

ADDENDUM TO PETITION FOR GUARDIANSHIP OF A MINOR

GENERAL INFORMATION SHEET

IMPORTANT

**THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY**

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding guardianship, including the definitions of terms.

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. THE COURT, SELF-HELP CENTER, NON-PROFIT ORGANIZATION, OR LAW LIBRARY THAT MAY PROVIDE THIS INFORMATION SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

What is an Immediate Temporary Guardianship?

An immediate temporary guardianship is granted in an emergency situation when it is not possible to wait the period required for filing a guardianship. In order to obtain an immediate temporary guardianship, the proposed ward must face “a substantial risk of immediate physical harm or needs immediate medical attention.” Additionally, an immediate temporary guardianship may be granted when the proposed ward is “unable to respond to a substantial and immediate risk of financial loss.”

THE REQUEST FOR A TEMPORARY GUARDIANSHIP IS SCRUTINIZED BY THE COURT AND IS RARELY GRANTED.

Are there different types of immediate temporary guardianships?

Yes. There are three types of court-ordered immediate temporary guardianships: (1) Temporary Guardianship of the Person, (2) Temporary Guardianship of the Estate, (3) Temporary Guardianship of the Person and the Estate.

In a temporary guardianship of the person, the guardian is responsible for the immediate personal/medical decisions that are required to respond the immediate danger or harm that might occur. Someone else will make all financial decisions, or there are no financial decisions to be made.

In a temporary guardianship of the estate, the guardian is responsible for financial decisions that are required to respond to the immediate danger of financial loss. Someone else will make personal and medical decisions.

In a temporary guardianship of the person and the estate, the guardian is responsible for the ward’s financial and personal/medical well-being in the emergency.

Please see the Definitions that are part of this packet or Chapter 159 of the Nevada Revised Statutes for more details on the types of court-ordered guardianships and the responsibilities of the guardian for each of these guardianships.

How do I get a court-ordered immediate temporary guardianship in Nevada?

You will need to file two sets of documents – the documents for the immediate temporary guardianship in this packet and the Petition for Appointment of Guardianship.

In general, you must file a Petition in the county where the Ward resides. If the Ward does not reside in Nevada, you may file in any Nevada county where the Ward has property or where the Ward is physically present.

The same people who are entitled to notice for the guardianship are entitled to notice of your request for immediate temporary guardianship. Please see the “General Information Sheet” in packet for the Petition for Guardianship over a Minor. If your request for immediate temporary guardianship is granted, you must notify all those same people not later than 48 hours after the appointment by using the Notice of Entry of Order.

Please see the Definitions that are part of this packet to learn more about the terms used in this explanation.

How do I file my paperwork?

The procedure for filing paperwork and setting hearings varies from county to county. Please call the clerk’s office for the county in which you plan to file the petition and ask about that court’s procedural requirements. If you are filing in Washoe County or Clark County, you may call the Self-Help Centers for those counties to learn more about the procedures in those courts. The telephone number numbers are:

Family Court Self-Help Center (Washoe County): (775) 325-6731
Family Law Self Help-Center (Clark County) (702) 455-1500

Please Note: If a document must be notarized, a clerk at the court may witness your signature instead of a notary public.

When can I use this set of forms?

You can use this Addendum to Petition for Guardianship of A Minor Requesting Immediate Temporary Guardianship if:

- The proposed ward is younger than 18 years old.
- One or two people will be the guardian(s) of the proposed ward.
- At least one of the person(s) who will be the guardian and the person who will be the ward are Nevada residents.

Note: If the guardianship is for an estate, at least some of the money/property must be in Nevada.

- The guardian(s) has never been disbarred or suspended from practicing law, accounting or any other profession that involves the management or sale of money, investments, securities or real property that requires a license.

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Addendum to Petition for Guardianship of a Minor Requesting Immediate Temporary Guardianship
- Notice of Entry of Order
- Order Regarding Temporary Guardianship of a Minor and Notice of Extension Hearing if Granted
- Temporary Letters of Guardianship