

**STIPULATION AND ORDER TO TERMINATE GUARDIANSHIP
OVER 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.

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What is a Stipulation?

A stipulation is an agreement between the parties in a case. If the judge approves that agreement he/she will sign an Order to make the agreement binding. A Stipulation and Order allows the parties to resolve their case without going to a hearing. For example, in this packet, you and the other guardian (if any) and the child's parents are agreeing to terminate the guardianship. If the judge approves the agreement, you will not need to have a hearing.

How do I ask the judge to sign the order terminating (stopping) the guardianship?

The first step in terminating a guardianship of a minor child by stipulation is to have all of the guardian(s) and parents sign the stipulation before a Notary Public. If the child is 14 years of age or older, the child must also sign the stipulation. After the document has been signed, you will need to give it to the judge to review. After the judge has signed the order terminating the guardianship, you will need to mail notice to everyone who received notice when the original Petition for Appointment of Guardian was filed. Typically, the following people and business are entitled to notice: relatives within the "second degree of consanguinity", and the manager of the care facility where the ward lives (if applicable).

The procedure for submitting your request to the judge for review 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.

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

When can I use this set of forms?

You can use this Stipulation and Order to Terminate Guardianship if:

- The guardian(s) and both of the child's parents are willing to sign this Stipulation and Order to terminate the guardianship. If the ward is at least 14 years old, he/she will also have to sign the stipulation.

NOTE: The judge may decide not to sign a Stipulation and Order if it is not signed by both of the child's parents. If you cannot get a parent to sign the Stipulation (i.e., the identity or location of the parent is unknown), the judge may want to have a hearing before deciding whether or not to terminate the guardianship. In other words, you can use this package, but you may need to have a hearing.

- The child will return to the custody of a parent or other person who had legal custody of the child when the guardianship took place. In other words, the parent must have had a court order granting legal custody or custody because of the law; being on the birth certificate is not enough to establish legal custody.
- The parent who will have the child agrees to assume legal responsibility for the child

What forms and information should be in this packet?

This packet should contain the following documents:

- General Information Sheet
- Stipulation and Order
- Notice of Entry of Order and Certificate of Mailing