COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
Domestic Relations Branch

IN RE:

_____
PRINT CHILD(REN)'S NAME(S)

_____
PRINT CHILD(REN)'S NAME(S)

_____
PRINT CHILD(REN)'S NAME(S)

DR _____

v.

Related Cases:

_____
PRINT THE NON-CUSTODIAL PARENT'S NAME

_____

_____
STREET ADDRESS

_____

_____
CITY, STATE AND ZIP CODE

RESPONDENT.

PETITION FOR APPOINTMENT OF STANDBY GUARDIAN
(By Standby Guardian Designate)

I, _____, am the Petitioner/Standby Guardian in this case and state that:
PRINT YOUR NAME

1. This Court has the authority to decide my petition for appointment of a guardian for minor children because [CHECK ONE]

☐ **Home State**. The District of Columbia is the child(ren)'s "home state" because the child(ren) currently live(s) in the District of Columbia *AND* has/have lived in the District of Columbia for at least six months immediately before filing this Petition.

☐ **Home State**. The child(ren) do not currently live in the District of Columbia, *BUT* the District of Columbia was the "home state" *AND* the child(ren) has/have been away from the District of Columbia for less than six months before the filing of this Complaint *AND* a parent or a person acting as a parent continues to live in the District of Columbia.

☐ **Significant Connections**. There is no "home state" or the "home state" has declined to exercise jurisdiction on the grounds that the District of Columbia is the more appropriate forum *AND* the child(ren) and at least one parent or person acting as a parent has a significant connection with the District of Columbia *AND* there is substantial evidence available in the District of Columbia concerning the child (ren)'s care, protection, training and personal relationships.

☐ **More Appropriate Court**. All courts with jurisdiction have declined to exercise their jurisdiction in favor of the District of Columbia because this is the more appropriate Court to determine standby guardianship of the child(ren).

☐ **No Other Court**. There is no other court with jurisdiction to determine standby guardianship of the child(ren).

☐ **Temporary Emergency Jurisdiction**. The District of Columbia is not the "home state" *BUT* the child(ren) is/are present in the District of Columbia *AND* the child(ren) has/have been abandoned *OR* it is necessary in an emergency to protect the child(ren) because the child (ren), or a sibling or parent of the child (ren), is/are subjected to or threatened with mistreatment or abuse.

2. I state the following about myself:

a. My name is _____.

b. My address is _____.

c. My date of birth is _____.

d. My telephone number is _____.

3. I am asking the court to appoint me the guardian of the following children:

a. _____
PRINT CHILD'S NAME PRINT CHILD'S DATE OF BIRTH

b. _____
PRINT CHILD'S NAME PRINT CHILD'S DATE OF BIRTH

c. _____
PRINT CHILD'S NAME PRINT CHILD'S DATE OF BIRTH

d. _____
PRINT CHILD'S NAME PRINT CHILD'S DATE OF BIRTH

4. I state the following with regard to the child(ren)'s legal custodian:

a. His/Her name is _____.

b. His/Her address is _____.

c. The legal custodian is related to the child(ren) because he or she is the child(ren)'s: [CHECK ONE]

☐ Biological Mother.
☐ Biological Father.
☐ Legal Adoptive Mother.
☐ Legal Adoptive Father.
☐ Grandparent with legal custody.
☐ Other: _____.

5. The legal custodian suffers from a chronic disease and might not recover. A medical diagnosis was made by _____ on _____.
PRINT DOCTOR'S NAME PRINT DATE OF DIAGNOSIS

6. Something happened that caused the legal custodian to become physically or mentally unable to care for the children (the "triggering event") on _____.
PRINT DATE OF THE TRIGGERING EVENT

7. I assumed care of the child(ren) on _____.
PRINT DATE

8. On the date of the triggering event, the legal custodian: [CHECK ONE]

☐ Made a written statement of debilitation ***AND*** a written statement that he/she wanted the standby guardianship to begin.

☐ Was determined by an attending clinician to be incapacitated.

☐ Died.

9. Before the triggering event, the legal custodian designated me as the Standby Guardian for the child(ren), and indicated that my authority would become effective if or when a triggering event occurred.

10. During the last five years, or since birth for child(ren) under five years old, each child has lived at the following address(es) with the following person(s):

Child's Name	Previous Address	During What Dates	Child Lived With (names)

11. I state the following about the child(ren)'s mother: [CHECK ONE]

☐ The mother is the custodial parent [GO TO STATEMENT 12]

☐ The mother is a non-custodial parent *AND*:

a. The mother's name is _____.

b. The mother's address or whereabouts: [CHECK ONE]

☐ the mother stays at _____.

☐ the mother's whereabouts are unknown; her last contact with us was

_____.
DESCRIBE THE DATE AND CIRCUMSTANCES OF THE LAST CONTACT

c. The non-custodial mother: [CHECK ONE]

☐ consents to my appointment as the child(ren)'s guardian.
☐ is deceased, and I have attached the death certificate to this Petition.
☐ has had her parental rights terminated by a judge.
☐ does not consent.
☐ has no known address.
☐ is unknown.

12. I state the following about the child(ren)'s father: [CHECK ONE]

☐ The father is a custodial parent [GO TO STATEMENT 13)

☐ The father is a non-custodial parent *AND*:

a. The father's name is _____.

b. The father's address or whereabouts: [CHECK ONE]

☐ the father stays at _____.

☐ the father's whereabouts are unknown; his last contact with us was

_____.
DESCRIBE THE DATE AND CIRCUMSTANCES OF THE LAST CONTACT

c. The non-custodial father: [CHECK ONE]

☐ consents to my appointment as the child(ren)'s guardian.
☐ is deceased, and I have attached the death certificate to this Petition.
☐ has had his parental rights terminated by a judge.

☐ does not consent.
☐ has no known address.
☑ is unknown.

13. I state the following about other cases involving the child(ren): [CHECK ONE]

☐ There are no other cases concerning custody of or visitation with the child(ren), and there are no other cases that could affect this proceeding.

☐ The following cases concern custody of or visitation with the child(ren), or involve one or both of the parties: [CHECK ALL THAT APPLY]

☐ **custody**

NAME & LOCATION OF COURT	CASE NUMBER	DATE OF ORDER, IF ANY

☐ **abuse/neglect**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **access to children (visitation)**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **adoption**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **child support**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **divorce**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **domestic violence (civil)**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **domestic violence (criminal)**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **juvenile delinquency**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **mental health/retardation**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **paternity**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

☐ **termination of parental rights**

NAME & LOCATION OF COURT	CASE NUMBER	NATURE OF PROCEEDING

14. I state the following about other persons not named as parties to this case: [CHECK ONE]

☐ I do not know of any other person not already named as a party to this case who is physically caring for the child(ren) or who claims a right to legal custody of, physical custody of, or access to the child(ren).

☐ The following person(s) not already named as a party to this case is/are physically caring for the child(ren), or claim a right to legal custody of, physical custody of, or access to the child(ren):

Name	Current Address

15. I am a fit and proper person to be named guardian and legal custodian of the minor child(ren), *and* I believe that it is in the best interest of the minor child(ren) that I be appointed the guardian and legal custodian.

Attachments

16. I have included the following attachment(s), as required by law:

☐ A copy of the Standby Guardian Designation.
☐ Proof of the triggering event.
☐ The birth certificate(s) of the child(ren).
☐ Proof that I am giving notice of this Petition and Hearing to the Defendants.
☐ A consent to my appointment as guardian signed by the other parent or a statement of any known reason explaining why that parent is not or should not be assuming responsibility for the child(ren).

Request for Relief

I RESPECTFULLY REQUEST that the Court appoint me the Guardian and Legal Custodian of the child(ren) named in this petition.

I ALSO REQUEST that the Court award any other relief it considers fair and proper.

[CHECK ONE]

☐ I *do not* know of any proceedings in the District of Columbia or in any state or territory involving the same claim or subject matter as this case.

☐ I *do* know of proceedings in the District of Columbia or in any state or territory involving the same claim or subject matter as this case, as listed on the first page of this Petition ("Related Cases").

Respectfully Submitted,

_____
SIGN YOUR NAME

_____
STREET ADDRESS

_____
CITY, STATE AND ZIP CODE

_____
TELEPHONE NUMBER

☐ SUBSTITUTE ADDRESS: CHECK BOX IF YOU HAVE WRITTEN SOMEONE ELSE'S ADDRESS BECAUSE YOU FEAR HARASSMENT OR HARM.

I, _____, solemnly swear or affirm under criminal penalties for the making of a false statement that I have read the foregoing Petition for Appointment of a Standby Guardian and that the factual statements made in it are true to the best of my personal knowledge, information and belief.

_____ _____
SIGN YOUR NAME DATE

_____
PRINT YOUR NAME

RULE 4
CERTIFICATE OF SERVICE

WHEN YOU FILE YOUR PETITION FOR APPOINTMENT OF STANDBY GUARDIAN, THE FAMILY COURT CENTRAL INTAKE CENTER WILL GIVE YOU A **SUMMONS** THAT YOU MUST SERVE ON THE OTHER PARTY WITH A COPY OF YOUR PETITION.

YOU MUST SERVE THE OTHER PARTY BEFORE THE SUMMONS EXPIRES IN 60 DAYS.

IF YOU ARE UNABLE TO SERVE THE OTHER PARTY WITHIN THE 60 DAYS, YOU CAN ASK THE FAMILY COURT CENTRAL INTAKE CENTER TO GIVE YOU ANOTHER SUMMONS. THE SECOND SUMMONS IS CALLED AN "ALIAS SUMMONS." YOU **MUST** ASK FOR THE ALIAS SUMMONS **BEFORE** THE FIRST SUMMONS EXPIRES.

HERE ARE THE WAYS YOU CAN SERVE YOUR PETITION AND THE SUMMONS:

- **by having someone else,** who is over 18 years old and not a party to the case (NOT you), **hand it to the other party;** or

- **by having someone else,** who is over 18 years old and not a party to the case (NOT you), **leave a copy at the other party's home** with a person of suitable age and discretion who lives there; or

- **by mailing it to the other party** by certified mail, return receipt requested.

  IF THE RETURN RECEIPT ("GREEN CARD") COMES BACK TO YOU, FILE IT WITH THE FAMILY COURT CENTRAL INTAKE CENTER BY ATTACHING IT TO AN "AFFIDAVIT OF RETURN OF SERVICE BY CERTIFIED MAIL."

AFTER YOU SERVE THE OTHER PARTY, YOU MUST COMPLETE THE CERTIFICATE OF SERVICE PORTION FOUND AT THE BOTTOM OF THE SUMMONS AND FILE IT WITH THE FAMILY COURT CENTRAL INTAKE CENTER.