



Judicial Council of California

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Subject Details (With Text)

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Title

Probate Guardianship: Wards 18 to 20 Years of Age (Action Required)

Summary

The Probate and Mental Health Advisory Committee recommended adopting one rule of court and one probate guardianship form, amending four rules of court, and revising four probate guardianship forms to implement Assembly Bill 900, which authorized the superior court to establish or extend a guardianship of the person for a youth 18 years of age or older but not yet 21 who needs protection related to an application for Special Immigrant Juvenile status. The bill required the Judicial Council to adopt, by July 1, 2016, any rules and forms needed to implement its central provision.

Recommendation

The Probate and Mental Health Advisory Committee recommended that the Judicial Council, effective July 1, 2016:

1. Adopt rule 7.1002.5 to indicate how a ward or proposed ward who is at least 18 but not yet 21 years of age may give, modify, or withdraw consent to the establishment or extension of a guardianship of his or her person as well as to the guardian's performance of the duties of a guardian;
2. Amend rule 7.1002 to italicize the form name in the rule title;
3. Amend rule 7.1004 to implement AB 900's amendments to the standards and procedures in sections 1600 and 1601 of the Probate Code regarding termination of a guardianship;
4. Amend rule 7.1013 to limit the persons required to receive notice of a change of residence of a ward who is at least 18 but not yet 21 years of age;
5. Amend rule 7.1020 to permit a request for Special Immigrant Juvenile findings to be filed concurrently with a petition to extend a guardianship of the person past the ward's 18th birthday;
6. Adopt *Petition to Extend Guardianship of the Person* (form GC-210(PE)) for mandatory use to petition for the extension of a guardianship of the person beyond the ward's 18th birthday;
7. Revise *Petition for Appointment of Guardian of Minor* (form GC-210) and *Petition for Appointment of Guardian of the Person* (form GC-210(P)) to permit their use to petition for the appointment of a guardian of the person for a proposed ward who is at least 18 but not yet 21 years of age;
8. Revise *Order Appointing Guardian or Extending Guardianship of the Person* (form GC-240) to allow

- its use to extend a guardianship of the person beyond the ward's 18th birthday; and
9. Revise *Letters of Guardianship* (form GC-250) to allow the form's use in guardianship's of the person for wards 18 years of age or older.