

F.C.A. § 661;
S.C.P.A. §§ 1701 - 1704

Form 6-1
(Petition for Appointment
of Guardianship of a
Person)
1/2001

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Proceeding for the Appointment of a
Guardian of the Person

Docket No.

Of
a Minor

PETITION
(Appointment of
Guardian of Person)

.....

TO THE FAMILY COURT:

The Petitioner respectfully alleges to this Court that:

1. The name and domicile of the Petitioner are as follows:
(State name and address, including street, city, village or town, county and state)
State name:
Street address:
City, Village or Town: County: State:

2. The name, date of birth and domicile of the child subject to this proceeding are as follows:
Name:
Date of Birth:
Address of the child [include street, city, village or town, county and state]:
Street address:
City, Village or Town: County: State:

3. The subject child (is)(is not) a Native American child subject to the *Indian Child Welfare Act of 1978* (25 U.S.C. §§1901-1963).

4. The residence of the child and relationship of person with whom the child resides are as follows:
Person with whom child resides [specify name]:
Relationship to child:
Address [include street, city, village or town, county and state]:
Street address:
City, Village or Town: County: State:
5. (Upon information and belief) The religion of the child is .

6. The names, relationship and post office addresses of the parents of the child, the name and address of the person with whom the the child resides, if other than the parent(s), on whom process should issue; and such other persons concerning whom the court is required to have information, are as follows:(If either parent is dead, so allege; if both parents are dead, include nearest adult next to kin who is a domiciliary.)

<u>Relationship</u>	<u>Name</u>	<u>Post Office Address</u> [include street, city, village or town, county and state]
Mother:		
Father:		
Person with whom the child resides, if other than parents:		
Other [specify]: ¹		

7. To protect and preserve the legal rights of the child, it is necessary that some proper person be duly appointed the guardian of (his)(her) person, because:

8. (Upon information and belief) No guardian pursuant to will or deed, or guardian of the person pursuant to Section 384 or 384-b of the Social Services Law, has been previously appointed for the child except:

9 (a). Petitioner (has)(does not have) knowledge that the person nominated to be a guardian herein is the subject of an indicated report, as such term is defined in Section 412 of the Social Services Law, filed with the statewide register of child abuse and maltreatment pursuant to Title Six of Article Six of the Social Services Law. If so, specify date, status and circumstances to the extent known:

(b). Petitioner (has)(does not have) knowledge that the person nominated to be a guardian herein is the subject of or the respondent in a child protective proceeding commenced under Article Ten of the Family Court Act. If so, specify whether proceeding resulted in an order finding that the child is an abused or neglected child, date and status to the extent known:

(c). Petitioner (has) (does not have) knowledge that an Order of Protection or

¹Include Mental Hygiene Legal Services if the child is a mentally retarded or developmentally disabled person admitted to a facility.

Temporary Order of Protection (has)(has not) been issued against the person nominated to be a guardian herein in any criminal, matrimonial or Family Court proceeding(s). If such an order has been issued, specify the court, docket or index number, date of order, expiration date of order, next court date and status of case to the extent known:

10 (a). The following adults who are age 18 or older live in the home of the proposed guardian:

<u>Name</u>	<u>Relationship, if any to the child</u>	<u>Date of Birth</u>
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(b). Upon information and belief, (none of the above adults) (the following adult(s)[specify]: _____) (is)(are) the subject of an indicated report, as such term is defined in Section 412 of the Social Services Law, filed with the statewide register of child abuse and maltreatment pursuant to Title Six of Article Six of the Social Services Law. If so, specify date, status and circumstances to the extent known:

(c). Upon information and belief, (none of the above adults) (the following adult(s)[specify]: _____) (has) (have) been the subject of or the Respondent in a child protective proceeding commenced under Article 10 of the Family Court Act. If so, specify whether proceeding resulted in an order finding that the child is an abused or neglected child, date and status to the extent known:

(d). (Upon information and belief) An Order of Protection or Temporary Order of Protection (has)(has not) been issued against any of the above adults. If such an order has been issued in any criminal, matrimonial or Family Court proceeding(s), specify the adult against whom the order was issued, the court that issued the order, docket or index number, date of order, expiration date of order, next court date and status of case, if available:

11. Attached hereto is the consent of _____ to being appointed guardian of the person of the child.²

12. _____, parent(s) of the child, although living, should not be appointed guardian of the person of the child because:

²If petitioner is applying for letters of guardianship on behalf of another.

13. There are no persons interested in this proceeding other than those here in above mentioned.

14. No prior application has been made to any court for the relief herein requested.

WHEREFORE, Petitioner prays that an order be entered appointing _____ to be the guardian of the person of the child during the child's minority and that letters of guardianship issue.

Dated:

Signature of Petitioner

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and Telephone Number

VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF)

_____, being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Sworn to before me this

day of .

(Deputy)Clerk of the Court
Notary Public

Petitioner