

IN THE _____ COURT OF _____ COUNTY, WEST VIRGINIA

IN THE MATTER OF:

Civil Action No.

_____-_____-____

Minor(s) Under the Age of 18 Years

PETITION FOR APPOINTMENT OF GUARDIAN FOR THE MINOR(S)

I/We, _____, the Petitioner(s), pursuant to
West Virginia Code § 44-10-3, hereby request that the Court appoint a guardian for the following
minor(s):

<i>Name</i>	<i>Age</i>	<i>Date of Birth</i>
_____	_____	_____-_____-_____
_____	_____	_____-_____-_____
_____	_____	_____-_____-_____
_____	_____	_____-_____-_____
_____	_____	_____-_____-_____

Type of Guardianship

1. The Petitioner(s) is/are requesting guardianship over the person (custody) of the minor(s) named above.

This type of guardianship provides the guardian authority over the person of the minor, including decisions that a parent would ordinarily make and requires that the guardian provide for the physical and emotional well-being of the minor(s).

Need for Proposed Guardianship

2. The proposed guardianship is needed for the following reason(s): *(Attach additional pages if needed.)*

Minor's Information

3. Each minor(s) named above is:

☐ a current resident of this county and state for the past six months; or

☐ there are extraordinary circumstances that justify an earlier filing. These circumstances include: _____

4. The minor(s) currently live(s) with _____

whose address is _____

and telephone number(s) is/are _____.

5. During the last five years, the minor(s) has/have lived at the following addresses:

Minor's Name	Address and Adult Members of Household	Dates of Residence

Parents' Information

6. The parents of the minor(s) is/are:

Name

Last Known Address

Deceased ☐ Yes ☐ No

Telephone No.: _____

Deceased ☐ Yes ☐ No

Telephone No.: _____

7. Deceased Parents: *If any parent is deceased, please provide the date of death and county and state in which the parent died. If available, please attach a copy of the death certificate.*

Name: _____

Date of Death

County and State of Death

Name: _____

Date of Death

County and State of Death

8. Parents whose parental rights have been terminated: *If the parental rights of either parent have been terminated in a child abuse and neglect case, please provide the date of the termination and county and state of the child abuse and neglect case.*

Parent's Name: _____

Date of Termination: _____ County and State: _____

Parent's Name: _____

Date of Termination: _____ County and State: _____

9. PRIOR CPS INVESTIGATION: *Complete this section if the parents or the minor(s) have been subject to a CPS investigation.*

(a) The minor(s) and/or their parents have been subject to a CPS investigation(s) that involved the following: _____

(b) The outcome of the investigation was: _____

(c) CPS investigation history occurred in _____ County in the State of

10. If custody has previously been determined by a court proceeding, please complete this section.

To the best of my knowledge, the minor(s)'s custody has been determined in the following court proceedings:

Name of Court: _____

Case No.: _____ County and State: _____

Type of Proceeding: _____

Outcome of Proceeding: _____

Information of Proposed Guardian

11. The proposed guardian(s) of the minor(s) is/are:

Name: _____

Address: _____

Telephone number(s): _____

Date of Birth: _____

Relationship, if any, to the minor(s): _____

12. List the full name(s) of all other adults, besides the proposed guardian(s), who reside in the household of the proposed guardian: _____

13. The proposed guardian(s) is/are competent and fit to serve as guardian(s) of the minor(s) and the welfare and best interests of the minor(s) will be properly protected by the appointment of the proposed guardian(s) for the following reasons:

14. For the court to determine an appropriate guardian, the Petitioner(s) states the following regarding the proposed guardian(s):

- (a) ☐ Yes ☐ No Required to register as a sex offender under West Virginia Code, Chapter 15, Article 12;
- (b) ☐ Yes ☐ No Record of any misdemeanor or felony conviction;
- (c) ☐ Yes ☐ No Subject to a restraining order or final protective order;
- (d) ☐ Yes ☐ No Subject of any substantiated report alleging child abuse, neglect, or sexual abuse made to any child protective agency ("CPS"), other law enforcement agency, or court in any jurisdiction;
- (e) ☐ Yes ☐ No Uses any illegal substances, such as drugs, or misuses prescription drugs;
- (f) ☐ Yes ☐ No Abuses alcohol;
- (g) ☐ Yes ☐ No Another person living in the home is involved in any of the matters as stated above

If you answered "yes" to any of the questions, please provide additional information:

15. Does/Do the minor(s) receive(s) any ongoing payments such as social security or child support?
☐ Yes ☐ No

16. Does one of the parents receive child support payment for the minor(s)? ☐ Yes ☐ No

If your answer is "Yes," to either question 15 or 16, please list the type of payment, the amount of the payment, and how often it is received.

Additional Information

17. Please provide any additional information that the court should consider:

Temporary Relief

18. **For the following reasons,**

☐ a temporary guardian is needed to protect the welfare and the best interest of the minor(s) until a guardian is appointed and qualified to act; or

Because of the following circumstances, temporary relief is needed:

☐ temporary relief is not needed.

WHEREFORE, based upon the foregoing, and upon a hearing to be held in this matter, the undersigned petitioner requests that the Court appoint the above-proposed guardian(s) of the herein-named minor(s) and/or the estate and grant such other relief the Court finds appropriate.

Dated this _____ day of _____, 20_____.

Note: If the Court grants your petition, you may be required to post a bond. The Court will determine the amount and type of the bond.