

Objections to a Guardianship

1. **WHO CAN FILE AN OBJECTION?** Generally, you must have some connection with the child in order to object to the proposed guardianship. If you received copies of the court papers from the petitioner and/or their attorney, you will probably be able to object.

2. **WHEN MUST AN OBJECTION BE FILED?** You are allowed to appear at the hearing and object. However, the court will usually require that you file and serve a written objection.

3. **WHAT DO I SAY IN THE OBJECTION?** The court—including court staff—cannot tell you what to write or give you advice. But these tips may help:

- Tell the court as simply as you can what you object to.
- Give the court your reasons about why you disagree with the petition. It helps to give details and facts supporting your reasons.
- Type or write neatly.

If you want to nominate someone else to be the child's guardian, remember that a parent cannot be appointed guardian of the person of their own children.

4. **HOW DO I SERVE THE OBJECTION?** You will need to have someone OTHER THAN YOURSELF AND OVER THE AGE OF 18 serve the other parties with your objection. Service may be done by mail. You will need to have the person serving the parties fill out a Proof of Service form. After you have served the other parties, it is your responsibility to make sure the Proof of Service is filed with the court.

For more information on how to serve documents and how to complete this proof of service, read *What is "Proof of Service" In a Guardianship* (Judicial Council form GC-510).

5. **DO I HAVE TO GO TO THE HEARING?** If you want to object and you have not filed a written objection, you need to go to the hearing. The judge may ask you why you disagree with the petition. It is up to the judge to let you testify or not.

If you have already filed a written objection, it's a good idea to go to the hearing so you can answer any questions the judge might have about your objection.

6. **I STILL NEED HELP!** If you still have questions about this procedure or about guardianships in general, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book or on the internet. Also, the Solano County Bar Association has a list of lawyers who may be able to assist you. The court house located at 600 Union Avenue in Fairfield has a law library located on the 3rd Floor that is available to the public. Finally, you can read more about guardianships at <http://www.courts.ca.gov/selfhelp-guardianship.htm>.