



☐ CIRCUIT ☐ ORPHANS' COURT FOR _____, MARYLAND

City/County

Located at _____

Court Address

Telephone _____

Case No. _____

In the Matter of _____

Name of Minor

Docket Reference

PETITION BY PARENT (APPOINTMENT OF STANDBY GUARDIAN)
(Md. Code, Estates & Trusts Art., § 13-903, Md. Rule 10-402)

NOTE: Use this form to ask the court to appoint an adult to be standby guardian of your minor child(ren) should you become mentally incapacitated or die within two years of filing this petition.

- **Mentally incapacitated:** Your attending physician determines you have a mental impairment that causes a chronic and substantial inability to understand the nature and consequences of decisions about the care of your child(ren). Because of the incapacity, you cannot care for your child(ren).

File this petition in the circuit or orphans' court in the county where your minor child(ren) lives or is physically present. Ask the proposed standby guardian(s) to complete the Prospective Guardian Information Sheet (CC-GN-023), and attach it to your petition. **The court will not appoint the standby guardian unless it finds that there is a significant risk that you will become mentally incapacitated or die within two years of filing this petition.**

I, _____, whose age is _____, whose date of birth is _____,
Your name Age
_____, whose address is _____,
Date of birth Address
_____, whose telephone number is _____,
Telephone number

and whose e-mail address (if available) is _____, ask the court
E-mail address

to appoint _____ as standby guardian(s) of
Name(s) of proposed standby guardian(s)

☐ the person ☐ the property ☐ the person and property of:

Name(s) of Child(ren)

Date of Birth

Gender

Address

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

should I ☐ become mentally incapacitated ☐ die ☐ become mentally incapacitated or die, whichever happens first.

Joining party. Complete this section if you are not the petitioner named above, you also have parental rights over the minor child(ren) listed above, and you want to join this petition for appointment of a standby guardian.

I, _____, whose age is _____, whose date of birth is _____,
Name of joining parent Age
_____, whose address is _____,
Date of birth Address
_____, whose telephone number is _____,
Telephone number
and whose e-mail address (if available) is _____, join this petition.
E-mail address

I/We state that:

1. I am/We are the _____ of the minor child(ren) listed above.
Your relationship to the minor child(ren)

2. Complete this section if it applies.

The minor child(ren) has/have the following siblings, for whom I am/we are NOT asking the court to appoint me as standby guardian:

<u>Name(s) of Child(ren)</u>	<u>Date of Birth</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Complete this section if it applies.

_____, who is/are _____, who is/are
Name(s) of minor child(ren)
at least 14 years of age, expressed the following wishes regarding standby guardianship:

4. Complete this section if you are asking the court to appoint a standby guardian of the PERSON who would make non-financial decisions (e.g., housing, medical care, education, clothing, food, and everyday needs).

The proposed guardian of the person is _____,
Name of proposed standby guardian of the person
whose age is _____, whose date of birth is _____, whose address is _____,
Age Date of birth Address
_____, whose telephone number is _____,
Telephone number
_____, and whose e-mail address (if available) is _____.
E-mail address

Their relationship to the minor child(ren) is _____, and
Relationship to the child(ren)
they (*select one*):

☐ have not been convicted of or charged with a crime listed in Code, Estates & Trusts Article, § 11-114, and no charge for such a crime is currently pending against them.

For a listing of crimes in § 11-114 see page 4 of form CC-GNIN-001

(<https://mdcourts.gov/sites/default/files/court-forms/family/forms/ccgnin001.pdf/ccgnin001.pdf>)

☐ were convicted of a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (select all that apply):

- ☐ _____, a felony, in _____ in the _____.
Name(s) of felony Year Name of court
- ☐ _____, a crime of violence defined in
Name(s) of crime of violence
§ 14-101 of the Criminal Law Article, in _____ in the _____.
Year Name of court
- ☐ assault in the second degree, in _____ in the _____.
Year Name of court
- ☐ _____, a sexual offense in the third or fourth
Type(s) of sexual offense
degree, in _____ in the _____.
Year Name of court

The following good cause exists for the court to appoint them as standby guardian:

☐ were charged with a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (select all that apply):

- ☐ _____ a felony, in _____, in _____.
Name(s) of felony Year City/State
- This charge ☐ is ☐ is not still pending.
- ☐ _____, a crime of violence defined in § 14-101 of the
Name(s) of crime of violence
Criminal Law Article, in _____, in _____.
Year City/State
- This charge ☐ is ☐ is not still pending.
- ☐ assault in the second degree, in _____, in _____.
Year City/State
- This charge ☐ is ☐ is not still pending.
- ☐ _____ a sexual offense in the third or fourth degree, in _____,
Type(s) of sexual offense Year
in _____. This charge ☐ is ☐ is not still pending.
City/State

The following good cause exists for the court to appoint them as standby guardian:

I/We ask the court to grant the proposed standby guardian of the person the authority to (*check all that apply*):

- ☐ provide for the child(ren)'s physical and mental well-being, including food and shelter.
- ☐ make educational decisions and take educational actions on behalf of the child(ren), including enrolling them in school, picking them up from school, making special education decisions, and obtaining educational records.
- ☐ make medical treatment decisions for the child(ren), including determining and consenting to medical, psychological, and dental treatment, obtaining information and medical and hospital records, authorizing hospital admissions and discharges, and consulting with health care providers.
- ☐ make domestic and international travel arrangements for the child(ren), accompany the child(ren) on trips, and make related arrangements including hotel and other accommodations.
- ☐ receive and use public benefits and child support payable on behalf of the minor child(ren).
- ☐ take any other action required for the child(ren) as I/we might or could take in the best interest of the child(ren).

Special instructions or limitations (if any):

5. Complete this section if you are asking the court to appoint a standby guardian of the PROPERTY who would make financial decisions (e.g., paying for the child(ren)'s personal needs, applying for benefits, paying taxes).

The proposed guardian of the property is _____,
Name of proposed standby guardian of the property

whose age is _____, and date of birth is _____, whose address is _____,
Age Date of birth

_____, whose telephone number is _____,
Address

_____, and whose e-mail address (if available) is _____.
Telephone number E-mail address

Their relationship to the minor child(ren) is _____,
Relationship to the child(ren)
and they (*select one*):

☐ have not been convicted of or charged with a crime listed in Code, Estates & Trusts Article, § 11-114, and no charge for such a crime is currently pending against them.

☐ were convicted of a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely (*select all that apply*):

☐ _____, a felony, in _____ in the _____.
Name(s) of felony Year Name of court

☐ _____, a crime of violence defined in § 14-101 of the
Name(s) of crime of violence

Criminal Law Article, in _____ in the _____.
Year Name of court

☐ assault in the second degree, in _____ in the _____.
Year Name of court

☐ _____ a sexual offense in the third or fourth degree, in _____
Type(s) of sexual offense Year

in the _____.
Name of court

The following good cause exists for the court to appoint them as standby guardian:

☐ were charged with a crime listed in Md. Code, Estates & Trusts Article, § 11-114, namely
(select all that apply):

☐ _____, a felony, in _____, in _____.
Name(s) of felony Year City/State

This charge ☐ is ☐ is not still pending.

☐ _____, a crime of violence defined in § 14-101 of the
Name(s) of crime of violence
Criminal Law Article, in _____, in _____.
Year Name of court

This charge ☐ is ☐ is not still pending.

☐ assault in the second degree, in _____, in _____.
Year City/State

This charge ☐ is ☐ is not still pending.

☐ _____ a sexual offense in the third or fourth degree,
Type(s) of sexual offense
in _____, in _____. This charge ☐ is ☐ is not still pending.
Year City/State

The following good cause exists for the court to appoint them as standby guardian:

I/We ask the court to grant the proposed standby guardian of the property the authority to (check all that apply):

☐ apply funds from the guardianship estate for the minor child(ren)'s clothing, support, care, protection, welfare, and education.

☐ apply for, receive, and use public benefits and child support payable on behalf of the minor child(ren).

Special instructions or limitations (if any):

The following is all property in which the minor child(ren) has interest, including an absolute interest, a joint interest, or an interest less than absolute (attach additional sheets if needed).

<u>Property</u>	<u>Location</u>	<u>Value</u>	<u>Sole owner, joint owner (specific type), life tenant, trustee, custodian agent, etc.</u>
-----------------	-----------------	--------------	---

6. Appointment of the proposed standby guardian(s) is in the best interest of the minor because:

7. There is a significant risk that _____ Name of parent
will become incapacitated or die within two years of filing this petition. Explain:

8. Complete this section if another person has parental rights over the minor child(ren) (e.g., a biological parent or legal guardian) but does not join this petition.

9. (Select one):

☐ Another person has parental rights over the minor child(ren), but their identity is unknown.

The following efforts were made to identify and locate them:

☐ _____ has parental rights over the minor child(ren). Their
relationship to the minor child(ren) is _____. Their location (select one):

Relationship

☐ is _____ Address

☐ is unknown and the following efforts were made to locate them (select all that apply):

- ☐ contacted last known place of employment.
- ☐ called the last known phone number.
- ☐ emailed the last know email address.
- ☐ searched the internet and social media sites.
- ☐ contacted their family members or friends.
- ☐ other (describe):

Their reasons for not joining this petition are ☐ not known ☐ as follows (if known):

10. (Select one):

- ☐ I am able to appear in court for the hearing on this petition.
☐ I am unable to appear in court for the hearing on this petition because:

11. Complete this section if it applies.

I/We believe that notice to the minor child(ren) is unnecessary or not in the best interest of the minor child(ren) for the following reasons:

FOR THESE REASONS, I/we ask the court to:

1. Complete this section if it applies. Appoint _____
Name of proposed guardian of the person
as standby guardian of the person of _____
Name(s) of minor child(ren)
2. Complete this section if it applies. Appoint _____
Name of proposed guardian of the property
as standby guardian of the property of _____
Name(s) of minor child(ren)
3. Complete this section if it applies. Appoint _____
Name of proposed guardian of the property
as standby guardian of the person and property of _____
Name(s) of minor child(ren)
4. Issue an order requiring interested persons and any other persons directed by the court to show cause why my/our request should not be granted.
5. Grant any other and further relief as may be required.

I/We solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Date

Street Address

City, State, Zip

E-mail

Signature

Printed Name

Telephone Number

Fax