper and to arrange for the publication and pay the appropriate fees. An appropriate newspaper is one that has been regularly issued at least once each week for a period of fifty-two (52) consecutive weeks prior to the date of the first publication of notice or advertisements. It must have a paid circulation of at least five hundred (500) and each page must not be less than ten (10) inches by twelve and one-half inches in size. The newspaper must publish the notice once a week for four (4) consecutive weeks.

Proof of Service. The other party will have thirty (30) days after the **last** date of publication to file a written answer to your Petition. After the thirty (30)-day waiting period, fill out, sign and notarize the *Affidavit Following Service by Publication*. You must also attach the *Affidavit of Publisher*, which is a form the newspaper will prepare and send to you after it completes the publishing.

Note: You must file the *Affidavit Following Service by Publication* and the *Affidavit of Publisher* with the Court so that the Judge knows that proper service was made on the Respondent.

3. Who can serve?

If you are a party in the case, you cannot personally serve the Petition. Any person over the age of 18 who is NOT a party to the case may personally serve documents, but it is usually easiest to ask a private process server, or a representative of the county sheriff's civil division, to personally serve copies of the forms to the persons named above. The forms cannot be sent by mail. You will have to pay this person for his or her services. The District

Court Clerk in the county where you need to make service may have a list of local process servers.

4. **What if I cannot locate one or both of the minor child's parents or he or she is avoiding service of process?**

You will have to publish notice of the hearing in the newspaper in the county where you have filed the Petition. See information above for forms and instructions on service by publication.

5. **What if one or both of the minor child's parents do not agree with me being the guardian?**

If the parents do not agree, then the court will most likely schedule a court hearing, where you will present your evidence as to why you should be appointed the guardian of the minor child. The person asking for the guardianship, the Petitioner, has the burden of proof and must prove that the parents are unfit and that the guardianship is in the child's best interest. At the hearing, the child's parent(s) will be given a chance to show the judge why a guardianship is not necessary. If a hearing is scheduled, you should consult with an attorney.

6. **What if both of the child's parents give their consent to me to be the guardian?**

If the parents give consent, and they sign the Parental Consent in front of a **Court Clerk or Notarial Officer (Notary Public)**, then you may not need a hearing. However, some Judges may still require a hearing.

7. **What if I am granted guardianship (temporary or permanent), and then the child's parent or parents change their mind and want the child back?**

The parent or parents usually have the right to ask for the child back at any time, unless their parental rights have been terminated. However, you have legal custody of the child until the guardianship end date (usually when the child turns 18 for a permanent guardianship) or until the Court says otherwise. **If the term for the guardianship has not ended**, the parents will have to file paperwork to ask the court to set aside the guardianship. When that happens, you will need to file an answer and the court will set a hearing on the matter. Be sure that the court always has your current address and phone numbers at all times, and read all mail you may get from the court, and follow any instructions carefully and on time.

CIVIL COVER SHEET

This civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM)

I. CAPTION

 Plaintiff Name and Current Address

v.

 Defendant.

Docket # _____

II. NATURE OF SUIT (Place an "X" in One Box Only)

GENERAL CIVIL			OTHER CIVIL
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">CONTRACT</div> <input type="checkbox"/> Business Organization Litigation <input type="checkbox"/> Com. Const. Contract Litigation <input type="checkbox"/> Contract Other (not Debt Collection)	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">DISSOLUTION OF MARRIAGE</div> <input type="checkbox"/> Divorce w/Minor Children <input type="checkbox"/> Divorce w/o Minor Children <input type="checkbox"/> Judicial Separation <input type="checkbox"/> Annulment	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">PROBATE</div> <input type="checkbox"/> Ancillary Admin/Foreign Prob <input type="checkbox"/> Decree of Title Distribution <input type="checkbox"/> Determination of Heirship <input type="checkbox"/> Letters of Administration <input type="checkbox"/> Estate Unspecified <input type="checkbox"/> Summary Probate <input type="checkbox"/> Testate/Intestate Estate <input type="checkbox"/> Will Only Filings <input type="checkbox"/> Trust Matters <input type="checkbox"/> Guardianship <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardian & Conservatorship	<input type="checkbox"/> Appointment/Removal of a Fiduciary <input type="checkbox"/> Arbitration Award Confirmation <input type="checkbox"/> Birth Certificate Amendment/Establishment <input type="checkbox"/> Debt Collection <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Emancipation of Minor <input type="checkbox"/> False or Frivolous Lien <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Foreign Protection Order/Foreign Stalking Order <input type="checkbox"/> Forfeiture of Property <input type="checkbox"/> Governmental Action Environmental Case <input type="checkbox"/> Injunction <input type="checkbox"/> Material Witness/Foreign Subpoena <input type="checkbox"/> Name Change <input type="checkbox"/> Involuntary Hospitalization <input type="checkbox"/> Public Nuisance <input type="checkbox"/> Specific Relief <input type="checkbox"/> Structured Settlement Protection Act <input type="checkbox"/> Successor to Civil Trust Appointment <input type="checkbox"/> Transcript of Judgment <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Replevin <input type="checkbox"/> Unspecified
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">TORT</div> <input type="checkbox"/> PI or WD - Environmental or Toxic Tort <input type="checkbox"/> PI or WD - Fed Employer Liability Act <input type="checkbox"/> PI or WD - Medical Malpractice <input type="checkbox"/> PI or WD - Product Liability <input type="checkbox"/> PI or WD - Vehicular <input type="checkbox"/> Personal Injury Unspecified <input type="checkbox"/> Property Damage <input type="checkbox"/> Tort Unspecified <input type="checkbox"/> Wrongful Termination of Employment	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">DOMESTIC RELATIONS</div> <input type="checkbox"/> Custody/Parental Visitation <input type="checkbox"/> Grandparental Visitation <input type="checkbox"/> Paternity <input type="checkbox"/> Child Support/Parental Contribution <input type="checkbox"/> Child Support w/ Paternity <input type="checkbox"/> UIFSA w/Paternity <input type="checkbox"/> UIFSA <input type="checkbox"/> Dom Register Foreign Judgment <input type="checkbox"/> TPR State/DFS <input type="checkbox"/> TPR Family/Private	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">ADOPTION</div> <input type="checkbox"/> Adoption <input type="checkbox"/> Confidential Intermediary	
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">CIRCUIT COURT</div> <input type="checkbox"/> Small Claims <input type="checkbox"/> Forcible Entry and Detainer <input type="checkbox"/> Stalking Protection Order <input type="checkbox"/> Family Violence Protection Order	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">PROPERTY</div> <input type="checkbox"/> Property with Mineral Rights <input type="checkbox"/> Property w/o Mineral Rights		

III. RELATED CASE(S) IF ANY (see instructions)

Docket No. _____ Judge _____ Court (if different) _____
 Docket No. _____ Judge _____ Court (if different) _____

IV. \$ AMOUNT IN CONTROVERSY, (estimated) (see instructions)

\$ _____

 SIGNATURE OF ATTORNEY OF RECORD OR PRO SE LITIGANT

 DATE

INSTRUCTIONS FOR ATTORNEYS OR PRO SE LITIGANTS COMPLETING THE CIVIL COVER SHEET

Authority for Civil Cover Sheet

The civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil case filed. The attorney or pro se litigant filing a case should complete the form as follows:

I. Caption. Enter names of the plaintiff and defendant and the address for the plaintiff. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a governmental agency, identify first the agency and then the official, giving both name and title.

II. Nature of Suit. Place an “X” in the appropriate box. ONE AND ONLY ONE BOX SHOULD BE CHECKED. If the nature of suit cannot be determined, because the cause of action fits more than one nature of suit, select the most determinative. Some descriptions may require clarification. See below:

Contract Subtypes

Business Organization Litigation (Corporate, Partnership or L.L.C. dissolution or accounting)

Contract Other (not debt collection) (including Specific Performance but not Wrongful Termination)

Property Subtypes

Property with Mineral Rights (e.g., Quiet Title, Ejectment)

Property w/o Mineral Rights (e.g., Adverse Possession, Condemnation, Easements, Ejectment, Gifts, Historic Preservation Rights, Quiet Title, Solar Rights, Survivor Rights, Title, Trust, Unclaimed Property, Uniform Transfer to Minors, Property Conveyance including Mortgages and Deeds of Trust)

Tort Subtypes

PI or WD = Personal Injury or Wrongful Death

Personal Injury Unspecified (e.g., slip and fall, defamation, assault, battery, intentional infliction of emotional distress, false imprisonment, invasion of privacy)

Property Damage (e.g., negligence, trespass, nuisance)

Tort Unspecified (e.g., fraud, restraint of trade, conversion, replevin)

Wrongful Termination of Employment (sounding in Contract, Title VII, ADEA, or Breach of Implied Covenant of Good Faith and Fair Dealing)

Domestic Relations Subtypes

A petition containing a child support action should be labeled a child support case even if other actions (i.e., custody, visitation, paternity) are included in the petition.

III. Related Cases. This section is used to reference related cases, if any. If there are related cases, involving the same parties or children, insert the docket numbers and the corresponding judge names for such cases.

IV. \$ Amount in Controversy. In this space, enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as preliminary injunction.

Attorney or Pro Se Litigant Signature and Date. Sign and date the civil cover sheet.

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
)
_____,)
_____,)
_____,)
Minor child(ren).)

Probate No. _____

PETITION FOR APPOINTMENT OF GUARDIAN OF A MINOR

Pursuant to Wyo. Stat. § 3-2-101 et. seq., **Petitioner**, _____ (name), states and alleges as follows:

1. Petitioner requests the following type of guardianship:

- Permanent Guardianship of a minor,
- Temporary Guardianship of a minor,
- Emergency Guardianship of a minor,
- Standby Guardianship of a minor.

2. The Petitioner is:

- a person interested in the welfare of the Minor(s).

OR

the Minor, who is 14 years of age or older. A petition for involuntary guardianship under W.S. 3-2-101 **has** **has not** been served upon the Minor.

3. A juvenile court in the state of Wyoming has does not have jurisdiction over the Minor Child in any juvenile delinquency or other type of proceeding.

4. **Information about the Minor Child(ren) pursuant to Wyo. Stat. § 20-5-309:**

Child #1

Name: _____ Current age: ____ Date of Birth: _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Email Address: _____

Name and address of the person or facility having the care, custody or control of the Minor: _____

List the places where the minor child has lived in the last five (5) years and the names of the people they lived with at that time, if you know:

Dates From/To	Town/City, State	Parent(s)/Caretaker	Current Address of Parent/Caretaker

Attach a separate sheet if necessary

Child #2

Name: _____ Current age: ____ Date of Birth: _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Email Address: _____

Name and address of the person or facility having the care, custody or control of the Minor: _____

List the places where the minor child has lived in the last five (5) years and the names of the people they lived with at that time, if you know:

Dates From/To	Town/City, State	Parent(s)/Caretaker	Current Address of Parent/Caretaker

Attach a separate sheet if necessary

Child #3

Name: _____ Current age: ____ Date of Birth: _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Email Address: _____

Name and address of the person or facility having the care, custody or control of the Minor: _____

List the places where the minor child has lived in the last five (5) years and the names of the people they lived with at that time, if you know:

Dates From/To	Town/City, State	Parent(s)/Caretaker	Current Address of Parent/Caretaker

Attach a separate sheet if necessary

5. Information about the Petitioner:

Name: _____ Relationship to the Minor(s): _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____

Email Address: _____

6. Information about the parents:

First Parent's Name: _____

Is 1st Parent deceased? Yes No. Is identity of 1st Parent unknown? Yes No

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____

Email Address: _____

Second Parent's Name: _____

Is 2nd Parent deceased? Yes No. Is identity of 2nd Parent unknown? Yes No

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____

Email Address: _____

7. The child(ren) named in this *Petition for Appointment of Guardian of a Minor*
 have **have not** been in the State of Wyoming for a period of six (6) months or more immediately before filing this *Petition*. (If not, seek the advice of a lawyer before filing.)

8. The child(ren) named in this *Petition for Appointment of Guardian of a Minor* **is**
 is not an Indian child as defined in the federal Indian Child Welfare Act, 25 U.S.C. §§ 1901 et seq.

OR

I do not know if the child(ren) named in this *Petition for Appointment of Guardian of a Minor* is an Indian child.

9. Petitioner provides the following information pursuant to Wyo. Stat. § 20-5-309:
 I have not participated as a party or a witness or in any other capacity in any other court case concerning the custody of the minor child(ren) and no other court proceedings

concerning the minor child(ren) (including proceedings for enforcement, domestic violence protective orders, guardianship, termination of parental rights or adoptions) are currently pending in the State of Wyoming or in any other state; **OR**

I have participated as a party or witness or in another capacity in another court proceeding concerning the custody, allocation of decision-making, or visitation/parenting time of the child(ren) listed in this *Petition for Appointment of Guardian of a Minor* as follows: (Please be specific and include the case number, court, state and nature of case, and date of child-custody determination, if any.) _____

_____.

10. I know of no person or facility not a party to these proceedings who has physical custody of the minor child(ren) or who claims to have custody or visitation rights with respect to the minor child(ren);

OR

The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody, or physical custody or control of the child(ren): (List Names and Addresses)

_____.

11. The appointment of a guardian of the Minor(s) Child(ren) is necessary for the following reasons:

The parent(s) consent(s) to the appointment of a Guardian. (Attach Consent of Parent.)

All parental rights have been terminated by

prior court order. (Attach a copy of the court order to this Petition.)

death. (If available, attach a copy of the death certificate to this Petition.)

The parents are unfit and/or unwilling or unable to exercise their parental rights.

(Briefly explain.)

Guardianship has previously been granted to a third party who has died or become incapacitated.

12. Petitioner nominates himself/herself and requests to be appointed as Guardian;

OR

Petitioner nominates the following person to be appointed as Guardian:

Name: _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____

Email Address: _____;

OR

The Minor, who is 14 years of age or older, has nominated a Guardian. (Attach Consent or Nomination of Minor.)

13. The Proposed Guardian is (select one):

the person nominated as guardian in the will of the custodial parent,

the person requested by the Minor Child who has reached the age of 14 years,

another person whose appointment would be in the best interest of the Minor Child.

The Proposed Guardian's relationship to the Minor Child is

14. The Petitioner/Proposed Guardian is a fit and proper person to serve as guardian for the Minor child(ren) for the following reasons: _____

_____.

15. The Proposed Guardian (check all that apply):

provides, or is likely to provide during the guardianship, services to the Ward in a professional or business capacity unrelated to the guardianship.

is, or is likely to become during the guardianship, a creditor of the ward, other than in the capacity as guardian.

has, or is likely to have during the guardianship, interests that may conflict with those of the ward.

is employed by a person who would be disqualified from serving as guardian pursuant to Wyo. Stat. 3-2-107.

16. It is necessary to appoint a **Permanent Guardian** for the Minor(s) because: (Describe the reasons why the Minor Child is in need of a permanent guardian.) _____

_____.

17. It is necessary to appoint a **Temporary Guardian** and the appointment of a Temporary Guardian is in the best interest of the Minor(s). (Describe the reasons why a temporary guardian is needed and the date when the guardianship should end.) _____

_____.

18. It is necessary to appoint an **Emergency Guardian** for the Minor(s) because of the likelihood of substantial harm to the Minor's health, safety or welfare, and that no other person appears to have authority and willingness to act in the circumstances. (Describe the nature of the emergency and the date when the guardianship should end.) _____

19. Petitioner requests the appointment of a **Standby Guardian** to be effective upon the following occurrence: (Describe the condition or event that would cause the standby guardianship to go into effect. A standby guardianship is not effective until the occurrence of the specified event or condition.)

20. Petitioner requests that the powers of the guardian be:

Unrestricted,

Limited by the following restrictions:

The Petitioner requests that an appointment of a Guardian be made, after notice and hearing, and such other and further relief as the Court shall deem proper.

DATED: _____, 20____.

(Signature of Petitioner)

(Phone Number)

(Printed Name of Petitioner)

(Address)

(City, State, Zip)

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

SUMMONS

To the Respondent: _____
Home Address: _____

Phone: _____
Employer Name & Address: _____

YOU ARE HEREBY SUMMONED and required to file with the Clerk and serve upon the Petitioner(s) an Answer to the *Petition for Appointment of Guardian of a Minor* which is herewith served upon you, within 20 days after service of this Summons upon you, exclusive of the day of service. (If service upon you is made outside of the state of Wyoming, you are required to file and serve your answer to the *Petition for Appointment of Guardian of a Minor* within 30 days after service of this Summons upon you, exclusive of the day of service). If you fail to do so, judgment by default will be taken against you for the relief demanded in the *Petition for Appointment of Guardian of a Minor*.

Dated: _____, 20____.

(Seal of District Court)

Clerk of Court
By: _____
Deputy Clerk

(Print Petitioner name and address)

STOP: SHERIFF WILL FILL THIS OUT (Attach to Summons)

RETURN

STATE OF WYOMING)
) ss TO BE USED BY WYOMING SHERIFF, UNDER
COUNTY OF _____) SHERIFF OR DEPUTY

I, _____, Sheriff in and for said County of _____, in the State aforesaid, do hereby certify that I received the within *Summons*, together with a copy of the *Petition for Appointment of Guardian of a Minor*, filed in the above entitled matter, and that I served the same in the County aforesaid on the _____ day of _____, 20____ by delivering a copy of the same, together with a copy of the *Petition for Appointment of Guardian of a Minor*, to: _____

By: _____
Sheriff
Deputy Sheriff

Sheriff's fees: Service, \$ _____; Return \$ _____
Mileage \$ _____; Total \$ _____

AFFIDAVIT OF SERVICE

STATE OF _____)
)ss TO BE USED BY A PERSON OTHER THAN WYOMING
COUNTY OF _____) SHERIFF, UNDER SHERIFF OR DEPUTY

_____, being first duly sworn, on oath deposes and says that s/he is over 18 years old and is not a party to the foregoing action or interested therein, and that s/he made service of said *Summons* in the County aforesaid on the _____ day of _____, 20____, by delivering a copy of the same, together with a copy of the *Petition for Appointment of Guardian of a Minor*, to:

Name: _____

Address: _____

By: _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Notarial Officer

My Commission Expires:

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE

I, (Print Respondent's Name) _____, hereby acknowledge receipt of a copy of the *Summons* and *Petition for Appointment of Guardian of a Minor* filed in this case. In accepting service of process, I retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the *Summons* or in the service of the *Summons*. I understand that I must answer or otherwise plead within 20 days from this date (30 days if copies of the papers were received outside of Wyoming) and that if I fail to file an answer or other pleadings with the Clerk of this Court and serve the same upon the Petitioner in accordance with the Wyoming Rules of Civil Procedure within the time limits stated, I will be in default and Petitioner may be afforded the relief demanded in the *Petition for Appointment of Guardian of a Minor* without a trial or other hearing.

DATED this _____ day of _____, 20____.

(Respondent's Signature)

Respondent's Phone Number: _____

Respondent's Address: _____

Respondent's City/State/Zip Code: _____

Subscribed and sworn to before me on this _____ day of _____, 20_____.

WITNESS my hand and official seal.

Notarial Officer

My Commission Expires:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on each of the following:

*Must be sent to every party to the case or their attorney if represented. Print the other party's or other party's attorney's **Name** and **Address**. You must indicate **Method of Service**.*

Other Party/Other Party's Attorney's Name and Address	Method of Service
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail

Your signature

Print name

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

PARENTAL CONSENT TO APPOINTMENT OF GUARDIAN

STATE OF _____)
) ss.
COUNTY OF _____)

I, (full name) _____, being first duly sworn upon oath,
hereby state as follows:

1. I reside at _____, County of _____,
State of _____.
2. I am the [] parent / [] legal guardian of the minor child(ren) involved in these proceedings.
3. Said minor child(ren):

Child #1

_____, was born on _____ (date of birth), and
presently resides at _____ (address).

Child #2

_____, was born on _____ (date of birth), and
presently resides at _____ (address).

Child #3

_____, was born on _____ (date of birth), and
presently resides at _____ (address).

4. I believe it would be in the best interests of said minor child(ren) to be placed under the:

- permanent guardianship
- temporary guardianship (for a period of no longer than one year)
- emergency guardianship
- standby guardianship

of _____ (name of proposed guardian).

5. If you have additional information for the court to consider, such as why you believe the proposed guardianship is in the child(ren)'s best interest, you may provide that information here:

DATED: _____, 20____.

(Signature of Natural Parent/Legal Guardian)

Phone Number: _____

Address: _____

City/State/Zip Code: _____

Subscribed and sworn to before me by _____, this ____ day of _____, 20__.

WITNESS my hand and official seal.

Notarial Officer

My commission expires:

Parental Consent to Appointment of Guardian – Guardianship (Minor)

Approved by Wyoming Supreme Court (2016)

Page 2 of 2

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

CONSENT TO GUARDIANSHIP OR NOMINATION OF A GUARDIAN BY A MINOR

I, (full name of minor) _____, am 14 years of age or older and:

1. **I consent** to the appointment of _____ (name of proposed guardian) as my guardian.

I do not consent to the appointment of _____ (name of proposed guardian) as my guardian.

I Nominate _____ (name of proposed guardian) as my guardian:

Relationship to the Minor(s): _____

Street Address: _____

Mailing Address, if different: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____

Email Address: _____.

VERIFICATION AND ACKNOWLEDGMENT

STATE OF WYOMING)
) ss.
COUNTY OF _____)

I, (current full name) _____, swear/affirm under oath that I have read the foregoing Consent or Nomination by Minor and that the statements set forth therein are true and correct to the best of my knowledge.

Signature of Minor
Minor's Phone Number: _____
Minor's Address: _____
Minor's City/State/Zip Code: _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Notarial Officer/Deputy Clerk of District Court

My Commission/Term Expires: _____

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

AFFIDAVIT IN SUPPORT OF DEFAULT

STATE OF WYOMING)
) ss.
COUNTY OF _____)

THE PETITIONER, who is of lawful age being first duly sworn deposes and states as follows:

1. Petitioner has filed a *Petition for Appointment of Guardian of a Minor* in this case.
2. Respondent, _____, was served with a copy of the *Petition* and *Summons* by one of the following methods:

The Respondent was served with a copy of the *Petition* and *Summons* by a duly authorized Deputy or the Sheriff of _____ County, State of _____ on _____ (insert date).

OR

The Respondent filed an *Acknowledgment and Acceptance of Service* acknowledging that on _____ (insert date) he/she received a copy of the *Petition* and the *Summons*.

OR

An *Affidavit to Allow Service by Publication* was filed and the Respondent was served by publication in the _____ Newspaper on the following dates: _____.

OR

The Respondent was served with a copy of the *Petition* and *Summons* by Certified Mail, Restricted Delivery, Return Receipt requested on _____ (insert date), as evidenced by the green postal signature card attached.

3. More than 20 days (if served in Wyoming); 30 days (if served outside of Wyoming by publication or by Certified Mail), excluding the day of service, has elapsed since the date of service.
4. That the Respondent failed to answer or otherwise plead as required by law. The Respondent is not a minor or incompetent and is not in the military service of the United States. This Affidavit is executed for the purpose of enabling Petitioner to obtain an *Entry of Default* against the Respondent.

DATED this _____ day of _____, 20____.

Signature

Printed Name: _____

Address: _____

Phone Number: _____

Subscribed and sworn to before me by _____ this
_____ day of _____, 20____.

Witness my hand and official seal.

Notarial Officer

My Commission Expires:

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

MOTION FOR ENTRY OF DEFAULT

The Petitioner submits this *Motion for Entry of Default* for a default judgment against the Respondent, _____, who has been served with the *Summons* and *Petition for Appointment of Guardian of a Minor* according to the *Affidavit/Return of Service* stating that Respondent **was served on** _____[date], and has failed to reply to or otherwise respond, and the time allowed by law for doing so has now expired. Motion is made to enter the default against the Respondent according to law.

DATED this _____ day of _____, 20____.

Signature

Printed Name: _____

Address: _____

Phone Number: _____

Subscribed and sworn to before me on this _____ day of _____,
20_____.

WITNESS my hand and official seal.

Notarial Officer

My commission expires:

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

ENTRY OF DEFAULT

The Clerk of District Court, pursuant to the Petitioner's *Motion for Entry of Default and Affidavit in Support of Default*, does hereby enter default against the Respondent, _____, for failure to plead or otherwise defend as provided by the Wyoming Rules of Civil Procedure, as appears from examination of the records and files herein or the return upon the original *Summons* filed in this cause.

DATED this ____ day of _____, 20__.

CLERK OF THE DISTRICT COURT

BY: _____

Copies to:

Petitioner/Petitioner's Attorney's Name
and Address

Respondent/Respondent's Attorney's
Name and Address

Respondent/Respondent's Attorney's
Name and Address

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

REQUEST FOR SETTING

_____ (name), Petitioner Respondent,
respectfully requests a time and date for a hearing/trial of the above-captioned matter on the
Petition for Appointment of Guardian of a Minor, or on the _____
_____. Time requested for the hearing/trial: Hours _____ Minutes _____.

Notice: Any party requesting the reporting of a particular matter by the official court reporter shall make a request to the appropriate official court reporter as soon as possible, but no later than **three (3) working days** before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing. The Clerk of District Court will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not have a transcript of everything that is said at the trial. Rule 904 of the Uniform Rules of the District Courts of the State of Wyoming.

DATED this _____ day of _____, 20____.

Signature
Phone Number: _____
Address: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on each of the following:

*Must be sent to every party to the case or their attorney if represented. Print the other party's or other party's attorney's **Name** and **Address**. You must indicate **Method of Service**.*

Other Party/Other Party's Attorney's Name and Address	Method of Service
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
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Your signature

Print name

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

ORDER SETTING HEARING

THIS MATTER, having come before the Court on a Request for Setting; and the Court having considered the same and being otherwise fully advised, hereby finds said matter should be set for a hearing.

IT IS THEREFORE ORDERED, that a hearing on the *Petition for Appointment of Guardian of a Minor* (OR other items indicated in the Request for Setting) is hereby scheduled for Courtroom No. _____ of the _____ County Courthouse, located at _____, Wyoming on the ____ day of _____, 20____, commencing at __ :__ o'clock __.M., (____) minutes/hour(s)/day(s) have been set aside for the trial of this matter. There will be no continuances or canceling of the hearing date based on telephone calls.

DATED this _____ day of _____, 20____.

DISTRICT COURT JUDGE

Copies sent to:

Petitioner/Petitioner's Attorney's Name and Address

Respondent/Respondent's Attorney's Name and Address

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

PRETRIAL DISCLOSURES

NOTE: Unless otherwise directed by the court, these disclosures must be made **at least 30 days before trial**. Within 14 days thereafter, unless a different time is specified by the court, a party may serve **and promptly file with the Clerk of District Court** a list disclosing (i) any objections to the use under Rule 32 (a) of a deposition designated by another party under Rule 26(a)(3)(B), and (ii) any objection, together with the grounds therefore, that may be made to the admissibility of materials identified under Rule 26(a)(3)(C). Objections not so disclosed, other than objections under Rules 402 and 403 of the Wyoming Rules of Evidence, are waived unless excused by the court for good cause.

Petitioner, _____ (print name), OR Respondent, _____ (print name), submits the following pretrial disclosures, pursuant to Wyoming Rule of Civil Procedure 26(a)(3), required in pretrial proceedings. This information must be made available to the opposing party or the opposing party's counsel and the Court at least thirty (30) days before the trial.

A. The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

B. The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically (i.e. by a court reporter), a transcript of the pertinent portions of the deposition testimony.

C. An appropriate identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

NOTE: *Supplementation of disclosures and responses.* Wyoming Rules of Civil Procedure 26(e)(1) states that: A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

DATED this _____ day of _____, 20____.

Signature _____

Printed name: _____

Address: _____

Phone Number: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on each of the following:

Must be sent to every party to the case or their attorney if represented. Print the other party's or other party's attorney's **Name** and **Address**. You must indicate **Method of Service**.

Other Party/Other Party's Attorney's Name and Address	Method of Service
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail

Your signature

Print name

(check one)



Name of Witness	Address and Telephone Number	Expect to call witness to testify	<i>May</i> call witness to testify if the need arises

Additional sheets of paper are attached if needed

(check one)



Document or Exhibit	Summary of Evidence	Expect to offer	<i>May</i> offer if the need arises

Additional sheets of paper are attached if needed

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
)
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

ORDER APPOINTING GUARDIAN FOR MINOR(S)

Upon consideration of the Petition for Appointment of Guardian of a Minor and after a hearing on _____ (date),

THE COURT FINDS THAT:

1. All Parties required to be served have been duly served or have consented to the appointment of the Guardian named herein and this Court has jurisdiction over the parties and the subject matter herein, and venue is proper.
2. The proposed Minor Ward(s):

Child #1

_____(initials) , was born on _____ (date of birth), and presently resides at _____(address).

Child #2

_____(initials) , was born on _____ (date of birth), and presently resides at _____(address).

Child #3

_____(initials) , was born on _____ (date of birth), and presently resides at _____(address).

3. An Interested Person seeks appointment of a Guardian; **OR**
 The Minor is 14 years of age or older and seeks appointment of a Guardian.
4. The Minor(s)'s best interest will be served by the appointment of a Guardian for the following reasons:
- _____
- _____
- _____
- _____
5. The Minor(s)'s parent(s) consent to the appointment of a Guardian.
 The Minor(s)'s parents' parental rights have been terminated by prior court order.
 The Minor(s)'s parents are deceased.
 The Minor(s)'s parents are unwilling or unable to exercise their parental rights or the court finds that the parents are unfit.
 Guardianship has previously been granted to a third party who has died or become incapacitated and the Guardian has not appointed a successor Guardian by Will or written instrument.
6. Visitation **would not** be in the Minor(s)'s best interest.
 Visitation with _____ (enter first parent's name) and/or
 _____ (enter second parent's name) and/or
 _____ (enter other relation's name)
would be in the Minor(s)'s best interest. Visitation shall be granted and is hereby
Ordered according to the attached Visitation Order.

The Court has considered any expressed wishes of the Minor(s) concerning the selection of the Guardian. The Court has considered the powers and duties of the Guardian, the scope of the Guardianship, and the priority and qualifications of the Nominee.

NOW THEREFORE,

The Court appoints the following Person as Guardian of the Minor(s):

Name: _____
Street Address: _____
Mailing Address, if different: _____
City: _____ State: _____ Zip Code: _____
Home Phone #: _____ Work Phone #: _____
Email Address: _____

The Court directs the issuance of Letters of Guardianship, without bond, upon the taking and filing of a proper oath, as follows:

Unless otherwise ordered by the Court, the Letters shall expire on,
Child # 1 ____ (initials), _____ (date),
OR the Minor's 18th birthday;
Child # 2 ____ (initials), _____ (date),
OR the Minor's 18th birthday;
Child # 3 ____ (initials), _____ (date),
OR the Minor's 18th birthday.

The powers and duties of the Guardian are unrestricted.
 The powers and duties of the Guardian are limited by the following restrictions:

The Court orders the following:

1. The Guardian shall notify the Court within thirty (30) days if his/her home address, email address, or phone number changes and/or any change of address for the Minor(s).

2. The Guardian shall present to the Court and file in these proceedings a signed, written report on the physical condition, including level of disability or functional incapacity, principal residence, treatment, care, and activities of the Ward, as well as providing a description of those actions the guardian has taken on behalf of the Ward. As required by W.S. § 3-2-109, the first such report is to be made within six (6) months following the Guardian's appointment and, thereafter, every six (6) months following the initial report, and at other times as the Court may order. The Guardian's Report must be filed within thirty (30) days of the Guardian's removal or resignation from, or the termination of, the guardianship, or at other times as the Court may order. The Court shall maintain a calendar for filing of guardianship reports. If the Guardian's Report is not timely filed, the Court shall enter an order for the Guardian to show cause why the Guardian should not be held in contempt.

3. Visitation with Minor(s) shall be granted according to the attached Visitation Order.

4. Copies of all future Court filings shall be provided by the Guardian to the following Interested Persons:

Name	Relationship to Minor
	Parent or adult nearest in kinship
	Parent or adult nearest in kinship
	Guardian

5. The Court further orders:

DATED: _____, 20__.

District Court Judge

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

VISITATION ORDER FOR GUARDIANSHIP

THE COURT ORDERS,

Visitation with Minor(s) will be granted to:

Name _____ Telephone No: _____

Address: _____

With the following conditions regarding:

Supervised

Unsupervised

Duration: _____

Frequency: _____

Location: _____

Other provisions: _____

DATED: _____, 20____.

District Judge

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

OATH OF GUARDIAN

THE UNDERSIGNED does solemnly swear that he/she shall faithfully perform the duties of guardian of the above-named Minor, according to law.

DATED: _____, 20____.

(Signature of Guardian)

(Printed Name of Guardian)

STATE OF WYOMING)
) ss.
COUNTY OF _____)

The foregoing Oath of Guardian was subscribed and sworn to before me by

_____, this ____ of _____, 20__.

Witness my hand and official seal.

Notarial Officer

My commission expires: _____

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
_____))
_____))
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

LETTERS OF GUARDIANSHIP

By an Order entered the _____, 20__, by the District Court for the _____
Judicial District, within and for the County of _____, State of Wyoming, the Court has
appointed _____ (name of Guardian) as the guardian of
_____ (name of Minor).

_____ (name of Guardian) has filed his/her Oath with the
undersigned and has in all particulars qualified in compliance with law and the aforesaid Order
of the Court.

These LETTERS OF GUARDIANSHIP issue to confirm the appointment of
_____ as the guardian of the above Minor, subject to the following:

- The Letters shall expire on _____ (date), the Minor's 18th birthday,
unless otherwise ordered by the Court.
- The powers and duties of the Guardian are unrestricted.
- The powers and duties of the Guardian are limited by the following restrictions:

WITNESSETH _____, the Clerk of the District Court for the _____ Judicial
District, within and for the County of _____, State of Wyoming, with the seal of the said
Court affixed this ____ day of _____, 20__.

CLERK OF THE DISTRICT COURT

By: _____
Deputy

STATE OF WYOMING)
) SS
COUNTY OF _____)

IN THE DISTRICT COURT
____ JUDICIAL DISTRICT

IN THE MATTER OF THE)
GUARDIANSHIP OF)
)
_____))
_____))
_____))
Minor child(ren).)

Probate No. _____

GUARDIAN'S REPORT

Comes now, _____, the duly appointed Guardian(s) in the above-entitled matter, and hereby states that the following is a true and complete report of this Guardianship during the period shown.

1. The Guardian was appointed by Order of this Court entered on _____, 20____.
2. This Guardian's Report covers the period from _____, 20____ to _____, 20____.
3. This is the Guardian's initial report to the Court;

OR

- The last report in this matter was filed on _____, 20____.
4. The Ward's principal address is _____.
5. The Ward's present mental and physical condition, including level of disability or functional incapacity is:

6. The Ward's treatment and care consists of:

7. The Ward's activities are (include school enrollment if appropriate):

8. Since the last report, the Guardian has taken the following actions on behalf of the Ward:

9. The Guardianship should continue because:

DATED this ____ day of _____, 20____.

Guardian's Signature

Guardian's Printed Name

Guardian's Address/Telephone:

-----Fill in, if applicable-----

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court, the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

Attorney's Name

Attorney's Address/Telephone:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on each of the following:

Other Party/Other Party's Attorney's Name and Address	Method of Service
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail, postage pre-paid
	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail, postage pre-paid
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	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Faxed to this number: _____ <input type="checkbox"/> Placed in United States Mail, postage pre-paid

Your signature

Print Name