

Re: Petition to Terminate Temporary Guardianship of Minor

This form is to be used when a natural guardian seeks to terminate a temporary guardianship pursuant to changes made in O.C.G.A. § 29-4-4.1(c), which became **effective July 1, 2000**, and provides for notice to the temporary guardian.

Please complete the form by typing or printing legibly in black ink.

Please check with the court for the current filing fees associated with this procedure.

PETITION TO TERMINATE TEMPORARY GUARDIANSHIP OF MINOR

GEORGIA, _____ COUNTY

Re: _____, Minor(s)

To The Honorable Judge Of The Probate Court:

The petition of _____ whose mailing address is _____ shows:

1. Petitioner is the natural (mother) (father) of the above named minor.
2. On the ____ day of _____, _____, this Court appointed _____ as temporary guardian of the person of the above named minor after the petitioner:
 - _____ a. temporarily relinquished parental rights; or
 - _____ b. did not object to the appointment of the temporary guardian.
3. Petitioner now desires the termination of the temporary guardianship with return of custody and control of the minor to _____.

Wherefore, petitioner prays that notice to the temporary guardian be provided as the law requires, and if no objection is filed by the temporary guardian within ten days of the date of such notice, that the temporary guardian be removed and the temporary guardianship be dissolved.

Address: _____

Telephone #: _____

Signature of Attorney (or petitioner if pro se)
State Bar #: _____

VERIFICATION

Personally appeared before me the undersigned petitioner(s) who on oath state(s) that the facts set forth in the foregoing petition are true.

Residence Address: _____

Telephone #: _____

Signature of Petitioner

Sworn to and subscribed before me, this ____ day of _____, _____.

Clerk of Probate Court or Notary Public

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN THE MATTER OF

_____)
A MINOR)

ESTATE NO. _____)

ORDER FOR SERVICE

It appearing that _____, the natural parent of said minor, has petitioned this Court for dissolution of the temporary guardianship of the said minor, awarded to _____ by this court on _____; it is ordered that the Sheriff of _____ County serve upon said temporary guardian of the above named minor copies of the foregoing petition for dissolution, and this Order, and the following Notice.

Date

Judge of the Probate Court

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN THE MATTER OF

)
)
)
)

A MINOR

ESTATE NO. _____

NOTICE

You are hereby notified that _____,
natural guardian of the above named minor, has petitioned this court for dissolution of the
temporary guardianship of said minor, awarded to you on _____.

You, as the guardian, are further notified that O.C.G.A. § 29-4-4.1(c) provides:

Upon subsequent application to the court by the minor's natural guardian, for dissolution of the temporary guardianship, notice shall be provided to the temporary guardian of such application for dissolution of the temporary guardianship. If no objection to the dissolution of the temporary guardianship is filed within ten days of such notice, the judge of the probate court shall remove the temporary guardian appointed under this Code section and dissolve the temporary guardianship. If an objection to the dissolution of the temporary guardianship is filed within ten days, the judge of the probate court shall immediately transfer the records relating to the appointment of the temporary guardian and the objection to the dissolution of the temporary guardianship to the juvenile court, which shall determine, after notice and hearing, whether a continuation or dissolution of the temporary guardianship is in the best interest of the minor and shall issue an order accordingly.

Pursuant to the above, this court shall terminate the guardianship of the above named minor(s) ten days after personal service has been completed on the guardian.

WITNESS the Honorable Judge of the Probate Court

Date

By: _____
Clerk of the Probate Court

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN THE MATTER OF

A MINOR

)
)
)
)

ESTATE NO. _____

CERTIFICATE OF SERVICE

I, the undersigned Deputy Sheriff of _____ County, Georgia, do hereby certify that I have this date personally served the following with a copy of the petition and notice to terminate the temporary guardianship of the above referenced minor:

This _____ day of _____, _____.

Deputy Sheriff
_____ County, Georgia

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN THE MATTER OF _____) ESTATE NO. _____
)
)
_____,) TERMINATION OF TEMPORARY
A MINOR) GUARDIANSHIP

ORDER OF DISSOLUTION

The foregoing petition having been read and considered and it appearing that no objection to the petition of _____ for dissolution of the temporary guardianship over the above referenced minor has been filed within the time prescribed by law;

IT IS ORDERED that the temporary guardian be removed and the temporary guardianship be dissolved.

Date

Judge of the Probate Court

IN THE PROBATE COURT OF _____ COUNTY

STATE OF GEORGIA

IN THE MATTER OF _____) ESTATE NO. _____
)
_____,)
A MINOR) TERMINATION OF TEMPORARY
) GUARDIANSHIP

ORDER OF TRANSFER TO JUVENILE COURT

The foregoing petition of _____,
natural guardian of the above referenced minor, having been read and considered and it
appearing that after notice to _____, temporary
guardian of the above referenced minor, a timely objection to the petition was filed by said
temporary guardian.

IT IS ORDERED that the records relating to the appointment of the temporary
guardianship be transferred to the Juvenile Court of _____ County for
a determination of whether the continuation or dissolution of the temporary guardianship
would be in the best interest of the minor.

Date

Judge of the Probate Court