

NOTE TO PETITIONERS AND ATTORNEYS

On Exhibit B to the Petition, under “RELATIVES”, there must be listed all living adult children, grandchildren, grandparents, brothers, sisters, uncles, aunts, nephews and nieces of the Respondent/Minor. Failure to list and notify such relatives may result in postponement of the hearing.

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
PROBATE DIVISION**

IN THE MATTER OF: _____)
)
) Estate Number: _____
Minor)

**PETITION FOR APPOINTMENT OF GUARDIAN AND
CONSERVATOR**

1. Comes now Petitioner and states that the minor named below

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>ADDRESS</u>
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_____ requires the appointment of a guardian of the person and/or a conservator of the estate because: *The parents are deceased or are unfit, unwilling or unable to assume the duties of guardianship and/or the estate requires supervision.

2. The minor is domiciled in _____ County, _____.

3. The nature, extent and estimated value of minor's assets so far as is known to Petitioner (the major part of which is located in _____ County, Missouri) is set forth in Exhibit A attached hereto and incorporated herein by this reference.

4. The name and address of the minor's parents, spouse, if any, and children, if any, are set forth in Exhibit B attached hereto and incorporated herein by this reference.

5. The name and address of the person having custody of the minor is: _____

6. The name and address of the guardian or conservator of the minor, if any, is: _____

7. The proposed guardian and/or conservator is not guardian or conservator for any other person except: _____

8. Attached hereto and incorporated herein by this reference as Exhibit C is the consent of the proposed guardian and/or conservator to act if appointed.

9. Attached hereto and incorporated herein by this reference as Exhibit D is the proposed guardian's and/or conservator's designation of resident agent and the resident agent's consent to act if the proposed guardian and/or conservator is a non-resident of the State of Missouri.

WHEREFORE, Petitioner prays that Letters of Guardianship and/or Conservatorship issue to: _____

The undersigned swears that the answers set forth above are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Petitioner

Complete Address

Telephone Number

Petitioner

Complete Address

Telephone Number

Attorney Name and Bar Number

Address

Telephone and Fax Number

Attorney for Petitioner

SELECTION OF FIDUCIARY BY MINOR

The undersigned minor acknowledges receipt of a copy of the above petition and waives service thereof and hereby requests that _____ be appointed guardian and/or conservator.

Witness

Minor

Witness

Minor

Witness

Minor

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
PROBATE DIVISION**

IN THE MATTER OF: _____)

Minor. _____)

Estate Number: _____)

**PARENTAL CONSENT TO APPOINTMENT OF GUARDIAN AND/OR
CONSERVATOR**

I request the appointment of _____ as guardian of the
person and/or conservator of the estate of: _____
who is my natural child for the following reasons: _____

I hereby freely and voluntarily consent to the appointment of the above named person. I understand that such appointment shall be subject to laws of the State of Missouri and the supervision of the Probate Division. I understand that I shall not have any right or claim to control or custody of such child or property. I understand that the appointment is permanent and will not be set aside merely at my request. I understand that the Guardian and/or Conservatorship will not be set aside upon resignation of the fiduciary or upon proof that the fiduciary should be removed upon grounds as provided by law after notice and hearing to all persons interested in the welfare of the child. I hereby state that this consent is freely given without condition and without representation by any person, including the proposed fiduciary. No one has represented to me that this is a temporary proceeding which may be terminated at my request.

Natural Parent

STATE OF _____)
)ss
COUNTY OF _____)

On the _____ day of _____, before me, a Notary Public in and for said State and County, personally appeared _____, to me known to be the person described in and who executed the forgoing Parental Consent to Appointment of Guardian and/or Conservator and acknowledged the same as her/his free act and deed for the uses and purposes therein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in said State and County, the day and year first above written.

Notary Public

County of _____

State of _____

My commission expires:

**IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI
PROBATE DIVISION**

IN THE MATTER OF: _____)

Minor. _____)

Estate Number: _____)

**PARENTAL CONSENT TO APPOINTMENT OF GUARDIAN AND/OR
CONSERVATOR**

I request the appointment of _____ as guardian of the person and/or conservator of the estate of: _____ who is my natural child for the following reasons: _____

I hereby freely and voluntarily consent to the appointment of the above named person. I understand that such appointment shall be subject to laws of the State of Missouri and the supervision of the Probate Division. I understand that I shall not have any right or claim to control or custody of such child or property. I understand that the appointment is permanent and will not be set aside merely at my request. I understand that the Guardian and/or Conservatorship will not be set aside upon resignation of the fiduciary or upon proof that the fiduciary should be removed upon grounds as provided by law after notice and hearing to all persons interested in the welfare of the child. I hereby state that this consent is freely given without condition and without representation by any person, including the proposed fiduciary. No one has represented to me that this is a temporary proceeding which may be terminated at my request.

Natural Parent

STATE OF _____)
)ss
COUNTY OF _____)

On the _____ day of _____, before me, a Notary Public in and for said State and County, personally appeared _____, to me known to be the person described in and who executed the forgoing Parental Consent to Appointment of Guardian and/or Conservator and acknowledged the same as her/his free act and deed for the uses and purposes therein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in said State and County, the day and year first above written.

Notary Public

County of _____

State of _____

My commission expires:

In Re: _____ Estate Number: _____

EXHIBIT A

REAL PROPERTY (LIST LOCATION BY ADDRESS AND VALUE):

PERSONAL PROPERTY:

CHECKING ACCOUNTS	\$
SAVINGS ACCOUNTS	\$
CERTIFICATES OF DEPOSIT	\$
STOCKS AND BONDS	\$
VEHICLES	\$
HOUSEHOLD GOODS & FURNISHINGS	\$
OTHER:	\$

INCOME (MONTHLY):

SOCIAL SECURITY	\$
SUPPLEMENTAL SECURITY INCOME	\$
VETERANS ADMINISTRATION BENEFITS	\$
COMPANY PENSION	\$
INTEREST	\$
DIVIDENDS	\$
OTHER:	\$

In Re: _____ Estate Number: _____

EXHIBIT B

PARENTS:

MOTHER _____

ADDRESS _____

FATHER _____

ADDRESS _____

SPOUSE:

NAME _____

ADDRESS _____

CHILDREN:

NAME _____

ADDRESS _____ AGE _____

NAME _____

ADDRESS _____ AGE _____

NAME _____

ADDRESS _____ AGE _____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

RELATIVES: LIST THE NAMES AND ADDRESSES OF RESPONDENT'S
CLOSEST KNOWN RELATIVES OTHER THAN THE ABOVE
PARTIES

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

NAME _____ RELATION _____

ADDRESS _____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

In Re: _____ Estate Number: _____

EXHIBIT C (1)

The undersigned hereby consents to serve as guardian and/or conservator of the above-named minor if appointed by the Court and in support thereof states:

1. The undersigned has never pled guilty to nor been convicted of a misdemeanor (except traffic convictions) or a felony.
2. The undersigned's spouse is _____.
3. The undersigned resides at _____.
4. The undersigned is presently employed by _____ located at _____.
5. The following listed persons will know the whereabouts of the undersigned:

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

6. The undersigned's social security number is _____.

7. The undersigned has read and understands the Information for Guardians and Conservators as set out on the reserve side of this statement, and acknowledges receipt of a copy thereof.

The undersigned swears that the matters set forth are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated: _____

Proposed Fiduciary

Address with Zip Code

Telephone Number

In Re: _____ Estate Number: _____

EXHIBIT C (2)

The undersigned hereby consents to serve as guardian and/or conservator of the above-named minor if appointed by the Court and in support thereof states:

1. The undersigned has never pled guilty to nor been convicted of a misdemeanor (except traffic convictions) or a felony.

2. The undersigned's spouse is _____.

3. The undersigned resides at _____.

4. The undersigned is presently employed by _____ located at _____.

5. The following listed persons will know the whereabouts of the undersigned:

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

NAME _____

ADDRESS _____

6. The undersigned's social security number is _____.

7. The undersigned has read and understands the Information for Guardians and Conservators as set out on the reserve side of this statement, and acknowledges receipt of a copy thereof.

The undersigned swears that the matters set forth are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated: _____

Proposed Fiduciary

Address with Zip Code

Telephone Number

In Re: _____ Estate Number: _____

EXHIBIT D

DESIGNATION OF RESIDENT AGENT

I, _____, residing at _____,
City of _____, State of _____, desiring to serve
as guardian of the above named minor person, pursuant to Section 475.055, Laws 1983,
hereby appoint _____ as my agent
for service of process upon me within the State of Missouri concerning said matter.

The undersigned swears that the matter set forth in the foregoing document are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Dated: _____

Guardian/Conservator

ACCEPTANCE OF APPOINTMENT AS RESIDENT AGENT

I, _____ residing at _____,
in _____, Missouri, Telephone Number _____,
having been appointed, pursuant to Section 475.055., RSMo, to act as agent for service of
process on and receipt of notice to _____ within
the State of Missouri, concerning the above matter, hereby acknowledge such
appointment and consent to act as such agent and I will accept all service of process
brought against _____, within the
State of Missouri.

The undersigned swears that the matter set forth in the foregoing document are true and correct to the best knowledge and belief of the undersigned subject to the penalties of making a false affidavit or declaration.

Dated: _____

Resident Agent

INFORMATION REGARDING PROPOSED WARD/PROTECTEE

Name: _____

Address: _____

Resident Address (Last 3 years): _____

Birth Date: _____ Sex: _____ Social Security #: _____

Marital Status: _____ Spouse's Name: _____

Name, Address and Dates (of employment) of current full-time employer and last two previous employers: _____

Member Armed Services: _____ Branch: _____

Service/Veteran's No. _____

Service Connected Disability: Yes _____ No _____ If "yes" give details:

Is proposed ward known to any public agency or Court? Yes _____ No _____

If "yes", give details: _____

INFORMATION FOR GUARDIANS AND CONSERVATORS

To help you perform your duties properly, the general duties and obligations of a guardian and conservator are described below.

1. If you have been appointed guardian, you have charge of the Respondent's person and Respondent is known as a ward. If you have been appointed conservator, you have charge of the Respondent's property and Respondent is known as a protectee. If you have been appointed both guardian and conservator you have charge of both Respondent's person and property and Respondent is known as both a ward and protectee. Your authority as guardian and conservator may be limited by the order appointing you. Consult your attorney as to the extent of your authority.

2. As guardian, you have the duty to take charge of the person of the ward and to provide for the ward's care, treatment, habilitation, education, support and maintenance; and the powers and duties shall include (a) assuring that the ward resides in the best and least restrictive setting reasonably available; (b) assuring that the ward receives medical care and other services that are needed; (c) promoting and protecting the care, comfort, safety, health and welfare of the ward; and (d) providing required consents on behalf of the ward. You will be required to file a personal status report annually concerning the care, welfare and placement of your ward.

3. As conservator, you must take possession of your protectee's property to the extent authorized by the Court. The property, income and bank accounts should be kept separate from your own funds. The Protectee's funds should be in your name as conservator for the protectee. You must invest the protectee's funds according to law and you are personally liable for imprudent or unauthorized investments. You may only spend the protectee's funds for purposes authorized by statute or court order. You may apply for an order of continuing support and maintenance authorizing you to spend a budgeted sum each month for the protectee. You will be required to file an annual accounting (called a settlement) showing in detail all receipts and expenditures occurring during the preceding year. Each entry must be explained and each expenditure must be authorized by status or court order. You may not sell, trade, lease, mortgage, transfer or discard your protectee's property without court approval, even though the protectee is your child or other relative.

4. In the event the ward or protectee dies or you or the ward or protectee move from one address to another, you have a duty to notify the court in writing of such death or new address as soon as possible.

5. If you fail to perform any of your duties as guardian or conservator, you are liable to be removed from office and be held personally liable for any loss or damage sustained by the ward or protectee by reason of failure/ You are under a duty, at all times, to act in the best interests of your ward-protectee and to avoid conflicts of interest which impair your ability so to act.

6. In certain cases, expenses of bond and other costs may be saved by placing funds in restricted deposits and/or securing waiver of filing the annual settlement. Consult your attorney.

7. With court approval, a conservator may use the protectee's funds to pay for your attorney's services. If only limited funds or public assistance (SSI) is available, you may qualify for free legal aid.