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IN THE DISTRICT COURT OF THE \_\_\_\_\_ JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF \_\_\_\_\_

In the Matter of

\_\_\_\_\_ ,

DOB: \_\_\_\_\_  
a Minor.

Case No.: \_\_\_\_\_

PETITION FOR APPOINTMENT OF  
GUARDIAN OF A MINOR

Fee Category:

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Petitioner, (name) \_\_\_\_\_, states and represents:

1. I am:

- a relative of the minor, **or**
- a court appointed de facto custodian, **or**
- the primary caregiver and financial supporter of the minor and the minor has lived with me for at least six months if the minor is under three (3) years of age, or for at least one year if the minor is age three (3) or over, **or**
- interested in the welfare of the minor based on the following relationship: \_\_\_\_\_  
\_\_\_\_\_

2. The minor is age \_\_\_\_\_, born on \_\_\_\_\_.

3. Venue is proper because the minor resides or is present in this county.

4. The minor is unmarried and:

- all parental custody rights have been terminated by court order dated \_\_\_\_\_,

**or**

- the minor has been neglected, abused or abandoned, **or**
- the minor's parents are unable to provide a stable home environment.

5. No testamentary appointment of a guardian has been made.

6. Age of the minor:

- the minor is under age 14 ; **or**
- the minor is 14 years of age or older and nominates petitioner; **or**
- the minor is age 14 or older and has failed to nominate a guardian.

7. The appointment of petitioner is in the best interests of the minor because:

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8. Notice of the time and place of the hearing on this petition is required to be given pursuant to I.C. §15-5-207(2) to the following:

- the minor, if age 14 or older;
- the person who has had the principal care and custody of the minor during the last 60 days:

(Name of Person) \_\_\_\_\_,  
(Address) \_\_\_\_\_

(Relationship to Minor) \_\_\_\_\_,

- a person appointed de facto custodian or any person who has been the primary caregiver and financial supporter of the minor and with whom the minor has resided for at least six months if the minor is under three (3) years of age, or for at least one year if the minor is age three (3) or over:

(Name of Person) \_\_\_\_\_,  
(Address) \_\_\_\_\_

- Mother of minor, if living

(Mother's Name) \_\_\_\_\_,  
(Address) \_\_\_\_\_

\_\_\_\_\_  
 Father of minor, if living

(Father's Name) \_\_\_\_\_

(Address) \_\_\_\_\_  
\_\_\_\_\_

9. Petitioner asks the court to find that:

appointment of an attorney to represent the minor or a guardian ad litem for the minor is not necessary to serve the minor's best interests because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
 appointment of an attorney or guardian ad litem is not necessary because the Idaho Department of Health and Welfare has legal custody of the minor; **or**

\_\_\_\_\_ be appointed as the  attorney  
**or**  guardian ad litem to represent the minor.

10. **Temporary Guardianship.**

Petitioner asks the court to appoint the petitioner as a temporary guardian of the minor because a petition for guardianship has been filed, but a guardian has not yet been appointed. No other person appears to have the ability, authority, and willingness to act.

The Appointment is necessary to protect the minor's health, safety, or welfare until the petition can be heard because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And

I request a hearing.

Or

I request temporary guardianship without initial notice and hearing because I have physical custody of the minor and the minor may be substantially and immediately harmed

before notice can be given because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

WHEREFORE, PETITIONER REQUESTS THAT:

1. The Court fix a time and place for hearing.
2. Notice be given as required by law.
3. The court find:  
 appointment of an attorney or guardian ad litem to represent the minor is not necessary to serve the best interests of the minor; **or**  
 appointment of an attorney or guardian ad litem to represent the minor is not necessary because the Idaho Department of Health and Welfare has legal custody of the minor; **or**  
 appoint \_\_\_\_\_ as the  attorney  
**or**  guardian ad litem for the minor.
4. The Court appoint petitioner as guardian of the minor.
5. Letters of Guardianship be issued.
6.  **Temporary Guardianship.** The Court appoint petitioner as temporary guardian of the minor until petitioner is appointed as guardian, or for a period of six months, whichever occurs first.

**CERTIFICATION UNDER PENALTY OF PERJURY**

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Petitioner's Signature